

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

**Date:** Wednesday 21 June 2023  
**Time:** 1:00pm  
**Meeting Room:** Council Chambers  
**Venue:** 126-148 Oxford St  
Levin

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## **Council**

# **OPEN AGENDA**

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### **MEMBERSHIP**

<b>Mayor</b>	His Worship The Mayor Bernie Wanden
<b>Deputy Mayor</b>	Councillor David Allan
<b>Councillors</b>	Councillor Mike Barker
	Councillor Rogan Boyle
	Councillor Ross Brannigan
	Councillor Clint Grimstone
	Councillor Nina Hori Te Pa
	Councillor Sam Jennings
	Councillor Paul Olsen
	Councillor Jonathan Procter
	Councillor Justin Tamihana
	Councillor Piri-Hira Tukapua
	Councillor Alan Young

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**Full Agendas are available on Council's website**  
[www.horowhenua.govt.nz](http://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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**Note:** The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted. Should Members require further information relating to any reports, please contact the Chief Executive Officer or the Chairperson.



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## Karakia

Whakataka te hau ki te uru	Cease the winds from the west
Whakataka te hau ki te tonga	Cease the winds from the south
Kia mākinakina ki uta	Let the breeze blow over the land
Kia mātaratara ki tai	Let the breeze blow over the ocean
E hī ake ana te atakura	Let the red-tipped dawn come with a sharpened air.
He tio, he huka, he hau hū	A touch of frost, a promise of a glorious day.
Tīhei mauri ora!	

### 1 Apologies

### 2 Public Participation

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

### 3 Late Items

To consider, and if thought fit, to pass a resolution to permit the Council to consider any further items which do not appear on the Agenda of this meeting and/or the meeting to be held with the public excluded.

Such resolution is required to be made pursuant to Section 46A(7) of the Local Government Official Information and Meetings Act 1987, and the Chairperson must advise:

- (i) The reason why the item was not on the Agenda, and
- (ii) The reason why the discussion of this item cannot be delayed until a subsequent meeting.

### 4 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.

### 5 Confirmation of Minutes

#### 5.1 Meeting minutes Council, 31 May 2023

##### Recommendations

That the meeting minutes of Council, 31 May 2023 be accepted as a true and correct record.



## 6.1 Mayoral Report - June 2023

File No.: 23/384

### 1. Purpose

The purpose of this report is for His Worship the Mayor to report to Council on community events and Council-related meetings he has attended during the months of April and May 2023, and provide an update on items of interest.

### 2. Recommendation

- 2.1 That Report Mayoral Report - June 2023 be received.
- 2.2 That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.
- 2.3 That Council endorses the community group appointment of Cr Mike Barker, to the Levin Community Patrol, for the remainder of the triennium.

### 3. April - May 2023 - Meetings, Functions and Events Attended

Another two months has passed by with a wide range of meetings, functions and events, which includes:

April 2023
Official Opening 'Smells like Roses - Rozengeur' - Exhibition
Levin Harriers Opening Day
Cyclone Gabrielle Relief - The Black Out Function
Horowhenua Ratepayers Association Meeting on LTPA - Rates Review
Colin Crampton, Entity C Chief Executive
Te Awahou Foxton Community Board Meeting
LTPA Consultation Event: Focus Group - Shannon
Te Tumatakahuki Monthly Hui
Community Wellbeing Committee Meeting
Governance Fundamentals Workshop
LTPA Consultation Event: Focus Group 2 – TANS, Foxton
LTPA Consultation Event: Focus Group 3 – Te Takeretanga o Kura-hau-pō
Foxton Easter Fair
LTPA Consultation Event: Shannon Ask me anything
Horizons Open Day - Poplar Partnership, Horizons Supreme Winner
Cuppa with a Councillor – Levin, Foxton and Shannon
Wgtn Regional Growth Framework - Future Development Strategy Workshop with KCDC
LTPA Consultation Event: Rates Review Meeting
LTPA Consultation Event: Ask me anything and Quiz night
LTPA Consultation Event: Landfill, Water & Wastewater Open Day

The Horowhenua company Limited Trust meeting
ANZAC Day Services
April Council Meeting
April Risk & Assurance Meeting
Zone Three Meeting in New Plymouth
Big Dutch Day Out
<b>May 2023</b>
Community Funding & Recognition Committee Meeting
Levin Foodbank Meeting
Levinable Project Meeting
District Plan Steering Group Meeting
Ō2NL & Town Centre Taskforce
Workshop: Maori Engagement Framework
Foxton Business Breakfast Meeting
Older Person's Network Meeting
King's Coronation Tree Planting & Community Recognition Event
C4LD Plenary Group : National Party Leader & LG Spokesperson
Horowhenua FMU Water Quality Interventions Governance Group Meeting
Council Meeting – Long Term Plan Hearing of Submissions
Horowhenua District Council and Kapiti Coast District Council – Mayors meeting
Te Awahou Foxton Community Board Meeting
Regional Transport Matters/Regional Chiefs - RTC Workshop 2 (RLTP strategic direction)
Coast Radio Interview
Working lunch with Manawatū Rangitikei Rural Family Support Trust
Council Briefing - Waka Kotahi Update
Horowhenua District Council/Waka Kotahi quarterly regional relationship meeting
Electra Business After 5 Meeting
Foxton Beach Holiday Park visit
Pacific Caucus Roadshow
Tokomaru Community meeting and visit
CE Employment & Performance Committee meeting
LGNZ Combine Sector meeting
Waitarere Beach Progressive Meeting AGM
Climate Action Joint Committee Workshop
Regional Leadership Group meeting
Council Meeting – Long Term Plan Deliberations



#### 4. Levin Community Patrol – Council Appointee

The Levin Community Patrol has requested that Council appoint a Councillor to their committee as an ex-officio member. The purpose of this is to act as a conduit between Council and the Levin Community Patrol, and to provide support to this busy and valued voluntary organisation.

Cr Mike Barker has been allocated the Neighbourhood Support Group portfolio for the triennium and the Levin Community Patrol connects in well with these current responsibilities. Both have a community safety and support function, and are voluntary in nature. Therefore, Mayor Bernie would like to nominate Cr Barker for the role.

#### 5. Rates Rebate – Remit to LGNZ AGM – July 2023

Horowhenua District Council endorsed a Rates Rebate remit proposal during the April 2023 Council meeting. This was subsequently submitted to the April 2023 Zone Three meeting.

The remit was well supported by Zone Three meeting attendees with an addition to the wording to include 'that the rebate amount be adjusted and in-line with inflation and the cost of living'. The following remit was then submitted to a LGNZ Remit Panel who advised that they have accepted the remit which will be included in the LGNZ AGM agenda.

##### Rates Rebate Remit

1. Raise the income threshold for rates rebate eligibility to enable more low and fixed income property owners access to the rebate
2. Rebate amount is adjusted and in-line with inflation and the cost of living
3. Investigate options to make rates rebates more accessible for residents by implementing an income data sharing process similar to that of Horowhenua District Council and Levin MSD office. This will enable Councils to obtain benefit income on behalf of the ratepayer and make it easier to apply for the rates rebate
4. Investigate options for data sharing between Councils, Internal Affairs and Ministry of Social Development to proactively identify households that qualify for a rates rebate rather than waiting for people to apply.

The Mayor looks forward to reporting on the outcome of the remit, following the LGNZ AGM next month.

#### 6. Mayor's Taskforce for Job Initiative - Update

The Mayor's Taskforce for Jobs (MTFJ) is a nationwide programme with Local Government New Zealand (LGNZ) and the Ministry of Social Development that focuses on connecting young people with suitable training, employment and mentoring opportunities and helping remove barriers to employment or training while providing a platform for job creation.

Recently Horowhenua District Council received news from LGNZ that they've secured funding for the MTFJ - Community Employment Programme for the next two years. Nationwide, Central Government has committed \$10m to be allocated in year one and a further \$8m for year two.

Ongoing funding is a result of the continued success MTFJ teams across the country are seeing. We are pleased to advise that the Horowhenua MTFJ Team has achieved results beyond the expectations of the contract.

Over the past year, the local MTFJ Coordinators have worked tirelessly to identify and address the key challenges faced by job seekers and businesses in Horowhenua. Through targeted initiatives and partnerships with local organisations, 267 people registered with the

MTFJ programme. The team has been successful in filling over 100 new job opportunities for the 2022/2023 financial year.

Thirty-nine have been placed in the construction industry, 20 in primary industries, eight in hospitality, four in retail and four in government, three in health and aged care, three in education and training, two in arts and recreation and the remaining 17 across other industries.

Whilst MTFJ focuses mainly on young people aged between 16 and 24 who aren't engaged in education, employment or training, the programme aims to help anyone that is disadvantaged in the job market. Programme Coordinators work with clients individually to determine their needs and support them in gaining the skills and confidence to get into work or training. This support could include picking clients up and taking them to appointments and interviews.



Once the clients are in work, they receive six months post placement support to help them settle into work life, while the MTFJ team helps to manage any issues they might experience in the bid to increase their confidence and maintain independence.

The Coordinators are continually searching for roles from employers who are willing to take on inexperienced people. Eighty percent of all entry-level jobs are not advertised, therefore the Coordinators make contact with prospective employers through emails, phone calls and even cold calling to find suitable employment.

Once a client is placed in a job, the programme can help provide wage subsidies for employers, help pay for tools, uniforms, counselling, training, driving lessons and licensing.

The success of the MTFJ programme is a testament to the power of collaboration. Through the collective efforts of local businesses, organisations and government leaders, we are creating a bright future for young people.

## Signatories

Author(s)	Bernie Wanden <b>Mayor</b>	
Approved by	Bernie Wanden <b>Mayor</b>	

## 6.2 Member's Report Back on New Zealand Planning Institute Conference 2023

File No.: 23/310

### 1. Purpose

- 1.1 To receive a report back from Cr Tamihana on the New Zealand Planning Institute Conference 2023.

### 2. Recommendation

- 2.1 That Report 23/310 Member's Report Back on New Zealand Planning Institute Conference 2023 be received.
- 2.2 That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

### 3. Report Back from Cr Justin Tamihana

**New Zealand Planning Institute (NZPI) Conference 2023  
Otautahi-Christchurch 19-21 April 2023**

**Hikina te Manuka/Rise Up to the Challenge!!!**

Tena koutou nga Pou o Te Kaunihera o Horowhenua,

It is a privilege to be able to provide this report to you all and our wider team on what I consider was an outstanding Conference and a real opportunity to further my own knowledge around the Planning world. Albeit I am probably going to share more the experience I had and highlights along the way, while our team will probably grasp the more technical stuff.

First, I must acknowledge the Hau kainga, Ngai Tuahuriri, hapu of Ngai Tahu and the warm welcome we received at Rehua Marae. A beautiful and fully carved whare that has Whakairo/carvings that represent Nga Iwi o nga hau e wha, all Iwi of Aotearoa. A fitting start to the conference. A funny wee story was my initial meeting with Reg Proffitt, the Chair of NZPI and Papa Pounamu key figurehead as we got on the wrong bus together and this ultimately kick started us sharing many moments together throughout the conference and he openly shared he loved working with our HDC planners and mentioned Lisa and Lauren and even went out of his way to introduce me to them lol.

On arrival to the conference, one cannot express how truly amazing the Te Pae Conference Centre is. A remarkable facility that seems to go on and on and I am sure many would have exceeded their average daily steps just getting around the conference and many different facets of the building. Both externally an internally, the building is magnificent and a real asset to the community of Otautahi and all of Aotearoa, congratulations!!!

There was an extensive program set with Keynote speakers from around Aotearoa and the Globe that provided some incredible insight into the world of planning and Projects that are being carried out across various sectors, but all with a view of the importance good planning and direction setting that ultimately delivers great outcomes.

With an array of key sponsors present and an Exhibition Hall set up to engage each of the sponsors and find out a bit more about what they do? And how they do it? You certainly had the opportunity to gather much more information if you required it.

While there were many options and workshops to attend, on Day 1 I chose to attend Papa Pounamu and was really happy I did. This is the Māori special interest group within Te Kokiringa Taumata NZPI focusing on Māori and Pacific communities and practitioners. With some incredible speakers and presentations, I was in awe of some of the wonderful mahi occurring and with a great MC in Raniera Dallas, we were kept well informed and entertained as the day progressed.

Some of the outstanding presentations were Tawhaki by Megan McKay, Ngai Tai ki Tamaki Case by James Brown where he spoke about the case between Ngai Tai and DoC (Department of Conservation) and matters around Section 4 of the Conservation Act 1987 and the struggle to be recognised as the iwi/hapu to engage in their spaces and through perseverance they were able to reach an outcome and today manage many of the Islands within Hauraki in co-governance with DoC. Other great presentations were Apiti Hono Tatai Hono, a mapping project. Paul Beverly spoke about the Legal Personality or processes around legal requirements of Crown working with Māori. Aotearoa Pacific Practitioners Group, Dr David Garcia, and the world of mapping and E Oho by Lara Taylor were all great korero and I am sure if you google them, you will find much more useful information. The evening finished with a social gathering where many awards were presented for outstanding efforts in their fields.

Day 2 started by attending a breakfast hosted by WSP alongside our team and this was insightful also as I was introduced to some great folks and share korero and try to raise Horowhenua's profile a little more but quickly became aware we are very well known and regarded and that's because our team are very well regarded in the industry and by their colleagues.

We then returned to Te Pae and were given a mihi whakatau by our Hau kainga Ngai Tuahuriri in the huge Te Pae Auditorium. MC Jehan Casinader introduced the day's agenda and upcoming keynote speakers.

First speaker of the day was Laurie Johnson of Boffa Miskell who spoke about International Disaster Relief planning and all the logistics required to be undertaken in such events. Planning ahead and what to prioritise in such times, key words like Restore/Rebuild/Replace vs Redevelop/Regenerate were used and examples given that related to what Otautahi has been through with the Red Zone and reclassification of Land Use even after consents are issued prior, this was all part of a Pause/Reflect/Review and Restart analysis, one that resonated with me after receiving our latest Liquefaction Reports.

We then heard from Minister Parker and I'm sure the team will agree that there was little substance to his korero or anything new to add that we don't already know, however in saying that I still took on board a few statements the Minister made like, they are "Failing" the Taiao/Environment, they are "Failing" on development, City/Town water management issues have not improved, Planning and identifying Natural Hazards hasn't improved nor has Climate Change Planning improved. He even went as far to say that Planning restrictions is restricting building and NZ costings are too large for critical Infrastructure upgrades, so lots to work on and let's be honest, a Water Exemption Policy that fails to protect Te Mana o te Wai here in Horowhenua and we should continue to address this on behalf of our community. He also noted they need better outcomes when working with our Treaty Partners especially around managing overlapping interests!!!

I enjoyed Dr Te Maire Tau of Ngai Tahu presentation as he spoke about co-governance. He shared the history of Te Mana o te Wai and the logic behind it as it is a model, all working collectively for the same aspirations. It was all about putting better protections in place for our water, to provide tools to assist in better management and to ensure the cultural importance around all matters "Wai" are truly recognised. An interesting point he made regarding co-governance (example of Ngai Tahu and Crown used) is that one group is

“Governed by Rangatiratanga” while another group is “Governed by Kawanatanga,” which is another way of saying to work with both matauranga Māori and Western methodology to get best of both worlds. Dee Isaacs of Papa Pounamu presented next who provide Cultural advice and a Māori lens regarding planning for NZPI and many industry associated businesses. They assist groups to do submissions on relevant issues and can also assist with technology to design tools and frameworks to assist in planning.

The afternoon agenda for me was to take up a cycle tour of the Te Ara Otakaro/Avon Trail which was a tour of the “Red Zone.” A very sombre place to visit where you can see remnants of homes and streets and power poles, but no people!!! Christchurch City Council worker Dave Little shared that the land will never be built on again and that Council have had to completely stop and reassess, and some areas completely reclassified, like the Red Zone, which will eventually be restored to flood plains and wetlands. Back to its more natural state. Areas that were zoned to be built on will be no longer, with liquefaction and contaminated ground issues that are impossible or unaffordable to mitigate. He stated that right now Christchurch City Council is in breach of just about all its discharge consents and 12 years on are still struggling to remedy much of their infrastructure damage underground. On the surface all looks great but not so much underground.

We then moved on to East Frame, a central city development and one of many across the central city where they are building nearly 20,000 new homes. As devastating event as the earthquake was, you soon realised just how huge the opportunities are in its aftermath and where homes and families would never have had the chance to live the real city life, now it is happening, and it is really encouraging to see how its rolling out across the city. Beautiful buildings, lots more green space and whanau friendly spaces and a relaxed atmosphere unlike the normal city centres. This was an insightful afternoon, and I appreciated the opportunity to see the transformation up close.

Day three was again held in the Auditorium of Te Pae a series of key speakers both national and international. Richard Florida started the day off discussing the impact of the Covid 19 Pandemic and the pathway to recovery.

Giles Perkins and Rachel Lawson then presented on “30 Minute Rural Community” an approach to how we could develop our rural areas in the future but suited to Aotearoa conditions and needs. Based on current UK models that work and can be modified as needed.

Next was a really interesting korero by Leslie Kern called “Toward a Feminist City” I am, for safety reasons, not going to make further comment on this other than to say its way above my pay grade but I definitely heard that men had far too much influence in the past design and planning aspects of our towns and cities lol.

Bridget Williams of the “Bead & Proceed Company” presented next, a dynamic engaging and totally new to me korero about SDG’s. The United Nations 17 Sustainable Development Goals (SDG’s). Her mission is to take these SDGs to the globe and embed these into all frameworks, be it economic, social, or environmental. In tune with “Agenda 2030” General Assembly and the 3 key drivers, 1-People, Planet, Prosperity + Partnerships and Peace. 2- No Poverty. 3- “To leave no one behind”, managing “Economy vs Environment”, she also touched on “Transformation” and what that requires to adapt to today’s world. Like Major Systemic change + Required Long Term Investment + Required Public and Private Investment to build a new society, an inclusive one. An interesting korero and worth Googling.

Following speakers included Tom Young and Nancy MacDonald on post Pandemic NZ, the significant urban disruption, and the shift in behaviours of our community, from how they live, work, shop, holiday and how we need to adapt to these changes in planning and design.

Less offices as folks work from home to more apartments and housing in areas that already have infrastructure, instead of trying to duplicate across the districts and stretch resource and capability. Interesting fact is that Māori and Pacific whanau are already trending towards not wanting to downsize, so their needs must be considered as development presses on!!!

Dy Currie, Brisbane City Councillor spoke to us about the upcoming 2032 Olympic Games and how the city has set about preparing for such an event. Alongside that they are also working on a Legacy Strategy for the city. Some of the major challenges ahead aside from the games themselves and all the logistics involved are Environmental Management and Climate Change Management of the city. Interestingly enough the Mayor of Christchurch also announced they have made a bid for the 2034 Commonwealth Games.

Now my favourite presentation of the day was Sean Audain from the Wellington City Council, and I would love to have him present to Council. He is the Strategic Planning Lead at WCC and he presented an incredible Digital Presentation of Wellington at your fingertips, both above ground and below ground, overlaying detail like underground piping and cables and drainage to above ground digitally scanned buildings all in 3D, find your bus even in live time, how many car parks available right now in Cuba Street and it went on, predicted sea level rises and how those look on coastal areas to be able to future plan for those types of areas that could go under water. A truly mind-blowing journey and if we pay \$ to be in this Wellington Regional Forum, then I hope we have access to this type of resource too. As part of “Mayors Challenge” (Global) they received \$1mil in funding. Sean recommended that IT/Data should be listed as a Council asset and then much more focus is put on it. This has helped Wellington as an example, that as part of emergency planning, they have used the tool to set up solar power site on public and private locales throughout the city with a power/USB point under locale letterboxes to ensure communications and charging stations are provided throughout the city as part of their resilience strategy. Some cool words he finished with were “To plan we need hope, Hope is a promise, we must plan to keep it,” wonderful korero thanks Sean.

Although there was much said and shared over the conference, I think some of the key sayings I picked throughout the conference was “Working with Te Tiriti o Waitangi and our Partners,” the word “Collaboration” was heavily used and “Not Working in Silo’s” another. There were many key points I picked up on and noted but the conference for me was a resounding success and I am really glad I got the opportunity to attend. The opportunity to meet and greet folks I have never met, be inspired by all that is going on around us, for us, for our future and that of the generations to come. I cannot believe the number of Māori within the planning sector and many businesses out there working collaboratively in both the public and private sectors and the sharing of knowledge.

I know it is getting a little long winded now, but I would like to emphasize to my fellow EM’s that if you get such an opportunity, especially alongside our own kaimahi, then go!!! You will really get a sense of not only the world they are in, but how they move amongst it, impressive!!!

To our team, David, Lisa, Lauren, and Luca, thank you so much, I really appreciated having you all there and introducing me to many of your colleagues over the duration of what I would consider an exceptional conference and an opportunity to learn so much. Your conduct and professionalism during the conference was second to none and you all proudly represented us as Horowhenua and at times when I felt like a fish out of water, gave me assurance and comfort I was there with your support which was awesome. Lisa, everyone knew you, you were like “Camp Mother” I felt and thanks for making me break my no dancing rule hehe, last night, last song but I had to join in the fun, and they sure know how to put on a show aye!!!

Finally, thanks to our democracy team for ensuring my booking and accommodation were all in place but really want to thank Grayson and Jake for coming to the rescue when on Friday afternoon both mine and David's flights were cancelled, no rebooking or offer of accommodation, aue!!! But the guys came through and sorted both a flight home the next day, via Auckland and a night's accommodation overlooking the Cathedral Square, which I must say was a relief and I got to enjoy the final Gala Dinner and celebration.

Nga mihi nui naa Justin

## Signatories

Author(s)	Justin Tamihana <b>Councillor</b>	
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Approved by	Justin Tamihana <b>Councillor</b>	
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## 6.3 Chairperson's Report - Te Awahou Foxton Community Board

File No.: 23/417

### 1. Purpose

- 1.1 To present the report from Te Awahou Foxton Community Board Chair and provide an opportunity for the Chairperson to highlight matters from the last Board meeting.

### 2. Recommendation

- 2.1 That Report 23/417 Chairperson's Report - Te Awahou Foxton Community Board be received.
- 2.2 That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

### 3. Background/Previous Council Decisions

- 3.1 The Board met on 15 May 2023 and the unconfirmed minutes from that meeting are presented to the Council today for consideration as proceedings of committees.
- 3.2 The Chairperson's Report from that meeting is attached to this report for information.

### 4. Issues for Consideration

- 4.1 Issues for consideration are included in the Proceedings of Committee report at item 9.1.

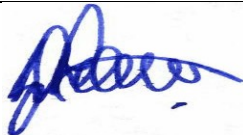

### Attachments

No.	Title	Page
A↓	Te Awahou Foxton Community Board Report Chairperson's Report 15 May 2023	18

#### Confirmation of statutory compliance

- In accordance with section 76 of the Local Government Act 2002, this report is approved as:
- containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,
  - 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.

### Signatories

Author(s)	Grayson Rowse Principal Advisor - Democracy	
Approved by	Monique Davidson Chief Executive Officer	

## 6.1 Chairperson's Report

File No.: 23/315

### Purpose

To receive the Chairperson's report highlighting matters of interest to the Te Awahou Foxton Community Board

### 2. Recommendation

- 2.1 That Report 23/315 Chairperson's Report be received.
- 2.2 That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.
- 2.3 That the Board request the Chief Executive provide a report outlining options for removing the Coronation Hall/MAVTech Building from the Council's property disposals list.

### 3. Matters of Interest

#### ANZAC Day

- 3.1 A successful day with good public attendance at both the dawn service run by the RSA where we laid a wreath on behalf of Horowhenua District Council. And the Civic Service conducted at Te Awahou Nieuwe Stroom by the Chair of Te Awahou Foxton Community Board. Service attended by around 100 civilians and the 21<sup>st</sup> Supply Company, who led the march from Te Awahou Nieuwe Stroom to the Cenotaph. Pupils from all the local schools contributed admirably. This was followed by a light brunch at the Foxton Hotel.

#### Big Dutch Day Out

- 3.2 On 29 April 2023, the Dutch Ambassador, Mayor Bernie Wanden and I opened the festivities which were well attended predominately by Dutch members of our community and visitors. A festive day highlighting our Dutch connection. Games for the children and a variety of Dutch snacks.

#### Manawatu Estuary Management group

- 3.3 Met to discuss a plan for the estuary with focus on the internationally significant Ramsar Site. The workshop was run By Dept. of Conservation with Horizons Regional Council and Horowhenua District Council in positive attendance. It was decided to approach Iwi with a view to them addressing the next meeting to discuss their involvement in the planning process.

#### Mavtech

- 3.4 Te Awahou Foxton Community Board need to request Horowhenua District Council for a report on the Mavtech Building in order that the request to take Coronation Hall off the Horowhenua District Councils disposal list, be added to the agenda for Board meeting for discussion.

#### Amendments to the LTP

- 3.5 Te Awahou Foxton Community Board had a workshop and made a submission to the LTP and have speaking rights on Wednesday 10 May 2023 at 2.40 p.m.

#### Deer Warning Signs on Palmer Road Foxton Beach

Te Awahou Foxton Community Board  
15 May 2023

- 3.6 Following an email from a Foxton Beach ratepayer regarding the hazard of deer crossing Palmer Road Foxton Beach, it was decided to erect 4 warning signs on Palmer Road. This is expected to happen next week.  
ATM at Foxton Beach
- 3.7 A Foxton Beach Ratepayer has requested we try to get an ATM installed at Foxton Beach as they are an isolated community without access to cash. I have undertaken to approach my contacts at Westpac bank and two possible sites. Support from Te Awahou Foxton Community Board would be welcome.  
Dawick Street Reserve -zoning and development
- 3.8 Foxton Beach deserve a commercial area and this needs to be taken up with council.  
Foxton Business breakfast
- 3.9 A successful and progressive breakfast meeting was held at Te Awahou Nieuwe Stroom on 4 May 2023. A full report will come from THCL but the general feeling was that Tourist , environmental and ecological development were priorities together with the promotion of 'Brand Foxton' The development of a Community Plan to incorporate Foxton and Foxton Beach is desirable. Is this a Te Awahou Foxton Community Board function?

### Attachments

There are no attachments for this report.

#### Confirmation of statutory compliance

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,
- 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.

### Signatories

Author(s)	John Girling <b>Chairperson, Te Awahou Foxton Community Board</b>	
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Approved by	John Girling <b>Chairperson, Te Awahou Foxton Community Board</b>	
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## 7.1 Local Government New Zealand Annual General Meeting 2023 Remits

File No.: 23/407

### 1. Purpose

- 1.1 To seek direction from Council on which votes are to be cast for the remits at the Local Government New Zealand Annual General Meeting 2023.

### 2. Recommendation

- 2.1 That Report 23/407 Local Government New Zealand Annual General Meeting 2023 Remits be received.
- 2.2 That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.
- 2.3 That Council authorises the Mayor to vote as the Presiding Delegate in accordance with the votes agreed in this resolution, and notes its previous resolution (CO/2023/74) to appoint Crs Hori Te Pa and Young as alternate delegates.
- 2.4 That Council votes IN FAVOUR/AGAINST/ABSTAIN (select one) **Remit 1**, which is:

*That LGNZ:*

*Engage directly with the Minister for Building and Construction to advocate for a change to the current joint and several liability framework, including examination of the MBIE policy position statement Risk, Liability and Insurance in the Building Sector.*

*Make the case for alternatives and changes to joint and several liability through updating policy advice and engaging with industry groups.*

- 2.5 That Council votes IN FAVOUR/AGAINST/ABSTAIN (select one) **Remit 2**, which is:

*That LGNZ advocate to Central Government to:*

*Raise the income threshold for rates rebate eligibility to enable more low and fixed income property owners access to the rebate*

*Adjust the rebate amount in line with inflation and the cost of living Investigate options to make rates rebates more accessible for residents by implementing an income data sharing process similar to that of Horowhenua District Council and Levin MSD office. This will enable Councils to obtain benefit income on behalf of the ratepayer and make it easier to apply for the rates rebate*

*Investigate options for data sharing between Councils, Internal Affairs and Ministry of Social Development to proactively identify households that qualify for a rates rebate rather than waiting for people to apply.*

- 2.6 That Council votes IN FAVOUR/AGAINST/ABSTAIN (select one) **Remit 3**, which is:

*That LGNZ:*

*Publicly lobby all political parties to increase Crown funding for state highway and local road maintenance budgets.*

*Consider and pursue other avenues including the Office of the Auditor General to seek resolution of the issues facing the country in relation to the systemic rundown of our national roading infrastructure.*

- 2.7 That Council votes IN FAVOUR/AGAINST/ABSTAIN (select one) **Remit 4**, which is:  
*That LGNZ ensure Local Government Elections are fully accessible by advocating to central government to make local government candidates eligible for the Election Access Fund.*
- 2.8 That Council votes IN FAVOUR/AGAINST/ABSTAIN (select one) **Remit 5**, which is:  
*That LGNZ explores and promotes options that enable councils to make greater use of co-chair arrangements for standing committees, joint committees and sub committees.*
- 2.9 That Council votes IN FAVOUR/AGAINST/ABSTAIN (select one) **Remit 6**, which is:  
*That LGNZ advocate to central government to enable councils to determine penalties for parking infringements.*
- 2.10 That Council votes IN FAVOUR/AGAINST/ABSTAIN (select one) **Remit 7**, which is:  
*That LGNZ:*  
*Acknowledges the Government stated support for a major uplift in all urban bus networks nationwide under New Zealand's first emission reduction plan.*  
*Calls on the Government and opposition parties to commit to increasing investment in public transport for rural and regional communities to support access to essential services and amenities, vibrant rural communities and just transition to a low emission transport system.*
- 2.11 That Council votes IN FAVOUR/AGAINST/ABSTAIN (select one) **Remit 8**, which is:  
*That LGNZ:*  
*Investigates the creation of an LGNZ independent, national process to handle complaints or concerns, ensuring fairness, protection, and accountability in local government.*  
*Works with the Local Government Commission to implement findings from its September 2021 Report – Local Government Codes of Conduct.*
- 2.12 That Council votes IN FAVOUR/AGAINST/ABSTAIN (select one) **Remit 9**, which is:  
*That LGNZ investigate and report to members on ways to help councils and communities that are struggling with the time-frames in the Earthquake Prone Building (EPB) sections of the Building Act and council policies pertaining to Priority Thoroughfares.*
- 2.13 That Council votes IN FAVOUR/AGAINST/ABSTAIN (select one) **Remit 10**, which is:  
*That LGNZ ask the Government to amend the law to enable councils to make contributions to an elected members' KiwiSaver scheme.*
- 2.14 That Council votes IN FAVOUR/AGAINST/ABSTAIN (select one) **Remit 11**, which is:  
*That LGNZ calls on central government to take action to reduce council audit fees by:*  
*revisiting the scope and requirements of reporting and auditing on councils*  
*conducting a review on the practice of audit in councils and work on best practice guidance to streamline this process*  
*This review should examine whether the reporting and audit requirements of councils are consistent with the level of reporting and audit that is required of other public entities.*

### 3. Background/Previous Council Decisions

- 3.1 Each year, LGNZ member local authorities submit remits for consideration at the LGNZ AGM. Proposed remits are intended to have a national focus articulating a major interest or concern at the political level.
- 3.2 Remits must have formal support from at least one zone or sector group meeting, or five councils prior to being submitted.
- 3.3 For the previous AGM the Council nominated His Worship the Mayor as the Presiding Delegate, with Deputy Mayor Mason as alternate delegates.

### 4. Issues for Consideration

- 4.1 Eleven remits are presented at this year's AGM for consideration. These remits and rationale for them are contained in attachment 1.
- 4.2 This year's AGM is being held in person on Wednesday 26 July 2023.
- 4.3 The Council may appoint up to three delegates to represent the Council at the AGM. One of the delegates must be appointed as the Presiding Delegate and a further two delegates can be appointed as alternate delegates. The Presiding Delegate is responsible for casting the Council's votes at the AGM, with the alternates empowered to cast the vote should the Presiding Delegate be absent when the vote is called.
- 4.4 The delegates may be elected members or Council officers.
- 4.5 The Council must advise the Chief Executive of LGNZ of the names and official positions of the Presiding Delegate and the alternate delegates.
- 4.6 The Council resolved at its meeting on 26 April 2023:

#### **Resolution Number CO/2023/74**

MOVED by Cr Tukapua, seconded Cr Tamihana:

That Council authorises the Mayor, Cr's Hori Te Pa and Young to attend the Local Government New Zealand Conference to be held in Christchurch in July 2023.

That Council nominates Cr's Hori Te Pa and Young as the alternates to exercise Council's voting rights, should the presiding delegate not be in attendance at the 2023 Annual General Meeting of Local Government New Zealand.

**CARRIED**

### Attachments



No.	Title	Page
A↓	LGNZ Annual Gerneal Meeting Remits 2023	25

#### **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 benefits and costs, 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.

## Signatories

Author(s)	Grayson Rowse <b>Principal Advisor - Democracy</b>	
Approved by	Monique Davidson <b>Chief Executive Officer</b>	





# REMITTS

// 2023 Annual General Meeting



Please note that this document is not the full set of papers for this year's AGM. It just includes the remits going forward to the AGM so members can decide how they will vote on them. The full set of AGM papers will be shared no later than 10 working days before the AGM.

## // 01

### Allocation of risk and liability in the building sector

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**Remit:** *That LGNZ:*

- *Engage directly with the Minister for Building and Construction to advocate for a change to the current joint and several liability framework, including examination of the MBIE policy position statement Risk, Liability and Insurance in the Building Sector.*
- *Make the case for alternatives and changes to joint and several liability through updating policy advice and engaging with industry groups.*

**Proposed by:** Queenstown-Lakes District Council

**Supported by:** LGNZ Metro Sector

#### Why is this remit important?

This remit is important because the current joint and several liability approach to building defects sees councils/Building Consent Authorities (BCAs) often being the only party left to compensate homeowners, known as the 'last party standing'.

Ratepayers are therefore bearing a disproportionate burden, affecting the ability of councils throughout Aotearoa New Zealand to carry out core services. Councils are having to borrow money to pay for significant claims to cover the failures of other parties because they are the last party standing, reducing their ability to invest in other council services (e.g. infrastructure, community services etc). There is a presumption in the current system that ratepayers are able to bear these costs that is not tenable.

#### Background and Context

##### What has caused this issue?

When there are claims by property owners relating to weather tightness and other building defects, the existing joint and several liability rule places the risk of insolvency or lack of insurance of one party onto other parties. This arbitrarily increases the liability of remaining parties (defendants) above their proportionate responsibility.

It is Queenstown Lakes District Council's (QLDC) position that requiring ratepayers to pay compensation where defendants are missing is unjust. QLDC is not unsympathetic to the need for losses to be recovered, but risk management is a shared responsibility. It is important that all participants in the system have clear accountabilities and not be able to escape their share of responsibility by ceasing to operate or liquidating.

Weather tightness and other building defect claims are a national problem.

The joint and several liability system has significant impacts including:

1. Rates increases. The settlement of large defective building claims has led to higher borrowing and interest costs for QLDC. The annual cost of the borrowing required to fund the settlements made in the past two years is \$5.3M and the increase in interest costs for

2. 2023-24 is \$4.4M, which has a rates effect of 4.03% for the year. The legal and financial challenges facing councils from these claims are ongoing and more costs can be anticipated in the future; it is not an issue that is diminishing.
3. Reduced ability to invest in community development. The subsequent effects of funding legal claims through the joint and several liability system include a loss in borrowing capacity, that could result in the reduction of investment in community assets such as parks, libraries, performing arts and recreation facilities.
4. A more cautious and demanding building consent function. The risk of being left liable has a negative impact on BCA performance and also creates higher compliance costs for the building sector. It also reduces willingness to consider non-standard solutions which potentially have a higher chance of failure. This negatively affects market performance and innovation that is vital in an era of climate adaptation.

#### Proposed changes

It is recommended that the liability framework should change to one of proportionate liability. This would reflect the roles and responsibilities of the parties involved and encourage those best placed to manage the risk (building practitioners) to actively manage it. This should be accompanied by a system of compulsory home warranty guarantee (that is effective) and/or insurance products. The homeowner interest would then be protected and there would no longer be an impediment to moving to proportional liability.

In the alternative, if the joint and several approach to liability remains, it is recommended that there should be a cap on BCA liability. A limit of 20% would be proportionate to the supervisory role BCAs perform under the Building Act 2004 and current apportionments underpinned by meaningful warranties and insurance (with a government underwrite if necessary) for residential properties and significant alterations.

#### What QLDC has already done to address this issue and bring about the proposed change

Alongside a vigorous defense of claims, QLDC is also advocating for a change to the process to address the inequitable outcomes of the current system for rate payers. It is doing this by advocating to central government, partnering with LGNZ in drafting submissions and discussion via the Metro Sector Mayors forum.

MBIE are currently reviewing the building consent process. They have refused to consider or address the impacts of the current liability settings. LGNZ (and QLDC reps in particular) have lobbied to broaden this scope, and the wider industry also seems sympathetic. It is time to escalate the issue with central government beyond officials.

#### **How does this remit relate to LGNZ's current work programme?**

LGNZ is engaged in the MBIE Review of the Building Consent System through submissions and participation on the Sector Reference Group but does not have a broader advocacy work programme of its own beyond this. And to date, LGNZ's advocacy to political leaders on the issue has been minimal.

Adopting this remit will give LGNZ a stronger and more specific mandate to progress this issue, particularly at the political level, which may assist with achieving greater traction given MBIE officials

have taken the position that the joint and several liability regime is outside the scope of building consent sector reform programmes.

**How will the proposing council help LGNZ to make progress on this remit?**

This is an acute issue for QLDC, but it affects any council that has a BCA function. QLDC is committed to advocating for a change to the current regime, and continuing to work alongside LGNZ, providing policy and strategy support and expertise where needed.

**Is the remit relevant to local government as a whole?**

Yes. This remit is about the BCA function of councils, which includes all unitary and territorial authorities.

**Is the remit of a major policy nature?**

Yes. This remit deals with joint and several liability within the building sector.

## // 02

### Rates Rebate

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**Remit:** *That LGNZ advocate to Central Government to:*

- *Raise the income threshold for rates rebate eligibility to enable more low and fixed income property owners access to the rebate*
- *Adjust the rebate amount in line with inflation and the cost of living*
- *Investigate options to make rates rebates more accessible for residents by implementing an income data sharing process similar to that of Horowhenua District Council and Levin MSD office. This will enable Councils to obtain benefit income on behalf of the ratepayer and make it easier to apply for the rates rebate*
- *Investigate options for data sharing between Councils, Internal Affairs and Ministry of Social Development to proactively identify households that qualify for a rates rebate rather than waiting for people to apply.*

**Proposed by:** Horowhenua District Council

**Supported by:** LGNZ Zone Three

### Why is this remit important?

Rates rebates are an important mechanism to assist low- and fixed-income ratepayers to pay their annual rates. In this cost of living crisis we are experiencing, more low and fixed income people are experiencing poverty and extreme hard times.

To support and assist all eligible ratepayers, the process should not be onerous, it should be streamlined, accessible and able to be carried out in a way where applicants' dignity is upheld.

### Background and Context

Available from the Department of Internal Affairs, a rates rebate is a partial rebate for eligible, low-income ratepayers who pay rates on their home to a Council.

The Rates Rebates Scheme provides a rebate for eligible applicants who need to apply each year and:

- Provide the total household income, before tax;
- Complete the rates rebate application form;
- If applicable, complete the retirement village or company-share declaration form; and
- Return their application to the relevant Council by 30 June each year.

To apply for the rebate, applicants must be:

- Living in their own home on 1 July of the current rating year
- Listed as the ratepayer in the Council's Rating Information Database (RID).

Looking to streamline the application process for a rates rebate, in 2022, Horowhenua District Council worked with the Levin Ministry of Social Development (MSD) office to implement a 'Rates Rebate MSD Wavier Form'. This form was designed to provide Council with customer income details to assist with the rates rebate application process. Once the form was signed by the property owner, it was lodged with MSD who then confirmed income details with Council. This removed the need for the applicant to travel to the MSD, as well Council, to provide proof of income, which can be a burden to the process and it made the process smarter and less time consuming.

As this is currently a process unique to the Horowhenua District Council and Levin MSD, it is proposed that this process and any income/data sharing initiatives be implemented into the application process country-wide.

It is also proposed that enhancements to data sharing between Councils, the Department of Internal Affairs and MSD be investigated with the aim of streamlining the process and ensuring that those who are eligible, receive the rebate, through using available incomes and rates information.

Further, it is proposed that the threshold for eligibility is lowered to enable more low- and fixed-income property owners access to the rebate. With high inflation and household costs rising over the past two years, more households are struggling including those on low and fixed incomes. An increase in the eligibility for a rates rebate, by lowering the income threshold would assist those who are potentially most vulnerable in our community.

### **How does this remit relate to LGNZ's current work programme?**

This remit is aimed at advancing a similar remit passed at the 2020 AGM:

*"That LGNZ works with the Government to lift the level of rates rebates available for low- and fixed-income property owners – with yearly increases taking into account the cost for inputs into local government services."*

LGNZ is still to make substantial progress on the 2020 remit.

### **How will the proposing council help LGNZ to make progress on this remit?**

A member of the Horowhenua District Council Executive Leadership Team and members of the Finance Team with rates rebates expertise are open to working with LGNZ to progress this work for the benefit of New Zealand's low-income ratepayers.

### **Is the remit relevant to local government as a whole?**

Yes.

### **Is the remit of a major policy nature?**

Yes: rates rebates are an important mechanism to assist low- and fixed-income ratepayers to pay their annual rates. Due to the cost-of-living crisis, more low- and fixed-income ratepayers are experiencing financial difficulty.

## // 03

### Roading/Transport Maintenance Funding

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**Remit:** *That LGNZ:*

- *Publicly lobby all political parties to increase Crown funding for state highway and local road maintenance budgets.*
- *Consider and pursue other avenues including the Office of the Auditor General to seek resolution of the issues facing the country in relation to the systemic rundown of our national roading infrastructure.*

**Proposed by:** New Plymouth District Council

**Supported by:** Kāpiti Coast District Council, Whanganui District Council, Palmerston North City Council, Grey District Council, Waipā District Council, Matamata-Piako District Council, Rotorua Lakes Council, Thames-Coromandel District Council, Masterton District Council, Whakātane District Council, Far North District Council, South Taranaki District Council, Rangitīkei District Council, Tasman District Council, Wairoa District Council, Waimakariri District Council, South Waikato District Council, Kaikōura District Council, Waikato District Council, Hamilton City Council, Mackenzie District Council, Central Hawke's Bay District Council

#### Why is this remit important?

The current state of national highways is unacceptable. Sufficient increase in funding is required to achieve a national average for remaining seal life of no less than 3.6 years (pre-2010 levels) across the state highway network. This needs to be done within the next 10 years, in partnership with councils, and with corresponding asset health improvements on local roads, to ensure the safety of all New Zealanders. Other avenues to seek resolution from include the Auditor-General, relevant Ministers and the Transport and Infrastructure Select Committee.

#### Background and Context

Waka Kotahi's maintenance and renewal programme has clearly been insufficient to maintain asset health measured via the average remaining seal life. There are numerous media reports about the issues being faced across New Zealand.

Graph 1 (attached in Appendix #) shows the average remaining seal life of state highways by region. This information was obtained under the Official Information Act 1982 from Waka Kotahi. It shows the significant decline in the average seal life of state highways. Nationally, the average remaining life in 2010 was 3.6 years. In 2018 this declined to around 1.8 years and remains steady. However, at a regional level there are large discrepancies.

In 2010 every region had an average remaining life of between 2.9 and 4.4 years (a range of 1.5 years difference). By 2023 the range was from -0.6 to 3.3 years (a range of 3.9 years) with four regions having a seal age of less than one year, including Hawke's Bay which recorded its seventh year with an average of less than zero.



The issue nationally is predominantly with chipseal roads rather than asphalt mix, with some exceptions. In 2023, across chipseal roads, five regions have an average remaining life of less than one year, with Hawke's Bay's roads again below zero. Within asphalt roads, Southland set an unfortunate record with an average remaining life of -2.5 years. Graph 2 (attached) shows the average remaining life of different surface types by region today.

Last year LGNZ commissioned Infometrics to undertake a report into trends in road transport funding<sup>1</sup>. That report noted that funding for roads per kilometre travelled only increased by 0.8% p/a in the five years to 2021, whilst construction costs increased 1.1% p/a in the same five years. That report ended its analysis in 2021. With considerable cost inflation over the past two years and decreased land transport revenue due to Covid, it is almost certain that the funding gap has grown even further. Inflation for Heavy and Civil Engineering Construction peaked at 15.1% pa in the September 2022 quarter<sup>2</sup>.

That increased funding gap to roads is likely to result in even further pressure on state highway maintenance and lifespans. The national stabilisation of the average remaining life of state highways may falter in the coming years, seeing further downward movement. Such a decrease will see more parts of the state highway network fail.

This year the Government is developing its next Government Policy Statement on Land Transport (the GPS). The GPS sets the funding buckets for Waka Kotahi. Influencing the development of the next GPS is one key way in which to ensure regional state highways do not continue to deteriorate. The Land Transport Management Act specifically states the Minister must regard the views of LGNZ. This remit therefore proposes a position for LGNZ.

### **How does this remit relate to LGNZ's current work programme?**

Following the commissioning of the Infometrics report, there is further work to be done to ensure New Zealand's roading infrastructure reaches an acceptable quality level. LGNZ need to have input into the development of the next GPS and undertake a much wider advocacy role by:

- Seeking further investigations from the Auditor-General on state highway maintenance and asset management practices. This will build on the 2020 investigation into the Network Outcomes Contracts<sup>3</sup> which highlighted poor performance measures for network performance.
- Meeting with relevant Ministers (including Transport, Infrastructure and Finance) on issues with the funding, renewals and asset management of state highways, to highlight the outlined issues.
- Meeting with the Transport and Infrastructure Select Committee and its members at appropriate times to highlight these issues, such as during the annual review of Waka Kotahi.

Progressing this remit would form part of LGNZ's existing, broader advocacy work on transport.

<sup>1</sup> <https://www.lgnz.co.nz/assets/PDFs/Analysing-trends-in-road-transport-funding-November-2022.pdf?vid=3>

<sup>2</sup> <https://www.stats.govt.nz/information-releases/business-price-indexes-december-2022-quarter/>

<sup>3</sup> <https://oag.parliament.nz/2020/nzta-contracts>

**How will the proposing council help LGNZ to make progress on this remit?**

New Plymouth District Council would be available in an advocacy/committee member capacity to provide input and feedback as LGNZ undertake the tasks outlined in this remit.

**Is the remit relevant to local government as a whole?**

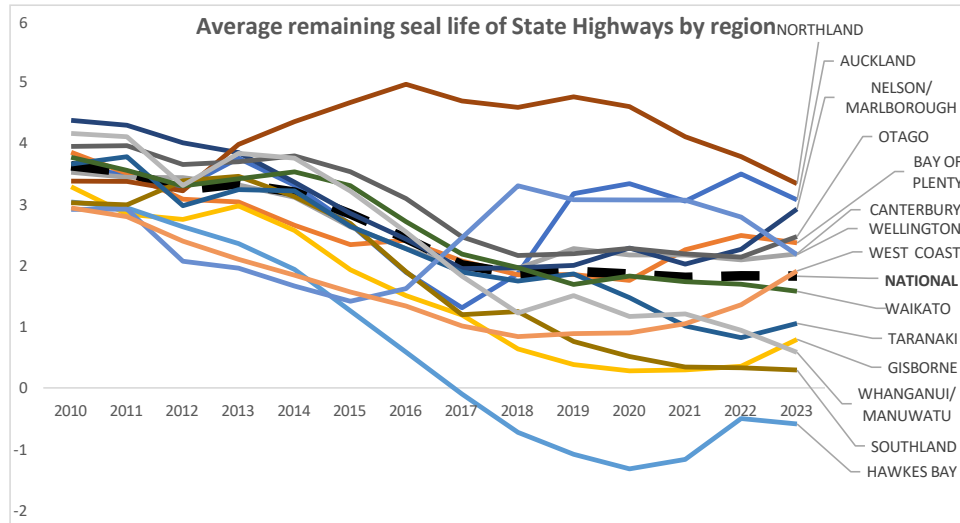
Yes. This remit is about addressing the rundown of our national roading infrastructure and increasing the funding available for the network as a whole. The 23 councils that supported it represent five out of six LGNZ zones, showing it's an issue across local government.

**Is the remit of a major policy nature?**

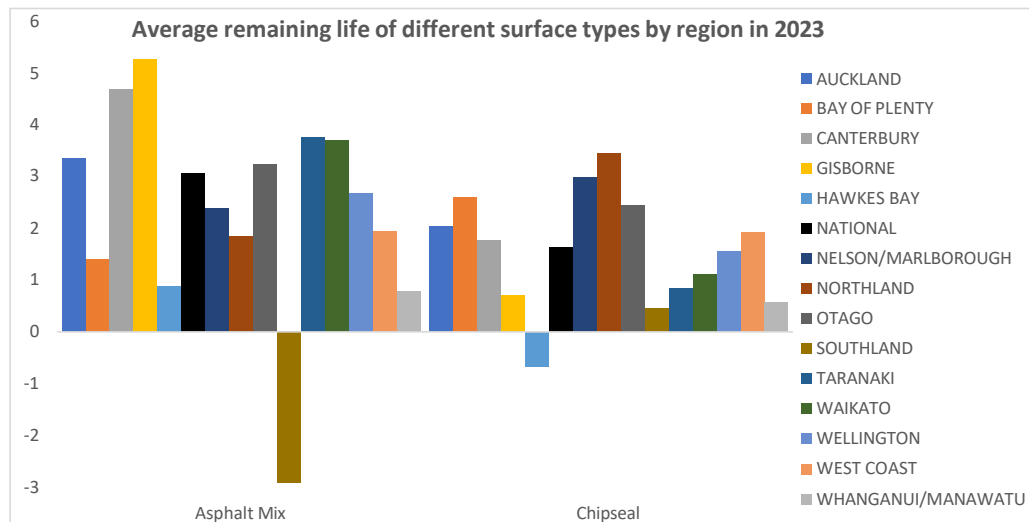
Yes. This remit deals with national funding and a large, system-wide issue that affects the safety of our roads for all New Zealanders.

**Supporting Document**

Graph 1



Graph 2



## // 04

### Local election accessibility

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**Remit:** *That LGNZ ensure Local Government Elections are fully accessible by advocating to central government to make local government candidates eligible for the Election Access Fund.*

**Proposed by:** Whangārei District Council

**Supported by:** LGNZ Zone 1

### Why is this remit important?

This remit aims to ensure Local Government Elections are fully accessible to disabled people who decide to stand as a candidate.

This requires action as disabled people make up 25% of New Zealand's population, which makes it the largest minority group. Yet there is almost no representation of people with disabilities in both central and local government.

### Background and Context

Local government elections have been inaccessible to candidates with disabilities.

The Election Access Fund (the Fund) currently operates for disabled people who are standing for parliament in the general elections. At present, the Fund does not extend to disabled people standing for local elections.

The disability community tend to have lower disposable incomes than the rest of the population. This makes access to council positions extremely difficult. It is a non-accessible environment, and the general cost of campaigning and other council-associated expenses are prohibitive.

The Fund can be used to pay for disability related costs during selection or campaigning, such as, accessible transport to events or meetings, or New Zealand Sign Language Interpreters.

At the time of the establishment of the Fund, while there was extensive consultation with disability organisations, the disability community expressed deep disappointment that the fund was limited to general elections. The rationale for the exclusion is unclear.

There is no good reason for such exclusion, and it diminishes the principle of enabling disabled people to stand for political roles and undermines New Zealand's commitment to Article 29 of the United Nations' Convention on the Rights of Persons with Disabilities.

We know that representation is critical for creating change for any group of people. As the largest minority in New Zealand and in the world, disabled people lack political representation, which leads to poor outcomes.

Having a voice in local government provides a different lens on various issues and has the potential to make a significant difference to disabled people and the wider community.

Whangārei District Council feel that this remit is an obvious extension of a provision that is already in place at central government level.

**How does this remit relate to LGNZ's current work programme?**

LGNZ's vision is to create the most active and inclusive local democracy in the world. Therefore this proposed remit fits squarely in the space of ensuring inclusive participation in local government. Progressing this work could form part of the work LGNZ is already doing to promote greater diversity, equity and inclusion in local government.

**How will the proposing council help LGNZ to make progress on this remit?**

Whangārei District Council will support the implementation of the remit to ensure that local accessibility issues are addressed, to enable inclusivity throughout the local government election cycle.

**Is the remit relevant to local government as a whole?**

Yes.

**Is the remit of a major policy nature?**

Yes.

**Supporting Document**



## LGNZ Remit – Election Access Fund for Local Elections

**Submission:** The Disability Advisory Group request that Whangarei District Council (alongside other Northland councils) supports and submits a remit to LGNZ for the Election Access Fund to be extended to local body elections.

Disabled people make up 25% of New Zealand's population, which makes it the largest minority group. Yet there is almost no representation in both central and local government.

It is important that people with lived experience of disability receive the support they need to run in both general and local body elections. Disabled people have a different lens to many issues and lack representation.

There is no reason why this access fund should not be applicable to local government elections. New Zealand ratified the United Nation Convention on the Rights of Persons with Disability (UNCPRD), in 2008. Article 29 of the Convention is Participation in political and public life. The fund is a direct response to that Article.

**Background:** The Election Access Fund currently operates for disabled people who are standing for parliament in the general elections. At present, this fund excludes disabled people standing for local elections.

*“The purpose of the Fund is to reduce cost barriers faced by disabled people by covering disability-related costs which non-disabled candidates do not face. The Fund covers both seeking selection to be a candidate, and campaigning as a candidate. The Fund will enable the Commission to pay for additional costs that candidates incur because of their disability when organising and preparing to stand for Parliamentary elections.*

*The Fund does not cover local body elections.”*

Retrieved from the Electoral Commission website: [elections.nz](https://www.elections.nz)

The disability community tend to have lower disposable incomes than the rest of the population. This makes access to council positions extremely difficult. It is a non-accessible environment, and the general cost of campaigning and other council-associated expenses are prohibitive.

The Fund can be used to pay for disability related costs during selection or campaigning. For example, accessible transport to events or meetings, or New Zealand Sign Language Interpreters.



At the time of the establishment of the fund, while there was extensive consultation with disability organisations, the disability community expressed deep disappointment that the fund was limited to general elections. The rationale for the exclusion is unclear.

There is no good reason for such exclusion, and it diminishes the principle of enabling disabled people to stand for political roles and undermines NZ's commitment to Article 29 of the UNCRPD.

We know that representation is critical for creating change for any group of people. As the largest minority in NZ and in the world, disabled people lack political representation, which leads to poor outcomes. Northland elected members should also note that their region has the second highest rate of disability at 29% according to the 2013 Disability Stats (which is being conducted again this year).

Having a voice in local government provides a different lens on various issues and has the potential to make a significant difference to disabled people and the wider community.

## // 05

### Ability for co-chairs at formal meetings

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**Remit:** *That LGNZ explores and promotes options that enable councils to make greater use of co-chair arrangements for standing committees, joint committees and sub committees.*

**Proposed by:** Northland Regional Council

**Supported by:** LGNZ Zone 1

#### Why is this remit important?

There is currently a lack of clarity around what arrangements councils can adopt to enable co-chairs for standing committees, joint committees and sub-committees. This is despite growing emphasis on increasing diversity in our governing arrangements, including by the Future for Local Government Review. Enabling councils to easily appoint co-chairs is one way to increase diversity and inclusion by providing opportunities for under-represented groups, including Māori, to take a more active role in local governance. More clarity is needed for councils on how to adopt effective co-chairing arrangements.

#### Background and Context

The Northland Regional Council (NRC), like many councils in New Zealand, has been continually looking at the different ways it can work effectively with its Te Tiriti o Waitangi partners. To deliver on that commitment it has established a number of joint committees and working parties, for example a Joint Climate Change Adaptation Committee. This committee was established in 2021 by the four Northland councils to ensure an effective, efficient, and equitable response to the impacts of climate change. The joint committee has 50/50 membership with each council appointing an elected member and an iwi/hapu representative. It believes that this committee would benefit from a co-chairing arrangement.

There is currently a lack of clarity around whether joint committees, standing committees and sub-committees can have co-chairs. Making it easier for councils to adopt co-chair arrangements would help to increase diversity and inclusion in local government decision-making.

Co-chair arrangements can also be a helpful way of building knowledge and skills amongst new elected members who may have little experience of local government – especially representatives from sectors of communities who are often under-represented, such as youth and migrant communities. Working alongside existing chairs can help to de-mystify council processes and support councils and communities to develop a more diverse and inclusive group of future leaders.

This remit would give LGNZ scope to explore current barriers to co-chair arrangements, find ways to overcome those barriers, and undertake work to support councils to make greater use of co-chair arrangements, for example providing guidance and/or sharing best practice examples.

### **How does this remit relate to LGNZ's current work programme?**

The particular issue the remit raises is not currently part of LGNZ's work programme. However, it aligns with two of LGNZ's goals: that more people value and participate in local government, and stronger Te Tiriti-based partnerships between local government and Māori. The remit also aligns with LGNZ's focus on increasing diversity and inclusion in local government, and the Future for Local Government Review's focus on increasing participation in local government. This remit proposes taking action that would enhance that existing work.

### **How will the proposing council help LGNZ to make progress on this remit?**

NRC would be advocates, alongside LGNZ, for any necessary changes in legislation required to provide the ability for Co-Chairs on council standing committees, joint committees and sub committees.

### **Is the remit relevant to local government as a whole?**

Yes

### **Is the remit of a major policy nature?**

Yes: the remit provides an option for increasing diverse and inclusive participation in council decision-making processes. This would also help to ensure local governance practice reflects the content and spirit of Te Tiriti o Waitangi.

## // 06

### Parking infringement penalties

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**Remit:** *That LGNZ advocate to central government to enable councils to determine penalties for parking infringements.*

**Proposed by:** Whangārei District Council

**Supported by:** LGNZ Zone 1

#### Why is this remit important?

Currently penalties for parking infringements are set by legislation and are not appropriate for the cost of resourcing the infringements, nor set at a level that is appropriate for the infringement.

#### Background and Context

Currently the Land Transport (Offences and Penalties) Regulations 1999, Schedule 1B Part 1 sets the amount for parking infringements and the Transport (Towage fees) Notice 20204 sets the towage fees.

Whangārei District Council is currently charging the allowable amounts under this legislation but is unable to recover actual public land towing costs from the vehicle owner.

This remit advocates for penalties to be able to be set at a local level so that they are appropriate to the costs, with particular focus on:

- ensuring that clearway towing fees allow councils to recover full costs associated with towing on clear ways, and
- allowing councils to consider increases to infringement fees for misuse of disability parking spaces.

#### How does this remit relate to LGNZ's current work programme?

LGNZ is not currently working on this particular issue. However, this remit aligns with LGNZ's priority to campaign for greater local decision-making and localism, in that it advocates for councils setting parking infringement penalties at a local level that resonate with the local community - to ensure rate payers are not subsidising these activities and that those misusing services are contributing appropriately.

#### How will the proposing council help LGNZ to make progress on this remit?

Whangārei District Council will support any proposed changes to the legislation that will allow for parking infringements to be set at a local level, and will also provide support if the preferred approach is to update legislation to ensure parking infringements are in line with current resourcing costs for these infringements.

**Is the remit relevant to local government as a whole?**

Yes. This remit calls for legislative change to the Land Transport (Offences and Penalties) Regulations 1999 to allow all councils to determine penalties for parking infringements and towage fees appropriate to their local area.

**Is the remit of a major policy nature?**

In part. This remit is calling for legislative change, but it is a relatively narrow request and we need to test members' level of interest further.

## // 07

### Rural and regional public transport

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**Remit:** *That LGNZ:*

- *Acknowledges the Government stated support for a major uplift in all urban bus networks nationwide under New Zealand's first emission reduction plan.*
- *Calls on the Government and opposition parties to commit to increasing investment in public transport for rural and regional communities to support access to essential services and amenities, vibrant rural communities and just transition to a low emission transport system.*

**Proposed by:** Waikato Regional Council

**Supported by:** Zone 2 Meeting May 2023. Remit discussed and received unanimous support.

#### Why is this remit important?

Improving public transport is both an opportunity to reduce transport emissions and support a just transition to a low emission economy by providing a cheap alternative to increasing costs of owning and running a conventionally fuelled car.

A lack of explicit support for rural and regional public transport services means these communities will be exposed to the wider suite of policy shifts supporting a transition to a low emission transport system, without any meaningful alternative transport options.

Many of New Zealand's rural and regional communities have high proportions of people on low and fixed incomes and for whom the financial or practical barriers to owning an electric vehicle will be too great.

Sustainable funding for these rural and regional public transport solutions will be important to provide rural and regional communities the confidence that they will not be left behind as New Zealand transitions to a low emission transport system.

#### Background and Context

The Government's emission reduction plan (2022) and subsequent policy and transport funding opportunities including Climate Emission Reduction Fund opportunities, are targeted at optimising investment in terms of carbon emission reductions.

Meanwhile several policies that were specifically intended to support a just transition have been recently abandoned and investment signals for rural and regional public transport have been muted.

Investing in rural and regional public transport is a strategic and sustainable way to improve the quality of life and economic opportunities for people living outside urban areas. Rural and regional public transport can provide multiple benefits, such as:

- Access for people on fixed incomes: Many rural residents, especially the elderly, disabled, and low-income groups, do not have access to private vehicles or cannot afford to use them frequently. Public transport can offer them a more affordable and reliable way to access essential services, such as health care, education, shopping, and social activities. Public transport can also reduce their isolation and enhance their well-being.
- A just transition to a low carbon transport system: Public transport can help reduce greenhouse gas emissions and air pollution by shifting people away from using private cars. Public transport can also support the development of renewable energy sources, such as biofuels, solar, geothermal, and wind power, by providing the infrastructure and demand for them. Public transport can also contribute to climate change adaptation by improving the resilience of rural communities to extreme weather events and natural disasters.
- Support for local economies: Public transport can link people with essential services such as healthcare. Public transport can also be an important force in supporting local economies by connecting residents (especially non-drivers) with local businesses and job opportunities. Public transport can also attract tourists and visitors to rural areas, creating more income and employment opportunities.

It is important to note public transport does not just mean a 30-seater bus. Public transport authorities like the Waikato Regional Council are becoming increasingly innovative with the services they provide and support – be they community transport services or on-demand mini-bus services, the solutions being increasingly tailored to needs of local communities.

### **How does this remit relate to LGNZ's current work programme?**

Transport affordability and accessibility is already a part of LGNZ's policy and advocacy work programme, but there's no current work to gain cross-party support for better public transport for rural and regional communities. Work to progress this remit could be integrated into LGNZ's broader transport advocacy work programme.

### **How will the proposing council help LGNZ to make progress on this remit?**

Waikato Regional Council did not specifically outline how it might work with LGNZ on progressing this remit in its application form but noted:

Many public transport authorities such as the Waikato Regional Council are already providing some rural and regional public transport services in the form of Total Mobility (subsidised taxi fares), support for community transport service providers, and some more traditional bus-based public transport.

These have been highly valued by those communities, providing many people with affordable access to essential services and amenities.

Demand for these services is growing, however the ability to afford the council or National Land Transport Fund shares is increasingly constrained.

**Is the remit relevant to local government as a whole?**

Yes. This remit is most relevant to rural and regional councils but aims to reduce New Zealand's transport emissions overall. Improved regional public transport will also benefit provincial and metropolitan councils.

**Is the remit of a major policy nature?**

Yes. This remit is dealing with public transport investment and a just transition to a low carbon transport system.



## // 08

### Establishing resolution service

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**Remit:** *That LGNZ:*

- *Investigates the creation of an LGNZ independent, national process to handle complaints or concerns, ensuring fairness, protection, and accountability in local government.*
- *Works with the Local Government Commission<sup>4</sup> to implement findings from its September 2021 Report – Local Government Codes of Conduct<sup>5</sup>*

**Proposed by:** Hutt City Council & YEM

**Supported by:** Invercargill City Council, Far North District Council, Hauraki District Council, Central Otago District Council, Hutt City Council, Selwyn District Council, Porirua District Council

### Why is this remit important?

This remit is critically important as it addresses the pressing issue of a lack of a proportionate, flexible, responsive, and independent process/service for handling complaints and concerns in councils and escalating issues within local government.

### Background and Context

The proposing and support councils and the Young Elected Members' Committee acknowledge that issues arise across local government that require a range of interventions – from education, mentoring, support, facilitation, mediation, inquiry, investigation, or review.

The absence of a national, standardised and independent process that triages complaints and concerns provides the right intervention for the issue, and managing escalation for complaints within local government has led to the pressing need for action. Currently, councils oversee their own problems on an ad-hoc basis, leaving many complaints unanswered and individuals hesitant to come forward. This lack of a clear and impartial process undermines transparency, accountability, and public trust in local government. It also fails to provide legal protection for complainants and increases the risk of defamation. The Code of Conduct inquiry is often very expensive and results in sanctions (if approved by a majority of Councillors in some cases) in what can only be called the “wet bus ticket”.

The intense scrutiny placed on local body governance by the community emphasises the need for regular external support to drive positive change. Without such support, unresolved issues can

<sup>4</sup> Referred to as LCG for the balance of this remit

<sup>5</sup> *Local Government Codes of Conduct/ Ngā tikanga whanonga Kāwanatanga ā-Rohe, Report to the Minister of Local Government, September 2021, Wellington [report found here](#).*

ultimately lead to the involvement of the DIA and the appointment of a commissioner, representing a worst-case scenario.

Relevant legislation, policy, or practice has not adequately addressed this issue, resulting in gaps and inconsistencies in handling complaints. Code of Conduct process enables the issue to be escalated to the Chief Executive. Informal conduct complaints are to be escalated to the Mayor, however if the Mayor is part of the problem this doesn't provide for a safe environment.

If a councillor is to escalate to a Code of Conduct complaint, often this results in a very public fight which also generally results in a public apology that doesn't really resolve anything.

It appears that where there is no national process or independent forum in which to take these issues, issues have been left to escalate or fester leading to governance breakdowns.

The absence of legal protection for complainants further exacerbates the problem, discouraging individuals from raising legitimate concerns.

We acknowledge that the process of investigation opens local government up to media scrutiny and often fails to protect the complainants coming forward. While this is keenly felt by the communities in which it is occurring, it also does a disservice to local democracy and local government generally.

Given the degree of intense community scrutiny on local body governance, regular and external support is often necessary to shift the dial.

Many terms of reference used to investigate complaints often fail to address the core issues comprehensively. Consequently, the necessary outcomes required to restore confidence in councils or individuals are not adequately addressed, resulting in slow progress and ongoing dissatisfaction.

By establishing a comprehensive framework that includes a complaints/issues/support/mediation forum and a tiered escalation process, this remit aims to promote fairness, protect complainants, restore public confidence, strengthen local democracy, and ensure timely and effective issue resolution as well as being cost effective for councils.

Taking action is crucial to uphold good governance, address grievances, and maintain the integrity of local government institutions.

### **How does this remit relate to LGNZ's current work programme?**

While there have been some conversations about the need for a national service for addressing complaints about member conduct (including with central government), and LGNZ does provide support to councils, including on an "as requested" basis and by providing a model Code of Conduct at the start of each triennium, work to develop a national, independent process/service is not one of LGNZ's current work priorities.

Work on this remit would align with LGNZ's vision of New Zealand being the most active and inclusive local democracy in the world, and LGNZ's goal that more people value and participate in local government.

**How will the proposing council help LGNZ to make progress on this remit?**

The proposing and supporting councils and Young Elected Members' Committee have all expressed a willingness to support LGNZ with work to progress this remit, including sharing relevant experience and assisting with engaging with Ministers, officials and the Local Government Commission.

**Is the remit relevant to local government as a whole?**

Yes.

**Is the remit of a major policy nature?**

Yes: At some stage, virtually all councils will have faced the issue of member misconduct. The tools currently available for dealing with such issues are widely seen as inadequate. There is a need for a proportionate, flexible, responsive, and independent process/service for handling complaints and concerns in councils and an approach that is consistent across all councils.

## // 09

### Earthquake prone buildings

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**Remit:** *That LGNZ investigate and report to members on ways to help councils and communities that are struggling with the time frames in the Earthquake Prone Building (EPB) sections of the Building Act and council policies pertaining to Priority Thoroughfares.*

**Proposed by:** Manawatū District Council

**Supported by:** LGNZ Zone 3

#### Why is this remit important?

Timeframes to strengthen or demolish earthquake prone buildings (EPBs) range from 50 years in low earthquake risk zones in New Zealand to 7.5 years in high-risk zones where councils have implemented Priority Thoroughfares. As the clock has been ticking for a while, that 7.5 years is already down to less than 5 years. These building owners have been issued notices under the Building Act to strengthen or demolish by a certain date.

While some strengthening has, and is taking place, it is clear that many EPBs will not be strengthened or redeveloped within the required short timeframes. These communities face the prospect of vacant sites, and worse still, abandoned buildings.

In many cases these EPBs have stood through many earthquakes for 70 – 140 years and they have considerable heritage value, but not necessarily with any real heritage protection, and they add positively to the character and aesthetic quality of towns and cities.

EPB owners have major concerns about what will happen in March 2028 when their 7.5 years is up, and other dates in other communities. In many cases they either can't afford to strengthen in the timeframe, or it is not currently financially viable to do so in the current commercial real estate marketplace. There are many cases where the property value is Land Value only, or Land Value less the cost of demolition. The buildings currently provide no added value to the value of the land.

This remit aims to address the timeframes of Priority Thoroughfares in particular, which were imposed as policy by councils, and which triggered the issuing of Building Act notices to strengthen or demolish by a certain date. The issuing of these notices seems to be more difficult to change than amending Priority Thoroughfare policies.

Manawatū District Council is concerned that town and city centres may be destroyed by legislative and policy decisions, rather than by an actual earthquake.

#### Background and Context

Some towns and cities with low commercial rents and low commercial property values are struggling with the financial viability and affordability of either earthquake strengthening or redeveloping within the short timeframes. These towns and cities have lower pedestrian counts, and therefore earthquakes are of lower risk to human life than in larger cities with higher rents and values, and where both strengthening and redeveloping is more viable.

The legislation gave no criteria in terms of pedestrian or traffic count for Priority Thoroughfares. It was left for councils to decide, and some councils implemented Priority Thoroughfares and some with similar town centres did not. Communities have building owners who are prepared to make progress with strengthening if a longer timeframe existed but are not prepared to commence strengthening knowing that they can't complete all of the work required within the short timeframe required. This is an unforeseen consequence of the short timeframes of the legislation and Priority Thoroughfare policies. Instead of the buildings becoming safer over time, the short timeframe has meant that no safety improvements are taking place in many cases.

An example of this is a prominent two-storey Hotel in Feilding, being a reasonably large Edwardian building built using unreinforced masonry, as are many of Feilding's EPBs. This is a most attractive building voted by the Manawatū community to be their favourite Feilding town centre building. The rent is circa \$70,000 P/A, and the cost to strengthen is circa \$2,000,000 with likely another \$2,000,000 required for renovation. The current use and rental doesn't justify the investment within 5 years. Another use or uses will be required to justify the investment and this will likely happen in the future, but such changes take time.

This remit hopes that compromise solutions, that remove the risk to human life in a timely manner, but in affordable and viable ways will be explored, such as extending the timeframe for strengthening lower-risk parts of buildings. The proposing council recognises that a range of options may be appropriate – including legislative and policy options – and so is keen that these are looked at.

Manawatū District Council has done a lot to help get EPBs strengthened. It has organised subsidised engineering reports through Heritage Equip, held seminars, sought advice, found a strengthening company that offers a fixed price package deal at a good price and without the need for occupants to vacate the building. Along with a few other councils Manawatū District Council has achieved a change in the regulations that lifted the financial threshold for relatively minor work before the full provisions of the Building Act are triggered. It has advocated to MPs from all political parties.

### **How does this remit relate to LGNZ's current work programme?**

LGNZ is not currently actively working on this issue but has done work around EPB legislative and policy settings in the past. LGNZ has access to political parties, central government officials and other national stakeholder organisations that could help local government to make progress on this issue.

### **How will the proposing council help LGNZ to make progress on this remit?**

Several members of Manawatū District Council will assist in any way possible (including participating in working groups, providing case studies and practical examples and experience when engaging with political parties) and will continue with their own efforts and share any useful information.

### **Is the remit relevant to local government as a whole?**

The problem of EPBs affects many councils and communities throughout New Zealand, and particularly those in high- and medium-risk earthquake zones. With less than five years to go for some councils, there is an urgent need to find a compromise solution.

**Is the remit of a major policy nature?**

Yes

## // 10

### KiwiSaver contributions for elected members

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**Remit:** *That LGNZ ask the Government to amend the law to enable councils to make contributions to an elected members' KiwiSaver scheme.*

**Proposed by:** Hamilton City Council & promoted by CBEC

**Supported by:** Queenstown Lakes District Council, Palmerston North City Council, New Plymouth District Council, Kāpiti Coast District Council. Far North District Council

#### Why is this remit important?

Currently, elected members are treated as independent contractors, with no entitlement to employer KiwiSaver contributions, or KiwiSaver deductions. This could be viewed as a disadvantage and a barrier to people standing for election, as the loss in KiwiSaver employer contributions can be in the tens of thousands by the time someone retires from public politics. This leaves elected members without employer contribution support for their retirements, which is provided to most other New Zealanders.

#### Background and Context

Currently, elected members are considered independent contractors, rather than employees of Council. As such, they are expected to set aside their own KiwiSaver contributions and do not receive any employer contribution.

Members of Parliament became eligible for KiwiSaver, but local government elected members are not. The Remuneration Authority Report on Members of Parliament Remuneration (July 2021) states 'MPs elected after 1992 are entitled to a superannuation subsidy contribution. The scheme can be KiwiSaver or registered retirement savings...'

Hamilton City Council is advocating for changes to the Employment Relations Act 2002 to allow KiwiSaver deductions to be taken from elected members' remuneration, and for employer contributions to be allocated.

The topic of elected member remuneration has been addressed in the draft report *He mata whāriki, he matawhanui*, prepared as part of the Review into the Future for Local Government, resulting in the key recommendations 17 and 18 as set out below:

- 17 - That central and local government, in conjunction with the Remuneration Authority, review the criteria for setting elected member remuneration to recognise the increasing complexity of the role and enable a more diverse range of people to consider standing for election.
- 18 - That local government develops a mandatory professional development and support programme for elected members; and local and central government develop a

shared executive professional development and secondment programme to achieve greater integration across the two sectors.

Hamilton City Council strongly believe that as a sector we should continue to advocate for changes to remuneration (such as those outlined above) to ensure local governance roles remain attractive.

### **How does this remit relate to LGNZ's current work programme?**

This proposed remit aligns with LGNZ's strategy and policy priorities, including its vision that New Zealand is the most active and inclusive local democracy in the world, and its goal that more people value and participate in local government.

While the issue of KiwiSaver deductions and employer contributions has been highlighted in various submissions LGNZ has made in the past, there has been no official communication to the Minister of Local Government about the implications of elected members not being eligible for KiwiSaver deductions or employer contributions from councils.

### **How will the proposing council help LGNZ to make progress on this remit?**

Hamilton City Council will continue to advocate for these changes.

### **Is the remit relevant to local government as a whole?**

Yes.

### **Is the remit of a major policy nature?**

Yes: remuneration is a critical factor that citizens consider when deciding to stand or not for election.



## // 11

### Audit NZ Fees

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**Remit:** *That LGNZ calls on central government to take action to reduce council audit fees by:*

- *revisiting the scope and requirements of reporting and auditing on councils*
- *conducting a review on the practice of audit in councils and work on best practice guidance to streamline this process*

*This review should examine whether the reporting and audit requirements of councils are consistent with the level of reporting and audit that is required of other public entities.*

**Proposed by:** Whanganui District Council

**Supported by:** New Plymouth District Council, Horizons Regional Council, Palmerston North City Council, Stratford District Council, Selwyn District Council

### Why is this remit important?

While reporting and audit requirements are important for transparency and accountability, the scope of them are constantly inflating as council work programmes and rates intakes increase over time. These costs are then passed back to the ratepayer during a cost-of-living crisis and with food and housing insecurity steadily increasing. The scale and content of reporting and auditing needs to be reviewed to ensure that they are being conducted efficiently, relate to information that is relevant to the community and to council fulfilling its statutory duties, and is not overly onerous on under-resourced councils.

### Background and Context

Local authorities have significant reporting requirements under the Local Government Act 2002 (LGA). These include annual reports, which review financial and service performance for the preceding financial year, and Council-Controlled Organisation (CCO) reports, and audits of Long-Term Plans and Long-Term Plan amendments. In the interests of transparency and accuracy, these reports are required to be audited under the LGA.

The Auditor General is the auditor of all public entities and they determine who will audit specific organisations. Council audits are conducted by Audit New Zealand. We understand that some councils' CCOs have permission to seek other audit providers, but for the vast majority of councils Audit New Zealand is the only allowable provider.

Councils are legally required to conduct an audit but do not have the ability to choose between multiple organisations to conduct it, which prevents competition on cost. Further, there are barriers to the timing and efficiency of the annual audit due to only being able to use one provider. While Whanganui District Council (Council) agrees that the audit is a critical function that provides assurance on information contained within our reports, it questions whether the financial and staffing costs of audits are now exceeding the benefit provided to our communities.

Reporting and auditing are a key part of local democracy. Reporting is a necessary factor for transparency and accountability both to central government and to the communities that councils

serve. Audits ensure that the information being reported is full, accurate, and meets all its requirements under legislation.

Whanganui District Council is also aware of the technical difficulty of conducting audits. Even when conducted by organisations with extensive experience, auditing council financial reports involves working through a significant amount of financial information and highly technical analysis and close familiarity with the accounting standards financial reports are held to.

The amount of work needed to complete an audit also increases over time in line with the amount and complexity of information going into council reports. Councils have increasing expenditure and increasing workloads over time, both internally as a result of work undertaken on behalf of their communities, and externally as outside pressures such as economic conditions, legislation and pressing issues like housing require more direct local investment and management.

### **How does this remit relate to LGNZ's current work programme?**

This is an issue for the entire sector, with many councils expressing concern over the extent of fees required for obligatory audits of our reporting. It aligns with responsiveness to the needs of local government by taking action on a mandatory cost that local government bodies have no control over.

Advocacy on this issue aligns with LGNZ's commitment to localism and championing local voice on issues that are having significant impact at the local level.

LGNZ is aware of members' concerns about audit fees and has been having a number of conversations with Audit New Zealand, the Minister and central government officials. However, this remit would add further weight to the importance of the issue.

### **How will the proposing council help LGNZ to make progress on this remit?**

Whanganui District Council will submit on consultations run by either central government or LGNZ.

### **Is the remit relevant to local government as a whole?**

Yes: all councils are currently required to pay audit fees.

### **Is the remit of a major policy nature?**

Yes.

File No.: 23/387

## 7.2 Water Services Reform Reset

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### 1. Purpose

- 1.1 To discuss the Water Services Reform, the recent reset by the Government, and affirm the position of this Council in relation to the reform.

### 2. Executive Summary

- 2.1 The Three Waters Reform programme for Horowhenua District Council (Council) commenced in late 2021 after the Government announced the reform would become mandatory for all Councils. At the time, the Horowhenua District Council opted to join the Communities 4 Local Democracy (C4LD), affirming the position that the Council was against the Government's reform proposal. Subsequently, C4LD began advocating on behalf of member Councils for change to the proposal to better suit Councils. Despite the opposing stance, Council has been actively participating in the reform programme and requests for information from the Department of Internal Affairs (DIA) National Transition Unit. In December 2022, the Water Services Entities Act came into effect giving legislative power to the three waters reform and the mandate. In April 2023, the Minister for Local Government announced a reset to the Three Waters Reform that would result in a number of changes to the reform proposal. The most significant, increasing the number of water entities from four to ten, that are aligned to regional council boundaries.
- 2.2 During the water services entities establishment period, the DIA have monitoring and oversight powers of decisions that councils make pertaining to their Three Waters. The DIA has confirmed (approved) Council's Long Term Plan Amendment and the inclusion of three waters as well as the Levin Water Supply Resource Consent. Therefore, the DIA is supportive of Council's future three waters programme of activities. This is a positive outcome for the Horowhenua community as these projects will be transferred to the new water services entity.
- 2.3 During the current triennium, the 2022 Council elect has not had a formal opportunity to affirm its position on the Three Waters Reform, now known as the Water Services Reform. This report sets out background decisions and discusses the reset announced by the Government, with an aim to allow Council to make an informed decision on what position they will take in relation to the Water Services Reform.

### 3. Recommendation

- 3.1 That Report 23/387 Water Services Reform Reset be received.
- 3.2 That this matter or decision is recognised as not significant in terms of S76 of the Local Government Act.

#### OPTION 1

- 3.3 *THAT* Council:
  - 3.3.1 Proceeds with transition activities as required by National Transition Unit and guided by legislative powers under the Water Services Act 2022.
  - 3.3.2 Approve \$340,000.00 of additional borrowing to enable Council to participate in the transition activities for the 2023/24 financial year.

- 3.3.3 Retains membership in Communities 4 Local Democracy (C4LD), therefore aligning with the position of C4LD. Which is, that the current Water Services Reform is still not fit for purpose.
- 3.3.4 Retains the current position that is held:
- (a) It is a legitimate and expected role of local government to advocate for its community to central government.
  - (b) Council considers the sequencing of three waters reforms ahead of finalisation of the Government's own concurrent future of local government review is ill-considered and inappropriate as the Three Waters Reform will have a significant impact on the future functions of local government. Council considers it is appropriate to proceed with the Future of Local Government discussion ahead of the Three Waters Reform. The Future of Local Government reform should provide the over-arching direction for the responsibilities and requirements for local government. This would clarify the activities to be delivered by local government, which could guide the future of water service delivery in Aotearoa New Zealand. The Resource Management Reforms are also likely to have a significant impact on three waters service delivery, including regulation of the disposal of wastewater effluent and stormwater. The detailed requirements for spatial planning will also be important in setting direction for growth investment by the new water service entity.
  - (c) It is paramount that the voices of the Horowhenua community are heard and responded to. The district's community has concerns around issues such as additional charges. Council needs assurance that the Horowhenua community has their concerns answered, feels well informed and understands the pros and cons of reform. Council wants our community to be engaged with for significant decision making for Three Waters infrastructure, at a minimum, to the level of community engagement currently carried out by Council. The continued absence of such engagement on these "essential" services is a further reason the Council does not support the approach proposed.
  - (d) Council recommends that the approach is changed and an enduring solution is sought through a genuine cross-party process. Many organisations, councils and communities want the three waters system to be reformed. There is genuine interest in working together to develop a solution for such an essential service. By listening to sentiment in the wider community and local government sector the Government would not be 'losing' by pausing. When it comes to matters such as the provision of a safe and reliable water supply, parties shouldn't be 'winners' or 'losers'. It's our communities who lose through this approach. On one hand, communities face implementation of a system they have not had input into and do not support. On the other hand, the needed reform will be delayed if this legislation is repealed if there is a change of Government. The three waters reform process purports to have community interests at heart, but that is not what is playing out. By listening and holding further discussions and taking a cross-party approach, people would view that bold step as it should be seen – brave and the right thing to do. It is how we want our leaders to lead.
- 3.3.5 Supports the inclusion of Horowhenua in the Manawatū / Whanganui Entity, but acknowledge that there is a possibility that Horowhenua could join the Wellington Entity.
- 3.3.6 Requests that Officers explore if there is a possibility that Horowhenua could join the Wellington Entity.

**OR**

OPTION 2

- 3.4 *THAT* Council:
- 3.4.1 Proceeds with transition activities as required by National Transition Unit and guided by legislative powers under the Water Services Act 2022.
  - 3.4.2 Approve \$340,000.00 of additional borrowing to enable Council to participate in the transition activities for the 2023/24 financial year.
  - 3.4.3 Withdraws membership from Communities 4 Local Democracy (C4LD).
  - 3.4.4 Take the position that they support the current proposal from the Government.
  - 3.4.5 Supports the inclusion of Horowhenua in the Manawatū / Whanganui Entity, but acknowledge that there is a possibility that Horowhenua could join the Wellington Entity.
  - 3.4.6 Requests that Officers explore if there is a possibility that Horowhenua could join the Wellington Entity.

**OR**

OPTION 3

- 3.5 That Council:
- 3.5.1 Proceed with transition activities as required by National Transition Unit and guided by legislative powers under the Water Services Act 2022.
  - 3.5.2 Decline \$340,000.00 of additional borrowing and request that Council utilise existing budgeted overheads to participate in transition activities for the 2023/24 financial year.
  - 3.5.3 Retain membership in C4LD, therefore aligning with the position of C4LD.
  - 3.5.4 Retain the current position that is held by Council and reaffirm post 2023 General Election.
  - 3.5.5 Support the inclusion of Horowhenua in the Manawatū / Whanganui Entity, but explore if there is a possibility that Horowhenua could join the Wellington Entity.

## **4. Background / Previous Council Decisions**

- 4.1 The Government announced in July 2020 that its intention was to reform the three waters environment by establishing four publicly-owned entities to take responsibility of drinking water, wastewater and stormwater infrastructure across New Zealand. This proposal gave councils the option of opting in or opting out.
- 4.2 Council received a number of reports from officers in relation to the three waters reforms since then, which have canvassed the issues surrounding the Government's proposal.
- 4.3 On 29 September 2021, the Council resolved to endorse a letter to Minister of Local Government setting out a number of concerns. At that point Council had not yet identified its position in relation to the three waters reform.
- 4.4 The Government confirmed on 27 October 2021 that the three waters reform process would become mandatory for all councils and their public water, wastewater and storm water assets.
- 4.5 In October 2021, Council provided honest and constructive feedback to the Minister of Local Government about the then proposed direction of the Three Waters Reform. The Council

- supports reform of the three waters sector but did not support that reform proposal. Council raised a number of issues and suggestions for improvement.
- 4.6 In 2021, the water quality regulator Taumata Arowai, became accountable for the delivery of the Water Services Act 2021.
  - 4.7 In late 2021, twenty territorial local authorities joined as a lobby group called Communities 4 Local Democracy.
  - 4.8 At the 9 February 2022 Council meeting, Council voted to: oppose the three waters reforms; join the memorandum of understanding between partner councils and join the Communities for Local Democracy / He hapori mō te Manapori (C4LD) as a campaign partner; and requested that the Chief Executive allocate \$15,000 for the joining fee.
  - 4.9 On 14 July 2022, Council was awarded Transition Support Package funding of \$515,000.00 to contribute toward the participation of transition activities including; information gathering, supply of resource to support requests, and complying with legislation.
  - 4.10 On 22 July 2022, Council made a written submission on the Water Services Entities Bill to the Finance and Expenditure Select Committee. The Bill was the first of three pieces of requisite legislation to enable Water Service Entities (WSEs) to assume responsibility for three waters service delivery from 1 July 2024.
  - 4.11 In November 2022, Council appointed a Three Waters Transition Manager to lead Council's Three Water transition programme.
  - 4.12 On 1 December 2022, formal notification was received confirming that Council was awarded \$4.99 million of Better off Funding to contribute to the following projects; Levin Town Centre Development, Manakau Domain Shared Pathways, Lake Punahou Development, Waitārere Beach Surf Club Development, Te Maire Park Development, Trig Mountain Bike Track Improvements, Events and Destination Management Strategy, Foxton Pool Redevelopment, Rural Halls Drinking and Wastewater, Levinable Project, Foxton Courthouse Redevelopment.
  - 4.13 On 12 December 2022, the Water Services Entities Bill received Royal Assent and became the Water Services Entities Act. This means that four publicly owned entities (WSEs) can now be established, and these will be accountable for three waters service delivery across New Zealand. Under the legislation, all water assets will be retained in public ownership with each Council receiving one share per 50,000 in its district. Local councils will be the only shareholders in these entities. These shares cannot be sold or otherwise transferred and do not come with a financial benefit or liability. With this arrangement, balance sheet separation is achieved.
  - 4.14 The Water Services Legislation Bill (WSL Bill) and the Water Services Economic Efficiency and Consumer Protection Bill (Economic Regulation Bill) were introduced on 8 December 2022. These two bills build on the Water Services Entities Act by setting out the technical detail of three waters and service delivery:
  - 4.15 The WSL Bill sets out the Water Services Entities' functions, powers obligations, and oversight arrangements.
  - 4.16 The Economic Regulation Bill regulates the price and quality of water infrastructure services and protects consumers.
  - 4.17 Both proposed bills had their first reading on 13 December 2022 and were referred to the Finance and Expenditure Select Committee, which had set a deadline of 17 February 2023 for written submissions from local government.
  - 4.18 On 17 February 2023, Council made a written submission on the Water Services Legislation Bill (WSL Bill) and the Water Services Economic Efficiency and Consumer Protection Bill (Economic Regulation Bill) to the Finance and Expenditure Select Committee.

- 4.19 On 13 March 2023, on behalf of Council, Mayor Bernie Wanden and Chief Executive Monique Davidson presented Council's submission to the Finance and Expenditure Select Committee.
- 4.20 On 29 March 2023, the inaugural Three Waters Transition and Planning Taskforce meeting was held.
- 4.21 On 13 April 2023, the Government announced a reset of the Three Waters Reform. The major change was moving from four 'mega' entities, to 10 smaller entities with their boundaries established roughly along the lines of New Zealand's 16 regional councils. Horowhenua identified to become part of the Manawatū/Whanganui entity, an alignment to the Horizons Region alongside Palmerston North City, Whanganui, Ruapehu, Manawatū, Tararua and Rangitikei.
- 4.22 On 27 April 2023, Council received formal notification from the DIA that confirms the significant decision specifically in relation to: amendments to the Long-Term Plan to increase investment in the water infrastructure through upgrades to existing assets and the build of new assets to help address capacity constraints and manage population growth (Decision).
- 4.23 On 26 May 2023, Mayor Bernie Wanden and Chief Executive Monique Davidson wrote to the Minister of Local Government, Hon Kieran McAnulty requesting an audience to discuss the Water Services Reform. The meeting is confirmed for 28 June 2023.
- 4.24 On 8 June 2023, Council received formal notification from the DIA that confirms the significant decision specifically in relation to: Levin Water Supply Resource Consent (Decision).

## **5. Discussion**

### **What we know**

- 5.1 The Government will revoke the four mega entities that would have delivered Three Waters (freshwater, wastewater, and stormwater) services to households. These four entities will become 10 entities, with their boundaries established roughly along the lines of New Zealand's 16 regional councils. The ten entities will allow local councils more direct engagement with the water entities that will manage water services on their behalf. By extending the number of publicly owned water entities to 10, every district council in the country will have a say and representation over their local water services entities through regional representative groups, forming a partnership between council representatives.
- 5.2 Under Te Tiriti o Waitangi/the Treaty of Waitangi, mana whenua have the right to participate in decisions that relate to water services. Iwi/Māori also have responsibilities as kaitiaki to protect Te Mana o te Wai, the health and mauri of our water. Mana whenua will have equal representation on the regional representative groups alongside territorial authorities in each entity area, otherwise known as 'co-governance.' Communities will continue to have influence over the water services entities through regional representative groups.
- 5.3 Horowhenua will become part of the Manawatū/Whanganui entity alongside; Ruapehu District, Whanganui District, Rangitikei District, Manawatū District, Palmerston North City, Tararua District, Horowhenua District. These Councils all form part of the Horizons Region. The Manawatū/Whanganui Entity will service a connected population of 228,000.
- 5.4 The new go live date of 1 July 26 is not the official go live date for all entities. There is now a 'window' from 1 Jul 24 – 1 July 26 (the very latest) for the entities to go live. The National Transition Unit (NTU) will not be providing a firm date for entities to go live e.g. requiring Manawatū/Whanganui to go live on 1 July 24. Therefore, councils in the new entities will need to meet to discuss their preference for a go live date and inform the NTU when they would like to have their entity established.
- 5.5 The current legislation and associated powers will guide all interactions and will continue to inform the transition process. Therefore, where Councils have assumed there might be a

slowdown, the NTU are still pushing through with the requests for information pertaining to each workstream.

- 5.6 Timing of the legislation programme – They will introduce the Amendment Bill after the Select Committee has reported back on the other two bills currently in the house. This recent announcements don't affect the committee's findings and they will proceed with their report.

All legislation will be in place before the end of the Government year.

All cabinet processes need to be completed by 30 June 2023

Short select committee process for amendment bill – late June

House rising late August 2023

- 5.7 The NTU have not been unable to provide a definitive answer on Transition Funding and whether or not tranche 2 will be available. They will have a clearer picture of transition support by 1 July 2024 once they have recalibrated their work programme. This could have a potential impact on our business as we may not be able to support the transition work programme in full without adequate fiscal support.
- 5.8 The first \$500 million of Crown-funded 'better off' funding for councils is unaffected by the decision and will continue as planned. Our Council received \$4.99 million from the first tranche to go toward community projects, this remains unchanged and our community will still benefit from this additional funding.
- 5.9 The second tranche of \$1.5 billion better off funding has been discontinued to ensure the water services entities are able to operate sustainability.
- 5.10 The \$500 million 'no worse off' funding package for councils will remain in place. The provision of 'no worse off' funding acknowledges that the transition process gives rise to costs and financial impacts for councils. This funding will ensure no council is left worse off as a result of bearing stranded costs, or because of the net impacts that the combination of losing revenue and debt could have on their credit ratings.
- 5.11 There will be an impact on our business. We are currently working through what the impact of the transition looks like for our business and the services we deliver for our community.
- 5.12 We're committed to delivering three waters services to our community, we are mandated to participate in the reform and we will do this to the best of our ability. We want the best outcomes for our community and ultimately that is the continuity of the delivery of three waters in Horowhenua.
- 5.13 We're expecting an updated work programme in July which will determine the next steps for participation in the transition.
- 5.14 Our Council have made a positive decision by including three waters in our Long Term Plan Amendment. Despite legislation challenges and an adverse opinion, they were committed to ensuring that our community has Infrastructure that is fit-for-purpose.
- 5.15 Through the transition we've identified some areas that are leading to business improvements. The Three Waters Transition Manager is committed to working through some of these processes to ensure that our organisation, specifically three waters is in a better place than before.
- 5.16 The Long Term Plan proper will look different, the three waters will be included for at least one year, if not two years.
- 5.17 The Wellington Entity will comprise of; Wellington City, Porirua City, Kāpiti Coast District, South Wairarapa District, Carterton District, Masterton District, Hutt City, Upper Hutt City, and will service a connected population of 549,000. Horowhenua forms part of the Wellington Regional Leadership Committee and the associated Wellington Regional Growth Framework. A spatial plan that describes a long term (30+ year) vision for how the region will grow, change and respond to key urban development challenges and opportunities in a



way that gets the best social, economic and environmental outcomes for the region. Also included in the 'Wellington' region are; Masterton, Carterton, South Wairarapa, Upper Hutt, Lower Hutt, Wellington, Porirua, Kāpiti Coast and Greater Wellington councils. With the work that has already been completed and forecast to be undertaken in this region, there is strong alignment with the south.

- 5.18 What we don't know
- 5.19 The date that our new entity will go live. This is yet to be determined. It will not be 1 July 2024 as we have been working toward. The Chief Executive has met with the Horizons region chief executives to discuss, and has been appointed the lead Chief Executive and will be asking the questions of the NTU regarding what it means for our councils.
- 5.20 How long our staff as potential future employees of the new entity will transition for. Given the extended timeframe, we're not sure how stretched engagement will be. We will be advocating for certainty to ensure that we can pass this certainty on to staff.
- 5.21 Where the new entity staff will be located. We have been asked on a couple of occasions if we have office space to accommodate the entity staff. With the Horowhenua Alliance moving into the HDC Civic Building, we have indicated to the NTU that this accommodation arrangement might be able to continue.
- 5.22 What the new entity structure will look like, who will be leading this organisation? This has detail has yet to be confirmed.
- 5.23 The impact for our ratepayers going from Entity C, to the soon to be Entity Manawatū/Whanganui. Because our entity has reduced in size, will this result in higher water billing costs to our community because of the make up of the entity and/or the smaller number to share the costs?
- 5.24 The work programme after 30 June 2023. This is still unknown.
- 5.25 Any advice from the Office of the Auditor General (OAG) pertaining to the upcoming Long Term Plan Proper. This has yet to be provided to councils.
- 5.26 What the outcome of the general election will be later this year. We haven't had any recent three waters policy announcements from opposition parties. If there is a change of government this could have a substantial impact on the future state and direction.

#### **Current Position of Horowhenua District Council**

- 5.27 It is a legitimate and expected role of local government to advocate for its community to central government.
- 5.28 Council considers the sequencing of three waters reforms ahead of finalisation of the Government's own concurrent future of local government review is ill-considered and inappropriate as the Three Waters Reform will have a significant impact on the future functions of local government. Council considers it is appropriate to proceed with the Future of Local Government discussion ahead of the Three Waters Reform. The Future of Local Government reform should provide the over-arching direction for the responsibilities and requirements for local government. This would clarify the activities to be delivered by local government, which could guide the future of water service delivery in Aotearoa New Zealand. The Resource Management Reforms are also likely to have a significant impact on three waters service delivery, including regulation of the disposal of wastewater effluent and stormwater. The detailed requirements for spatial planning will also be important in setting direction for growth investment by the new water service entity.
- 5.29 It is paramount that the voices of the Horowhenua community are heard and responded to. The district's community has concerns around issues such as additional charges. Council needs assurance that the Horowhenua community has their concerns answered, feels well informed and understands the pros and cons of reform. Council wants our community to be engaged with for significant decision making for Three Waters infrastructure, at a minimum, to the level of community engagement currently carried out by Council. The continued

absence of such engagement on these “essential” services is a further reason the Council does not support the approach proposed.

- 5.30 Council recommends that the approach is changed and an enduring solution is sought through a genuine cross-party process. Many organisations, councils and communities want the three waters system to be reformed. There is genuine interest in working together to develop a solution for such an essential service. By listening to sentiment in the wider community and local government sector the Government would not be ‘losing’ by pausing. When it comes to matters such as the provision of a safe and reliable water supply, parties shouldn’t be ‘winners’ or ‘losers’. It’s our communities who lose through this approach. On one hand, communities face implementation of a system they have not had input into and do not support. On the other hand, the needed reform will be delayed if this legislation is repealed if there is a change of Government. The three waters reform process purports to have community interests at heart, but that is not what is playing out. By listening and holding further discussions and taking a cross-party approach, people would view that bold step as it should be seen – brave and the right thing to do. It is how we want our leaders to lead.

#### **Communities 4 Local Democracy / He hapori mō te Manapori (C4LD)**

- 5.31 At the 9 February 2022 Council meeting, Council voted to align with C4LD and oppose the three waters reforms through signing the memorandum of understanding between partner Councils and join the Communities for Local Democracy (C4LD) as a campaign partner. Council paid a one-off \$15,000.00 joining fee to be part of this campaign.
- 5.32 C4LD is a Local Government action group committed to working with central government to ensure all New Zealanders have access to safe drinking water and that all of our local communities continue to have a say on the use of assets purchased on their behalf using ratepayer funds.
- 5.33 C4LD has a membership of 30 councils, representing 1.2 million people. With a belief that collectively they (all member councils) have better ideas than the ‘one size fits none’ proposals from the Government, and that they can deliver better services while still remaining affordable and locally responsive. They want better services, local responsiveness and accountability, public ownership and meaningful Mana Whenua involvement. They have developed a ‘10 Point Proposal for Compromise’ that outlines the core vision of C4LD:
1. Foundation principle - community property rights in Three Waters assets are to be both respected and meaningful.
  2. The Government should agree to amend its current reform process and allow time for the revised approach to be reflected in draft legislation.
  3. With respect to investment decision-making, asset owners should actively seek to initiate authentic discussions with mana whenua at a local level that consider co-design and partnership arrangements that acknowledge and enable Te Tiriti based pathways at a local and regional level.
  4. In return, asset owners agree to commit to meeting health and environmental standards, once known, within an appropriate time frame.
  5. The regulatory framework should specify a “backstop” provision that identifies a set of circumstances which would justify future Crown intervention if an asset owner was not making acceptable progress towards meeting those regulatory requirements.
  6. Progress should be reported on annually by asset owners and be benchmarked across the sector.
  7. To further incentivise sector progress, a formal process might be established that requires an asset owner to prepare a plan that would map out the steps it proposes to take to meet the required standards in a financially viable and sustainable manner.

8. A process to finance and allocate funds to areas that will require financial assistance be designed that is national in application and independently administered accordingly to objective and transparent criteria (this is consistent with the recommendation of the Productivity Commission in November 2019).\*
9. This subsidy scheme will be designed to meet investment shortfalls until such time as sufficient progress has been made. At which point the scheme will cease and asset owners will finance matters on a business-as-usual approach.
10. A sector-wide sector best-practice improvement process be created and membership made compulsory. (in similar manner used to implement successfully the One Network Road Classification Framework and now One Network Framework in the road infrastructure area, and governed by Waka Kotahi and the Local Government Sector.)

*\*There has been no process publically outlined by C4LD for the allocation of funds to analyse against the current reform financial modelling and allocation of funds.*

- 5.34 C4LD Campaign launched on 15 December 2021 and a website containing C4LD submissions and media.
- 5.35 A submission on proposed 3 Waters economic regulation was submitted to Ministry of Business Innovation and Employment (MBIE) in December 2021.
- 5.36 C4LD presented to the Ministerial Working Group on alternative reform models on 28 January 2022.
- 5.37 C4LD presented on alternative reform models to Greens, ACT and National parties on 16 February 2022.
- 5.38 Then Minister of Local Government met with C4LD on 4 April 2022 and alternative reform models were presented to her.
- 5.39 Green Party Co-Leaders met with C4LD on 4 April 2022 and alternative reform models were presented to them.
- 5.40 C4LD met with Mayor Goff and Rt. Hon. Winston Peters on 13 April 2022 and alternative reform models were discussed.
- 5.41 C4LD made oral and written submissions to Finance and Expenditure (FEC) Select Committee on Water Services Entities Bill in July and August 2022. Alternative models for reform were fully set out.
- 5.42 31 October 2022, joint mayoral announcement by Mayors of Waimakariri (representing C4LD), Auckland and Christchurch on 3 Waters policy.
- 5.43 13 December 2022, the Executive Director, Three Waters Reform wrote to Horowhenua District Council in response to requests from C4LD and other Councils seeking to amend funding agreements. Acknowledging that after reviewing, no amendments will be made.
- 5.44 C4LD made oral and written submissions to FEC Select Committee on Water Services Legislation Bill and Water Services Economic Efficiency and Consumer Protection Bill in February 2023
- 5.45 C4LD Co-Chairs met with Minister of Local Government on 21 March 2023 concerning proposed “reset” of 3 Waters policy by Government
- 5.46 After the Government announced a reset of the Three Waters Reform, on the 26 April 2023, C4LD by way of media release publicly reaffirmed its position with their call for better water reforms. Having met with C4LD member councils it was stated that there was agreement

that fundamentally there was little to no change to the core issues of the expropriation of community property rights and the loss of meaningful local voice.

- 5.47 C4LD has played a significant role in advocating for changes and adjustments to the three waters reform where other organisations representing Local Government didn't advocate as strongly or respond as quickly.

## 6. Options

Officers have prepared three options for consideration:

### Option 1:

Proceed with transition activities as required by National Transition Unit and guided by legislative powers under the Water Services Act 2022.

Approve \$340,000.00 of additional borrowing to enable Council to participate in the transition activities for the 2023/24 financial year.

Retain membership in C4LD, therefore aligning with the position of C4LD.

Retain the current position that is held by Council.

Support the inclusion of Horowhenua in the Manawatū / Whanganui Entity, but explore if there is a possibility that Horowhenua could join the Wellington Entity.

#### *Advantages*

Creates a greater sense of certainty for Council staff and community.

Will ensure Council is adhering to legislation.

Allows Council to continue to make business improvements and plan for a business without the three waters activity.

Continue to have a dual voice with C4LD advocating on behalf of.

#### *Disadvantages*

Council's position is affirmed by being a member of C4LD and aligning with its stance, without affirming its own view.

There is an additional cost, albeit temporary with future funding likely.

### Option 2:

Proceed with transition activities as required by National Transition Unit and guided by legislative powers under the Water Services Act 2022.

Approve \$340,000.00 of additional borrowing to enable Council to participate in the transition activities for the 2023/24 financial year.

Withdraw membership from C4LD.

Take the position that Council supports current proposal from the Government.

Support the inclusion of Horowhenua in the Manawatū / Whanganui Entity, but explore if there is a possibility that Horowhenua could join the Wellington Entity.

#### *Advantages*

Creates a greater sense of certainty for Council staff and community.

Will ensure Council is adhering to legislation.

Allows Council to continue to make business improvements and plan for a business without the three waters activity.

Given the very high workload forecast for the LTP proper, certainty of Council's position will mean that staff can be focussed on the forward work programme.

Acknowledges that this Council can uphold their own voice and advocate for themselves if required.

#### *Disadvantages*

There is an additional cost, albeit temporary with future funding likely.

#### **Option 3:**

Proceed with transition activities as required by National Transition Unit and guided by legislative powers under the Water Services Act 2022.

Decline \$340,000.00 of additional borrowing and request that Council utilise existing budgeted overheads to participate in transition activities for the 2023/24 financial year.

Retain membership in C4LD, therefore aligning with the position of C4LD.

Retain the current position that is held by Council and reaffirm post 2023 General Election.

Support the inclusion of Horowhenua in the Manawatū / Whanganui Entity, but explore if there is a possibility that Horowhenua could join the Wellington Entity.

#### *Advantages*

Will ensure Council is adhering to legislation.

Continue to have a dual voice with C4LD advocating on behalf of.

#### *Disadvantages*

Council's position is affirmed by being a member of C4LD and aligning with its stance.

Creates uncertainty and reduced support for staff.

Places additional strain on staffing and business as usual.

Council will be unable to continue to make business improvements and plan for a business without the three waters activity as resourcing will be limited.

**Officer Recommendation:** The Officer recommendation is for Council to adopt either Option 1 OR Option 2. This will allow Council to adhere to legislation and participate in transition activities in full and plan ahead, support staff who will transition, pursue business improvements and ultimately prepare the business to operate without the three waters activity in the future.

### **6.1 Cost**

There is uncertainty about tranche 2 transition funding from Central Government, the Council would be required to loan fund \$340,000.00 to participate in transition activities for 2023/24 financial year if the relevant option was selected.

<b>Option</b>	<b>Cost</b>
Option 1	\$340,000.00
Option 2	\$340,000.00
Option 3	Nil

## Rate Impact

- 6.2 There will be no Rate impacts arising. The additional budget if supported would be loan funded not funded by rates.

## Community Wellbeing

- 6.3 There are no negative impacts on Community Wellbeing arising.

## Consenting Issues

- 6.4 There are no consents required or consenting issues arising from this report.

## LTP Integration

- 6.5 There is no LTP programme related to the options or proposals in this report. There are no Special Consultative Processes required.

## 7. Consultation

There was no consultation required to be undertaken.

## 8. Legal Considerations

There are no legal requirements or statutory obligations affecting options or proposals.

## 9. Financial Considerations

- 9.1 There is uncertainty about tranche 2 transition funding from Central Government, the Council would be required to loan fund \$340,000.00 to participate in transition activities for 2023/24 financial year, transition activities include:

Overheads

Consultants (change management, asset management, legal advice etc.)

Internal charges

- 9.2 Loan funding should be returned in the Department of Internal Affairs National Transition Unit No-Worse off funding debt settlement process. It will be noted that in order for Council to participate this was the only option without having a direct impact on rates. It is anticipated that there will be some form of financial support announced and we will see income in the future.

## 10. Iwi Considerations

If Council opts not to fund transition activities, there will be an impact on the Councils ability to advocate for and where possible support Iwi partners regarding the Water Services Reform.

## 11. Climate Change Considerations

There are no specific climate change considerations.

## 12. Environmental Considerations

There are no specific environmental considerations.

## 13. Health & Safety Considerations

There are no specific Health & Safety considerations.

## 14. Other Considerations

There is expected to be legislation changes pertaining to the Water Services Reform in July/August 2023. There will also be a General Election held in October 2023. Both of these have potential to significantly change the current direction and timing.

## 15. Next Steps

If the recommendations are accepted Council will continue to participate in Water Services Reform transition activities as required. Council will also pursue business improvements and planning for a business without the three waters activity in the future.




### 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

There are no appendices for this report

Author(s)	Cathryn Pollock <b>Three Waters Transition Manager</b>	
Approved by	David McCorkindale <b>Group Manager - Vision &amp; Delivery</b>	
	Monique Davidson <b>Chief Executive Officer</b>	





## 8.1 Procurement Report - Over \$200k and Agreements

File No.: 23/385

### 1. Purpose

- 1.1 The Purpose of this report is to provide information in relation to Procurement that will be included within future Operation Performance Reports (OPR) and give Councillors an opportunity to ask questions and provide feedback.

### 2. Recommendation

- 2.1 That Report 23/385 Procurement Report - Over \$200k and Agreements be received.
- 2.2 That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

### 3. Background/Previous Council Decisions

- 3.1 On 14 September 2022 both the Procurement Strategy and Policy were adopted. Within the Procurement Policy it includes a section on Reporting which reads:

*Procurement reports are to be presented the Council and are to include, at a minimum, the following:*

- *Procurements completed over \$200,000 - including details of the procurement and who awarded to*
- *A summary of expenditure for the top 20 vendors*

*This reporting ensures transparency between staff and Council and is the responsibility of the Procurement Team.*

- 3.2 This report is for procurements over \$200,000 including details of the activity and who it was awarded to.
- 3.3 The report that provides the summary of expenditure of the top 20 creditors (vendors) is provided to the Rating and Finance Taskforce. The first of these was presented on 7 June 2023.

### 4. Issues for Consideration

- 4.1 The Procurement Report provided includes agreements that have been signed within a procurement activity over \$200,000. For some procurements, this may mean that the total value of the activity is broken up between multiple providers depending on the procurement activity.
- 4.2 This report provides information from 1 January 2023 to 31 May 2023. In the future, this report will align within the reporting period applicable to the OPR.

### Attachments

No.	Title	Page
<a href="#">A</a>	Procurement Report - Over \$200k and Agreements - 1 Jan - 31 May 2023	75

**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 benefits and costs, 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.

## Signatories

Author(s)	Ben Blyton <b>Procurement Advisor</b>	
Approved by	Nicki Brady <b>Procurement &amp; Organisation Transformation Manager</b>	
	Jacinta Straker <b>Group Manager Organisation Performance</b>	
	Monique Davidson <b>Chief Executive Officer</b>	

## Procurement Report

### Procurements over \$200,000 with signed agreements – 1 January 2023 – 31 May 2023

In accordance with the Procurement Policy, procurements over \$200,000 are required to be approved by the Procurement Review Group (PRG) and procurements over \$1,000,000 are required to be endorsed by the PRG prior to being approved by Council.

Below is a list of procurements that have been through the approval process and had agreements signed within this reporting period.

	Title/Description	Awarded to	Approach	Process Detail	Contract Term / Status
Value Range – period of contract (excl GST)	\$200k – \$500k				
	Levin Landfill – Waste Projects Support	<ul style="list-style-type: none"> <li>Morrison Low</li> </ul>	Direct Approach	PRG Approved – 1 March 2023 Contract Signed – 10 February 2023	<ul style="list-style-type: none"> <li>Fixed – Project Specific</li> <li>Completed</li> </ul>
	Civic Building Re-fit	<ul style="list-style-type: none"> <li>Manawātū Office Products Depot</li> <li>Levin East Electrical</li> </ul>	Quotes	PRG Approved – 5 April 2023 Council Approval – 26 April 2023 Agreements Signed – 9 May 2023	<ul style="list-style-type: none"> <li>Fixed – Project Specific</li> <li>On-going – expected completion 30 June 2023</li> </ul>
	\$500k – \$1M				
	Levin Landfill – Front face remediation and other works	<ul style="list-style-type: none"> <li>Stantec</li> <li>Goodman Contractors</li> </ul>	Direct Approach	PRG Approved – 1 March 2023 Contracts Signed – 21 March 2023	<ul style="list-style-type: none"> <li>Fixed – Project Specific</li> <li>On-going - expected completion 30 June 2023</li> </ul>
	\$1M – \$3M				
Taraika Cambridge Tararua Upgrade - Wastewater Stage 2 and Water Main Renewal	<ul style="list-style-type: none"> <li>Higgins Contractors Levin</li> </ul>	Direct Award	PRG Endorsed – 2 December 2022, 1 March 2023 Council Approval – 14 December 2022, 15 March 2023 Contract Variation Signed – 24 March 2023	<ul style="list-style-type: none"> <li>Fixed – Project Specific</li> <li>On-going - expected completion 30 June 2023</li> </ul>	
Kings Drive Wastewater Reticulation Renewal	<ul style="list-style-type: none"> <li>Higgins Contractors Levin</li> </ul>	Closed Tender	PRG Endorsed – 8 November 2022 Council Approval – 23 November 2022 Tender Closed – 17 February 2023 Contract Signed – 31 March 2023	<ul style="list-style-type: none"> <li>Fixed – Project Specific</li> <li>On-going - expected completion 30 June 2023</li> </ul>	



File No.: 23/397

## 8.2 Interim Organisation Performance Report

### 1. Purpose

1.1 To present the Interim Organisation Performance Report for June

### 2. Recommendation

2.1 That Report 23/397 Interim Organisation Performance Report be received.

2.2 That this matter or decision is recognised as not significant in terms of S76 of the Local Government Act.


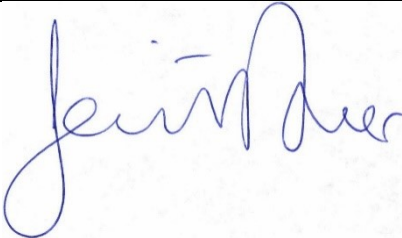
2.3 That having considered all matters raised in the Organisation Performance Report April 2023 the report be noted.

### 3. Background

This report is provided for information purposes only and seeks to update Council on a number of key projects and priorities for Horowhenua District Council. This report seeks to provide a snapshot of progress since the previous meeting. Officers are happy to receive feedback on future improvements to this report.

### 4. Appendices

No.	Title	Page
A	June 2023 Interim Organisation Report, including Dashboard	78

Author(s)	Charlie Strivens <b>Senior Advisor - Organisation Performance</b>	
Approved by	Jacinta Straker <b>Group Manager Organisation Performance</b>	
	Monique Davidson <b>Chief Executive Officer</b>	



**Horowhenua District  
Council Interim  
Organisation Performance  
Report June 2023**



## Contents

Contents and About this report.....	1
Organisation Performance Dashboard .....	2 - 3
Capital Projects Overview and Lifecycle Report .....	4 - 6
Top Ten Priorities .....	7 – 10

## About this report

We're on a journey on being transparent on how our organisation is performing with Elected Members and our Community, this report is the first step. The report is a great opportunity to share our stories, our successes, our concerns and where we need to improve. This report is just a snapshot of the great work we do across our community.

This report will be prepared for every full Council meeting, each time you will see refinements, improvements, additions and deletions. We will always be working towards keeping Elected Members and our community fully informed and up to date.

Due to the work required to produce a Full Organisation Performance Report (OPR) the Full OPR will now be presented at every second full Council meeting. The next Full OPR will be presented at the 19 July full Council meeting. An Interim OPR will be presented at each meeting in between starting with the 21 June full Council meeting.

The reporting period for Top 10 Priorities Updates and Capital Projects Overview and Lifecycle Report is

**4 April 2023 – 31 May 2023**

Financial and performance measure reporting is **30 April 2023 Year to Date.**

The Interim OPR includes the following:

### Dashboard

This dashboard contains key summarized financial and performance measure information. This will be provided in the Interim and Full OPR

### Top Ten Priorities Updates

A brief update is provided for the Interim OPR and a fuller update will be provided in the next Full OPR

### Capital Projects Overview and Lifecycle

This report is the same that is provided in the Full OPR



# Dashboard









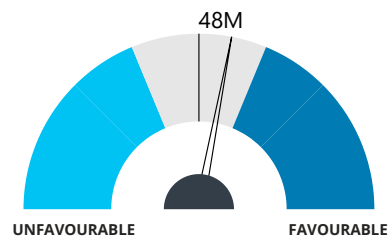
# Organisational Performance

YTD Ending 30th April 2023

This dashboard shows a snapshot of how we are tracking against our performance measure targets, our financial performance overall and activity financial information.

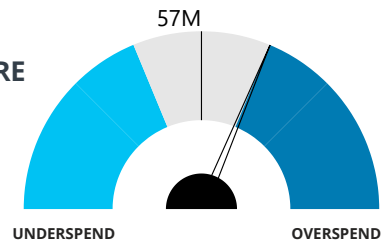
## Financial Performance

### INCOME



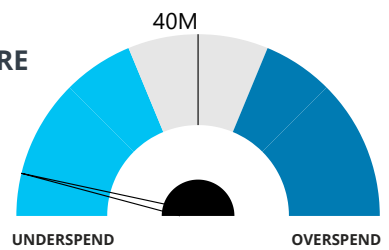
<b>Actual:</b>	\$50.25M
<b>Budget:</b>	\$47.96M
<b>Variance:</b>	\$2.29M, 4.8%
	<b>on target</b>

### OPERATING EXPENDITURE



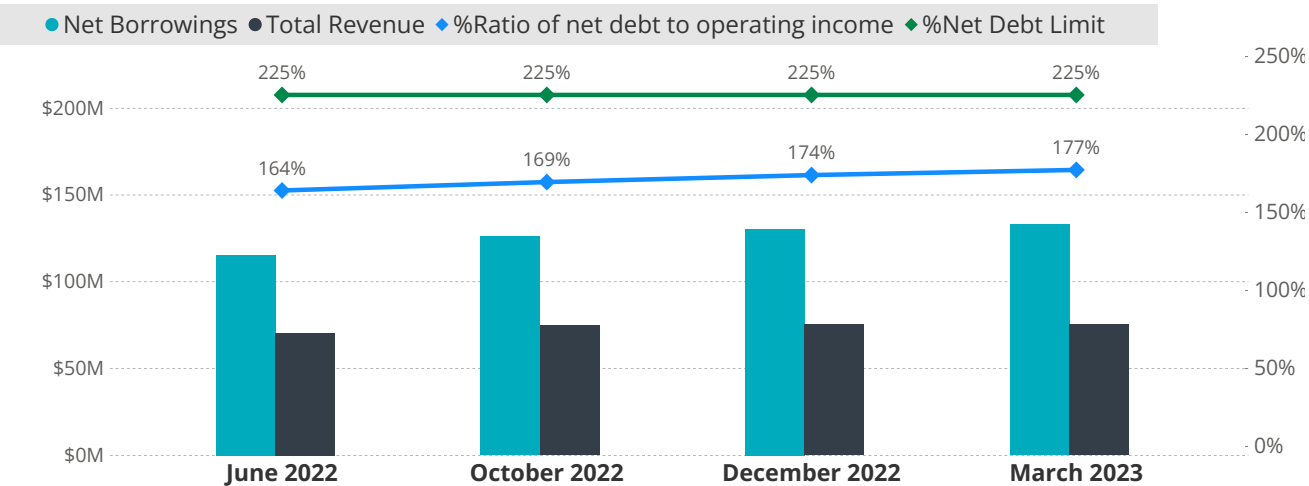
<b>Actual:</b>	\$63.24M
<b>Budget:</b>	\$57.44M
<b>Variance:</b>	\$5.80M, 10.1%
	<b>overspend</b>

### CAPITAL EXPENDITURE

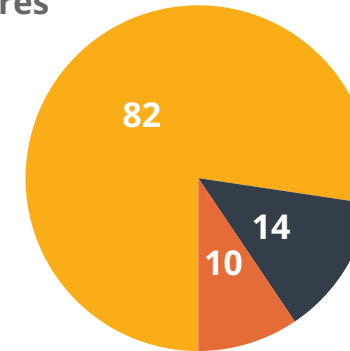


<b>Actual:</b>	\$26.11M
<b>Budget:</b>	\$39.54M
<b>Variance:</b>	-\$13.43M, -34.0%
	<b>under spend</b>

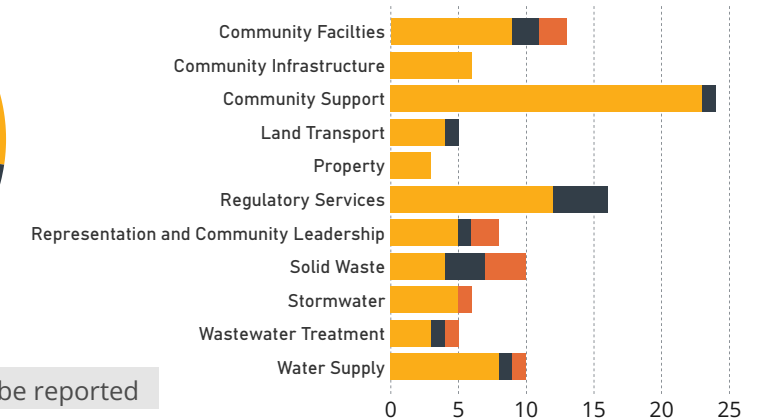
## Net Debt to Operating Revenue



## Overall Performance Measures

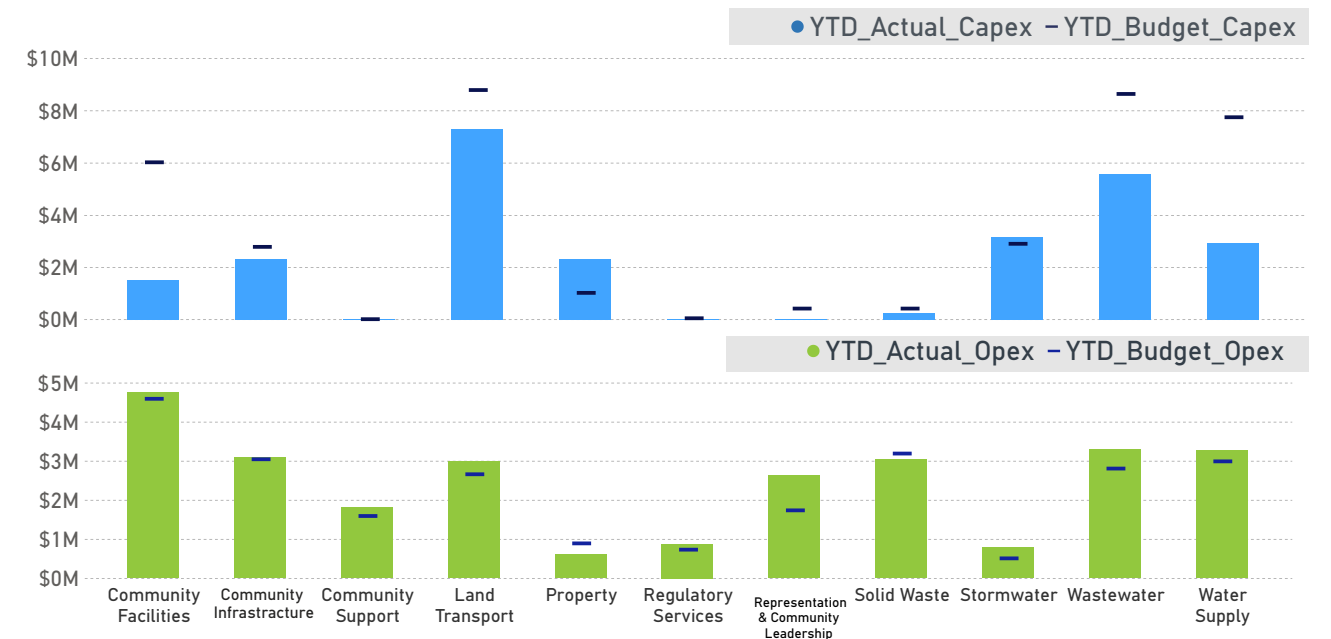


## Performance Measures By Activity



Council has completed \$26.1m towards the \$35m capital programme as at the end of April 2023 for 2022/23. The 2022-2023 Annual Plan had a total capital programme of \$56.2m but \$35m budgeted to be spent. The level of capital grants is also lower than budgeted due to the timing of the capital programme changing from what was originally planned. This is largely due to the Tara-Ika Programme moving out to future years. The level of operating income is \$2.2m higher due to higher levels of Operational Grants and Subsidies (\$590k) from first tranche of unbudgeted Mayors' Taskforce for Jobs (MTFJ) funding and first tranche of transition support package (\$1.1m) from the Department of Internal Affairs (DIA). The level of operational expenditure is \$5.8m higher than the level set in the Annual Plan which is primarily due to Maintenance spend variance of \$1.36m, higher finance costs of \$1.3m due to higher interest rates and professional fees of \$726k. Labour recoveries is \$1.18m less than budget partly due to less capital spend year to date and also due to all time recording not yet reflected in the results. This is currently being worked on. At the end of April, council was forecasting a full year operating deficit of \$2.9m. Work has been completed in May to identify ways to reduce the deficit. As at the time of writing this report, the council is forecasting a full year operating deficit of \$1.9m, this is largely due to increased interest costs of \$1.6m as a result of higher interest rates.

## Operating Expenditure and Capital Expenditure By Activity







# Capital Projects Overview and Lifecycle Report



Key		→ a move to the right	← a move to the left	* If changed colour	# project added since last report
<b>Project Lifecycle</b>					
Development	Consent	Plan and Procure	Deliver - 22/23 FY	Deliver - ongoing	Close and Evaluate
<i>Scope and approvals</i>	<i>Consent process</i>	<i>Implementation planning</i>	<i>Implementation</i>		<i>Monitor benefits</i>
Foxton East Drainage Scheme	Foxton Beach SW planning and consent	# Foxton Water Renewal 23/24	Minor Road Improvements	Foxton WWTP	Gladstone Road Realignment
# Lake Horowhenua water quality improvements and Queen St SW consent	Tokomaru WW disposal	* → Levin WWTP renewals	Footpath Renewals	Foxton Aquatic Centre	# Levin Landfill - Old dump capping
Levin Pot - Strategic upgrade	Poads Rd Reservoir	*Tara-Ika - Queen St Stg.1 SW	North East Levin SW - SW Trunk and Coley Pond works	*Waitāre Beach Surf Club	# Jubilee Park Splash Pad
Shannon WWTP		*SH57/Tararua Road Roundabout	Levin NE WW Renewals	Foxton Beach WWTP	# Public toilet – Major renewals
Tokomaru WWTP		*Foxton WW Renewals	#Donnelly Park Netball Court resurfacing, lighting and fencing	*Old Dump remedial works - Leachate investigation	# Sealed Road Resurfacing annual programme
Foxton Beach WTP		* Foxton Water renewal	Levin Water renewal- Liverpool Street	#Pot WW discharge development and renewals	
Levin WTP renewal		*Levin New Landfill - Additional capping	Cycle Facilities	Tara-Ika - Tararua Road WW	
Shannon WTP renewal		* Levin Water Supply Fluoridation	Shannon - Mangahao Water Renewal - Stg1	Levin WW Renewals - Kings Drive	
Foxton Beach WTP renewal		*Foxton Beach Water renewal	Tara-Ika - Trunk Watermain (Tararua)		

Tokomaru WTP renewal		# Tararua Road/SH57 roundabout enabling works	# Stormwater new including Ramona Ave, Waitarere Beach		
# Waikawa Beach Access		# Weararoa/York St WW upgrade	# Sealed pavement rehabs		
# Levin Adventure Park playground renewals		# Mangahao Water Stage 2	Waitarere WWTP		
Levin WWTP Master Plan		# Macarthur Wastewater and Water	# Reserve renewals		
Levin WTP Master Plan			Road improvements		
Horowhenua Transport Investment - PBC					
# Okarito SW connection					
<p>Foxton East Frainage Scheme - HDC is a stakeholder and funding partner. Risk around scope and delivery have been identified. working with Horizons (owners of the project) to understand revised plan and implications for funding contributions to date</p>					

# Top Ten Priorities Updates





Top 10 Priority	Update
<p><b>Enabling affordable housing that meets the needs of a growing population through the implementation of the Housing Action Plan</b></p>	<p>Several development opportunities are currently being worked through which consider the additional supply of both affordable, social, and general housing supply.</p> <p>Kianga Ora has some builds underway in the district and discussions continue around extending this programme.</p> <p>An internal consenting process review is underway with the aim to reduce consenting times for those wishing to add to the districts housing stock. The Housing Action Plan will also be the subject of a refresh to ensure the intent remains in touch with the current needs of our community.</p> <p>The market has slowed, however several projects are underway and continuing, notably the new social housing development on Hinemoa Street.</p>
<p><b>Achieve the best outcome for Horowhenua in the face of Three Waters Reform Transition</b></p>	<p>On 13 April 2023, the Government announced a reset of the Water Services Reform. The major change was moving from 4 entities to 10 smaller entities, with their boundaries established roughly along the lines of New Zealand's 16 regional councils. Horowhenua is to become part of the Manawatū/Whanganui entity.</p> <p>HDC staff who have been identified as potential future employees of the new entity have had their first formal engagement. Consultation on their position and transition pathway was between 4-18 May 2023.</p> <p>Any requests for information from the National Transition Unit due during this reporting period have been completed.</p> <p>On 26 May 2023, Mayor Bernie Wanden and Chief Executive Monique Davidson wrote to the Minister of Local Government, Hon Kieran McAnulty requesting an audience to discuss the Water Services Reform.</p>
<p><b>Deliver on the Levin Town Centre Transformation Strategy</b></p>	<p>Positive discussions have been had with The Horowhenua Company Limited and officers are continuing to work closely with the Company on engaging the local retailers and Town Centre Building Owners.</p> <p>Expression of interest process undertaken for the Levin Courthouse in the Rose Gardens. This process is seen as an opportunity to be a catalyst for bringing new activity into the Town Centre.</p> <p>The We Are Horowhenua placemaking work is progressing towards the Rangatahi photoshoots. Some positive responses from Town Centre businesses to hosting the portraits. Would be great to get some additional businesses on board so we could profile even more rangitahi from our district.</p>

	Following the last Levin Town Centre Taskforce meeting a dedicated Elected Member session will be held to confirm the direction and next priorities for the Levin Town Centre transformation.
<b>Complete a Rates review as part of the Long-Term Plan Amendment, to ensure a rating system that is fair and equitable</b>	<p>The rates review has been completed and the rates will be set on 28 June 2023. Further work will be completed on the rates remission policy during the first quarter of 2023/24.</p> <p>A decision is due to be made just after the reporting period for this report.</p>
<b>Provide advocacy and leadership to Ōtaki to North Levin expressway project</b>	<p>It is great to be able to advise that the ongoing advocacy and leadership of this Council has been successful. Since the last update to Council there have been key announcements made in May by the current Government supporting the construction of O2NL.</p> <p>This Waka Kotahi project has felt the impact of escalating costs Minister Woods has publicly confirmed that road will be built and built on time. The Minister has ruled out any delays. Construction on the road is scheduled to start 2025 and be completed 2029.</p> <p>The project is currently in the pre-implementation phase with the Notice of Requirement (NoR) on track for hearings later this year. Council has a regulatory role in assessing and responding to the NoR proposal.</p> <p>Council officers and Elected Members will be working with Waka Kotahi and contributing to the Legacy Outcomes Framework through a workshop to be held late June.</p>
<b>Get the basics right and support the customer focused delivery of core services</b>	Leveraged community feedback to redesign event notification form, event section of website and provide a free series of event workshops. <a href="https://www.horowhenua.govt.nz/News-Events/Events/Organising-An-Event">https://www.horowhenua.govt.nz/News-Events/Events/Organising-An-Event</a> .
<b>Deliver the capital infrastructure programme, and achieve an increase in the percentage of completed works</b>	Please refer to the Capital Projects Lifecycle and Confidence Report. Update on year-end forecasts and 2023/24 programme overview to be provided at June Capital Programme Steering Group.
<b>Reset our engagement and partnership approach, and work more with and for the community</b>	<p>Utilised Let's Kōrero to provide an online Long Term Plan Amendment presence. This coupled with a significant social media, radio and print campaign and new Citizens Panel focus groups led to a 37% increase in online traffic compared to the LTP 2021-2041.</p> <p>Council provided input and direction in terms of the development of a Māori Engagement framework.</p>

<p><b>Enable the rebuilding of the Horowhenua District Council organisation, with a focus to empower a culture of excellence, service, and continuous improvement</b></p>	<p>The organisation continues to embrace change, with a focus on implementing the key commitments outlined in the Organisation Roadmap.</p> <p>Highlights from the reporting period include:</p> <ul style="list-style-type: none"> <li>• Launch of Pay and Performance Policy</li> <li>• Launch of Tuhono Cultural Toolkit</li> <li>• Streamlining the recruitment process through maximising the use of our cloud-based systems and eliminating manual work</li> <li>• Insurance Strategy – Reviewing how and what we insure to create efficiencies for the organisation</li> <li>• Bringing the Alliance team back in house</li> <li>• Development of a Digital Action Plan with the Data &amp; Reporting Action plan business case currently being developed</li> <li>• Maximising the use of our core enterprise systems to create efficiencies in process (Accounts Payable and Financial Reporting &amp; Forecasting).</li> <li>• As part of an effort to build a positive, accepting and inclusive culture HDC celebrated pink shirt day with ELT dressing in matching pink shirt t-shirts and staff being encouraged to sign an anti-bullying pledge. Staff were also asked to participate in a survey about bullying to help the organisation understand how staff feel about bullying.</li> </ul>
<p><b>Make a decision on the Future of the Levin Landfill and follow through on the review of our WMMP</b></p>	<p>Submissions on LTPA were received for future outcome of New Levin Landfill. Officer background information has been tabled for elected members to consider.</p> <p>A decision is due to be made just after the reporting period for this report. Initial steps for review of WMMP are commencing</p>



## 8.3 Council Resolution and Actions Monitoring Report June 2023

File No.: 23/389

### 1. Purpose

The purpose of this report is to present to Council the updated monitoring report covering resolutions and requested actions from previous meetings of Council.

### 2. Recommendation

- 2.1 That Report, Council Resolution and Actions Monitoring Report June 2023 be received.
- 2.2 That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

### Attachments



No.	Title	Page
<a href="#">A</a>	Council Actions Monitoring Report 2023 - June 2023	94

#### 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 benefits and costs, 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.

### Signatories

Author(s)	Grayson Rowse <b>Principal Advisor - Democracy</b>	
Approved by	Monique Davidson <b>Chief Executive Officer</b>	

## Council Actions Monitoring Report 2023 As at 13 June 2023

Completed
In progress
Transfer
Off track

Reference	Resolution/Action	Officer	Due date	Status	Officer Comment
21/502	That the Chief Executive provide a full report on all options in respect of vehicular beach access at Waikawa Beach.	A Nelson	02/03/2023		Community consultation and consultation with iwi has commenced and is being led by Boffa Miskell.
22/166	That Council requests the Chief Executive to prepare a report into implications of, and options for, granting land access for the Foxton Beach Community Centre to build a three-bay garage, and report on implications and options for boundary line adjustments for the land upon which the Foxton Beach Community centre sits.	S Hester	02/03/2023		Truebridge associates have been engaged to complete the title amendment and are currently working through the process.
22/166	That Council requests the Chief Executive to work with the Windmill Trust and the Foxton Tourism Development Association (FTDA) to look at options for an alternative storage site for the Foxton Tram.	S Hester	30/06/2023		Officers attended the TAFCB workshop on 24 January 2023 and provided a brief update about the Horse Drawn Tram, including that no funding has been secured for a permanent display. Although a broad discussion was held with TAFCB members, no specific direction was provided and officers await further direction regarding TAFCB aspirations for this Tram.

22/166	That Council enters into a variation of the existing lease for Café Molen in support of option 1, as presented to the Foxton Community Board's meeting of 11 April 2022 – to extend the lease for the Dutch Oven into the current tram storage space.	S Hester	02/03/2023		The Parks & Property team have had several meetings with the Windmill Trust and discussions around how Council may assist the Trust to continue operating the cafe under lease are continuing.
CO/2022/28	That Council approves Officers proceeding with the additional liquefaction assessment and mapping to complete the district liquefaction map, and that this work be funded from within existing operational budgets	D McCorkindale	28/02/2023		The district liquefaction mapping has been undertaken and presented to Council at a briefing 19 April 2023. Awaiting final changes to our model resulting from this work with Tonkin and Taylor before we post this live in our GIS system
CO/2022/170	That Council enter into a lease agreement of thirty (30) years with the Levin-Waitāre Surf Lifesaving Club at a rental level calculated to align with the criteria set out in Council's Community Leasing Policy.  That Council give delegated authority to the Chief Executive Officer to negotiate and enter into a new lease on Council's behalf.	S Hester	28/02/2023		Complete. The surf life-saving club has signed a 30-year lease and P&P assistance in writing the Lotteries application has resulted in an award of 300k to the build. The signed lease has been provided to the ECCT for consideration of further assistance.
CO/2022/168	That Council agrees to:  Procure a maintenance contractor to monitor the landfill cap and repair as needed (including repairing seeps as needed) at an estimated cost of \$130,000 per annum as part of opex expenditure.  Fund the importation of clay soil, shaping the top of the Old Dump to stop water ponding, cease ingress and control surface stormwater flows. Re-establish vegetation, at an estimated	D Haigh	30/06/2023		<ol style="list-style-type: none"> <li>1. Council is presently using contractors to monitor the cap and make repairs on an as required basis.</li> <li>2. The top of the old landfill have been remediated – Completed in April 23</li> <li>3. The extent and level of contamination in gully area C2 has been confirmed. Further works will need to be undertaken to determine the best method of removal and monitoring of pumping of ground water level leachate. The works will</li> </ol>

D23/48975

Last update: 14-Jun-23

	<p>cost of \$320,000 to be completed by June 2023.</p> <p>Procure specialist assistance to confirm contamination in the gulley area at borehole C2, scope the required remediation of contaminated land, and undertake remediation at an estimated cost of \$300,000. Initial actions to be completed by June 2023.</p> <p>Approve a programme of work to firstly assess targeted restoration areas of the Tatana Drain and Hokio Stream by working alongside Iwi and willing landowners, develop a restoration programme, secure additional funding and then proceed with appropriate restoration projects. The initial cost of this action is \$300,000.</p> <p>Authorise Council Officers to undertake scoping activities to determine the cost of adding additional capping to the top and sides of the Old Dump as suitable soil becomes available and ensure that suitable drainage is constructed as capping is applied.</p> <p>Council notes that taking these actions does not preclude any further remediation actions or enhancements on the sites. Any further remediation actions or enhancements above the scope of those outlined above will be returned to Council for approval before commencing.</p>				<p>include 4 new monitoring bores with piezometers.</p> <p>4. Access targeted restoration works for Northern Farm Drain. (Tatana Drain) This will need to follow works in 3 above. Once we have developed a containment system we can then look at what might be needed for the restoration areas.</p> <p>5. Further work on the sides of the old landfill will need to be reassessed. Most if not all the leachate has long migrated away from the Old Dump foot print.</p>
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D23/48975

Last update: 14-Jun-23



	Council authorise the Chief Executive to begin the procurement process to undertake the work identified and authorise the Chief Executive to enter into contracts to begin the work required over the summer earthworks season.				
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D23/48975

Last update: 14-Jun-23



## 8.4 Regional Committee Activity Update

File No.: 23/372

### 1. Purpose

To provide an update to elected members of recent activity related to the various regional committees of which the Council is a member and represented

### 2. Recommendation

- 2.1 That Report 23/372 Regional Committee Activity Update be received.
- 2.2 That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

### 3. Background/Previous Council Decisions

The Horowhenua District Council is member of the following regional committees or bodies:

Regional Transport Committee

Regional Joint Standing Committee for Emergency Management

Climate Action Joint Committee

The following meetings have occurred, and their minutes are attached to this report:

Meeting	Date
Climate Action Joint Committee	6 March 2023
Wellington Regional Leadership Committee	7 March 2023
Regional Joint Standing Committee for Emergency Management	7 March 2023
Regional Transport Committee	23 March 2023

### Attachments

No.	Title	Page
<a href="#">A</a>	Unconfirmed minutes of the Climate Action Joint Committee 6 March 2023	101
<a href="#">B</a>	Unconfirmed minutes of the Civil Defence Emergency Management Group Joint Standing Committee 7 March 2023	105
<a href="#">C</a>	Unconfirmed minutes of the Wellington Regional Leadership Committee 7 March 2023	109
<a href="#">D</a>	Unconfirmed minutes of the Regional Transport Committee 23 March 2023	113

#### 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 benefits and costs, 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.

**Signatories**

Author(s)	Grayson Rowse <b>Principal Advisor - Democracy</b>	
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Approved by	Monique Davidson <b>Chief Executive Officer</b>	
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Minutes of the first meeting of the twelfth triennium of the Climate Action Committee held at 1.30pm on Monday 6 March 2023, in the Tararua Room, Horizons Regional Council, 11-15 Victoria Avenue, Palmerston North.

**PRESENT**

Crs RJ Keedwell (Chair), Mayor B Wanden (Horowhenua District Council), Mayor H Worboys (Manawatū District Council) (from 2.28pm), Mayor G Smith (Palmerston North City Council), Mayor A Watson (Rangitikei District Council), Mayor W Kirton (Ruapehu District Council) (from 1.34pm), Mayor T Collis (Tararua District Council), Mayor A Tripe (Whanganui District Council) (via Zoom).

Tangata Whenua: Mr C Shenton, Mr J Proctor, Mr J Kendrick, and Ms L Stephenson.

Via Zoom: Professor H Smith (Co-Chair), Ms J Sheehy, and Ms H Rainforth

**IN ATTENDANCE**

Councillors	Ferguson, Teira
Chief Executive	Mr M McCartney
Committee Secretary	Mr JA Kennedy

**ALSO PRESENT**

At various times during the meeting:

Mr T Bowen (Principal Advisor, Strategy & Policy), Mr A Watt (Coordinator Climate Action), Mrs C Hesselin (Media & Communications Manager), Professor B Glavovic and other Massey University Staff, various territorial authority managers and staff (via Zoom), and Minister James Shaw.

The Chief Executive welcomed everyone to the meeting and invited Mr Shenton to say a Karakia.

**APOLOGIES**

**CAJC 23-1**     *Moved*                             **Stephenson/Wanden**

*That apologies be received from Mayor Worboys and Kirton for lateness.*

**CARRIED**

It was noted that Jill Sheehy would be attending via zoom and may not be in attendance for the full meeting.

**PUBLIC FORUMS / DEPUTATIONS / PETITIONS**

There were no requests for public speaking rights.

**SUPPLEMENTARY ITEMS**

There were no supplementary items to be considered.

**MEMBERS' CONFLICTS OF INTEREST**

There were no conflicts of interest declared.

### **ELECTION OF CO-CHAIRS**

*Report No 23-21*

Mr Bowen (Principal Advisor, Strategy & Policy) introduced the item which was to elect Co-Chairs of the Climate Action Joint Committee. He referred to the Terms of Reference which stated the system to be used for the election process. The Chief Executive called for nominations for the Co-Chair positions. Chair Rachel Keedwell was nominated by Mayor Andy Watson and seconded by Mayor Bernie Wanden. Professor Huhana Smith was nominated by Mayor Tracey Collis and seconded by Lorraine Stephenson.

**CAJC 23-2      Moved                                      Collis/Stephenson**

*It is recommended that the Committee:*

- a. *receive the information contained in Report No. 23-21 and Annexes.*
- b. *note that, as set down in the Terms of Reference, 'System B' be adopted for election of the Co-Chairs;*
- c. *resolve that Rachel Keedwell (Chair Horizons Regional Council) and Professor Huhana Smith (Tangata Whenua) be nominated for the position of Co-Chair of the Climate Action Joint Committee;*
- d. *declare that Rachel Keedwell (Chair Horizons Regional Council) be elected as Co-Chair of the Climate Action Joint Committee;*
- e. *declare that Professor Huhana Smith (Tangata Whenua) be elected as Co-Chair of the Climate Action Joint Committee.*

**CARRIED**

### **LIVING WITH UNCERTAINTY PROJECT UPDATE**

*Report No 23-22*

Dr Bruce Glavovic spoke to a powerpoint presentation on Massey University's *Living with Uncertainty* project. The initiative aimed to develop community-led approaches to climate resilience, drawing on case studies at Pūtiki and Tangimoana.

**CAJC 23-3      Moved                                      Shenton/G Smith**

*That the Committee recommends that Council:*

- a. *receive the presentation from Dr Webb and Dr Glavovic.*

**CARRIED**

### **MANAWATŪ-WHANGANUI CLIMATE CHANGE ACTION PLAN**

*Report No 23-23*

Mr Bowen (Principal Advisor, Strategy & Policy) spoke to the report which recommended adoption of the Manawātū-Whanganui Climate Change Action Plan. Mrs Hesselin (Media & Communications Manager) gave an overview of the proposed Horizons engagement to raise awareness of the action plan among the community and key groups.

*Mayor Worboys joined the meeting at 2.28pm.*

Members discussed the consultative process and sought clarification around the implementation of any recommended actions from the plan.

**CAJC 23-4      Moved                      G Smith/Collis**

*That the Committee:*

- a. *receive the information contained in Report No. 23-23.*
- b. *adopt the Manawatū-Whanganui Climate Change Action Plan / Mahere Hurihanga Āhuarangi.*

*That the Committee recommends that Councils:*

- c. *note that the Manawatū-Whanganui Climate Change Action Plan / Mahere Hurihanga Āhuarangi has been adopted.*
- d. *consider implementation of recommended actions across council operations and planning.*

**CARRIED**

**WORK PROGRAMME 2023 / 2024**

*Report No 23-24*

Mr Bowen (Principal Advisor, Strategy & Policy) summarised a possible programme of work for the Committee over the next eighteen months to implement the Manawatū-Whanganui Climate Change Action Plan. Members discussed the resourcing and commitment required by individual councils to implement the work programme along with the level of communication needed to educate the community.

*This item was adjourned to welcome Minister James Shaw (via Zoom)*

**ADDRESS BY THE CLIMATE CHANGE MINISTER**

*Report No 23-26*

Minister James Shaw, Minister for Climate Change, addressed the Committee and spoke about progress with New Zealand's response to climate change. Following questions from the Committee, the Chair thanked Minister Shaw for his time

**CAJC 23-5      Moved                      Keedwell/Watson**

*That the Committee recommends that Council:*

- a. *receive Minister Shaw's address.*

**CARRIED**







Unconfirmed minutes of the Civil Defence Emergency Management (CDEM) Group Joint Standing Committee held via Zoom Video Conferencing, commencing at **9.00am on Tuesday 7 March 2023**

**PRESENT**

Cr. Rachel Keedwell	Horizons Regional Council (Chair)
Mayor Grant Smith	Palmerston North City Council
Mayor Bernie Wanden	Horowhenua District Council
Mayor Tracey Collis	Tararua District Council
Mayor Helen Worboys	Manawatu District Council
Mayor Weston Kirton	Ruapehu District Council
Mayor Andy Watson	Rangitikei District Council
Mayor Andrew Tripe	Whanganui District Council
Hollei Gabrielsen	Iwi Advisory Member (Zoom)
Chris Kumeroa	Iwi Advisory Member (Zoom) 9.20am

**IN ATTENDANCE**

Ged Shirley	Horizons Regional Council
Ian Lowe	Horizons Regional Council
Rachel Pedley	Horizons Regional Council
Hamish Waugh	Manawatu District Council
Craig Grant	Horizons Regional Council
Dr. Jon Roygard	Horizons Regional Council
Michael McCartney	Horizons Regional Council
Nick Galpin	Horizons Regional Council (Zoom)

**APOLOGIES**

Ian Wilson	National Emergency Management Agency
Kathrine Biggs	National Emergency Management Agency
Jonathan Proctor	Iwi Advisory Member

Tripe/Wanden  
**CARRIED**

**CONFIRMATION OF MINUTES (Item 3)**

It was resolved that the minutes of the previous meeting of the Joint Standing Committee, held on Tuesday 6 December 2022, be confirmed as a true and correct record.

Keedwell/Wanden  
**CARRIED**

**MATTERS ARISING (Item 4)**

There were no matters arising.

#### MINOR AMENDMENTS TO THE CDEM GROUP PLAN (Item 5)

The CDEM Joint Committee had previously agreed that the Chair and Deputy Chair of the Regional Council and the Mayor and Deputy Mayor of each Local Authority be listed in the Plan. Listed below are the representatives for each Local Authority for this Committee.

**Horizons Regional Council** (no change required)

- Cr Rachel Keedwell - Chair Regional Council and Chair CDEM Joint Committee
- Cr Jono Naylor – Deputy Chair Regional Council

**Ruapehu District Council** (change required)

- Mayor Western Kirton
- Deputy Mayor Vivienne Hoeta

**Whanganui District Council** (change required)

- Mayor Andrew Tripe
- Deputy Mayor Helen Craig

**Rangitikei District Council** (change required)

- Mayor Andy Watson
- Deputy Mayor Dave Wilson

**Manawatū District Council** (no change required)

- Mayor Helen Worboys
- Deputy Mayor Michael Ford

**Tararua District Council** (no change required)

- Mayor Tracey Collis
- Deputy Mayor Erana Peeti-Webber

**Palmerston North City Council** (change required)

- Mayor Grant Smith – Deputy Chair CDEM Joint Committee
- Deputy Mayor Debi Marshall-Lobb

**Horowhenua District Council** (change required)

- Mayor Bernie Wanden
- Deputy Mayor David Allan

In addition three Councils are seeking appointments for Local Controllers and Recovery Managers.

- The Ruapehu District Council is seeking the appointment of Vini Dutra as a Local Recovery Manager.
- The Tararua District Council is seeking the appointment of Tina Love as both a Local Controller and a Local Recovery Manager.
- The Palmerston North City Council is seeking the appointment of John Lynch as a Local Controller.

#### RECOMMENDATION

It is recommended that the Manawatū-Whanganui Civil Defence Emergency Management Group's Joint Committee:

- a. **receives** the report for information;
- b. **approves** the amendment of the Manawatū-Whanganui Civil Defence Emergency Management Group Plan, pursuant to Section 57 of the Civil Defence Emergency Management Act 2002 to reflect the appointments shown in serial 6 below where required;
- c. **approves** the appointment of Vini Dutra as a Local Recovery Manager for the Ruapehu District Council; Tina Love as both a Local Controller and a Local Recovery Manager for the Tararua District Council, and John Lynch as a Local Controller for the Palmerston North City Council;
- d. **notes** that the appointments were recommended for approval by the Coordinating Executive Group 7 February 2023.

Watson/Wanden

**CARRIED**

#### TE AWA COMMUNITY FOUNDATION (Item 6)

Mr Lowe gave an update on the work he has been doing with Clive Pedley from the Te Awa Community Foundation.

He advised that a benefit of using the Te awa Community Foundation was that if someone made a donation through their online website, they would get a confirmation email confirming their donation, and a tax receipt. There would be no change in the way the funds are distributed once received.

CEG members were provided with an update on progress to date and options moving forward, at their 7 February 2023 meeting. They were supportive of progressing the development of a Service Level Agreement (SLA) between the Foundation and the Group, noting that in addition to a SLA, CEG would need to have detail on the mechanics of how things would operate before endorsing the concept further.

CEG recommended, that they envisaged that the following steps would be taken moving forward:

- a. The concept is presented for approval by the Joint Committee at its 7 March 2023 meeting.
- b. Subject to the Joint Committees approval, further work is undertaken to complete a draft SLA, supported by more detail of how the concept will work during/after an event;
- c. The draft SLA and supporting material be brought to the 2 May 2023 CEG meeting for discussion and endorsement;
- d. The final SLA supported by detail of how the concept will work will be presented to the Joint Committee at its June meeting for consideration for adoption by the Group.

#### RECOMMENDATIONS

It is recommended that the Manawatū-Whanganui Civil Defence Emergency Management Groups Joint Committee:

- a. **receives** the report for information;
- b. **endorses** the concept of working with the Te Awa Community Foundation to develop a system to enhance the solicitation of funding to the Manawatū-Whanganui Regional Disaster Relief Trust Fund in times of emergencies;
- c. **subject** to members endorsement, directs the Coordinating Executive Group to work to develop and agree a Service Level Agreement with the Foundation, supported by detailed systems and processes; and

- d. **delegates** its authority/responsibility to CEG to finalise and approve the Service Level Agreement and associated arrangements.
- e. **recommends** that trustees of the Manawatu-Whanganui Regional Disaster Trust Fund call a meeting to distribute funds as required (due to Cyclone Gabrielle).

Keedwell/Worboys  
**CARRIED**

**GENERAL BUSINESS (Item 7)**

There was no general business.

**NEXT MEETING**

The next meeting is set for Tuesday 6 June 2023 at 9.00am. The Chair declared the meeting closed at 9.31 am.

*This meeting was followed by a workshop with speakers Ged Shirley (HRC) and Hamish Waugh (MDC) discussing their experiences while assisting with the Cyclone Gabrielle response in the Hawke's Bay. This workshop closed at 10.50am.*



## Karakia timatanga

The Committee Chair opened the meeting with a karakia timatanga.

## Public Business

### 1 Apologies

Moved: Council Chair Ponter / Mayor Caffell

That the Committee accepts the apologies for absence from Minister Woods, Mayors Connelly and Wanden, and Di Rump, and the apology for lateness from Hon. Mayor Mark.

The motion was **carried**.

### 2 Declarations of conflicts of interest

There were no declarations of conflicts of interest. [Refer to conflict of interest later declared in relation to item 4 below.]

In accordance with Standing Order 3.5.6, the Committee Chair advised the Committee that an additional item for discussion has been added to the agenda (agenda item 9 – Review of the Wellington Regional Leadership Committee).

The Committee Chair advised the Committee that Public Participation will be taken before Agenda Item 7 – Programme Director’s Report – March 2023 (Report 23.47).

### 3 Confirmation of the Public minutes of the Wellington Regional Leadership Committee meeting on 6 December 2022 – Report 22.535

Moved: Council Chair Ponter / Mayor Baker

That the Committee confirms the Public minutes of the Wellington Regional Leadership Committee meeting on 6 December 2022 – Report 22.535.

The motion was **carried**.

### 4 Complex Development Opportunities – Project Briefs – Report 23.57 [For Information]

Allen Yip, Programme Manager, Wellington Regional Leadership Committee Secretariat, spoke to the report.

Emily Thompson, Planning and Policy Manager, Upper Hutt City Council spoke to the presentation on the Trentham Complex Development Opportunity.

Hamish McGillivray, Research and Policy Manager, Kāpiti Coast District Council, spoke to the presentation on the Ōtaki Complex Development Opportunity.

Huia Puketapu joined the meeting via MS Teams at 9am.

Wellington Regional Leadership Committee 13 June 2023 - Confirmed Public minutes of the Wellington Regional Leadership Committee meeting on 7 ...

Mayor Guppy arrived at the meeting at 9.05am. Mayor Guppy declared a conflict of interest for this item, due to his position as President of the Wellington Racing Club.

Council Chair Ponter left the meeting at 9.15am.

Minister Wood left the meeting at 9.34am. Quorum lapsed and the meeting was adjourned at 9.34am.

Council Chair Ponter returned to the meeting at 9.35am. Quorum was achieved and the meeting resumed at 9.35am.

**Noted:** The Committee requested that the closing briefs of the Complex Development Opportunities be provided to members.

**5 Future Development Strategy Update – Report 23.41**

Parvati Rotherham, Project Lead – FDS and HBA, Wellington Regional Leadership Secretariat, spoke to the report.

Moved: Mayor Baker / Darrin Apanui

That the Committee:

- 1 Endorses the Revised Objectives outlined in the table in paragraph 23 in order to enable the project team to proceed with evaluating the scenarios for the Future Development Strategy.
- 2 Notes that progress made on the Future Development Strategy and the process for evaluating the scenarios previously endorsed.
- 3 Notes the revised timeframe for completing the Future Development Strategy

The motion was **carried**.

**6 Public Participation**

Glenda Hughes and Anna Naudé, WETA Workshop, spoke to agenda item 7 – Programme Director’s Report – March 2023 (Report 23.47), specifically to the Committee’s submission on the Review of the Government Investment in the Screen Sector.

Hon. Mayor Mark arrived at the meeting at 9.42am, at the start of Public Participation.

**7 Programme Director’s Report – March 2023 – Report 23.47**

Kim Kelly, Programme Director, Wellington Regional Leadership Committee Secretariat, spoke to the report.

Moved: Council Chair Ponter / Mayor Guppy

That the Committee:

- 1 Endorses the direction of work outlined in the Programme Director’s Report.

Wellington Regional Leadership Committee 13 June 2023 - Confirmed Public minutes of the Wellington Regional Leadership Committee meeting on 7 ...

- 2 Notes the interest in mana whenua being part of the Regional Economic Development Plan Steering Group as outlined in point 7 below.
- 3 Approves the addition of both the Online Pacific Resource Hub and Pasifika Networking Series initiatives as outlined in Attachment 1 to be included in the list of initiatives in the REDP.
- 4 Approves the Committee's submission on the Review of the Government Investment in the Screen Sector as provided in Attachment 2.

The motion was **carried**.

**8 Wellington Regional Leadership Committee Programme Report 2023 – Report 23.55** [For Information]

Allen Yip, Programme Manager, Wellington Regional Leadership Committee Secretariat, spoke to the report.

**9 Review of the Wellington Regional Leadership Committee – Oral Report**

The Committee Chair spoke to the report, and outlined the Committee's establishment and achievements.

The Committee Chair explained that the Committee has been established for two years now, and it is timely for a review. The Committee Chair also explained that there are a raft of central government reforms underway, such as the Resource Management Act 1991 reforms and the establishment of Regional Planning Committees, along with councils' Long Term Plans being adopted in 2024, which will impact on the work of the Committee.

Members voiced agreement that a review is timely, with iwi and the chief executives of councils needing to be involved in the review process.

The Committee Chair advised the Committee that Greater Wellington, as the administering authority for the Committee, will prepare a draft Terms of Reference for the review and approval of the Committee.

**Karakia whakamutunga**

The Committee Chair invited Darrin Apanui to close the meeting with a karakia whakamutunga.

The public meeting closed at 10.02am.

Darrin Apanui

**Presiding Member**

Date:





Minutes of the first meeting of the twelfth triennium of the Passenger Transport Committee held at 10.00am on Tuesday 21 March 2023, in the Tararua Room, Horizons Regional Council, 11-15 Victoria Avenue, Palmerston North.

**PRESENT** Crs SD Ferguson (Chair), EM Clarke, RJ Keedwell, JM Naylor, AR Taylor, B Barrett (Palmerston North City Council) (till 12.23pm), J Wong (Rangitikei District Council), R Nottage (Ruapehu District Council), A Franklin (Tararua District Council), G Hadfield (Manawatū District Council), and Mr A Tonnon (Whanganui District Council).

**IN ATTENDANCE** Manager Transport Services Mr M Read  
Group Manager Regional Services and Information Mr G Shirley  
Committee Secretary Ms R de Souza

**ALSO PRESENT** At various times during the meeting:  
Mr J Miguel (Senior Transport Planner), Mrs D Monks (Total Mobility Co-ordinator), Mr M Bray (Transport Planner), Mr I Mills (Transport Planner), Ms S Foale (Transport Team Administrator), Mr Q Duong (Transport System Advisor), Ms L Kirker (Communications Advisor), Mayor W Kirton (Ruapehu District Council), and a member of the Press.  
Via Zoom:  
Mr V Troy (SIL Research) and Staff  
Mrs J Thorby (Senior Transport Planner)

The Chair welcomed everyone to the meeting and said the karakia.

#### **APOLOGIES**

**PT 23-1** *Moved Ferguson/Taylor*  
*That the Committee receives an apology from Crs Olsen (Horowhenua District Council), and Short (Manawatū District Council).*

**CARRIED**

The Chair noted that Cr Hadfield would attend in place of Cr Short (Manawatū District Council).  
The Chair provided an opportunity for Members and Staff to introduce themselves.

#### **PUBLIC FORUMS / DEPUTATIONS / PETITIONS**

There were no requests for public speaking rights.

#### **SUPPLEMENTARY ITEMS**

There were no supplementary items to be considered.

#### **MEMBERS' CONFLICTS OF INTEREST**

Mr Tonnon noted a standing conflict of interest due to his involvement with the operation of the Durie Hill Elevator.

**PASSENGER TRANSPORT COMMITTEE FUNCTIONS, MEMBERSHIP AND KEY WORK PROGRAMME**

*Report No 23-27*

This item provided Members with an overview of the Passenger Transport Committee (PTC) functions, the key roles of the Transport Services Team, and provided information on key work programmes for the year. Mr Read (Manager Transport Services) introduced the report mentioning several administrative matters of the PTC such as functions and membership, statutory framework and key documents.

Discussion then followed in regard to the PTC meetings schedule for 2023.

**PT 23-2**                      **Moved**    **Clarke/Barrett**

*That the Committee recommends that Council:*

- a. *receives the information contained in Report No. 23-27.*

**CARRIED**

**PASSENGER TRANSPORT COMMITTEE GENERAL UPDATE**

*Report No 23-28*

This report was introduced by Mr Read (Manager Transport Services) which provided Members with a general update on matters relating to passenger transport services in the region. Information on patronage and trips to date was included in the annex to the report. Mr Read, together with Mr Miguel (Senior Transport Planner) clarified Members' questions.

**PT 23-3**                      **Moved**    **Clarke/Barrett**

*That the Committee recommends that Council:*

- a. *receives the information contained in Report No. 23-28 and Annexes.*

**CARRIED**

**CUSTOMER SATISFACTION SURVEY 2022**

*Report No 23-29*

This report was introduced by Mr Read (Manager Transport Services) which provided Members with information obtained from the customer satisfaction survey conducted in October and November 2022.

Information on the public transport passenger survey conducted by SIL Research was included in the annex to the report and it was presented to the Members by Mr Troy via Zoom. Mr Read, together with Mr Miguel (Senior Transport Planner) and Mr Troy clarified Members' questions arising from the survey results.

**PT 23-4**                      **Moved**    **Keedwell/Barrett**

*That the Committee recommends that Council:*

- a. *receives the information contained in Report No. 23-29 and Annex A.*

**CARRIED**

## FARE STRUCTURE REVIEW

### Report No 23-31

Mr Read (Manager Transport Services) introduced the item which provided an update on the progress of the review of regional fare structures for public transport in line with the direction set in the Regional Public Transport Plan. Mr Read responded to questions about the proposed guiding principles for determining fare structures.

Members discussed the information in the report and considered the recommendations. Following discussion on the options presented in the fare structure package, some concern was expressed at the proposed increase to smart card fares for the Feilding to Palmerston North service. Additional wording was therefore suggested for recommendation b. In the event that recommendation b. was Lost, a new recommendation b. was foreshadowed. As a result of discussion around the fare capping available to users with Bee Cards, a new recommendation c was suggested. The Chair separated out the recommendations and put the new recommendation c. first.

**PT 23-5**                      **Moved**    **Tonnon/Taylor**

*That the Committee recommends that Council:*

- c. requests that the Transport Team prepare a second option for a fare capping which will reduce the maximum spend on the second and subsequent zones.*

**CARRIED**

The Chair then put recommendation a.

**PT 23-6**                      **Moved**    **Keedwell/Clarke**

*That the Committee recommends that Council:*

- a. receives the information contained in Report No. 23-31.*

**CARRIED**

To ensure clarity with recommendation b., a division was called.

**Moved**    **Keedwell/Clarke**

*That the Committee recommends that Council:*

- b. endorses the fare structure review package outlined in the Report, with an amendment to ensure smart card fares are not increased from current rates.*

*For: Crs Naylor, Keedwell, Clarke, Franklin, Nottage*

*Against: Crs Wong, Tonnon, Taylor, Hadfield, Barrett, Ferguson*

**LOST**

As the amended recommendation b. was Lost, the foreshadowed recommendation b. was then discussed by Members.

**PT 23-7**                      **Moved**    **Barrett/Hadfield**

*That the Committee recommends that Council:*

- b. discusses the fare structure review package outlined in this Report at a Passenger Transport Committee workshop.*

**CARRIED**







## 9.1 Proceedings of Te Awahou Foxton Community Board 15 May 2023

File No.: 23/373

### 1. Purpose

To present to the Council the minutes of Te Awahou Foxton Community Board meeting held on 15 May 2023.

### 2. Recommendation

- 2.1 That Report 23/373 Proceedings of Te Awahou Foxton Community Board 15 May 2023 be received.
- 2.2 That the Council receives the minutes of Te Awahou Foxton Community Board meeting held on 15 May 2023.
- 2.3 That Council approve funding of \$25000 from the Foxton Beach Freeholding Account for the purchase of VW Caddy Maxi Life Mobility Van for the Foxton Beach Community Centre, as recommended by Te Awahou Foxton Community Board.
- 2.4 That Council approve up to \$35,000 from the Foxton Beach Freeholding Account, as an exception to its policy, to fund the remediation of the Foxton Beach Wharf, noting the current loss of the high recreation value amenity, and the potential danger posed by the current condition of the Wharf, as recommended by Te Awahou Foxton Community Board.
- 2.5 That Council fund a structural assessment of the Foxton Beach Wharf, and develop a plan to remediate the Wharf, and approach related parties such as DOC and HRC to jointly fund the remediation work, as recommended by Te Awahou Foxton Community Board.

### 3. Issues for Consideration

- 3.1 The following items considered by Te Awahou Foxton Community Board meeting held on the 15 May 2023 require further consideration by the Horowhenua District Council:
- 3.2 A report titled "Foxton Beach Community Centre - Request for Funding from Foxton Beach Freeholding Account" was considered by the Board. The report is included as Attachment A. The Board passed the following resolution:

**Resolution Number TAFCB/2023/46**

MOVED by Mr Roache, seconded Mr Russell:

That the board recommend to Council approve funding of \$25000 from the Foxton Beach Freeholding Account for the purchase of VW Caddy Maxi Life Mobility Van for the Foxton Beach Community Centre.

**CARRIED**

Mr Chambers voted against the above motion.

- 3.3 The Board further considered the report "Proposed Remedial Works at Foxton Wharf - Request for Funding from Foxton Beach Freeholding Account". This report is included as Attachment B. The Board passed the following resolutions:

**Resolution Number TAFCB/2023/52**

MOVED by Mr Roache, seconded Mr Chambers:

That the Board recommend Council approve up to \$35,000 from the Foxton Beach Freeholding Account, as an exception to its policy, to fund the remediation of the Foxton Beach Wharf, noting the current loss of the high recreation value amenity, and the potential danger posed by the current condition of the Wharf.

**CARRIED**

**Resolution Number TAFCB/2023/53**

MOVED by Mr Russell, seconded Mrs Fox:

That the Board recommend Council fund a structural assessment of the Foxton Beach Wharf, and develop a plan to remediate the Wharf, and approach related parties such as DOC and HRC to jointly fund the remediation work.

**CARRIED**

## Attachments

No.	Title	Page
<a href="#">A↓</a>	Report to TAFCB 15 May 2023 - Request for Funding for Foxton Beach Community Centre from Foxton Beach Freeholding Account.	121
<a href="#">B↓</a>	Report to TAFCB 15 May 2023 - Request for Funding for Foxton Beach Community Centre from Foxton Beach Freeholding Account	133


### **Confirmation of statutory compliance**

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,
- 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.

## Signatories

Author(s)	Grayson Rowse <b>Principal Advisor - Democracy</b>	
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Approved by	Monique Davidson <b>Chief Executive Officer</b>	
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Te Awahou Foxton Community Board  
15 May 2023

Horowhenua  
DISTRICT COUNCIL

## 7.4 Proposed Remedial Works at Foxton Wharf - Request for Funding from Foxton Beach Freeholding Account.

File No.: 23/318

### 1. Purpose

- 1.1 This report is provide context, and information, on remedial work proposed at the Foxton Beach Wharf by the Manawatu Marine Boating Club (MMBC), as well as inform the Te Awahou Foxton Community Board of a request for support from the Foxton Beach Freeholding Account.

### 2. Executive Summary

- 2.1 The Foxton Beach Wharf is a public amenity well used by the Foxton Beach community. It is sited on Department of Conservation Land, and is not a Council asset.
- 2.2 The Wharf is currently in poor condition and its structural safety is unknown.
- 2.3 A request for up \$70,000 from the Foxton Beach Freeholding Account to part fund remediation of the Wharf is proposed.
- 2.4 There are some uncertainties around the underlying condition of the structure of the wharf, which need to be investigated.

### 3. Recommendation

- 3.1 That Report 23/318 Proposed Remedial Works at Foxton Wharf - Request for Funding from Foxton Beach Freeholding Account. be received.
- 3.2 That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.
- 3.3 That the Board note the high recreational value of the Foxton Beach Wharf.
- 3.4 That the Board note concerns about the unknown structural condition of the Wharf.
- 3.5 That the Board thank and acknowledge the work of the Manawatu Marine Boating Club and Caldwell Builders Ltd in their efforts to bringing this matter and a proposed solution forward.
- 3.6 That the Board recommend Council approve up to \$70,000 from the Foxton Beach Freeholding Account, as an exception to its policy, to fund the remediation of the Foxton Beach Wharf, noting the current loss of the high recreation value amenity, and the potential danger posed by the current condition of the Wharf.
- 3.7 That the Board recommend Council fund a structural assessment of the Foxton Beach Wharf, and develop a plan to remediate the Wharf, and approach related parties such as DOC and HRC to jointly fund the remediation work.
- 3.8 That the Board recommend Council include the remediation of the Foxton Beach Wharf in its next Long Term Plan.

### 4. Background/Previous Council Decisions

- 4.1 The Foxton Beach Freeholding Account ("the Fund"), also known as the Foxton Beach Endowment Fund, was established by the Reserves and Other Lands Disposal Act 1968 ("the Act"). The Act transferred lands that were previously set aside for the Foxton Harbour Board, but were no longer required for that purpose, to the Manawatu County Council. The

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**15 May 2023**

Horowhenua District Council has superseded the Manawatu County Council as the corporation administering and controlling the land.

- 4.2 The conditions of the Fund are set out in section 13(14) of the Act.. These are
- The council shall from time to time spend the net proceeds from the sale or lease of any of the endowment land on the provision of services and public amenities for the benefit of the inhabitants of Foxton Beach Township, or on the improvement, maintenance, or repair of any such services and amenities, or on the improvement, maintenance, or repair of any existing services or public amenities. For the purposes of this subsection, the term services includes roads, road lighting, water supply, drainage, sewerage, and other public works.
- 4.3 The Horowhenua District Council subsequently adopted its Foxton Beach Freeholding Account Strategy and Policy (“the Policy”) on 7 November 2009. The Policy set out, among other things a spending policy, maximum level of contributing and prioritisation for the use of the funds.
- 4.4 The Policy is currently under review.
- 4.5 The value of the fund, after commitments currently sits at \$4.882 million; the current policy sets the minimum fund balance at \$5,000,000.
- 4.6 Council is currently consulting on a request for \$500,000 to partially fund the rebuild of the Foxton Pool, which, if agreed, will further erode the value of the fund below the policy minimum.

## 5. Discussion

- 5.1 The Manawatu Marine Boating Club building, and the Foxton Beach wharf are located on the Department of Conservation (DoC) land which is Reserve land. It is also zoned Open Space under the Horowhenua District Plan. A map of the area showing the ownership of the land titles is appended to this report in Appendix 1.
- 5.2 The wharf is a very well used recreation asset within Foxton Beach, and is a key focus for the launching of boats into the Manawatu River, and marine environment. A large event is held by the MMBC, the Annual Easter Fishing Competition, a high-profile event that attracts many entrants in the competition itself, as well as a significant amount of spectators. Other fishing competitions are organised by MMBC, launching from this site, at multiple times during the year. The wharf, and the adjacent slipway are an important component and focal area for all those activities.
- 5.3 The wharf is currently in a poor condition. Photos highlighting this issue are attached in Appendix 2, appended to this report. The Department of Conservation have shown no inclination to be involved in the any aspect of the management of the wharf structure on its land.
- 5.4 The MMBC has received a quoted price from a local contractor to undertake more immediate remedial repairs to the wharf structure, being in the order of \$70,000, and has indicated that it is prepared to engage this contractor directly. A letter from the contractor to the MMBC is appended to this report as Appendix 3.
- 5.5 The MMBC have indicated a willingness to make a partial contribution to the priced remedial work noted in point 3.3, being a contribution of \$20,000.
- 5.6 HDC Officers have also approached Horizons Regional Council (HRC) to consider a contribution of \$20,000 to this current remediation work. HRC made an earlier contribution in 2021 to the remediation of a failing section of seawall at the immediate northern end of this wharf area and recreation space. A response on this current funding request is yet to be

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**15 May 2023**

- received. If the request to HRC is unsuccessful, the shortfall funding request will be for \$50,000.
- 5.7 The Foxton Beach Freeholding Account may only be used for the funding of public amenities, which benefit of the residents of the Foxton Beach community. The wharf is a public amenity which benefits the Foxton Beach Community
- 5.8 The Freeholding Account policy set a number of other criteria. One of these is the level of funding available.
- 5.9 The Policy sets a maximum contribution of 50% of the project cost. This application is for 28.6% funding at the lower end, up to 71.4%. While it is within Council's power to depart from its own policy setting, there must be deliberate decision to do so, which sets out the reasons why a departure from its policy is warranted and desirable.
- 5.10 Another consideration is the minimum value of the fund. Council has set a minimum value of the fund of \$5 million. The current value of the fund is approximately \$4.8 million. Making any further grants from the fund will see its value fall further below its minimum. Again, it is within Council's power to depart from its own policy setting, there must be deliberate decision to do so, which sets out the reasons why a departure from its policy is warranted and desirable.
- 5.11 Council is entitled to make a decision that is inconsistent with the Policy, as long as it complies with s. 80 of the Local Government Act 2022. Section 80 provides that where a decision will be significantly inconsistent with, or is anticipated to have consequences that will be significantly inconsistent with any policy, the local authority must, when making any decision, clearly identify:
- a. a. The inconsistency;
  - b. b. The reasons for the inconsistency; and
  - c. c. Any intention of the local authority to amend the policy to accommodate the decision.
- 5.12 A decision by Council to distribute funds is a decision to which Part 6 of the LGA02 applies. Pursuant to those provisions, Council is not obliged to consult in respect of every decision it makes. However, in making a decision, Council must consider community views under section 78 of the LGA02. There are many ways in which Council can take community views into account without needing to carry out a formal consultative process. For example:
- a. It could consult and receive feedback from the Foxton Beach Community Board; or
  - b. b. It could be informed by prior consultation, for example via the Long Term Plan or Annual Plan processes, or if relatively recent, consultation on the Policy itself.
- 5.13 Where a decision is likely to be inconsistent with its own policy, Council is more likely to need to consult on that decision. The greater the inconsistency the more extensive the consultation required. Where a decision is consistent with Council's statutory obligations and its Policy, it is less likely any formal consultation would be required.
- 5.14 With the current application, there has been no prior consultation to consider the community views as required under s. 78 of the Act. While bringing this paper to the Board today could be considered to meet s. 78 requirement to consider the community's views, officers' opinion is that this would be inadequate. Any approval of this request would represent a departure from the Policy in two respects; the request is for potentially more than 50% of the project, and approving this project would see the fund fall further below the \$5 million dollar floor.
- 5.15 These departures from the Council's policy indicates a more extensive consultation, other than solely seeking the views of the Board, is required.
- 5.16 However, a complicating factor is the urgency of the repairs required and the potential risk of further deterioration or harm to the public by any further structural failure.

**Te Awahou Foxton Community Board  
15 May 2023**

- 5.17 As noted earlier, the Wharf has a high recreational value to the district, but is not a Council asset. However, it is on Reserve land, and there appears to be no impediment to funding from the Freeholding Account public amenities, which this would be, that are not on Council land nor Council assets.
- 5.18 The proposed remediation has not been assessed by an engineer.

## **6. Issues for Consideration**

- 6.1 Based on the financial information in points 5.4 to 5.6, there is a shortfall of approximately \$30,000, or upwards of \$50,000 should HRC decline the current funding request made to them for the remediation work.
- 6.2 The Wharf itself is not a Council asset and it is not on Council land.
- 6.3 The Wharf is of high recreational value to the Foxton Beach community.
- 6.4 The Wharf in its current state is unusable.
- 6.5 The extent of the damage to the Wharf is unknown as is the effectiveness of the proposed remediation work. There is a risk that the remediation work, which no doubt will be carried out expertly, may not be sufficient to prevent further deterioration.
- 6.6 There is a risk that without any further investigation, any remediation work may not address underlying structural issues with the wharf, creating an unquantified risk to public safety.
- 6.7 Should the remediation work not take place, there will be a loss of a high recreational value amenity to the community of Foxton Beach.

## **7. Options**

### Maintain the Status Quo

- 7.1 The Wharf is neither a Council asset nor on Council land, and there is no obligation on Council to maintain it.
- 7.2 The Wharf is currently unusable and is fenced off to the public, although not to high standard.
- 7.3 The Board could recommend Council monitor the situation maintaining public safety.
- 7.4 The likely outcome would be further deterioration and collapse of the wharf. The loss of the wharf would represent that loss of a high recreational value asset to the Foxton Beach Community.
- 7.5 This option is not recommended by officers

### Fund Remediation Works as Outlined up to \$70,000

- 7.6 The Board could recommend Council fund up to \$70,000 from the Foxton Beach Freeholding Account for the proposed remediation works. This would be an exception to Council's policy, but may be warranted given the potential danger posed by the structure as it is, and loss of public amenity being experienced by the Foxton Beach community.
- 7.7 The remediation works outlined would bring the wharf up to a usable standard, thereby reinstating the high recreational value asset to the Foxton Beach Community.
- 7.8 There is a risk that the remediation work may not be sufficient to prevent failure in the future.
- 7.9 This option would represent a departure from the Council's policy, however, given the current loss of the high recreation value amenity, and the potential for harm from any further deterioration of the structure, a departure from the Policy by Council may be warranted in this case.

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- 7.10 Officers recommend this option be supported by the Board and referred to Council for consideration as an exception to its policy, given the current loss of the high recreation value amenity, and the potential for harm from any further deterioration of the structure.

Request Council Fund Structural Assessment and Subsequent Remediation Works

- 7.11 The Board could request the Council fund a structural assessment and use that as the basis for further discussions with all parties around longer term remediation works.
- 7.12 This would give the Council and the community some surety about the ongoing safety of the wharf, and preserving the high recreational value asset for the Foxton Beach Community.
- 7.13 Once the nature and extent of the work and the cost of remediation work is known, Council could then approach other related parties, such as DOC and HRC, to assist with funding. It might be possible at that time that another request for funding from the Foxton Beach Freeholding Account could be entertained.
- 7.14 This approach will leave the Foxton Beach community without this amenity in the short term, but may preserve the asset for the longer term.
- 7.15 There is a risk that any assessment may find the remediation works to be of such an extent that it is not viable to remediate or reinstate the wharf.
- 7.16 This is a recommended option of officers.

**Attachments**

No.	Title	Page
<a href="#">A</a>	Map of Land Titles of the Foxton Beach Wharf	37
<a href="#">B</a>	Photos of Damage to Wharf	38
<a href="#">C</a>	Quote for Immediate Remediation Works	42

**Confirmation of statutory compliance**




In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,
- 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.

**Signatories**

Author(s)	Sean Hester <b>Parks &amp; Property Lead North</b>	
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Te Awahou Foxton Community Board  
15 May 2023

Approved by	Arthur Nelson <b>Parks and Property Manager</b>	
	Brent Harvey <b>Group Manager - Community Experience &amp; Services</b>	
	Monique Davidson <b>Chief Executive Officer</b>	

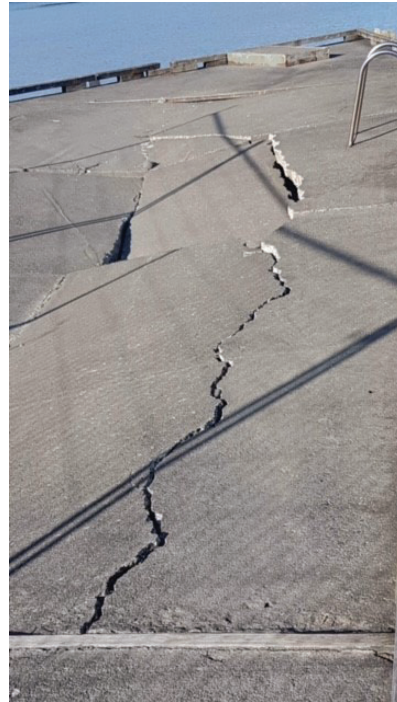
Attachment 1 : Map of Foxton Wharf, land titles and ownership



Attachment 2: Photos of Damage to the Foxton Beach Wharf (Eastern Wharf)





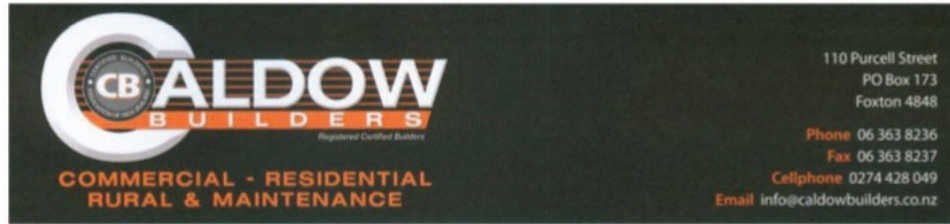






Te Awahou Foxton Community Board  
15 May 2023

Horowhenua  
DISTRICT COUNCIL



6<sup>th</sup> April 2023

Manawatu Marine Boating Club Committee  
c/- 50 Hartley Street,  
Foxton Beach

Dear Christina and Ross,

Quote for the East end top walkway ramp.

**We have allowed,**

- Area 100m<sup>2</sup>
- Cut out existing concrete cracked area. We believe this is 125mm thick.
- I have allowed 150ton of ballast – backfill the void
- 27ton AP40 metal
- Slurry control when cutting
- 30mpa concrete 200mm thick
- SE92 mesh with D12 starters, 600mm centers chemset into existing concrete
- 600x500 beam around edge panels, chemset into existing panels
- Box behind steps and pour with concrete
- Pour new concrete top with concrete pump and broom finish
- 1x stainless steel ladder replacement

My quote for this work is \$70,000.00 +GST

Our Quality Assurance systems will ensure that our work conforms to your specifications and workmanship is guaranteed. Our Company has a Health and Safety Policy which will be worked to in accordance with the Health, Safety and Employment Act and all personnel hold Site Safe Passports.

This quote is valid for 30 days from the above date. The prices quoted are correct as at the time of writing but are subject to increases beyond our direct control. Unpaid accounts will incur late payment fees and collection costs. This quote is also subject to the Local Authorities approval of the plan and specifications as quoted upon.

We look forward to the prospect of working with you on this project.

Yours faithfully

R J Caldwell  
**CALDOW BUILDERS LTD**

File No.: 23/280

## 7.3 Foxton Beach Community Centre - Request for Funding from Foxton Beach Freeholding Account

### 1. Purpose

- 1.1 To present the Board with a request from the Foxton Beach Community Centre for funding from the Foxton Beach Freeholding Account to assist in the purchase of a wheelchair accessible vehicle to add to their shuttle service.

### 2. Executive Summary

- 2.1 The Foxton Beach Community Centre have made an application the Foxton Beach Freeholding Account for funding for an accessible vehicle to add to their fleet.
- 2.2 The request would fall outside the Foxton Beach Freeholding Account Policy criteria because the request is above the maximum level of funding, and the current value of the fund is below its set minimum.
- 2.3 This request would need more extensive consultation than is provided for by seeking the views of the Foxton Community Board, because of its departure from the policy.
- 2.4 Officers suggest a bid for the next Long Tem Plan as an appropriate course of action for this funding request.

### 3. Recommendation

- 3.1 That Report 23/280 Foxton Beach Community Centre - Request for Funding from Foxton Beach Freeholding Account 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 Board notes the application is for the purchase of an accessible vehicle to add to the Foxton Beach Community Centre fleet.
- 3.4 That the Board notes the application is for 100% funding for the project, which is above the 50% funding provided for in the Foxton Beach Freeholding Account Strategy and Policy.
- 3.5 That the Board notes the value of the Fund is currently \$4.882 million, which is below the minimum value set by the Policy.
- 3.6 That the Board notes that consultation over and above seeking the views of the Board is required given the departure from the Policy.
- 3.7 That the Board recommend Council include this project in its consideration of it next Long Term Plan and include this project for consultation as either a Long Tem Plan Project, or as a specific request for funding from the Foxton Beach Freeholding Account.

### 4. Background / Previous Council Decisions

- 4.1 The Foxton Beach Freeholding Account ("the Fund"), also known as the Foxton Beach Endowment Fund, was established by the Reserves and Other Lands Disposal Act 1968 ("the Act"). The Act transferred lands that were previously set aside for the Foxton Harbour Board, but were no longer required for that purpose, to the Manawatu County Council. The

**Te Awahou Foxton Community Board**  
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Horowhenua District Council has superseded the Manawatu County Council as the corporation administering and controlling the land.

- 4.2 The conditions of the Fund are set out in section 13(14) of the Act.. These are
- The council shall from time to time spend the net proceeds from the sale or lease of any of the endowment land on the provision of services and public amenities for the benefit of the inhabitants of Foxton Beach Township, or on the improvement, maintenance, or repair of any such services and amenities, or on the improvement, maintenance, or repair of any existing services or public amenities. For the purposes of this subsection, the term services includes roads, road lighting, water supply, drainage, sewerage, and other public works.
- 4.3 The Horowhenua District Council subsequently adopted its Foxton Beach Freeholding Account Strategy and Policy ("the Policy") on 7 November 2009. The Policy set out, among other things a spending policy, maximum level of contributing and prioritisation for the use of the funds.
- 4.4 The Policy is currently under review.
- 4.5 The value of the fund, after commitments currently sits at \$4.882 million; the current policy sets the minimum fund balance at \$5,000,000.
- 4.6 Council is currently consulting on a request for \$500,000 to partially fund the rebuild of the Foxton Pool, which, if agreed, will further erode the value of the fund below the policy minimum.
- 4.7 The Foxton Beach Community Centre has made successful applications to the fund for \$23,392.50 being 50% of the purchase price of a vehicle in 2020, and \$86,848.28 being 100% of the cost to erect a three car garage next to the community centre to house its fleet of vehicles in 2022.
- 4.8 Council has also recently approved a boundary re-adjustment for the land upon which the Foxton Beach Community Centre sits, which provides sufficient land on which to site the funded garage
- 4.9 The Foxton Beach Community Centre currently operates from a council owned community facility at no cost.

## **5. Discussion**

- 5.1 An application has been received by the Foxton Beach Community Centre for funding from the Foxton Beach Freeholding Account.
- 5.2 The request is for \$25,000 to purchase a second-hand mobility vehicle for their fleet of shuttles.
- 5.3 It is not clear from the application whether this vehicle is to replace an existing vehicle, or an additional to their existing fleet.
- 5.4 The vehicle is being offered for purchase at \$25,000 so the request is for 100% of the purchase price. Also requested is a further \$1,913 for signwriting and insurance. Some of the signwriting appears to be for a commercial organisation – Property Brokers – that should not be funded from the Foxton Beach Freeholding Account.
- 5.5 The request for funding has not provided any supporting evidence of the need for a mobility vehicle.
- 5.6 The Foxton Beach Freeholding Account may only be used for the funding of public amenities, which benefit of the residents of the Foxton Beach community. The purchase of a vehicle for the Centre to use as a shuttle has previously been accepted as a public

**Te Awahou Foxton Community Board**  
**15 May 2023**



- amenity. Therefore this request does meet the purpose of the fund. As noted earlier, the finding for the signwriting for Property Brokers should not be funded from the Account.
- 5.7 The Freeholding Account policy set a number of other criteria. One of these is the level of funding available.
- 5.8 The Policy sets a maximum contribution of 50% of the project cost. This application is for 100%. While it is within Council's power to depart from its own policy setting, there must be deliberate decision to do so, which sets out the reasons why a departure from its policy is warranted and desirable.
- 5.9 Another consideration is the minimum value of the fund. Council has set a minimum value of the fund of \$5 million. The current value of the fund is approximately \$4.8 million. Making any further grants from the fund will see its value fall further below its minimum. Again, it is within Council's power to depart from its own policy setting, there must be deliberate decision to do so, which sets out the reasons why a departure from its policy is warranted and desirable.
- 5.10 Council is entitled to make a decision that is inconsistent with the Policy, as long as it complies with s. 80 of the Local Government Act 2022. Section 80 provides that where a decision will be significantly inconsistent with, or is anticipated to have consequences that will be significantly inconsistent with any policy, the local authority must, when making any decision, clearly identify:
- a. The inconsistency;
  - b. The reasons for the inconsistency; and
  - c. Any intention of the local authority to amend the policy to accommodate the decision.
- 5.11 A decision by Council to distribute funds is a decision to which Part 6 of the LGA02 applies. Pursuant to those provisions, Council is not obliged to consult in respect of every decision it makes. However, in making a decision, Council must consider community views under section 78 of the LGA02. There are many ways in which Council can take community views into account without needing to carry out a formal consultative process. For example:
- a. It could consult and receive feedback from the Foxton Beach Community Board; or
  - b. It could be informed by prior consultation, for example via the Long Term Plan or Annual Plan processes, or if relatively recent, consultation on the Policy itself.
- 5.12 Where a decision is likely to be inconsistent with its own policy, Council is more likely to need to consult on that decision. The greater the inconsistency the more extensive the consultation required. Where a decision is consistent with Council's statutory obligations and its Policy, it is less likely any formal consultation would be required..
- 5.13 With the current application, there has been no prior consultation to consider the community views as required under s. 78 of the Act. While bringing this paper to the Board today could be considered to meet s. 78 requirement to consider the community's views, officers' opinion is that this would be inadequate. Any approval of this request would represent a departure from the Policy in two respects; the request is for more than 50% of the project, and approving this project would see the fund fall further below the \$5million dollar floor.
- 5.14 These departures from the Council's policy indicates a more extensive consultation, other than solely seeking the views of the Board, is required.
- 5.15 It is the opinion of officers that this request should be considered as part of Council's next Long Term Plan process, either as a project in its own right, or for direct funding from the Foxton Beach Freeholding Account.

Te Awahou Foxton Community Board  
15 May 2023

## 6. Options

- 6.1 The Board could recommend Council approve this request for funding, however, officers advise against this given the significant departure from Council's current policy settings.
- 6.2 The preferred option is that the Board work with the Foxton Beach Community Centre to develop proposal for consideration as part of the next Long Term Plan. This would ensure that an appropriate level of consultation is held with the community.

### Cost

- 6.3 There is no cost associated with this report, as the Board has no delegation to commit funding.

### Community Wellbeing

- 6.4 There are no negative Wellbeing impacts on Community Wellbeing arising

### Consenting Issues

- 6.5 There are no consents required or consenting issues arising.

### LTP Integration

- 6.6 There is no LTP programme related to the options or proposals in this report. There is no current Special Consultative process required.

## 7. Consultation

- 7.1 Consultation will be required by Council if this matter is progressed

## 8. Legal Considerations

- 8.1 There are no outstanding legal considerations

## 9. Financial Considerations

- 9.1 There is no financial impact

## 10. Iwi Considerations

- 10.1 There are no direct iwi considerations, however it is noted that Council are currently in process of engagement with hapu in relation to a review of the Foxton Beach Freeholding Account Policy.

## 11. Climate Change Considerations

- 11.1 There is no Climate Change impact.

## 12. Environmental Considerations

- 12.1 There are no Environmental considerations.

## 13. Health & Safety Considerations

- 13.1 There is no health and safety impact.

## 14. Other Considerations

- 14.1 There are no other considerations.

## 15. Next Steps

- 15.1 If the recommendations are accepted, the Foxton Beach Community Centre will need to create a bid for inclusion in Council's next Long Term Plan.

**Confirmation of statutory compliance**



**Te Awahou Foxton Community Board  
15 May 2023**




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↓	Foxton Beach Community Centre - Request for Funding from Foxton Beach Freeholding Account	24

Author(s)	Grayson Rowse <b>Principal Advisor - Democracy</b>	
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Approved by	Monique Davidson <b>Chief Executive Officer</b>	
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Foxton Beach Community Centre  
108 Seabury Avenue, Foxton Beach 4815  
Telephone: 06 363 8387  
Email: foxtonbeachcommunitycentre@outlook.com

14<sup>th</sup> April 2023  
Chairman John Girling  
Foxton Community Board

We, the Committee of the Foxton Beach Community Centre and Health Shuttle would like the Foxton Community Board to consider our application for funds from the Foxton Beach Freeholding Account to assist with the purchase of a shuttle capable of transporting wheelchair bound people to their medical and well being appointments in Foxton, Levin or Palmerston North.

The Foxton Community Board along with the Foxton Beach Freeholding Account have been great supporters of our Community Centre services and we as an organisation are very grateful for this support.

The last financial approval from you to assist us with the building of a three shuttle garage sees this project now underway. This will be a great asset to house our valuable shuttles.

Just to recap on our Community Centre operations for you:

- Operating for over 30 years.
- We are open from 9am till 3pm Monday to Friday.
- Our main goal is the health and well-being of our Community.
- Services Foxton and Foxton Beach Residents.
- Daily Health Shuttles to Levin and Palmerston North.
- We are a distribution Centre for Te Whatu Ora - Health New Zealand for Covid RAT tests and Masks.
- We have weekly Covid and Flu Vaccination clinics.

- Our Clinics are manned each week by different health providers.
- We run a book exchange.
- We sell quality frozen meals to residents
- We have just installed a 24/7 AED unit externally, part funded by HDC Community Grant.
- Monthly morning teas for lonely residents.
- 28 Volunteers run shuttle driver duties and office positions.
- We fit into the Horowhenua District Council plan of being a Safe, Vibrant, Inclusive and Connected Community.
- We transport around 1,500 residents to medical appointments, supermarket trips and well-being needs per annum with these figures increasing year over year.
- Petrol costs have gone from \$9,563 to \$18,265 to \$24,173 annually over the last three years.

Our Shuttle use is growing each year and we are providing more services at the Centre itself.

The District plan of the expected growth in our area is, we believe, going to grow the demand on our Services even more. The Shuttles we currently operate cannot take wheelchair bound people. We believe having this capability in our fleet will benefit our Community.

On investigation we noted that using a vehicle like a Toyota Hi Ace was suitable but uses a hoist and is not as comfortable for a passenger when it is not being used as a wheelchair carrier. Extra regulation costs are involved in having a hoist in a vehicle {hoist maintenance and wof}

We have gone for a VW Caddy, (photo attached) which is a 5 seater wagon and the wheelchair access is by power assisted ramp. These vehicles are \$73,000 new and are very scarce to obtain. If buying a new vehicle, Xmas would be the earliest we could get one.

We are lucky to have sourced a secondhand VW Caddy locally in Foxton as the owner is purchasing a new one in June. It has done 128,000 k.m's and is in excellent condition.

Te Awahou Foxton Community Board  
15 May 2023

Cost for Vehicle	\$25,000.00
Sign writing	710.00
12 month Insurance	1,213.00
<b>Total cost</b>	<b>\$26,923.00</b>

We thank you for your consideration and look forward to a favorable decision to help fund this vehicle.

Yours in Community Service



Lyal Brenton  
President Foxton Beach Community Centre.

Te Awahou Foxton Community Board  
15 May 2023

## ADIN TRUSSES LIMITED

4A PURCELL STREET  
FOXTON  
MOBILE: 0272497723  
EMAIL: [s.w.adin@xtra.co.nz](mailto:s.w.adin@xtra.co.nz)

EMAIL TO: Foxton Beach Community Centre

DATE: 2/3/23

ADDRESS: Seabury Avenue, Foxton Beach

### To supply:-

VW Caddy Maxi Life Mobility Van  
Reg Date 30/09/2016  
Odometer 128740km (as at 2/3/23)  
Petrol  
5 seater plus wheelchair  
Rear manual ramp for wheelchair  
WOF 27/02/23  
Last service December 2022

REC'D: PHE 177

**TOTAL \$25000.00**

Thank you.

William & Sarah Adin

Te Awahou Foxton Community Board  
15 May 2023



**LENA SIGNS**

61 JOHNSTON ST.  
FOXTON  
Ph. 06 363 5935  
Mob. 021 254 9335  
lenasigns@xtra.co.nz

FOXTON BEACH COMMUNITY CENTRE

**Quotation**

Quotation No. **43**  
Date 09-Mar-23  
valid until 01-Jun-23

Code	Description	Extra	Qty	each	Total
VIN	VINYL LOGO TO CAB DOORS , BONNET AND REAR / SHUTTLE DECALS		1	330.00	330.00
PNT	PROPERTY BROKERS LAMINATED PRINT TO LOWER VEHICLE SIDES APPROX. 2500 X		2	190.00	380.00
				<b>Total</b>	<b>710.00</b>

Please detach and return to:

**INTERNET BANKING : 060669 0145922 00**

**ACCEPTANCE**

Quotation No. **43**  
Date 09-Mar-23

**Total 710.00**

received from: FOXTON BEACH COMMUNITY CENTRE

Invoice#:

Accepted with Signature

Date



14 April 2023

<b>Name of the Insured:</b>	Foxton Beach Community Centre
<b>Quote Reference:</b>	S908320
<b>Date of Quotation:</b>	14 April 2023 <i>Your quote is valid for the next 30 days from the 'Date of Quotation'</i>
<b>Business Description:</b>	Van for transport of elderly members of Foxton Community Group

**AMI Business Vehicles Quote Summary**

**Business Vehicles** Quoted

**Vehicle Quote Summary**

Policy Wording Version:		AMI1158/1 04/18			
Year	Make/Model	Reg. No	Cover Type	Sum Insured (excl. GST)	Excess
2016	VW Caddy	PUE177	Full Cover	\$21,739	\$500
			Choose cover type	\$	\$
			Choose cover type	\$	\$
			Choose cover type	\$	\$
			Choose cover type	\$	\$

<b>Basis of Settlement:</b>	Market Value		
<b>Optional Extensions:</b>	8.1 – Agreed Value	Not Applicable	
	8.2 – Ingestion or entanglement	Not Applicable	
	8.3 – Loss of use	Not Applicable	
	8.4 – Portable electronic equipment	Not Applicable	
	8.5 – Taxi coverage	Not Applicable	
	8.6 – Roadside Rescue	Included 60 + GST	
<b>Premium for all vehicles above:</b>	Company Premium	Annual	Monthly
	Fire & Emergency Levy		
	Goods and Services Tax (GST)		
	<b>Total</b>	\$1,213.20	\$111.12
<b>Endorsements/Warranties:</b>			
<b>Notes:</b>	<ul style="list-style-type: none"> <li>- Excesses may vary according to the nature of the loss or age of the driver.</li> <li>- no excess applies to 'Windscreen and Window glass' claims if you have chosen 'Full cover', unless otherwise specified.</li> </ul>		



We are a member of the Insurance Council of NZ and adhere to the Fair Insurance Code. Further information on the Fair Insurance Code can be found at [www.icnz.org.nz](http://www.icnz.org.nz)

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Private Bag 92130 Auckland

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# Te Awahou Foxton Community Board

## OPEN MINUTES UNCONFIRMED

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Minutes of a meeting of the Te Awahou Foxton Community Board held in the Te Awahou Nieuwe Stroom, 92 Main Street, Foxton on Monday 15 May 2023 at 6:00pm.

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### MEMBERSHIP

<b>Chairperson</b>	Mr John Girling
<b>Deputy Chairperson</b>	Mr Trevor Chambers
<b>Members</b>	Mrs Nola Fox
	Mr Brett Russell
	Mr David Roache
	Deputy Mayor David Allan

### IN ATTENDANCE

<b>Reporting Officer</b>	Daniel Haigh	Group Manager - Community Infrastructure
	Grayson Rowse	Principal Advisor – Democracy
<b>Meeting Secretary</b>	Jody Lygo	Democracy Support Officer
	Sean Hester	Parks & Property Lead (North)

The meeting opened with a Karakia.

The Chairperson addressed the meeting noting the passing of Basil Vertongen, QSM, former Foxton Borough Councillor, Community Board Member and Chair.

### 1 Apologies

#### Apology

Resolution number **TAFCB/2023/36**

MOVED by Cr Girling, seconded Cr Russell:

That the apology from Councillor Allan be accepted.

**CARRIED**

Sam Fergusson was invited to speak and give an update on the Boards interaction with Horizon Regional Council.

### 2 Public Participation



<b>Name</b>	<b>Item</b>
Christina Paton	7.4 Proposed Remedial Works at Foxton Wharf - Request for Funding from Foxton Beach Freeholding Account
Ross Brannigan	6.1 Chairperson's Report - item 3.4 6.2 Community Board Member Update - Brett Russell - item. 3.5 7.1 Pipeline and Pump Consenting Update 7.4 Proposed Remedial Works at Foxton Wharf - Request for Funding from Foxton Beach Freeholding Account

### 3 Late Items

There were no late items.

### 4 Declaration of Interest

There were no declarations of interest.

### 5 Confirmation of Minutes

#### **Resolution Number TAFCB/2023/37**

MOVED by Mr Roache, seconded Mrs Fox:

That the minutes of the meeting of the Te Awahou Foxton Community Board held on Monday, 3 April 2023, be confirmed as a true and correct record.

**CARRIED**

### 6 Elected Members Reports

#### **6.1 Chairperson's Report**

To receive the Chairperson's report highlighting matters of interest to the Te Awahou Foxton Community Board

#### **Resolution Number TAFCB/2023/38**

MOVED by Mr Roache, seconded Mrs Fox:

That Report 23/315 Chairperson's Report be received.

That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

**CARRIED**

It was noted that item 3.3 of this report should read Manawatu Estuary Management Team not group.

## **6.2 Community Board Member Update - Brett Russell**

To report back on liaison activity with:

the Horowhenua Community Camera Trust and,  
the Wildlife Foxton Community Trust

### **Resolution Number TAFCB/2023/39**

MOVED by Mr Russell, seconded Mrs Fox:

That Report 23/300 Community Board Member Update - Brett Russell be received.

**CARRIED**

Mr Russell spoke to his report.

## **6.3 Community Board Member Update - Nola Fox**

To report back on liaison activity with:

MAVtech  
Foxton Beach Community Centre  
Foxton Beach Progressive Assn Inc.

### **Resolution Number TAFCB/2023/40**

MOVED by Mrs Fox, seconded Mr Roache:

That Report 23/305 Community Board Member Update - Nola Fox be received.

**CARRIED**

## **7 Reports**

### **7.1 Pipeline and Pump Consenting Update**

To provide an update to Te Awahou Foxton Community Board on progress towards gaining consents in relation to stormwater management.

#### **Resolution Number TAFCB/2023/41**

MOVED by Mr Girling, seconded Mr Roache:

That Report 23/309 Pipeline and Pump Consenting Update be received.

That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

**CARRIED**

Group Manager – Community Infrastructure spoke to this report, noting a correction to section 2.2 refers to the Taylor St/Carex Grove catchment not Holben Parade. The current process is looking at water quality and is very similar to the current process involving Lake Horowhenua.

## 7.2 Foxton Beach Freeholding Account Review

To update Te Awahou Foxton Community Board on progress of the review on the Foxton Beach Freeholding Account.

### **Resolution Number TAFCB/2023/42**

MOVED by Mr Girling, seconded Mr Russell:

That Report 23/317 Foxton Beach Freeholding Account Review be received.

That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

**CARRIED**

The Principal Advisor – Democracy introduced this report, providing a summary to members.

Mr Russell informed the table that he would be meeting with the Foxton Beach community to bring them up to date with the Foxton Beach Freeholding account. Also noting Mr Russell has been engaging with Iwi surrounding this process.

Officers noted caution to Mr Russell on his engagement as we need to ensure all party's are involved. Mr Roache expressed his concern with Mr Russell's engagement with Iwi without the Board.

It was confirmed that the upcoming meeting with the Foxton Beach Community is being held by the Foxton Beach Progressive Association and not by the Board.

### **Resolution Number TAFCB/2023/43**

MOVED by Mrs Fox, seconded Mr Roache:

That the board note the progress to date on the Foxton Beach Freeholding Account Review.

**CARRIED**

Discussion was held surrounding the cost associated with the review of the Foxton Beach Freeholding Account and whether those costs would be funded by the account itself or by the \$80000 budgeted under administration.

### **Resolution Number TAFCB/2023/44**

MOVED by Mr Roache, seconded Mr Russell:

That the costs associated with the review of the Foxton Beach Freeholding Account should not be captured and funded from the account, and a report is to come back to Board's next meeting if it is required.

**CARRIED**

### 7.3 Foxtton Beach Community Centre - Request for Funding from Foxtton Beach Freeholding Account

To present the Board with a request from the Foxtton Beach Community Centre for funding from the Foxtton Beach Freeholding Account to assist in the purchase of a wheelchair accessible vehicle to add to their shuttle service.

#### **Resolution Number TAFCB/2023/45**

MOVED by Mr Roache, seconded Mr Russell:

That Report 23/280 Foxtton Beach Community Centre - Request for Funding from Foxtton Beach Freeholding Account be received.

That this matter or decision is recognised as not significant in terms of S76 of the Local Government Act.

**CARRIED**

Lyal Benton spoke to this report on behalf of the Foxtton Beach Community Centre, outlining service they provide to the community and recognising previous funding granted to them. Additionally thanking the Board for appointing a member to be a liaison with the Community Centre who has been very involved.

Mr Benton answered questions from board members, acknowledging that they will remove the cost for professional sign writing from the request.

Discussion was held on previous times the board has requested the full 100% of funding be provided to projects such as the Foxtton Beach Community Centre three car garage and the Coast guard lighting at the beach.

Mr Roache noted that the current proposed cost of \$25000 for a VW Caddy Maxi Life Mobility Van with 128000km travel is very reasonable and shows community support from the seller. A brand new VW Caddy would cost \$70000.

The cost of insurance has increased from last year due to cyclone Gabriel.

Officer noted the policy of the Freeholding Account fund.

Mr Roache acknowledged Officers comments that this request fell outside the current policy, but proposed recommending Council exercise its ability to deviate from its own policy. In doing do the Board notes that it is desirable for Council to deviate from its policy noting that the Community Centre will not get an opportunity to purchase a van of this quality for this price if the funding request is delayed until to the Long Term Plan (LTP).

#### **Resolution Number TAFCB/2023/46**

MOVED by Mr Roache, seconded Mr Russell:

That the board recommend to Council approve funding of \$25000 from the Foxtton Beach Freeholding Account for the purchase of VW Caddy Maxi Life Mobility Van for the Foxtton Beach Community Centre.

**CARRIED**

Mr Chambers voted against the above motion.

#### **Resolution Number TAFCB/2023/47**

MOVED by Mrs Fox, seconded Mr Russell:

That the Board notes the application is for the purchase of an accessible vehicle to add to the Foxton Beach Community Centre fleet.

**CARRIED**

**7.4 Proposed Remedial Works at Foxton Wharf - Request for Funding from Foxton Beach Freeholding Account.**

This report provides context, and information, on remedial work proposed at the Foxton Beach Wharf by the Manawatū Marine Boating Club (MMBC), as well as inform the Te Awahou Foxton Community Board of a request for support from the Foxton Beach Freeholding Account.

**Resolution Number TAFCB/2023/48**

MOVED by Mr Girling, seconded Mr Russell:

That Report 23/318 Proposed Remedial Works at Foxton Wharf - Request for Funding from Foxton Beach Freeholding Account. be received.

That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

**CARRIED**

The Parks & Property Lead (North) spoke outlining the purpose of this report. Officers highlighted the following points:

- The wharf itself is on Department of Conservation Land and not a Council Asset
- It is a high recreational value asset to the community
- The wharf itself is in poor condition and the structural integrity is unknown.
- That the Manawatū Marine Boating Club are contributing some of its own funds to the remediation.

**Resolution Number TAFCB/2023/49**

MOVED by Mr Roache, seconded Mrs Fox:

That the Board note the high recreational value of the Foxton Beach Wharf.

**CARRIED**

**Resolution Number TAFCB/2023/50**

MOVED by Mrs Fox, seconded Mr Russell:

That the Board note concerns about the unknown structural condition of the Wharf.

**CARRIED**

**Resolution Number TAFCB/2023/51**

MOVED by Mr Russell, seconded Mr Roache:

That the Board thank and acknowledge the work of the Manawatu Marine Boating Club and Caldwell Builders Ltd in their efforts to bringing this matter and a proposed solution forward.

**CARRIED**

**Resolution Number TAFCB/2023/52**

MOVED by Mr Roache, seconded Mr Chambers:

That the Board recommend Council approve up to \$35,000 from the Foxton Beach Freeholding Account, as an exception to its policy, to fund the remediation of the Foxton Beach Wharf, noting the current loss of the high recreation value amenity, and the potential danger posed by the current condition of the Wharf.

**CARRIED**

**Resolution Number TAFCB/2023/53**

MOVED by Mr Russell, seconded Mrs Fox:

That the Board recommend Council fund a structural assessment of the Foxton Beach Wharf, and develop a plan to remediate the Wharf, and approach related parties such as DOC and HRC to jointly fund the remediation work.

**CARRIED**

**7.5 Te Awahou Foxton Community Board - Actions Monitoring Report - May 2023**

To present to Te Awahou Foxton Community Board the updated monitoring report covering requested actions from previous meetings of the Board.

The LTP monitoring actions included in the report reflect the status from the last update brought to Council on 15 March 2023. The next status update on these actions will be brought to Council on 19 July 2023, and the updates will be reported to the Board on 7 August 2023.

**Resolution Number TAFCB/2023/54**

MOVED by Mr Girling, seconded Mr Roache:

That Report 23/294 Te Awahou Foxton Community Board - Actions Monitoring Report - May 2023 be received.

That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

**CARRIED**

7:32 pm

There being no further business, the Chairperson declared the meeting closed.

CONFIRMED AS A TRUE AND CORRECT RECORD  
AT A MEETING OF TE AWAHOU FOXTON  
COMMUNITY BOARD HELD ON

**DATE:** .....

**CHAIRPERSON:**

## 9.2 Proceedings of the Rating and Financing Review Taskforce 7 June 2023

File No.: 23/398

### 1. Purpose

To present to the Council the minutes of the Rating and Financing Review Taskforce meeting held on 07 June 2023.

### 2. Recommendation

- 2.1 That Report 23/398 Proceedings of the Rating and Financing Review Taskforce 7 June 2023 be received.
- 2.2 That the Council receives the minutes of the Rating and Financing Review Taskforce meeting held on 07 June 2023.

### 3. Issues for Consideration

There are no items that require further consideration.

### Attachments


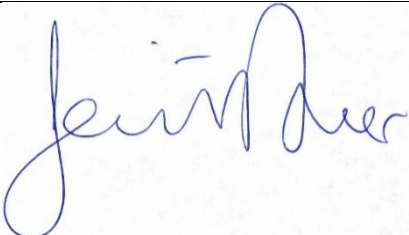

There are no attachments for this report.

#### 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 benefits and costs, 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.

### Signatories

Author(s)	Grayson Rowse <b>Principal Advisor - Democracy</b>	
Approved by	Jacinta Straker <b>Group Manager Organisation Performance</b>	
	Monique Davidson <b>Chief Executive Officer</b>	





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# Rating and Financing Review Taskforce

## OPEN MINUTES UNCONFIRMED

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Minutes of a meeting of Rating and Financing Review Taskforce held in the Council Chambers, 126-148 Oxford St, Levin on Wednesday 7 June 2023 at 9:40am.

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### MEMBERSHIP

<b>Mayor</b>	His Worship The Mayor Bernie Wanden	
<b>Deputy Mayor</b>	Councillor David Allan	
<b>Councillors</b>	Councillor Mike Barker	
	Councillor Rogan Boyle	
	Councillor Ross Brannigan	
	Councillor Clint Grimstone	
	Councillor Nina Hori Te Pa	
	Councillor Sam Jennings	
	Councillor Paul Olsen	Apology
	Councillor Jonathan Procter	Apology
	Councillor Justin Tamihana	
	Councillor Piri-Hira Tukapua	
	Councillor Alan Young	

### Matters for discussion

#### 1.1 Procurement - Top 20 Creditors and General Programme update

- Top 20 creditors
- Current conversations around LTP and project management with ELT
- Procurement workshop plan – underway
- Professional services deep dive
- Procurement & Contract Software investigation
- Level of staff training around the organisation
- Developing an Internal and external procurement portal
- Recreational Service Contract
- Major contract support
- Zero based budgeting
- Categorising and prioritising capital projects with moderation programme, how to bundle and sequence projects together.

## 1.2 Rates Remission Policy

- Type of work we would like considered
- Time frame of work and consultation
- Rates postponement and affordability
- Different Councils that have a Rates remission/postponement policy
- Level of uptake from the community if Rates postponement was possible
- Unintended consequences of rates remission
- Affordability assessment, and what it would involve
- Owner occupied rebates, what this would look like
- Differentiate between rural farming and rural other
- Process to signal how big or small the review of the review finance policy, ensuring there is a consensus
- Significant increase of uptake for rates rebates
- % of rates team time spent on remissions

11.00am

There being no further business, the Chairperson declared the meeting closed.

## 9.3 Proceedings of the Three Waters Transition and Planning Taskforce 7 June 2023

File No.: 23/402

### 1. Purpose

To present to the Council the minutes of the Three Waters Transition and Planning Taskforce meeting held on 07 June 2023.

### 2. Recommendation

- 2.1 That Report 23/402 Proceedings of the Three Waters Transition and Planning Taskforce 7 June 2023 be received.
- 2.2 That the Council receives the minutes of the Three Waters Transition and Planning Taskforce meeting held on 07 June 2023.

### 3. Issues for Consideration

There are no items that require further consideration.

### Attachments



There are no attachments for this report.

#### 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 benefits and costs, 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.

### Signatories

Author(s)	Grayson Rowse <b>Principal Advisor - Democracy</b>	
Approved by	Monique Davidson <b>Chief Executive Officer</b>	

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# Three Waters Transition and Planning Taskforce

## MINUTES

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Minutes of a meeting of Three Waters Transition and Planning Taskforce held in the Council Chambers, 126-148 Oxford St, Levin on Wednesday 7 June 2023 at 2:00 pm.

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### PRESENT

<b>Mayor</b>	His Worship The Mayor Bernie Wanden	
<b>Deputy Mayor</b>	Councillor David Allan	
<b>Councillors</b>	Councillor Mike Barker	
	Councillor Rogan Boyle	
	Councillor Ross Brannigan	
	Councillor Clint Grimstone	
	Councillor Nina Hori Te Pa	
	Councillor Sam Jennings	
	Councillor Paul Olsen	Apology
	Councillor Jonathan Procter	Apology
	Councillor Justin Tamihana	
	Councillor Piri-Hira Tukapua	
	Councillor Alan Young	

### Matters of discussion

#### Three Waters Transition and Planning

- Workstream overview update on key actions
- National transition and what it will involve including the timeframe
- Impact Assessment final report will be tabled at the next taskforce meeting
- No worse off funding will remain in place
- What we don't know including, the date the new entity will go live, advice from the OAG pertaining to the upcoming LTP Proper and impact on our rate payers from Entity C
- What we have done to respond
- Proposed stage approach for the entities giving councils time to respond
- Continuing to advocate for more information and certainty
- Transition Funding exhausted explained
- Budget review
- Tranche 2 Transition funding
- Seeking to borrow a loan fund of \$340,000 for 23/24 financial year
- Role of Iwi and Hapu during this process
- Holding NTU accountable for doing what they said they would

- Council Position on Water Services Reform
- What C4LD is; A Local government action group committed to working with central government to ensure all New Zealanders have access to safe drinking water and that all of our local communities continue to have a say on the use of assets purchased on their behalf using ratepayer funds.
- The larger entities will be in a stronger financial position than the smaller entities
- Council position on Water services reform – Seeking options to inform a full Council report.



## Exclusion of the Public : Local Government Official Information and Meetings Act 1987

The following motion is submitted for consideration:

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:

### C1 Procurement - Rating Valuation Services

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
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 7.	<p>s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.</p> <p>s7(2)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.</p> <p>s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p> <p>s7(2)(j) - The withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage.</p>	<p>s48(1)(a)</p> <p>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 7.</p>

### C2 Procurement - Energy Contract Renewal

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
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 7.	<p>s7(2)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.</p>	<p>s48(1)(a)</p> <p>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 7.</p>

	<p>s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p> <p>s7(2)(j) - The withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage.</p>	
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### C3 Foxton Pools Project Financial Update

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
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 7.	s7(2)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.	s48(1)(a) 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 7.

### C4 President and Vice President LGNZ Vote

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
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 7.	s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.	s48(1)(a) 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 7.