

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

**Date:** Wednesday 18 April 2018  
**Time:** 4.00 pm  
**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>	Mr Michael Feyen	
<b>Deputy Mayor</b>	Mr Wayne Bishop	
<b>Councillors</b>	Mr Ross Brannigan	
	Mr Ross Campbell	
	Mr Neville Gimblett	
	Mr Barry Judd	
	Mrs Victoria Kaye-Simmons	
	Mrs Jo Mason	
	Mrs Christine Mitchell	
	Ms Piri-Hira Tukapua	
	Mr Bernie Wanden	
<b>Reporting Officer</b>	Mr David Clapperton	(Chief Executive)
<b>Meeting Secretary</b>	Mrs Karen Corkill	
	Ms Sharon Bowling	

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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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**1 Apologies**

**2 Public Participation**

Notification to speak is required by 12 noon on the day of the meeting. Further information is available on [www.horowhenua.govt.nz](http://www.horowhenua.govt.nz) or by phoning 06 366 0999.

See over the page for further information on Public Participation.

**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, 7 March 2018**

**5.2 Meeting minutes In Committee Meeting of Council, 7 March 2018**

**6 Announcements**

Foxton Community Board

There will be an update from the Foxton Community Board Chair, David Roache.

Public Participation (further information):

The ability to speak at Council and Community Board meetings provides the opportunity for members of the public to express their opinions/views to Elected Members as they relate to the agenda item to be considered by the meeting.

Speakers may (within the time allotted and through the Chairperson) ask Elected Members questions as they relate to the agenda item to be considered by the meeting, however that right does not naturally extend to question Council Officers or to take the opportunity to address the public audience be that in the gallery itself or via the livestreaming. Council Officers are available to offer advice too and answer questions from Elected Members when the meeting is formally considering the agenda item i.e. on completion of Public Participation.

Meeting protocols

1. All speakers shall address the Chair and Elected Members, not other members of the public be that in the gallery itself or via livestreaming.
2. A meeting is not a forum for complaints about Council staff or Council contractors. Those issues should be addressed direct to the CEO and not at a Council, Community Board or Committee meeting.
3. Elected members may address the speaker with questions or for clarification on an item, but when the topic is discussed Members shall address the Chair.
4. All persons present must show respect and courtesy to those who are speaking and not interrupt nor speak out of turn.
5. Any person asked more than once to be quiet will be asked to leave the meeting.

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# Proceedings of the Finance, Audit & Risk Subcommittee 21 March 2018

File No.: 18/178

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## 1. Purpose

To present to the Council the minutes of the Finance, Audit & Risk Subcommittee meeting held on 21 March 2018.

## 2. Recommendation

- 2.1 That Report 18/178 Proceedings of the Finance, Audit & Risk Subcommittee 21 March 2018 be received.
- 2.2 That the Council receives the minutes of the Finance, Audit & Risk Subcommittee meeting held on 21 March 2018.
- 2.3 That, as recommended by the Finance, Audit & Risk Subcommittee, the Horowhenua District Council gives notice of potential withdrawal of the Local Authority Protection Programme (LAPP) by 30 April 2018, reserving a decision until it becomes clear about what the LAPP Trustees will do regarding the future Insurance product.
- 2.4 That, as recommended by the Finance, Audit & Risk Subcommittee, the Horowhenua District Council delegates the final decision on the withdrawal from LAPP to the Finance Audit & Risk Subcommittee.

## 3. Issues for Consideration

The following items considered by the Finance, Audit & Risk Subcommittee meeting held on 21 May 2018 require further consideration by Council:

### **Council's Options for Insuring Below-ground Infrastructural Assets**

Due to timing issues with regard to notification of Council's potential withdrawal from the Local Authority Protection Programme (LAPP), the Subcommittee passed the following resolutions:

*THAT the Finance, Audit & Risk Subcommittee recommends to Council to give notice of potential withdrawal from LAPP by 30 April 2018, reserving a decision until it becomes clear about what the LAPP Trustees will do regarding the future Insurance product.*

*THAT the Finance, Audit & Risk Subcommittee recommends that Council delegates the final decision on the withdrawal from LAPP to the Finance, Audit and Risk Subcommittee at its meeting of 18 April 2018.*

Council's ratification of the recommendations is now sought.

### **Electric Vehicle Charging Stations Opportunity**

Further information and recommendations in relation to this item are included in the Chief Executive Officer's Report.

## 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)	Doug Law <b>Chief Financial Officer</b>	
Approved by	David Clapperton <b>Chief Executive</b>	



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# Finance, Audit & Risk Subcommittee

## OPEN MINUTES

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Minutes of a meeting of the Finance, Audit & Risk Subcommittee held in the Council Chambers, Horowhenua District Council, Levin, on Wednesday 21 March 2018 at 4.00 pm.

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### PRESENT

Chairperson	Mr P Jones
Members	Cr W E R Bishop
	Mayor M Feyen
	Cr N G Gimblett
	Cr J F G Mason
	Cr C B Mitchell
	Cr P Tukapua
	Cr B P Wanden

### IN ATTENDANCE

<b>Reporting Officer</b>	Mr D Law	(Chief Financial Officer)
	Mr D M Clapperton	(Chief Executive)
	Mr G Saily	(Group Manager – Infrastructure Services)
	Mrs N Brady	(Group Manager – Customer & Regulatory Services)
	Ms S Grant	(Group Manager – Community Services)
	Mr G O'Neill	(Projects Manager)
	Mr J Paulin	(Finance Manager)
	Ms J Dallinger	(Acting People & Capability Manager)
	Mrs L Winiata	(Communications Manager)
	Mr A Chamberlain	(Financial Accountant)
	Mr I McLachlan	(Risk Management Lead)
	Mr S Wood	(Legal Advisor)
	Mrs K J Corkill	(Meeting Secretary)

### ALSO IN ATTENDANCE

	Mr P McKay	(Aon Insurance)
	Mr S Ketley	(Aon Insurance)

### PUBLIC IN ATTENDANCE

There were three members of the public in attendance at the commencement

#### 1 Apologies

Apologies were recorded for Crs Brannigan, Campbell, Kaye-Simmons, and Judd (for lateness).

MOVED by Cr Wanden, seconded Cr Gimblett:

*THAT the apologies from Councillors Brannigan, Campbell, Kaye-Simmons, and Judd (for lateness) be accepted.*

**CARRIED**

## **2 Public Participation**

### **7.1 Council's Options for Insuring Below-ground Infrastructural Assets**

Speaking to this item, Mrs Christina Paton raised some text correction that were required in the report and also raised queries with regard to current membership of LAPP on which the report had not been clear, further querying if this had been a topic at LGNZ level.

Mrs Paton then raised the fact that 100% of her rates demand was subject to GST so why should Council accept only a 60% payout from Central Government in the event of a natural disaster suggesting that if Council maintained its below-ground infrastructural assets to the extent it stood up to a natural disaster, Council should be rewarded for that. Also queried was how much Council had set aside for depreciation and did it get a GST discount from central government for 'positive housekeeping'.

Mr Jones responded that the issues raised by Mrs Paton would be part of the wider discussion.

### **7.6 Eight Month Report 1 July 2017 – 28 February 2018**

Commenting that a report on stormwater was supposed to have been forwarded to her today, Mrs Hunt noted the comment in the report that pipes had been ordered for the Queen Street drain extension suggesting this could be premature given matters that were currently before the Courts and the possibility that Council may not receive a resource consent for the project.

Mr Clapperton advised that Mrs Hunt had that afternoon been forwarded the information mentioned. With regard to the purchase of pipes, Mr Clapperton said that was not an issue because if they were not used for this project they could be used in other locations. Also, because the flow was not being increased and all that was being done was changing the form of the existing channel from open to covered, a resource consent was not required.

## **3 Late Items**

There were no late items.

## **4 Declarations of Interest**

For the record, Mr Jones noted in relation to Report 18/144, while he acted for a number of Councils that were still in the LAPP he did not see that as a conflict of interest.

## **5 Confirmation of Open & In Committee Minutes 14 February 2018**

In relation to the In Committee item, Mr Jones said he was pleased to report that he had had a very positive and constructive meeting with His Worship the Mayor and the Chief Executive earlier in the month. Unfortunately family issues had meant he was not able to provide a report to today's meeting. Also the issue of the engagement/appointment of the Chief Executive was also part of the mix; however he should have a report available by the next Subcommittee meeting. The good news was he was encouraged by the discussion that had been held.

MOVED by Mr Jones, seconded Deputy Mayor Bishop:

*THAT the Open & In Committee minutes of the meeting of the Finance, Audit & Risk Subcommittee held on Wednesday, 14 February 2018, be confirmed as a true and correct record.*

**CARRIED**

## **6 Announcements**

There were no announcements.

## **7. Reports**

### **7.1 Council's Options for Insuring Below-ground Infrastructural Assets**

#### **Purpose**

To evaluate the options for insuring Council's infrastructural assets for damage relating to a natural disaster.

Messrs McKay and Ketley from Aon Insurance were welcomed to the table to respond to any questions from Subcommittee members, with it noted that commercially sensitive information had been addressed prior to the meeting, precluding the need to open the meeting with the public excluded.

In speaking to this report, Mr Law said that following a report on the LAPP last year, it had always been intended to further consider whether or not Council should remain a LAPP member. He reiterated that Council had to indicate its intent as to whether it would remain a member by 31 May; however it would not know until June if other members had withdrawn.

Responding to Mrs Paton's comments, Mr Law acknowledged the political point made in relation to GST. With regard to depreciation funds, these were used for asset renewals, not for disasters. Council deliberately did ensure it had \$5-10m in cash available in case of an emergency, to be used prior to accessing insurance.

Also responding to Mrs Paton's remarks, Mr Clapperton said with regard to GST and whether GST on rates should be coming back to Council or whether the GST component should be distributed back at a local level, that would be a conversation at a national level. Council did have a contingency or reserve fund set aside in the case of an emergency, but that was separate to depreciation.

It was confirmed that should Council withdraw from LAPP any monies paid in would remain in the LAPP Trust. With regard to the sustainability of the LAPP should other member Councils withdraw, it was noted that the LAPP Trust Board had recognised the issue and were looking at reviewing its structure.

Because Council would not know until June how many Councils would remain LAPP members, Option 2 had been recommended to keep Council's options open.

MOVED by Mayor Feyen, seconded Cr Mitchell:

*THAT Report 18/144 Council's Options for Insuring Below-ground Infrastructural Assets be received.*

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

*THAT the Finance, Audit & Risk Subcommittee recommends to Council to give notice of potential withdrawal from LAPP by 30 April 2018, reserving a decision until it becomes clear about what the LAPP Trustees will do regarding the future*

*Insurance product.*

*THAT the Finance, Audit & Risk Subcommittee recommends that Council delegates the final decision on the withdrawal from LAPP to the Finance, Audit and Risk subcommittee at its meeting of 18 April 2018.*

**CARRIED**

## **7.2 Health & Safety – Quarterly Report**

### **Purpose**

To provide an update to Elected Members on health and safety matters at Horowhenua District Council for the previous four months.

Ms Dallinger spoke to the report and responded to Members' queries on the data provided.

MOVED by Mayor Feyen, seconded Cr Mitchell:

*THAT Report 18/108 Health & Safety - Quarterly Report be received.*

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

**CARRIED**

## **7.3 Infrastructure Projects Update**

### **Purpose**

To provide the Finance, Audit & Risk Subcommittee with an update on projects being undertaken by the Infrastructure Projects team.

Noting a date correction (2017 should read 2018) on page 25, Projects Manager, Mr O'Neill, gave his usual PowerPoint update on the various projects in train and responded to Members' queries.

The difference in Capital Expenditure actual to budget as noted in the graphs in the Eight Month financial report was raised and discussed. It was requested that more definitive information on project spending in relation to budget be brought to the May FARS meeting.

MOVED by Cr Mitchell, seconded Cr Mason:

*THAT Report 18/131 Infrastructure Projects Update be received.*

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

**CARRIED**

## **7.4 Risk Management Update**

### **Purpose**

To provide an update on progress and milestone achievements since adoption of the Horowhenua District Council Risk Policy Version 1.9.

Mrs Brady and Mr McLachlan joined the table with Mr McLachlan noting the highlights outlined in the report.

MOVED by Mr Jones, seconded Cr Gimblett:

*THAT Report 18/149 Risk Management Update be received.*

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

**CARRIED**

Mayor Feyen recorded his ABSTENTION from voting.

## **7.5 Electric Vehicle Charging Stations Opportunity**

### **Purpose**

To seek Council interest and support for Council to take part in a combined funding bid to the Energy Efficiency and Conservation Authority (**EECA**) Low Emission Vehicles Contestable Fund (**LEVCF**). A successful bid will enable the installation of Electric Vehicle (**EV**) charging infrastructure in the Horowhenua district. This involves:

- partnering in this proposal with Kapiti Coast District Council and Electra; and
- a combined bid, with 70% (or more) of the cost of the charging infrastructure to be met by EECA and Electra.

Speaking to this item, Mr Wood explained that this report had fallen to him because of his previous role in energy procurement. This matter was being brought to the FAR Subcommittee because submissions were due on 11 April and the next Council meeting was not scheduled until 18 April.

Outlining the proposal, which had changed slightly since the report had been written, Mr Wood gave a PowerPoint presentation providing more detail. The new proposal would see Chargenet NZ Ltd, joining with KCDC, HDC and Electra in making a joint application with Council's proposed contribution reducing from 30% to 20%. The PowerPoint presentation covered:

- the new proposal;
- the location of charging stations throughout the North Island;
- climate change opportunities;
- opportunities for emissions reduction in transport;
- details of the Low Emissions Vehicles Contestable Fund;
- data on the current EV fleet size.

Mr Wood then responded to questions which covered more detail with regard to the proposed partnership; costs and expenses; possible income stream(s) for Council; suitability of the locations proposed (with Levin not included as New World in Levin was installing a charging station); what other Councils were doing, with KCDC having invited Council to join with it as it covered the Electra region; any economic development implications.

Mr Clapperton said he would request the Economic Development Manager to get involved and it would be something that would have political implications at a national rather than a local level and Council could have an advocacy role through LGNZ.

Following Councillors expressing their views, with the majority supporting the opportunity in principle, it was:

MOVED by Mayor Feyen, seconded Cr Gimblett:

*THAT Report 18/145 Electric Vehicle Charging Stations Opportunity be received.*

*THAT this decision is recognised as not significant in terms of S76 of the Local Government Act.*

*THAT the Finance, Audit & Risk Subcommittee recommends to the Horowhenua*

*District Council that it makes a joint application to the Energy Efficiency and Conservation Authority (EECA) for funding to install Electric Vehicle charging stations in the Horowhenua District.*

*THAT the car park of the Shannon Railway Station may be utilised for the installation of up to four Electric Vehicle charging stations (subject to a grant being approved by EECA).*

*THAT Wharf Street, Foxton, may be utilised for the installation of up to four Electric Vehicle charging stations (subject to a grant being approved by EECA).*

*THAT Council contributes \$40,000 towards the installation of Electric Vehicle charging stations in Foxton and Shannon.*

**CARRIED**

Deputy Mayor Bishop recorded his vote AGAINST the motion.

## **7.6 Eight Month Report 1 July 2017 – 28 February 2018**

### **Purpose**

To present to the Finance, Audit & Risk Subcommittee the financial report for the eight months to 28 February 2018.

Mr Law spoke to the report highlighting some of the improvements that had been made in terms of the information provided.

For the next FARS meeting, the Chair requested a report on expected debt by project.

MOVED by Cr Wanden, seconded Mr Jones:

*THAT Report 18/138 Eight Month Report 1 July 2017 - 28 February 2018 be received.*

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

**CARRIED**

## **7.7 Statement of Intent - LGFA**

### **Purpose**

This report introduces the Local Government Funding Agency (LGFA) Statement of Corporate Intent (SOI).

Commenting that LGFA had been set up primarily to reduce interest rates for local government, Mr Law noted that Council had been able to take advantage of that and had reduced its interest rates quite considerably.

Mr Jones said that there was no discussion of risk in the report and he would take that up with the Chair of the Shareholders' Council next week.

MOVED by Deputy Mayor Bishop, seconded Cr Mitchell:

*THAT Report 18/134 Statement of Intent - LGFA be received.*

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

*THAT the Finance, Audit & Risk Subcommittee receives the LGFA SOI on behalf of Horowhenua District Council.*

**CARRIED**

**7.8 LGFA Half Year Report December 2017**

**Purpose**

The purpose of this report is to introduce the Local Government Funding Agency (LGFA) half year report and the Shareholders Council 2<sup>nd</sup> quarter monitoring report.

MOVED by Cr Mitchell, seconded Cr Mason:

*THAT Report 18/141 LGFA Half Year Report December 2017 be received.*

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

**CARRIED**

**7.9 Monitoring Report – Issues Identified during the 30 June 2017 Audit**

**Purpose**

To provide the Finance, Audit & Risk Subcommittee with an update on projects being undertaken by the Infrastructure Projects team.

The Chair requested that due dates be included in the Report.

Mr Law advised that “Segregation of Duties” (page 133) had been discussed with Civica with regard to implementing the one up approval requested by Audit.

The process of ensuring that the recommendations were progressed in a timely and appropriate fashion was raised and discussed, with the Chair saying that if things were not moving forward quickly enough a discussion would be had with the Chief Executive to see there was a need to look at resourcing.

Following a comment from Mayor Feyen that he was encouraged to see that changes to the Conflicts of Interest Policy should be completed by 30 June 2018, Mr Jones queried if that would go straight to Council or would come back to the FAR Subcommittee.

Mr Clapperton responded that it would be a timing issue but a Policy of that nature would more likely go to Council.

MOVED by Cr Tukapua, seconded Cr Wanden:

*THAT Report 18/151 Monitoring Report - Issues Identified during the 30 June 2017 Audit be received.*

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

**CARRIED**

6.10 pm

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

CONFIRMED AS A TRUE AND CORRECT RECORD  
AT A MEETING OF THE FINANCE, AUDIT & RISK  
SUBCOMMITTEE HELD ON

**DATE:**.....

**CHAIRPERSON:**.....





# Proceedings of the Foxton Community Board 26 March 2018

File No.: 18/179

## 1. Purpose

To present to the Council the minutes of the Foxton Community Board meeting held on 26 March 2018.

## 2. Recommendation

- 2.1 That Report 18/179 Proceedings of the Foxton Community Board 26 March 2018 be received.
- 2.2 That the Council receives the minutes of the Foxton Community Board meeting held on 26 March 2018.

## 3. Issues for Consideration

There are no items that require further consideration by Council:

## 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)	David Clapperton Chief Executive	
Approved by	David Clapperton Chief Executive	

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# Foxton Community Board

## OPEN MINUTES

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Minutes of a meeting of the Foxton Community Board held in the Foyer, Te Awahou Nieuwe Stroom, 22 Harbour Street, Foxton, on Monday 26 March 2018 at 6.00 pm.

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### PRESENT

Chairperson	Mr D J Roache	
Deputy Chairperson	Ms P R Metcalf	
Members	Mr D A Allan	
	Cr N G Gimblett	
	Mr J F Girling	
	Miss M Davenport	(Student Appointee)

### IN ATTENDANCE

Reporting Officer	Mr D M Clapperton	(Chief Executive)
	Mr S Hester	(Parks & Property Lead North)
Meeting Secretary	Mrs K J Corkill	

### ALSO IN ATTENDANCE

Cr R J Brannigan

### PUBLIC IN ATTENDANCE

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

#### 1 Apologies

Apologies were recorded for Ms Lundie and Mayor Feyen.

MOVED by Cr Allan, seconded Cr Girling:

*THAT the apologies from Ms Lundie and Mayor Feyen be accepted.*

**CARRIED**

#### 2 Public Participation

Denise Cash	7.1	<u>Monitoring Report</u> 17/547 – Pump Track
Dave Thomson	7.1	<u>Monitoring Report</u> 14/32 - Sand Dune Management-Surf Club Car Park 17/38 - Foxton Beach Reserves Investment Plan

17/547 - Pump Track Installation at Holben Reserve  
17/614 - Foxton and Foxton Beach Bowling Club  
18/50 - Nash/Parade/Bond Street Improvement Project

Christine Paton	7.1	<u>Monitoring Report</u> 14/32 – Sand Dune Management – Surf Club Car Park 17/39 – Foxton Beach Reserves Investment Plan 17/154 – CE’s Report to 26 June 2017
	7.2	<u>Chief Executive’s Report</u> 3.4 – Foxton Beach Natural Hazards Working Party 3.7 – Foxton Beach Freeholding Account
	7.3	<u>Foxton &amp; Beach Bowling Club</u>
Rosalie Huzziff	7.1	<u>Monitoring Report</u> 16/59 – Foxton Cemetery 16/16 – King Canal and Purcell Street Stormwater
Anne Hunt	7.2	<u>Chief Executive’s Report</u> 3.2 – Foxton Horse Drawn Tram Options
Oriel Martin	7.3	<u>Foxton &amp; Beach Bowling Club</u>

### 3 Late Items

Cr Brannigan tabled a late item – Lighting of Foxton Beach Boat Launching Ramp and Surrounding Wharf Area – (a copy of which is included with the official minutes) requesting that the Board consider it with urgency citing the pending end of daylight saving, the onset of shorter days and longer nights raising concerns with regard to the safe use of the launching ramp and surrounding wharf area.

MOVED by Cr Allan, seconded Cr Girling:

*THAT the Item in relation to the Lighting of Foxton Beach Boat Launching Ramp and Surrounding Wharf Area be considered as a matter of urgency due to safety concerns.*

**CARRIED**

Cr Brannigan gave a background to the matter following an approach from the Manawatu Marine Boating Club and the Manawatu Coastguard unit regarding the lighting of the environs surrounding the boat launching ramp and wharf area at Hartley Street, Foxton Beach. The Board was requested to support the expenditure of an amount of \$10,000 from the Foxton Beach Freeholding Account to fund the installation of two street lamps in the area of the boat launching ramp, with ducting and cabling having been installed during extension works on the ramp, with there being no money in the Council Roading or Parks & Property budgets to undertake such work.

The matter was discussed in some detail in terms of:

- health and safety and whether there was in fact an issue of urgency,
- due process and how this request should be progressed;
- where the funding should be sourced from and whether there should be funding sought from Horizons;
- whether it was an appropriate use of Freeholding Account funds.

In terms of process, Mr Clapperton cited the recent allocation of funding to Nash Parade/Bond Street which had been slightly outside the normal process but had been considered because there had been the ability to attract NZTA funding. In the current instance, Mr Clapperton said he thought the Board could consider it with urgency on the health and safety

grounds raised. Council was also doing a lot of work in the District around improving street lighting, which included installing LED lights in Levin, which could provide the option of coinciding this project with that work. If this was not supported by the Board, as CE he would probably look at finding funding from another source. However, this would not be from Regional Council as the land was actually owned by DOC and administered by Council.

Whilst some ambivalence was expressed in terms of the process, but with Board Members generally expressing their support, it was:

MOVED by Cr Allan, seconded Cr Girling:

*THAT the sum of up to \$10,000.00 be sourced from the Foxton Beach Freeholding Account to fund the installation of two street lamps for lighting the Foxton Beach Boat launching ramp and wharf area.*

**CARRIED**

#### **4 Declaration of Interest**

There were no declarations of interest.

#### **5 Confirmation of Minutes**

MOVED by Ms Metcalf, seconded Mr Girling:

*THAT the minutes of the meeting of the Foxton Community Board held on Monday, 12 February 2018, be confirmed as a true and correct record.*

**CARRIED**

#### **6 Announcements**

##### Horowhenua District Council Update

In his update on behalf of Council, Mr Gimblett noted that the recent focus had been on the LTP and Council was nearing the end of the consultation phase. Consultation was also occurring on the Draft Waste Minimisation and Management Plan and Priority/Earthquake-prone buildings; and the Representation Review was coming up so there was quite a bit the community could get involved in. Other than that it was business as usual. He encouraged everyone to take a look at what was being consulted upon as it was the chance for people to have their say particularly as it could involve the expenditure of a considerable amount of money.

Mr Gimblett further commented that the Horizons Regional Council LTP included stormwater for Foxton which also involved a considerable amount of money but had the potential to solve the flooding issues for the Foxton area.

##### Update from the Board Chair

The Pump Track opening was commented on by Mr Roache, with he and the Mayor cutting the ribbon.

Following the meeting on Thursday evening with regard to the East Drainage Scheme, Mr Roache said he had been approached by a ratepayer on the issue. Because of the timeframe he had written to the CE about submitting on the matter, with a reply received from Mr Lester that Council would give consideration to late submissions, but only in relation to the East Drainage Scheme.

#### **6 Reports**

## 6.1 Monitoring Report to 26 March 2018

### Purpose

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

MOVED by Mr Allan, seconded Ms Metcalf:

*THAT Report 18/99 Monitoring Report to 26 March 2018 be received.*

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

**CARRIED**

### Public Participation

Speaking to Item 15/547 – Pump Track Installation at Holben Reserve – Mrs Denise and Dr Michael Cash strongly expressed their views not about the activity per se but about the location of the Pump Track which was situated about 20m from their front gate and what they saw as the lack of consultation with people in the vicinity. They said they wondered about the legality of it as whilst there had been some communication with the wider community, those living close by had not been notified. They questioned why the BMX track that was already there had not been used for this venture.

In response Mr Roache outlined the extensive consultation that had been undertaken, but said he took on board what had been said and in hindsight things could have been done differently. Going forward he would ensure there was more public notification prior to any project under the Foxtton Beach Investment programme being progressed.

Commenting in the first instance on the late item, Mr Dave Thomson said while it was a health and safety issue there was also concern that lighting could encourage freedom campers and that would need to be controlled.

Mr Roache responded to Mr Thomson's queries in relation to 14/32 – Sand Dune Management saying it was the entrance way into the car park that was a safety concern, and it was not the top of the sea wall that had been taken out but the sand in front of the Surf Club that had been levelled.

17/39 – Foxtton Beach Reserves Investment Plan – with the investment in the Pump Track, Mr Thomson said he was concerned about funding and queried if funds would run out shortly so that the rest of what was proposed would not be finished. On the track's location, Mr Thomson said he had assumed it would be near the BMX track and was surprised where it had been located. Mr Roache advised that funding had not yet been allocated to any other projects but there would be discussion before that occurred.

17/547 – Pump Track Installation at Holben Reserve – Mr Thomson raised where parents were standing at the track as a health and safety issue and suggested, if there was any money left, a platform for spectators could be placed on the outer perimeter. Also raised by Mr Thomson was drainage as the site did not seem to be draining well and some kind of fencing was needed around it.

Mr Thomson reiterated his stance on 17/614 – Foxtton and Beach Bowling Club, urging this be brought to a conclusion, particularly as Council had indicated its support, and he expressed concern that the contract for the Nash Parade/Bond Street Improvement Project (18/50) had been awarded to Higgins as he said they did not have a good track record.

Mrs Christina Paton spoke in relation to the following:

- 14/32 – Sand Dune Management – Surf Club Carpark – requesting a report from the Roding Manager on the entranceway to the carpark to come to the next FCB meeting as it was a health and safety issue;

Mr Roache clarified that the entrance in question was the vehicle access way. He had spoken with Messrs Nelson and Peel and they were going to check if there was a budget for the work. That would come back to the Board by way of a report.

- 17/39 – Foxton Beach Reserves Investment Plan – with the commencement date for this being 3 April 2017 a progress report was requested. Because of the amount of funding involved, Mr Clapperton said it justified having a separate quarterly report giving an update on the activity that had occurred and what required consultation.

- 17/39 – New Whirokino Bridges – a name at NZTA was requested for an independent member of the public or independent group to see if the requested meeting could be progressed.

Mr Clapperton outlined the challenges identifying a suitable person at NZTA due to them having recently undergone a restructure. He said he would make a further phone call tomorrow to see if he could elicit a name.

Mrs Rosalie Huzziff said that while she was very pleased with the progress made at the Foxton Cemetery (Item 16/59) there had not been much detail provided and she was concerned at what was proposed in terms of contouring as it could cause problems for adjacent houses and issues for the future of the cemetery.

Mr Roache explained that any water would not drain into silt but into sand country. In terms of the next stage of the cemetery, that was something that needed to be discussed.

Speaking in some detail to 16/16 – Kings Canal and Purcell Street Stormwater – Mrs Huzziff gave a background to the Foxton flooding issue which had gone on for many years and suggested possible solutions, such as purchasing portable pumps and increasing the size of the culverts under State Highway 1.

Mr Roache advised that the Board was making a submission to the LTP for funding which should be more than sufficient to address the issue using the existing drain. At a recent meeting, Mr Foxall from the Regional Council had advised that the drain was mechanically cleaned and sprayed twice a year. It was also suggested that if anyone saw that there had been items dumped in the drain they should advise the appropriate people.

Page 10 16/341 – Foxton River Loop Working Party – responding to a query from Ms Metcalf who had been unable to attend the recent meeting, Mr Girling gave an update saying that at the moment two possible programmes were being worked on: opening a new cut, and a resource consent to open the old loop.

The other action was being taken by SORT. SORT had been talking to the Minister for Regional Development, who had asked them to develop a business plan. The Minister had also indicated he was interested in supporting the opening of the river loop. SORT was currently sourcing funding to prepare a plan to give to the Minister.

17/39 – Foxton Beach Reserves Investment Plan – Mr Roache said a time to go over the plan would be organised once the LTP, Representation Review, etc, had been concluded.

Page 12 18/50 – Nash Parade/Bond Street Improvement Project – having listened to the earlier conversation around the Pump Track and process, Mr Clapperton raised that fact that there had been no consultation around the detailed design work for this project. He sought guidance from the Board if work should be suspended until consultation had occurred.

After discussion, it was noted that it was not an appropriate comparison in terms of the type of project, and there had also been the NZTA subsidy for the Bond Street/Nash Parade project that had to be taken into consideration, Board Members indicated that while they supported information sharing, they were not keen on having the project delayed and

were happy with the status quo.

In terms of Higgins doing the work and possible delays, Mr Clapperton advised that it was a crew from Palmerston North, not Levin, that was undertaking the work.

## 6.2 Chief Executive's Report to 26 March 2018

### Purpose

To present to the Foxton Community Board, for information, issues relating to the Foxton Community Board area.

MOVED by Mr Girling, seconded Cr Gimblett:

*THAT Report 18/100 Chief Executive's Report to 26 March 2018 be received.*

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

**CARRIED**

### Public Participation

Mrs Anne Hunt, a previous Chair of the Society, spoke to the Foxton Horse Drawn Tram Options Report giving a comprehensive background to the iconic attraction which had been operating in Foxton for nearly 30 years, having been opened by Annette King in 1989. She noted the original proposal for Foxton Main Street had intended to capitalise on Foxton's heritage, with there having been a horse drawn tram running in the town in the 1870s. Having read the report, Mrs Hunt said she was disappointed that it did not appear that the Horse Drawn Tram people were being listened to or their needs taken into account.

Mr Girling said he was a member of the Horse Drawn Tram group, which had passed a motion to approach the Wildlife Foxton Trust about taking over the management of the tram as Jim White had indicated he no longer wished to drive the tram and others were also looking to withdraw. He was aware that there had been discussions with Council about access through Ravensworth Place and smooth concrete.

In terms of consultation, Mr Roache said there had been a number of occasions when Cathy McCartney had had discussions with Mr White, and he also had had discussions with the group. However, he was very much in agreement that the attraction should not be lost.

### 3.2 Foxton Horse Drawn Tram Options

Council's Parks & Property Lead North, Sean Hester, spoke to the report saying he had come in quite late in the piece in terms of the landscape design. He had been alerted to the problem of one of the horses slipping and had met with Mr White on site to see how he had been operating and to work with him in terms of the options. He had also consulted with members of the roading team to get the wider picture of the whole operation.

Mr Hester outlined the three options, with the Board discussing these. To progress the matter it was:

MOVED by Cr Allan, seconded Cr Metcalf:

*THAT representatives from the Horse Drawn Tram Society be invited to present at the next Foxton Community Board meeting on their preferred option with their reasons.*

**CARRIED**

### 3.3 Foxton Main Street Trees

With a survey of shop owners/operators being 5 to 3 in favour of the elm trees remaining, Mr Hester sought the Board's view. With regard to a concern expressed about the trees' root systems and if they could cause a problem, Mr Hester said he had spoken to the Roading Team and with their knowledge of the trees, they did not think there would be an issue. He further noted the trees had been chosen by Boffa Miskell because they were quite upright and provided a boulevard effect.

MOVED by Cr Allan, seconded Cr Metcalf:

*THAT the Foxton Community Board was in favour of the elm trees in Foxton Main Street remaining.*

**CARRIED**

### 3.5 Foxton Beach Natural Hazards Working Party

Mrs Paton sought clarification if in fact this was in relation to the Foxton Beach Coastal Hazards Working Party and querying why there was not a report from the meeting on 19 March 2018, stressing the importance of reporting on what was an important matter that affected the very existence of Foxton Beach.

### 3.7 Foxton Beach Freeholding Account

Mrs Paton sought clarification as to why 160 Forbes Road properties were not rated for wastewater until four years ago and who had made up the deficit. This was a matter that had been brought to her attention recently. Mr Clapperton said he would make enquiries and provide a response.

### 3.6 Earth Day – 22 April 2018, Plastic Pollution

This was discussed, and while the Board expressed its support for Earth Day and individual members could participate, there were some of the items sought that the Board was not in a position to provide. It would, however, request Council to assist with advertising in local papers, including it on Council's website and also on social media.

MOVED by Mr Girling, seconded Mr Allan:

*THAT the Foxton Community Board places on record its support for Earth Day – 22 April 2018.*

**CARRIED**

## 6.3 **Foxton and Beach Bowling Club**

### **Purpose**

For the Foxton Community Board to consider the allocation of \$200,000 from the Foxton Beach Endowment Fund (aka the Foxton Beach Freeholding Account) to the Foxton and Beach Bowling Club Inc (FBBC) to enable work to proceed on the construction of an artificial bowling green and remedial works to the FBBC carpark.

MOVED by Cr Gimblett, seconded Mr Girling:

*THAT Report 18/147 Foxton and Beach Bowling Club be received.*

*THAT this decision is recognised as not significant in terms of S76 of the Local Government Act.*

**CARRIED**

### Public Participation

Noting the 50% limit on how much could be paid out in a grant from the Foxton Beach Endowment Fund, Mrs Paton requested that the relevant statute law to that effect be supplied.



Mr Roache responded that this was not covered by statute, but it was in the Policy approved by the Board and sanctioned by Council when the Policy had been adopted.

Speaking on behalf of the Foxton and Beach Bowling Club, Mr Oriel Martin confirmed that the information contained in the report was correct. He did understand that only 50% of what was applied for could be granted; however there had been a quote from the contractor and the price had increased and the new amount would be \$164,869.50 (not \$153,000).

Ms Metcalf, noting the fact that the Club finances would be tight, but the Club had had an increase in membership which would enable them to have more activities and fund raising opportunities, queried if the Club had enough money to cover the difference. Mr Martin responded that it would push the building programme back a little bit.

In moving the recommendation to proceed with formal consultation, Mr Gimblett acknowledged the excellent Business Case that had been provided to support the application. It was an excellent example for anyone to use should they wish to utilise funds from the Freeholding Account in the future.

Mr Clapperton also confirmed that the time frames provided by Mr Martin for the project should work in with the consultation process.

MOVED by Cr Gimblett, seconded Mr Allan:

*THAT the Foxton Community Board agrees to proceed with a formal consultation with the Foxton Beach community regarding a \$164,869.50 grant from the Foxton Beach Endowment Fund (FBEF) to the Foxton and Beach Bowling Club..*

**CARRIED**

#### **6.4 Resource Consenting (Planning) Matters Considered Under Delegated Authority**

##### **Purpose**

To present details of decisions made under delegated authority in respect of Resource Consenting (Planning) Matters.

MOVED by Mr Allan, seconded Mr Girling:

*THAT Report 18/146 Resource Consenting (Planning) Matters Considered Under Delegated Authority be received.*

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

**CARRIED**

8.20 pm

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

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

**DATE:**.....

**CHAIRPERSON:**.....



# Proceedings of the Strategy Committee 4 April 2018

File No.: 18/187

## 1. Purpose

To present to the Council the minutes of the Strategy Committee meeting held on 4 April 2018.

## 2. Recommendation

- 2.1 That Report 18/187 Proceedings of the Strategy Committee 4 April 2018 be received.
- 2.2 That the Council receives the minutes of the Strategy Committee meeting held on 4 April 2018.
- 2.3 That, as recommended by the Strategy Committee, the Horowhenua District Council approves the submission to the New Zealand Transport Agency on the Otaki to North of Levin (O2NL) Wellington Northern Corridor Project.

## 3. Issues for Consideration

### Growth Response Projects Update

The Strategy Committee passed the following resolution for which Council's approval is sought:

*THAT the Strategy Committee recommends to the Horowhenua District Council that it approves the submission to the New Zealand Transport Agency on the Otaki to North of Levin (O2NL) Wellington Northern Corridor Project.*

## 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)	David Clapperton <b>Chief Executive</b>	
Approved by	David Clapperton <b>Chief Executive</b>	

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# Strategy Committee

## OPEN MINUTES

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Minutes of a meeting of the Horowhenua District Council Strategy Committee held in the Council Chambers, 126-148 Oxford St, Levin, on Wednesday 4 April 2018 at 4.00 pm.

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### PRESENT

<b>Mayor</b>	Mayor M Feyen	
<b>Deputy Chairperson</b>	Cr V M Kaye-Simmons	(to 6.25 pm)
<b>Councillors</b>	Deputy Mayor W E R Bishop	
	Cr R J Brannigan	
	Cr R H Campbell	
	Cr N G Gimblett	
	Cr B F Judd	
	Cr J F G Mason	
	Cr C B Mitchell	
	Cr P Tukapua	
	Cr B P Wanden	

### IN ATTENDANCE

<b>Reporting Officer</b>	Mr D M Clapperton	(Chief Executive)
	Mr D Law	(Chief Financial Officer)
	Mr G Saidy	(Group Manager – Infrastructure Services)
	Mr M J Lester	(Group Manager – Corporate Services)
	Mr D McCorkindale	(Group Manager – Strategy & Development)
	Mrs N Brady	(Group Manager – Customer & Regulatory Services)
	Ms S Grant	(Group Manager – Community Services)
	Mr D Haigh	(Growth Response Manager)
	Mr I McLachlan	(Risk Management Lead)
<b>Meeting Secretary</b>	Mrs K J Corkill	

### ALSO IN ATTENDANCE

Mr R Fowler, QC (Barrister)

### PUBLIC IN ATTENDANCE

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

## 1 Apologies

There were no apologies.

## 2 Public Participation

None requested.

## 3 Late Items

Whilst not specifically a late item, Mr Clapperton tabled the Draft Policy Statement on Land Transport and this was noted for the record.

## 4 Declaration of Interest

Mr Clapperton advised that as the In Committee Item was in relation to the Chief Executive Recruitment Process he would be withdrawing from the meeting at that juncture.

## 5 Confirmation of Minutes – 28 February 2018

MOVED by Cr Campbell, seconded Cr Mason:

*THAT the minutes of the meeting of the Strategy Committee held on Wednesday, 28 February 2018, be confirmed as a true and correct record.*

**CARRIED**

## 6 Announcements

There were no announcements.

## 7 Executive

### 7.1 LGNZ Remit Application - Process for appointing the Deputy Mayor

#### Purpose

To canvas the Committee as to its support for the attached Remit Application to the Local Government New Zealand (LGNZ) 2018 Annual General Meeting.

MOVED by Cr Campbell, seconded Cr Brannigan:

*THAT Report 18/172 LGNZ Remit Application - Process for appointing the Deputy Mayor be received.*

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

**CARRIED**

Mayor Feyen moved the recommendation seeking the Strategy Committee's endorsement of a remit application to LGNZ to clear up what he saw as a very confusing section of the Local Government Act. He stressed it was not about changing the current Deputy Mayor for this current term but he was looking to clear up a mixed message from the legislation (LGA, s41A) as it was now worded. He cited what had occurred in the past with the previous Mayor having appointed his Deputy, and as a new Mayor he would have liked the ability to choose as his deputy someone with whom he had an existing relationship.

Other Mayors with whom he had discussed this also felt it was confusing and he believed it should be cleared up by a higher power (Central Government) rather than relying on advice from one legal firm.

The following was raised in discussion:

- it would be helpful to have a definitive response and to have any ambiguity in the legislation removed;
- there had been legal advice that the legislation was quite clear and should not be used in a circular way; however it was also noted that legal advice from a different law firm may have been to the contrary;
- the Minister of Local Government had said there was not a problem;
- this was not, in fact, a grey area, the legislation was quite clear and had operated as intended;
- the role of Deputy Mayor was important and the incumbent needed to be palatable to the Council as a whole, not just the Mayor;
- the legislation had been put in place by Government to allow a democratic decision to be made, which is what had occurred.

MOVED by Mayor Feyen, seconded Cr Campbell:

*THAT the Strategy Committee endorses the attached draft LGNZ Remit Application – Process for appointing the Deputy Mayor for submission to LGNZ as per their Remit Policy.*

A division was called for, voting on which was as follows:

**For:**

Mayor: Michael Feyen  
Councillors: Ross Campbell  
Neville Gimblett

**Against:**

Deputy Mayor: Wayne Bishop  
Councillors: Ross Brannigan  
Barry Judd  
Victoria Kaye-Simmons  
Joanna Mason  
Christine Mitchell  
Piri-Hira Tukapua  
Bernard Wanden

The division was declared LOST by 3 votes to 8.

## **7.2 LGNZ Remit Application - Review of Māori Representation - Local Electoral Act 2001**

### **Purpose**

The purpose of this report is to canvas the Committee as to its support for the attached Remit Application to the Local Government New Zealand (LGNZ) 2018 Annual General Meeting.

MOVED by Cr Tukapua, seconded Cr Brannigan:

*THAT Report 18/174 LGNZ Remit Application - Review of Māori Representation - Local Electoral Act 2001 be received.*

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

**CARRIED**

Speaking to this report, Cr Tukapua requested that recommendation 2.4 be addressed first as it was straightforward and was seeking support for the removal of the poll for Māori wards and constituencies as set out in the letter provided.

With only Cr Campbell expressing his opposition to the recommendation, it was:

MOVED by Cr Tukapua, seconded Cr Wanden:

*THAT the Horowhenua District Council supports LGNZ's request to the Coalition Government to remove the provision for the public to demand a poll on Māori wards and constituencies.*

A division was called for, voting on which was as follows:

**For:**

Mayor: Michael Feyen  
Deputy Mayor Wayne Bishop  
Councillors: Ross Brannigan  
Neville Gimblett  
Barry Judd  
Victoria Kaye-Simmons  
Joanna Mason  
Christine Mitchell  
Piri-Hira Tukapua  
Bernard Wanden

**Against:**

Councillor: Ross Campbell

The division was declared CARRIED by 10 votes to 1.

Saying she did not believe one size fitted all and she was seeking to bring about an innovative solution to enable fair and equitable Māori representation in local government, Cr Tukapua expressed the hope that the proposed remit might assist in coming up with something.

MOVED by Cr Tukapua, seconded Cr Gimblett:

*THAT the Strategy Committee endorses the attached draft LGNZ Remit Application – Review of Māori Representation within the Local Electoral Act 2001.*

**CARRIED UNANIMOUSLY**

Mr Clapperton provided some process clarification noting that there was a further step before this would go to Local Government New Zealand. It needed to be adopted by a Zone meeting or by five other Councils. It could be presented at the Zone 3 meeting on 19-20 April, with those attending then having to seek the response from their Council; or it could be circulated and responses sought by email.

## **8 Strategy and Development**

### **8.1 Growth Response Projects Update**

#### **Purpose**

To provide a status update on the Growth Response work programme with a focus on providing up to date information on current key projects and planning.

MOVED by Mayor Feyen, seconded Deputy Mayor Bishop:

*THAT Report 18/169 Growth Response Projects Update be received.*

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

**CARRIED**

Growth Response Manager, Mr Haigh, requested that the report be taken as read and he took the opportunity to thank Elected Members and Officers for their input into the feedback to the Transport Agency on the O2NL project.

Noting the new information that had not been available prior to the NZTA feedback being compiled, Mr Clapperton commented on the draft 10 Year Policy Statement on Land Transport that had been released by government yesterday and tabled earlier in the meeting.

Mr Clapperton outlined some of the changes in strategic focus from the previous GPS and what that could mean for NZTA in its planning and for Council in terms of its own transport programme and the O2NL project. Council needed to be cognisant of what the impact might be going forwarded.

A further recommendation was proposed seeking Council's approval of the submission to NZTA.

MOVED by Deputy Mayor Bishop, seconded Cr Wanden:

*THAT the Strategy Committee recommends to the Horowhenua District Council that it approves the submission to the New Zealand Transport Agency on the Otaki to North of Levin (O2NL) Wellington Northern Corridor Project.*

**CARRIED UNANIMOUSLY**

## **9 Procedural motion to exclude the public**

MOVED by Deputy Mayor Bishop, seconded Cr Kaye-Simmons:

*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 Chief Executive Recruitment Process - Update**

<i>Reason for passing this resolution in relation to each matter</i>	<i>Particular interest(s) protected (where applicable)</i>	<i>Ground(s) under section 48(1) for the passing of this resolution</i>
<i>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 6 and 7.</i>	<i>s6(a) - The making available of the information would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences and the right to a fair trial. s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.</i>	<i>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 6 and 7.</i>



	<p>s7(2)(c)(i) - The withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information or information from the same source and it is in the public interest that such information should continue to be supplied.</p> <p>s7(2)(d) - The withholding of the information is necessary to avoid prejudice to measures protecting the health and safety of members of the public.</p> <p>s7(2)(f)(ii) - The withholding of the information is necessary to maintain the effective conduct of public affairs through the protection of such members, officers, employees and persons from improper pressure or harassment.</p>	
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**AND FURTHER**

*THAT Mr Richard Fowler, QC, be invited to remain in the meeting to provide legal advice, and Mr Lester and Mrs Corkill to remain to provide governance advice and secretarial support.*

The text of these resolutions is made available to the public who are present at the meeting and form part of the minutes of the meeting.

**CARRIED**

5.20 pm      The public were excluded.

Resolutions in relation to the confidential items are recorded in the confidential section of these minutes and are not publicly available.

6.37 pm

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

CONFIRMED AS A TRUE AND CORRECT RECORD  
AT A MEETING OF THE STRATEGY COMMITTEE  
HELD ON

**DATE:**.....

**CHAIRPERSON:**.....



# Proceedings of the Community Funding & Recognition Committee 5 April 2018

File No.: 18/204

## 1. Purpose

To present to the Council the minutes of the Community Funding and Recognition Committee meeting held on 5 April 2018.

## 2. Recommendation

- 2.1 That Report 18/204 Proceedings of the Community Funding & Recognition Committee 5 April 2018 be received.
- 2.2 That the Council receives the minutes of the Community Funding and Recognition Committee meeting held on 5 April 2018.
- 2.3 That the following matters or decisions be recognised as not significant in terms of s76 of the Local Government Act 2002.
- 2.4 That the Horowhenua District Council ratifies the Community Consultation Grants as follows:

Waitarere Beach Progressive & Ratepayers Assn	\$391.00
Waikawa Beach Ratepayers Association	\$422.00
	<b>\$813.00</b>

- 2.5 That the Horowhenua District Council ratifies the Community Development Grants as follows:

Adult Day Care	\$2,500.00
Waitarere Beach Progressive & Ratepayers Assn.	\$4,000.00
iHow Charitable Trust	\$2,100.00
Whenua Fatales	\$520.00
Parkinsonism Society Kapiti/Horowhenua Inc	\$1,500.00
Waiopahu College	\$1,565.00
Arohamai Literacy Horowhenua Inc	\$1,886.00
Age Concern Horowhenua	\$2,468.50
Teen Zone Levin and Horowhenua Special Needs Network	\$1,828.00
Samaritans of Horowhenua	\$1,596.00
Kotuku Sea Scout Group	\$1,400.00
National Museum of Audio Visual Arts and Sciences	\$3,800.00
Waitarere Beach Playgroup	\$350.00
HALT	\$3,000.00
Horowhenua Historical Society	\$1,212.00
Foxton Historical Society	\$1,000.00
	<b>\$30,726.00</b>

2.6 That the Horowhenua District Council ratifies the Vibrant Communities Grant as follows:

Community Felt Installation	\$4,000.00
Horowhenua Kids, Teen and Family Trust	\$4,000.00
Horowhenua Taste Trail	\$2,000.00
	<b>\$10,000.00</b>

2.7 That the Horowhenua District Council ratifies the International Representation Grant as follows:

Wander's Masters Netball	\$500.00
	<b>\$500.00</b>

### 3. Issues for Consideration

Ratification of the Community Consultation, Community Development, Vibrant Communities and International Representation Grants is sought.

### 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)	Sophie Parrant <b>Community Development Advisor</b>	
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Approved by	Samantha Hutcheson <b>Community and Youth Development Lead</b>	
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# Community Funding and Recognition Committee

## OPEN MINUTES

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Minutes of a meeting of Community Funding and Recognition Committee held in the Horowhenua Room, 126-148 Oxford St, Levin, on Thursday 5 April 2018 at 3:00pm.

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### PRESENT

**Chair** Cr N G Gimblett  
**Councillors** Cr R H Campbell  
Cr J F G Mason  
Cr B P Wanden

### IN ATTENDANCE

Miss S Parrant (Youth Development Advisor)  
Ms S Hutcheson (Community & Youth Development Lead)  
Ms G Forouzandeh (Youth Development Advisor)  
**Meeting Secretary** Miss S Bowling

#### 1 Apologies

Apologies were recorded for Cr P Tukapua.

#### 2 Declarations of Interest

Cr B Wanden – Board member of Arohamai Literacy Group  
Cr J Mason – sits on same board as the iHow Charitable Trust applicant

#### 3 Confirmation of Minutes

MOVED by Cr Mason, seconded Cr Campbell:

*THAT the minutes of the meeting of the Community Funding and Recognition Committee held on Wednesday, 17 October 2017, be confirmed as a true and correct record.*

**CARRIED**

The Chair advised that discussions with local college principals with regard to the criteria for Tertiary Scholarships had taken place and they were of the opinion that students outside of area should be eligible.

The committee would discuss further as to whether or not to retain the current criteria.

Round table introductions were made.

#### 4 Consultation of Community Consultation Grants

Officers spoke to the applications submitted and the recommendations made, answering questions from the committee.

Miss Parrant highlighted the recommendation that the Adult Day Care application be more appropriately funded via the Community Development Grant.

MOVED by Cr Gimblett, seconded Cr Wanden:

*THAT the final allocations of the Community Consultation Grants be as follows:*

<i>Waitarere Beach Progressive &amp; Ratepayers Assn.</i>	<i>\$391.00</i>
<i>Waikawa Beach Ratepayers Association</i>	<i>\$422.00</i>
<i>Manakau District Community</i>	<i>\$0.0</i>
	<i>\$813.00</i>

**CARRIED**

#### 5 Consultation of Community Development Grants

Officers spoke to the applications submitted and the recommendations made, answering questions from the committee.

Miss Parrant highlighted the recommendation that the Horowhenua Taste Trail application was more appropriately funded via the Vibrant Communities Grant.

MOVED by Cr Mason, seconded Cr Wanden:

*THAT the final Community Development Grant allocations be as follows:*

<i>Adult Day Care</i>	<i>\$2,500.00</i>
<i>Project Litfoot Trust</i>	<i>\$0.0</i>
<i>Waitarere Beach Progressive &amp; Ratepayers Assn.</i>	<i>\$4,000.00</i>
<i>iHow Charitable Trust</i>	<i>\$2,100.00</i>
<i>Parenting Place</i>	<i>\$0.0</i>
<i>Whenua Fatales</i>	<i>\$520.00</i>
<i>Parkinsonism Society Kapiti/Horowhenua Inc</i>	<i>\$1,500.00</i>
<i>Waiopahu College</i>	<i>\$1,565.00</i>
<i>Arohamai Literacy Horowhenua Inc</i>	<i>\$1,886.00</i>
<i>Age Concern Horowhenua</i>	<i>\$2,468.50</i>
<i>Teen Zone Levin and Horowhenua Special Needs Network</i>	<i>\$1,828.00</i>
<i>Samaritans of Horowhenua</i>	<i>\$1,596.00</i>
<i>Kotuku Sea Scout Group</i>	<i>\$1,400.00</i>
<i>Horowhenua Taste Trail</i>	<i>\$0.0</i>
<i>National Museum of Audio Visual Arts and Sciences</i>	<i>\$3,800.00</i>
<i>Waitarere Beach Playgroup</i>	<i>\$350.00</i>
<i>HALT</i>	<i>\$3,000.00</i>
<i>Horowhenua Historical Society</i>	<i>\$1,212.00</i>
<i>St Marys Scout Group</i>	<i>\$0.0</i>
<i>Foxton Historical Society</i>	<i>\$1,000.00</i>
	<i>\$30,726.00</i>

**CARRIED**

## 6 Consultation of Vibrant Communities Grant

Officers spoke to the applications submitted and the recommendations made, answering questions from the committee.

A new approach introduced this year, applicants were given the opportunity to present to the committee in addition to their document application. The following applicants presented to the committee: John Girling, Gordon Thompson, and Bergit Moffatt.

MOVED by Cr Wanden, seconded Cr Campbell:

*THAT the final allocations of the Vibrant Communities Grants be as follows:*

<i>Gordon Thompson</i>	<i>\$0.0</i>
<i>Wildlife Foxtan Trust</i>	<i>\$0.0</i>
<i>Community Felt Installation</i>	<i>\$4,000.00</i>
<i>Horowhenua Kids, Teen and Family Trust</i>	<i>\$4,000.00</i>
<i>Horowhenua Taste Trail</i>	<i>\$2,000.00</i>
	<i>\$10,000.00</i>

**CARRIED**

Prior to the Vibrant Communities Grants applicants presenting, discussion was had around increasing the funding allocation for the Community Development Grant. Consensus that the grant be increased to \$100K (from \$73619), in recognition of the district's community and the outstanding work they do.

Miss Parrant would email the criteria to the committee to allow review and further discussion at next Community Funding and Recognition Committee meeting.

Miss Parrant raised with the committee, consideration around a new heritage fund which she saw as an easy win for this sector, proposing an allocation of \$5K specifically for heritage and associated events. More thought will be given around this proposal and draft report compiled for the next meeting.

General discussion was had around the administrative process with this round of grants. The committee agreed the process this time was very helpful; with the suggestion that going forward it would be beneficial to have the opportunity to ask questions to the officers prior to the meeting, thereby only making decisions on any variances at the meeting itself.

Despite the current template used being intensive for the officers to complete, the committee said the template holds value for them – the level of detail being appropriate for the purpose and is transparent.

## 7 Consultation of International Representation Grant

Officers spoke to the applications submitted and the recommendations made, answering questions from the committee.

MOVED by Cr Mason, seconded Cr Wanden:

*THAT the final allocation of the International Representation Grant be as follows:*

<i>Wander's Masters Netball</i>	<i>\$500.00</i>
	<i>\$500.00</i>

**CARRIED**

Discussion was had around the funding budget for the International Representation Grant. The decision was to not increase the agreed allocations at this stage but to consider increasing the funding budget next year.

Consensus that it was timely for the committee to review and reconsider the levels before the end of the financial year; including allocations for the individual grants which were considered particularly low, suggesting an increase by 50 percent. Suggestion was also made that consideration be given to NZ being separated out from Australia/Pacific Islands (in light of e.g. passport requirements that would impact on the funding allocation). Funds could be redirected from elsewhere to this grant.

It was noted that historically there has been challenges spending the funding due to the small number of applications, with the belief that this was due to lack of awareness of the grant's existence and/or the amount of work required to complete an application.

Media communications would support and promote the grant, highlighting that it covers more than sports.

Miss Parrant would prepare a report to go to council with a recommendation that in the new financial year the funding levels be increased as per the committee's decisions.

In preparing the report the following directions were provided by the committee: increase the grant to \$10K; increase each allocation to maximum by 50% with exception of the NZ area which is separated from Australia/Pacific Islands retaining the same level of funding (noting that coaches are same as individual); and a name rebrand that is more definitive e.g. international cultural and sport representation grant.

The committee suggested highlighting in the report that an applicant must be a living in the district; adding that the preference would be for the sport to be located in the community but that the committee has discretion around this (citing that a winter sport such as skiing could only be conducted outside of the district).

The committee was also eager to have previous grant recipients invited to speak to full Council to celebrate their successes.

## **8 Update on the external funding we administer – Sophie Parrant**

Miss Parrant highlighted that Creative Communities and Shannon Community Development Trust had both opened in March and will be considered late April by their respective committees.

## **9 Outstanding Volunteer Efforts**

Miss Parrant requested that the committee give ongoing thought to volunteer efforts for the purpose of timeliness around Civic Honours awards.

5:15 pm

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

CONFIRMED AS A TRUE AND CORRECT RECORD  
AT A MEETING OF THE COMMUNITY FUNDING  
AND RECOGNITION COMMITTEE HELD ON

**DATE:**.....

**CHAIRPERSON:**.....



# Monitoring Report to 18 April 2018

File No.: 18/148

## 1. Purpose

To present to Council the updated monitoring report covering requested actions from previous meetings of Council.

## 2. Recommendation

- 2.1 That Report 18/148 Monitoring Report to 18 April 2018 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	Horowhenua District Council Monitoring Report	42

### 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)	David Clapperton Chief Executive	
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Approved by	David Clapperton Chief Executive	
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MONITORING REPORT							
HOROWHENUA DISTRICT COUNCIL							
Item No.	Meeting Date	Item Description	Resolved / Action	Responsible Officer	Date to Action by	Date Completed	Officer Comment
14/585	2 July 2014	District Plan: Plan Change Timing	<p><i>THAT the preparation and processing by officers of the following plan changes to the District Plan be postponed from the 2014/15 financial year and be undertaken within 2015/16 financial year:</i></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> <i>Sites of Cultural Significance</i></li> <li><input type="checkbox"/> <i>Historic Heritage</i></li> <li><input type="checkbox"/> <i>Dunefields Assessment</i></li> <li><input type="checkbox"/> <i>Coastal Hazards.</i></li> </ul>	D McCorkindale			<p>Historic Heritage Plan Change 1 has publicly notified 3 November 2017. Submissions closed 5 December 2017. The Summary of Submissions will be notified in February 2018. Further Submissions (cross submissions) closed on 19 February 2018 with 6 further submissions received. Hearings are anticipated to be held in May.</p> <p>Paiaka Camp will be considered in the next (second) phase of heritage assessments subject to the agreement of the land owner for its inclusion. The second phase will commence after the first plan change has been completed. The</p>

MONITORING REPORT							
HOROWHENUA DISTRICT COUNCIL							
Item No.	Meeting Date	Item Description	Resolved / Action	Responsible Officer	Date to Action by	Date Completed	Officer Comment
							focus of this phase will be on the residential heritage features that were previously nominated.
17/574	27 November 2017	Proceedings of the Strategy Committee 8 November 2017	<i>THAT as recommended by the Strategy Committee, Horowhenua District Council sponsors the establishment of a charitable community trust with the Chief Executive mandated to provide appropriate advice and assistance as the Trust is established.</i>	D Clapperton			Currently working through establishment programme, including developing the partnership agreement which will outline the relationship between Council and the Trust.
17/582	27 November 2017	Notices of Motion – Reintroduction of Development and/or Financial Contributions	<i>THAT in light of the District's current and potential growth, discussion on the reintroduction of Development and/or Financial Contributions commences through the Strategy Committee at its December 2017 meeting.</i>	D Clapperton			December 2017 Strategy meeting was cancelled; therefore this item will be presented at a later date post Long Term Plan.
17/534	27 November 2017	Provisional Local Alcohol Policy –	<i>THAT Council resolves that the Hearings</i>	V Miller			Awaiting instruction from the Licensing

<b>MONITORING REPORT</b> <b>HOROWHENUA DISTRICT COUNCIL</b>							
Item No.	Meeting Date	Item Description	Resolved / Action	Responsible Officer	Date to Action by	Date Completed	Officer Comment
		Appeals	<i>Committee of Council be directed to act on behalf of Council on this matter as may be required following notification by the Licensing Authority.</i>				Authority following the lodgement of an appeal to the Local Alcohol Policy.
18/119	7 March 2018	Waste Minimisation and Management Plan – Draft Statement of Proposal	<p><i>THAT Horowhenua District Council resolves that the Special Consultative Procedure as required by s156(1) of the Local Government Act 2002 be used for consultation purposes on the Draft Waste Minimisation and Management Plan</i></p> <p><i>THAT the hearing of submissions be undertaken by the Hearings Committee acting under delegated authority for a subsequent recommendation to Council.</i></p>	R Hughes			Community Engagement Closed on 10 April 2018. 35 Submissions received – currently being analysed.

MONITORING REPORT							
HOROWHENUA DISTRICT COUNCIL							
Item No.	Meeting Date	Item Description	Resolved / Action	Responsible Officer	Date to Action by	Date Completed	Officer Comment
			<i>THAT Council accepts the invitation to visit the Ngātokowaru Marae for a presentation and discussion on the Levin Landfill and wider environmental issues.</i>	S Hori Te Pa			Invitation received for a June visit, time and date to be confirmed.
18/56	7 March 2018	Granting of Lease to Horowhenua Sports Turf Trust (Halliwell Turf)	<i>THAT the Horowhenua District Council resolves to grant a lease not exceeding 19 years in term (with a Right of Renewal) to the Horowhenua Sports Turf Trust for its existing site (Halliwell Turf) and Donnelly Park; such terms and conditions to be in line with Council's current Community Leasing Policy (2017).</i>	A Nelson		26.03.2018	Complete

<b>MONITORING REPORT</b> <b>HOROWHENUA DISTRICT COUNCIL</b>							
Item No.	Meeting Date	Item Description	Resolved / Action	Responsible Officer	Date to Action by	Date Completed	Officer Comment
18/96	7 March 2018	Fees and Charges 2018/19: Food Act Premises and Resource Consenting (Planning)	<p><i>THAT the Horowhenua District Council resolves that the Food Act Fees, and Resource Consent (Planning) Fees for the 2018/19 year as presented be used as the Statement of Proposal, the Summary of Information and the submission form be consulted on using the special consultative procedure as set out in section 83 of the Local Government Act 2002.</i></p> <p><i>THAT the hearing of any submissions on this matter be heard by the Hearings Committee of Council acting under delegated authority, and a subsequent recommendation be made by the Committee to Council on this matter.</i></p>	V Miller			Consultation has concluded. No submissions received. A report will come to the June 2018 Council meeting.

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# Chief Executive's Report to 18 April 2018

File No.: 18/171

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## 1. Purpose

For the Chief Executive to update Councillors, or seek endorsement on, a number of matters being dealt with.

## 2. Recommendation

- 2.1 That Report 18/171 Chief Executive's Report to 18 April 2018 be received.
- 2.2 That these matters or decisions be recognised as not significant in terms of s76 of the Local Government Act 2002.
- 2.3 That Council authorises Mayor Feyen, Deputy Mayor Bishop, and Councillor Judd to attend the Local Government New Zealand Conference to be held in Christchurch in July 2018.
- 2.4 That Council nominates Deputy Mayor Bishop and Councillor Judd as the alternatives to exercise Council's voting rights, should the Mayor not be in attendance at the Annual General Meeting of Local Government New Zealand in July 2018.
- 2.5 That Horowhenua District Council makes a joint application to the Energy Efficiency and Conservation Authority (EECA) for funding to install Electric Vehicle charging stations in the Horowhenua District.
- 2.6 That the car park of the Shannon Railway Station may be utilised for the installation of up to four Electric Vehicle charging stations (subject to a grant being approved by EECA).
- 2.7 That Wharf Street, Foxton may be utilised for the installation of up to four Electric Vehicle charging stations (subject to a grant being approved by EECA).
- 2.8 That the Horowhenua District Council contributes up to \$40,000 towards the installation of Electric Vehicle charging stations in Foxton and Shannon.
- 2.9 That Council agrees/does not agree to the live streaming of Finance, Audit & Risk Subcommittee and Strategy Committee Meetings.

## 3. Chief Executive Updates

### 3.1 Local Government New Zealand AGM – Delegates

The 2018 Local Government New Zealand (LGNZ) Conference is being held in Christchurch from 15-17 July 2018.

As Horowhenua District Council is a member of Local Government New Zealand, it is entitled to representation at the 2017 Local Government New Zealand Annual General meeting (AGM) which is held in conjunction with the conference.

The representation of each member authority is determined by the Mayor or Chair of each local authority. Representation is made up of members which includes elected members and staff of member authorities.

Horowhenua District Council is entitled to three votes at the AGM. The voting entitlement of each member authority is determined by that authority's subscription level.

Mayor Feyen is the presiding delegate responsible for voting on behalf of Horowhenua District Council at the AGM.

Horowhenua District Council delegates are selected on a rotational basis to ensure most or all Councillors are able to attend a LGNZ Conference during their time as an elected member.

In consultation with the Mayor, I recommend that Deputy Mayor Bishop and Councillor Judd attend the LGNZ Conference, along with the Mayor.

In addition, I recommend Deputy Mayor Bishop and Councillor Judd be listed as alternate delegates who can vote on behalf of Horowhenua District Council in case of the presiding delegate not being able to attend.

### 3.2 **MidCentral District Health Board – Treatment of Water Supplies**

**Attached** is a recent communication from the MidCentral District Health Board, the contents of which are self-explanatory.

### 3.3 **Electric Vehicle Charging Stations**

The Finance, Audit and Risk Subcommittee has recommended that Council make a joint application to install electric vehicle charging stations in Foxton and Shannon. To avoid unnecessarily repeating the report, elected members are referred to the FAR Subcommittee agenda and minutes for the meeting held on 21 March 2018.

A question was asked as to how many Electric Vehicles (**EVs**) are registered in the Horowhenua District. Council has been advised there are:

- 5 EVs registered in Foxton;
- 3 EVs registered in Shannon;
- 15 EVs registered in Levin;
- 84 EVs registered in Palmerston North; and
- 910 EVs registered in the Wellington Region.

A further query was raised regarding use of the Shannon Railway Station car park by commuters. Council Officers have monitored use of the car park on an informal basis and note:

- There are 22 marked car parks in the Railway Station car park;
- There are 8 car parks on SH 57 adjacent to the Railway Station;
- There are a further 66 car parks on SH57 from the Railway Station heading towards Palmerston North;
- There are 17 car parks on Stout Street;
- On Thursday, 22 March 2018 between 9:15 a.m. and 9:28 a.m. there were 5 cars parked in the Railway Station car park, 6 cars and 2 trucks parked on SH57 and 5 cars parked on Stout Street;
- On Monday, 26 March 2018 at 11:00 a.m. there were 8 cars parked in the Railway Station car park; and
- On Saturday, 31 March 2018 (Easter Saturday) at 9:20 a.m. there was 1 car parked at the Railway Station car park and at 3:40 p.m. there were 5 cars.

These findings support Officers' general experience of use of the Shannon Railway Station car park.

Ratification is now sought for the recommendations made by Council's FAR Subcommittee.

### 3.4 **Live Streaming**

With the live streaming of meetings having been facilitated by the upgrade of the technology in Chambers, a request has been made to extend live streaming coverage of Council meetings to include the Finance, Audit & Risk Subcommittee and Strategy Committee Meetings. Elected Members views are sought on this proposal.



## Attachments

No.	Title	Page
A	MidCentral District Health Board - Treatment of Water Supplies - Kathryn Cook - 23 March 2018	50

### 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)	David Clapperton <b>Chief Executive</b>	
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Approved by	David Clapperton <b>Chief Executive</b>	
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## MIDCENTRAL DISTRICT HEALTH BOARD

Te Pae Hauora o Ruahine o Tararua

23 March 2018

Phone (06) 350 8061  
Fax (06) 355 0616

Postal Address:  
PO Box 2056  
Palmerston North Central  
Palmerston North 4440  
New Zealand

Physical Address:  
Gate 2  
Hereaunga Street  
Palmerston North  
New Zealand

David Clapperton  
Chief Executive  
Horowhenua District Council  
Private Bag 4002  
Levin 5540



File Ref: H55-03

Dear David

### Treatment of Water Supplies

MidCentral District Health Board is contracted by the Ministry of Health to undertake Health Protection services, including Drinking Water Assessment functions, across the MidCentral and Whanganui District Health Board regions (excluding Kapiti Coast).

You will be aware of that the "Report of The Havelock North Drinking Water Inquiry: Stage 2" has been released by the Government. The full report into the contamination event can be found here: <https://www.dia.govt.nz/Report-of-the-Havelock-North-Drinking-Water-Inquiry---Stage-2>. The report has provided important recommendations for the safe management of drinking-water supplies in New Zealand.

The Inquiry identified that the outbreak was caused by contamination of ground water that was provided to consumers as untreated drinking-water. The Inquiry identified that several parties with responsibility for the water supply system failed to adhere to the high levels of care and diligence necessary to avoid this occurring and to protect public health.

One of the recommendations identified by the Inquiry was to encourage all council and private networked drinking-water suppliers to have effective treatment of drinking-water for public safety. The risk to the public is increased if drinking-water is untreated. I have been advised by the Central North Island Drinking Water Assessment Unit that all of the water supplies operated by Horowhenua District Council have treatment in place. I would like to take this opportunity to emphasise the need to maintain effective drinking water treatment systems and actively monitor these systems to ensure they are working effectively.

Please find **attached** a statement the Director-General has issued under section 69ZZC of the Health Act 1956 that advises all drinking-water suppliers and drinking-water assessors that:

- Protection of drinking-water sources is of paramount importance and a founding principle of drinking-water safety;
- Every drinking-water supplier must contribute to the protection of drinking-water sources;

- The risk to the public is increased if drinking-water is untreated;
- To provide adequate protection to public health, suppliers providing drinking-water to untreated networked supplies should consider implementing appropriate and effective treatment without delay; and
- Drinking-Water suppliers should reconsider their reliance on secure bore water status as a means of providing safe drinking-water.

MidCentral District Health Board supports the statement provided by the Director-General of Health.

It may be necessary to re-assess current water treatment when the Government's response to the recommendations of the Inquiry is formally announced.

Yours sincerely



Kathryn Cook  
Chief Executive Officer

Encl: Director-General Statement, Health Act 1956 s 69ZZZC



**DIRECTOR-GENERAL STATEMENT**

**HEALTH ACT 1956 s 69ZZZC**

I, Chai Chuah, Director-General of Health, for the purposes of protecting public health and informing the public, issue the following statement.

In August 2016 an outbreak of campylobacteriosis arising from contamination of the Havelock North drinking-water supply affected around 5,500 people.

The Government Inquiry into the contamination event is now complete and the Stage Two report has provided important recommendations for the safe management of drinking-water supplies in New Zealand.

The Inquiry identified that the outbreak was caused by contamination of ground water that was provided to consumers as untreated drinking-water. The Inquiry identified that several parties with responsibility for the water supply system failed to adhere to the high levels of care and diligence necessary to avoid this occurring and to protect public health. Improvements to the drinking-water framework have been identified and need to be actioned.

I advise all drinking-water suppliers and drinking-water assessors that:

- Protection of drinking-water sources is of paramount importance and a founding principle of drinking-water safety;
- Every drinking-water supplier must contribute to the protection of drinking-water sources;
- The risk to the public is increased if drinking-water is untreated;
- To provide adequate protection to public health, suppliers providing drinking-water to untreated networked supplies should consider implementing appropriate and effective treatment without delay; and
- They should reconsider their reliance on secure bore water status as a means of providing safe drinking-water.

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke extending to the left.

Chai Chuah  
Director-General of Health

in Wellington this 19. day of December 2017.

# Documents Executed and Electronic Transactions Authorities Signed

File No.: 18/116

## 1. Purpose

To present to Council the documents that have been executed, Electronic Transactions Authorities and Contracts that have been signed by two elected Councillors, which now need ratification.

## 2. Recommendation

- 2.1 That Report 18/116 Documents Executed and Electronic Transactions Authorities Signed 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 Horowhenua District Council hereby ratifies the signing of documents and Electronic Transaction Authorities as scheduled:
  - (a) Electronic Transaction Authority relating to the sale of 9 Forbes Road, Foxton Beach to Matthew Edward Williams and Gabrielle Nicola Williams contained in Certificate of Title 399454.
  - (b) Electronic Transaction Authority relating to the purchase of 28 Harbour Street, Foxton from Janine Marie Cooper and Paul Douglas Cooper contained in Certificate of Title 300897.
  - (c) Deed of Renewal of Lease with H. T. P. and K. Incorporated relating to 9,904 square metres more or less situated Part Section 79 Block IV Waitohu Survey District S.O. Plans 28473 and known as Parikawau Domain with a final expiry date of 31 December 2022.
  - (d) Deed of Lease of Commercial Premises with Manawatu-Wanganui Regional Council (aka Horizons Regional Council) relating to part of the land situated at 120-122 Hokio Beach Road, Levin being the land described as Lot 1 on Deposited Plan 48902. Periodic lease commencing 1 February 2018.
  - (e) Deed of Ground Lease with Horowhenua Sports Turf Trust Incorporated relating to 9,000 square metres more or less situated Lot 2 DP 33047 and Lot 31 DP 45957 Adkin Avenue, Levin and known as Donnelly Park, Levin. Commencing 1 January 2018 for a period of 19 years with one right of renewal for a further term of 19 years.

## 3. Issues for Consideration

This report provides a mechanism for notifying the execution of formal documents by two elected Councillors and signing of Electronic Transactions Authorities.

The following are contract document details:

Contract NoHA17-02.

A contract has been signed between Downer (on behalf of the Alliance) and Tatana for Water Reticulation Renewals on Bartholomew Road. The works will cost around \$134,000.00. The work was not tendered as:

- (i) most local contractors were busy and did not have the resources available to undertake the works; and
- (ii) the Alliance would have undertaken the works if the cost was considered too high.

## 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)	David Clapperton <b>Chief Executive</b>	
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Approved by	David Clapperton <b>Chief Executive</b>	
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File No.: 18/188

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## Representation Review

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### 1. Purpose

To recommend the formal adoption of the Council's initial proposal for representation arrangements for the 2019 and 2022 elections and that the proposal be distributed for public consultation.

### 2. Executive Summary

- 2.1 The Council is required to adopt an initial proposal for public consultation on its representation arrangements for the 2019 and 2022 elections. Following adoption the proposal must be publicly notified inviting the public to make submissions on it. The Council must consider, and hear if requested, any submissions received on its proposal and based on those submissions, either confirm or amend the proposal as its "final" proposal. This process must adhere to a statutory timeline and process.
- 2.2 The Local Electoral Act 2001 (LEA) requires local authorities to carry out a review of their representation arrangements at least once every six years. Having previously conducted a representation review in 2012 for the 2013 and 2016 local elections, the Council is now required to undertake a representation review for the 2019 and 2022 local elections. Representation reviews are defined by the LEA as reviews of the representation arrangements for a local authority. Those arrangements include:
- The number of councillors to be elected to the Council;
  - Whether councillors are elected by wards or by the district as a whole (or a mixture of both systems);
  - If elected by wards, the number, boundaries and names of these wards and the number of councillors that will represent them; and
  - Whether to have Community Boards, and if so how many, their boundaries and membership.
- 2.3 The methods used in the pre-engagement phase included:
- Engaging Electionz.com to assist the Council to follow best practice for defining communities of interest, effective representation for identified communities of interest, and fairness of representation for electors;
  - Consultation with neighbouring local authorities, iwi organisations, the community board and community advisory groups and holding a community hui to provide the Council with preliminary advice before consideration of its initial proposal; and
  - Workshops of the Council and Community Board to ensure elected members are fully informed of the process and engaged to assess various options.
- 2.4 The review is set by a statutory timeline and process. The Council must give notice of its "final" proposal not later than 8 September 2018. To enable compliance with all the steps in the statutory process, the Council should adopt its Initial Proposal as early as possible. All elements of Council's representation proposals, including community board(s), are subject to rights of appeal and/or objection to the Local Government Commission (LGC). It is therefore important that the review fully considers all options available. It is also important that the process carried out is robust and that it results in a decision that can be supported by reasons that provide a defensible outcome.

### 3. Recommendation

- 3.1 That Report 18/188 Representation Review be received.
- 3.2 That this decision is recognised as significant in terms of S76 of the Local Government Act 2002.
- 3.3 That the Horowhenua District Council adopts as its Initial Proposal for the Representation Review for the local election to be held in 2019 and subsequent elections until altered by a subsequent decisions the following:
- (a) That the Council comprises ten (10) Councillors elected from four (4) wards, and the Mayor elected at large;
  - (b) That the Council retains the existing ward names of Kere Kere, Miranui, Levin and Waiopahu;
  - (c) That the proposed boundaries of the four (4) wards remain as they are at present and as shown on the attached map;
  - (d) That the population each ward will represent will be as follows:

Wards	General Electoral Population	Number of councillors per constituency	Population per councillor	Deviation from district average population per councillor	% deviation from district average population per councillor
Kere Kere	5,780	2	2,890	-356	-10.96
Miranui	3,080	1	3,080	-166	-5.11
Levin	16,950	5	3,390	144	4.44
Waiopahu	6,650	2	3,325	79	2.43
Total	32,460	10	3,246		

*These population figures are estimates supplied by Statistics New Zealand as at 30 June 2017. Mesh blocks as at 1 January 2017.*

- 3.4 That the Council acknowledges that the Kere Kere Ward percentage deviation of -10.96% is outside that permitted by section 19 V (2) of the Local Electoral Act 2001 and that the Council will seek an exemption from the LGC on the basis that:
- altering the boundaries of the Kere Kere Ward to make it compliant would limit effective representation of communities of interest by dividing a community of interest between wards; and
  - the relatively minor non-compliance in the Kere Kere Ward will self-correct in the near future if growth occurs as predicted in the Council's draft Growth Strategy (see tables e and f).
- 3.5 That the Horowhenua District Council does not retain the Foxton Community Board
- OR
- That the Horowhenua District Council retains the Foxton Community Board
- AND FURTHER
- (a) That the name of the Board be the Foxton Community Board;



- (b) That the Foxton Community Board comprises five (5) members elected at large:
  - (c) That the proposed boundaries of the Board:
    - (i) remain as they are at present and as shown on the **attached** map marked 'B'OR
    - (ii) be extended as proposed on the **attached** map marked 'C' as recommended by the Foxton Community Board.
- 3.6 That a proposal is prepared and public notice be given of the proposals as adopted.
- 3.7 That the Horowhenua District Council will hear submissions on the proposal.

#### 4. Background / Previous Council Decisions

- 4.1 The Council is required to adopt an initial proposal for public consultation on its representation arrangements for the 2019 and 2022 elections. The review must adhere to a statutory timeline and process.
- 4.2 In preparing for and carrying out a representation review, the Council must be cognisant of the relevant provisions of the LEA and the Local Government Act 2002 (LGA). The Council must also consider the guidelines issued by the LGC to assist local authorities in identifying the factors and considerations that they should take into account when developing their representation proposals.
- 4.3 A 'Discussion Document' (attached) containing the appropriate information and references has been prepared and distributed to all Councillors and provides information about the key issues that the Council needs to consider as part of the decision-making process. The detailed timeline has also been distributed.

#### 5. Discussion

##### Timeline for the Representation Review

- 5.1 This timeline requires Council to adopt an "initial" representation proposal. Once the initial proposal is agreed, the formal statutory review process commences. There is no opportunity to stop or delay the statutory process. As discussed at Council Workshops, it is desirable to embark on public consultation on an initial proposal as soon as possible. The Council must consider, and hear if requested, any submissions received to its proposal. Based on those submissions, the Council needs to either confirm or amend the proposal as its "final" proposal, which is also notified. The Council's "final" proposal must be adopted before 8 September 2018. If there are appeals and objections to the "final" proposal, then the LGC makes the final determination. The Commission determination must be made no later than 10 April 2019 and is subject to judicial review or appeal on a point of law.

##### Matters to be covered by this review

- 5.2 In its determination of representation arrangements to apply for Horowhenua District Council's 2013 election, the LGC noted that as part of the 2018 review the Council should further consider the appropriateness of the boundaries of the Foxton Community to ensure their relevance for the future and that any changes be identified in time for any necessary changes to the boundaries to be discussed with Statistics New Zealand.
- 5.3 The Council has already undertaken reviews of some related processes, including the electoral system to be used and whether or not Māori wards would be established. In both cases, the status quo of First Past the Post and no Māori ward was maintained. Council was

briefed on the Māori representation options available under LEA. The Council concluded that it would not propose the establishment of a Māori ward at this time.

### Commentary

- 5.4 In preparing its publicly notified proposal, the Council needs to determine:
- The number of Councillors to be elected to the Council;
  - Whether the members of the Council are elected by wards, the district as a whole, or a mixture of both systems;
  - If elected by wards, the boundaries and names of these wards and the number of councillors that will represent them; and
  - Whether to have Community Boards, and if so how many, their boundaries and membership.
- 5.5 The Council must also determine whether a community should be subdivided for electoral purposes, and if so:
- The name and boundaries of subdivisions, or
  - The number of members to be elected from each subdivision.

### Identifying Communities of Interest

- 5.5 Horowhenua is a rural territorial authority with urban townships surrounded by rural farmland and beach communities. The review takes into account a number of factors when identifying the communities of interest, including:
- Current and historic boundaries
  - Housing and development patterns, and potential for urban growth
  - Business and education activities such as industrial areas, defined shopping hubs and existing schools
  - Community organisation's boundaries
  - Areas of significant open space, topographic and other features and natural landscapes (such as major roads and transport corridors, rivers, local beaches, hills and valleys)
  - Provision of utilities
  - Rural character
  - Opportunities for planned and random social interactions
  - Services and local places, including marae, schools, medical facilities, libraries, community centres, churches, cafes and shops
  - Open spaces and recreational spaces and facilities, including parks, pools, walking tracks
- 5.7 For many people; family, friends, neighbours and other people are important in building a sense of community rather than simply physical characteristics of an area. Feedback over time has suggested that "community" for most people is a relatively small geographical area and is significantly smaller than the current ward areas.

### Determining Effective Representation of Communities of Interest

- 5.8 Effective representation must be achieved within the statutory limits that:
- The Mayor must be elected at large, and
  - Members (councillors) must be no fewer than 6 nor more than 30, including the mayor.
- 5.9 Workshops during the review have considered each of these matters as outlined below.

### Election at large, by ward or mixed

- 5.10 Using information collated on communities of interest, the review considers whether effective representation would be best achieved by way of:

- an at-large system (where all members are elected by all voters across the district); or
  - a ward system; or
  - a mixed system, with members elected partially at-large and partially by ward.
- 5.11 This Council has traditionally elected its members under a ward system. The LGC has supported ward-based systems over at-large representation for the most part.
- 5.12 An at-large system would be a significant departure from previous arrangements for Horowhenua. Generally, the feedback is that there is a clear preference to elect Councillors under the ward system, rather than at-large.
- 5.13 At the Foxton Community Board workshop and community hui there was little or no support for an “at large” system.
- 5.14 Research indicates that people are more likely to vote when they know the candidates standing in their ward. Electing members under the ward system achieves a spread of Councillors across the District. Therefore, while the review requires some consideration to an at-large (district-wide) system of effective representation, the general consensus is that at this point in time, ward representation continues to be effective.

#### Number of Councillors and Wards

- 5.15 The LEA requires the Council to determine the number of wards and the number of councillors to be elected from each ward.
- 5.16 The membership of a territorial authority should be no fewer than six and no more than 30 members (including the Mayor).
- 5.17 The current elected membership of the Council is 10 councillors (excluding the Mayor).
- 5.18 Horowhenua councillors are required to represent significantly lesser numbers of electors than the average (the average member-population ratio for New Zealand territorial councils (cities and districts) is about 1:6,200 whereas Horowhenua is currently 1:3,246).
- 5.19 Generally, the current view is to maintain the status quo (in terms of number of councillors and wards).
- 5.20 The majority of those present at workshops believe the existing number of Councillors is sufficient to represent the variety and complexity of local needs and the range of functions being undertaken by the Council.
- 5.21 It was considered that councillor numbers could not be decreased without impacting on effective representation.
- 5.22 An increase in councillors may improve effective representation of constituents but a change to 11 councillors shifts the non-compliance with fair representation requirements from the Kere Kere ward to the Waiopehu Ward.
- 5.23 An increase in elected members would increase governance costs.
- 5.24 On balance, retaining the status quo was considered most appropriate.

#### Ward Boundaries

- 5.25 Again, the status quo was preferred over all of the options given consideration during Council workshops.
- 5.26 There was some discussion about changing the Kere Kere Ward boundary in order to comply with the ‘+ or – 10%’ rule now but there was a strong view that to do so would detrimentally affect communities of interest.
- 5.27 In addition, Kere Kere Ward’s relatively minor non-compliance self corrects in the near future if growth predictions are realised.

5.28 There was also a view that consideration should be given to shifting those moved at the last review back even though that would not work towards compliance with the fair representation rule.

5.29 There was consensus to retain the status quo including using the existing names of wards.

#### Community Boards

5.30 In undertaking a review of community boards the Council is required to consider:

- Whether there should be communities and community boards; and
- If it resolves there should, the nature of any community and the structure of any community board.

5.31 Currently, there is one community board in Horowhenua District – the Foxton Community Board. The current community board boundaries are as established in 1989.

5.32 Community boards are established under the LGA to perform such functions and duties and exercise such powers as are delegated to them by the Council.

5.33 The retention of the Foxton Community Board was strongly supported by the Community Board at its workshop. They considered that where there is a community of interest that is not enriched by the ward system, there may be an argument for another community board. That community should make it known that they want a community board through the consultation process.

5.34 The Community Board considered that its boundaries should also be reviewed in light of the urban growth that has occurred and will continue to occur around the fringes of the boundaries established in 1989.

5.36 The Community Board has recommended to the Council that its boundaries be altered to take into account urban growth and infrastructure that provides services to the community. The proposed boundary is shown on the attached map.

5.37 The Foxton Community Board recommended boundaries are just that and the process of consultation on the initial proposal will include where the boundaries are to be. It is a given really but should be noted for clarity that they are not necessarily final.

#### Membership of Community Boards

5.38 The Local Electoral Act provides that community boards may have between 4 and 12 members. Each Board must include at least 4 elected members and may include appointed members. The number of appointed members must be less than half the total number of members.

5.39 The Foxton Community Board considered its current elected membership to be appropriate but indicated a clear preference for both members of the Kere Kere Ward elected to the Council be appointed to the Board rather than just one of them as at present.

5.40 The Council however considered that whilst there was support for the continuation of the Foxton Community Board in 2012, and that some of that support continues, there has been considerable change since that time and many in the community considered that the community board should not be retained.

5.41 Other communities within Horowhenua have democratically established community committees that are as effective in communicating with the Council as the community board.

5.42 The demographics of the community have changed with Horowhenua now growing and becoming more diverse. The majority view is that many of the reasons for the community board when it was established in 1989, including political reasons, no longer exist. Changes have continued to evolve since the last review in 2012.

5.43 Currently the costs of the community board are funded from general rates across the District.

- 5.44 The indirect costs which include staff and administration support of approximately \$150k to \$160k per year could be refocused on support for all communities across the district.
- 5.45 Direct costs are approximately \$55k per year (\$330k over the next 6 years) could be refocused to infrastructure or major projects as opposed to going towards governance costs.
- 5.46 There is some misunderstanding about the Foxton Freeholding Fund – to remove any doubt in the community the Council has always retained the decision making on matters relating to this Fund and will continue to do so.
- 5.47 The current arrangements are that the Community Board has 5 elected Board members for the Foxton community which has a population of 4,640. This population is included within the Kere Kere Ward and is also represented by two elected councillors. The Council considers that this community is significantly over represented compared to the rest of the District at 1:3,246 and the national average of about 1:6,700.
- 5.48 The voting turnout at the 2013 and 2016 elections show that there was a slight decline in turnout in voting for the Foxton Community Board (as there was for the whole District) yet the voter turnout in the Kere Kere Ward increased slightly. The Local Government Commission in determinations throughout the country has previously noted, in cases where the turnout in the community board elections was higher than district wide, that this emphasises support for the community board. In Horowhenua, recent election results do not support that notation.
- 5.49 If the decision is not to retain the Foxton Community Board then it is recommended that the Council specifies the reasons why (refer to 5.41 to 5.48).

#### Fair Representation

- 5.50 Fair representation, in accordance with LEA clause 19V, requires a +/- 10% variation around an equal division of voting age population within the area for creation of wards.
- 5.51 The Council is required to determine the ratio of population per councillor for each proposed ward and compare the subdivision ratios calculated with the average population per member for the Council.
- 5.52 When determining the ratio of Councillor per head of population, the Council is required to use the most up-to-date population figures available from Statistics New Zealand.
- 5.53 If any option does not comply with the '+/- 10% rule', Council must consider altering ward boundaries or reconfiguring wards.
- 5.54 There are exceptions to the '+/- 10% rule' which are set out in LEA clause 19V (3), (2) and (3). This provides for communities of interest to override for island communities, isolated communities, or simply if effective representation "so requires". These exceptions are not common.
- 5.55 The Commission advises that it is important that all local authorities clearly identify the grounds for any proposed non-compliance with the '+/-10% rule' of section 19V(2). This is required for the public notices under section 19M(2)(c) and section 19N(2)(bb) and will also assist the Commission in its deliberations.
- 5.56 Direct referral to the Commission is required of all proposals not complying with the +/- 10% rule whether or not appeals or objections have been lodged against the local authority's proposal. That referral is to be treated by the Commission as an appeal under the Local Electoral Act 2001.
- 5.57 The population each ward will represent will be as follows:

## Growth Predictions

That the population each ward will represent will be as follows:

	WARD	Population	Members	Population-Member Ratio	Difference from Quota	% Difference from Quota
Council	Kere Kere Ward	5,780	2	2,890	-356	-10.96
	Miranui Ward	3,080	1	3,080	-166	-5.11
	Levin Ward	16,950	5	3,390	144	4.44
	Waiopahu Ward	6,650	2	3,325	79	2.43
	<b>Total</b>	<b>32,460</b>	<b>10</b>	<b>3,246</b>		

These population figures are estimates supplied by Statistics New Zealand as at 30 June 2017. Mesh blocks as at 1 January 2017.

The representation arrangements for the current wards of Horowhenua District calculated using the population estimates in the Council's *Growth Strategy* for 2020.

	WARD	Population	Members	Population-Member Ratio	Difference from Quota	% Difference from Quota
Council	Kere Kere Ward	6,098	2	3,049	-311	-9.26
	Miranui Ward	3,114	1	3,114	-246	-7.32
	Levin Ward	17,552	5	3,510	150	4.46
	Waiopahu Ward	6,832	2	3,416	56	1.67
	<b>Total</b>	<b>33,596</b>	<b>10</b>	<b>3,360</b>		

This table shows the representation ratio correction over the next two years, according to the estimates used in the *Growth Strategy*.

## 6. Options

The Council must develop a proposal for public consultation. The proposal must include:

- a description of each proposed ward, constituency, community, or subdivision;
- a description of proposed boundaries of each proposed ward, constituency, community, or subdivision so it is readily identifiable to the public; and
- an explanation of any proposed changes to the basis of election, membership, or ward, constituency, community, or subdivision boundaries.

The findings to date indicate that the initial proposal should be based on:

- A ward-based system,
- the Foxton Community Board being disestablished, and
- Using existing names for the Wards and Community Board (if retained)

### 6.1 Cost

There are costs associated with representation. The costs will largely be associated with:

- elected member remuneration and administrative costs and facilities, and
  - compilation of electoral rolls and administration of the election.
- There are no additional costs should the Council retain the status quo.

### 6.1.1 Rate Impact

This would depend on how Council chooses to proceed.

### 6.2 Community Wellbeing

Appropriate representation is considered essential for Community Wellbeing.

### 6.3 Consenting Issues

There are no consenting issues.

### 6.4 LTP Integration

Not applicable.

## 7. Consultation

As covered in 5. above.

## 8. Legal Considerations

- 8.1 Section 19 of the Local Electoral Act 2001 sets out the provisions for the Council's representation review. In particular, Sections 19T to 19V relate to the requirements around effective and fair representation when determining membership and basis of election.
- 8.2 The Council is also required to comply with the decision-making procedures contained in Part 6 of the Local Government Act 2002.

## 9. Financial Considerations

As already covered.

## 10. Other Considerations

There are no other considerations.

## 11. Next Steps

The following is a timeline of the next steps of the review:

Council decides what its Initial Proposal is to be.	18 April 2018
Public notice of the Initial Proposal is given (within 14 days of the Council decision and invites submissions).	2 May 2018
The consultation period closes.	6 June 2018
Hearing of Submissions - the Council provides an opportunity for those making submissions to be heard by the Council.	11 July 2018
If there are no submissions the Initial Proposal becomes the Final Proposal and public notice is given.	Date tbc

The Council gives formal consideration to the matters raised in the Hearings.	Date tbc
The Council decides on its Final Proposal.	Date tbc
The Council gives public notice of the Final Proposal and advises the appeal provisions.	at least 1 month consultation period
All information on the process and any appeals/objections are then sent to the Local Government Commission.	By 15 January 2019
The Local Government Commission makes its Determination.	By 10 April 2019


### **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.

## **12. Appendices**

No.	Title	Page
A	Representation Review Report - Discussion Document - 18 April 2018	65
B	FCB Proposed Boundary B	86
C	FCB Proposed Boundary C	88

Author(s)	Mark Lester <b>Group Manager - Corporate Services</b>	
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Approved by	David Clapperton <b>Chief Executive</b>	
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## Representation Review – Discussion Document

### *What is required?*

Local authorities (both regional and territorial) around the country are required to make decisions about their representation arrangements.

A district council must determine by resolution whether to have wards or not, whether to elect some councillors by wards and the rest at large; if wards are decided the proposed number of wards; the proposed name and boundary of each ward; and the number of councillors proposed to be elected by the electors of each ward.

The Local Electoral Act requires all local authorities to undertake a review of its representation arrangements at least every six years. The last time the Horowhenua District Council did this was in 2012. It is now time to repeat the process.

Prior to developing an initial proposal and formally consulting with the community about its representation review, the Council invited comments from constituent territorial authorities. In addition the Council also invited comments from some community groups, including iwi.

### *Pre-consultation Feedback:*

*The Horowhenua District Council is commended for seeking the views of neighbouring local authorities and community groups prior to considering representation review matters.*

#### *1. Name of individual or group: Kapiti Coast District Council*

##### *Comment: Expressway*

*When preparing for the 2015 Representation review Kapiti Coast District Council we were on the brink of significant change with the development of the Expressway. Council took this into account when deciding on the review scale and format. For Horowhenua the planning and development of the Expressway will also make commuting easier and can be expected to grow the population of the district significantly and impact the representation requirements.*

##### *Comment: Boundaries*

*In the last Representation Review carried out for Kāpiti Coast District Council ward boundaries was an important topic for some residents. Council considered the issue in response to some strong submissions and the review resulted in two boundary changes. Of the 10 submissions received 100% related in whole or in part to boundaries. The Commission agreed Waikanae Ward should again mirror the larger area of the Waikanae Community Board. The ward had been reduced in 2004 in order to meet the fair representation requirements of the Local Electoral Act 2001. These required the ratio of population to councillors for wards to be within +/-10% of the ratio for the district as a whole. However with an amendment to the Local Electoral Act in 2013, a more flexible approach to application of the '+/-10% rule' was now possible. The Commission agreed with the Kapiti Coast District Council's proposal that this flexibility should be applied to Waikanae which is clearly one discrete community of interest reflected by the current area of the Waikanae Community Board. The area was further increased with the addition of the Waikanae Downs area to the Waikanae ward and community board area. This may be of interest in light of your observation that currently the Kere Kere Ward is an electoral subdivision that does not meet the legislative requirements for fair representation because it is not within the + or – 10% tolerance of the average across the district as required by the Local Electoral Act.*

##### *Comment: Rural*

*In the last Representation Review carried out for Kāpiti Coast District Council Federated Farmers sent a letter requesting the introduction of a formal Rural Board to act as a reference group to Council on rural issues. The group, it was suggested, would be comprised of a representative, rural based group to achieve agreed outcomes between and for rural residents, the wider community and Council. It would have agreed and appropriate responsibilities and terms of engagement. Federated Farmers had argued in their Submission that, while farmers are a minority numerically speaking, they are substantial contributors to the social and economic wellbeing of their district. Farmers, they argued, are significant contributors to local authority revenue. Decisions around the allocation of rates can materially impact farming viability, and without specific representation at the Council table, there is an increased risk that decisions will be made without appropriate consideration of the impact on farmers. They argued that resource management and roading functions are vital to farmers and Farmers are significant users of natural resources. Where the majority of residents live in urban suburbs and towns the majority view can overwhelm the views of the minority, irrespective of the relative impact of the Council decision making.*

*Comment: STV/FPP*

*We are aware that the Horowhenua District currently uses FPP. We would mention that in a consideration of STV there is an argument that STV, with the inclusion of district wide councillors, provides the most representative option as it potentially achieves broad proportionality.*

*Comment: Community Boards*

*Community Boards cover the entire Kapiti Coast District. We would be happy to discuss this.*

2. *Name of individual or group: Sharon Freebairn, President, Waitarere Beach Progressive & Ratepayers Assn*

*Comment: Adding meshblocks to Kere Kere Ward to make it comply*

*When this issue arose at a previous review of the Kere Kere Ward, there was dissatisfaction from ratepayers who were moved to the ward.*

*It is difficult for those who have been part of a ward for a number of years and have made connections and networks, to then be encompassed into another ward with who they feel no connection. This leaves the Council with a lot of unhappy and disaffected ratepayers.*

*With the changes to the legislation in 2013 there is the opportunity now to lobby for the "status quo" to remain, as long as it is supported with relevant documentation as to the community's wants and needs.*

*With the expected growth in the region in the foreseeable future, the numbers required to be within the +/- 10% would resolve itself naturally.*

*Comment: Community Boards*

*With regard to the Community Board – this seems to be quite a contentious issue and would require in depth consultation with all parties involved. The anomaly that the Board does not cover all of the Wards ratepayers came as a surprise to me – I had just presumed it was a voice for all residents/ratepayers in the Ward.*

3. *Name of individual or group: Federated Farmers*

*Comment: General*

*Federated Farmers recognises the constraints placed on representation as a result of the population basis for representation as set out under the Local Electoral Act 2001. Numerically speaking, farmers as a population are a minority in many districts, yet are substantial contributors*

to the social and economic wellbeing of their District. Further, the reliance on property value-based rating systems for funding local authorities means that farmers are significant contributors to local authority revenue, and local government costs are often in the top five of a farmer's operating expenses. Decisions around the allocation of rates can materially impact farming viability, and without specific representation at the Council table, there is an increased risk that decisions will be made without appropriate consideration of the impact on farmers specifically.

Furthermore, the Horowhenua District Council's resource management and roading functions are vital to farmers. Section 31 of the Resource Management Act outlines the functions of territorial authorities to be addressed in the District Plan, including the: effects of land use, impacts of land use on natural hazards and the management of hazardous substances, noise, activities on the surfaces of rivers and lakes and impacts of land use on indigenous biological diversity. These are key areas of material interest to farmers.

Horowhenua District Council is also the key provider of the local roading network, a service which farmers and rural residents in general are heavily reliant upon. Farming viability and profitability can be significantly impacted by Council's decisions in these areas, and elected Councillors play an important role in informing Council's functions in respect to resource management and roading. Therefore, local government representation is very important to the Federation and we advocate to both central and local government to ensure fair representation for farmers.

*Comment: Rural Representation - Wards and Councillors*

Representation as required by the Local Electoral Act based on population, is not ideal for rural areas because low populations dispersed over large geographical areas means that effective representation can be a challenge. Federated Farm feels strongly that councillors must have the ability and knowledge to understand and communicate, the diversity of challenges that farmers face day to day. By seeking to ensure an effective rural voice, the sustainability of the rural community is not compromised or undermined by decisions predicated on the basis of urban ideals. We do however believe that the existing ward structure provides effective representation for our members, those in the rural community, and we therefore recommend that the status quo is maintained.

*Comment: Community Boards*

Federated Farmers supports the use of Community Boards as a means of ensuring local representation, and in the Horowhenua District, are particularly effective for representing Foxton residents interests. We are however mindful that Community Boards cannot provide the representation or presence at the council table that a rural councillor could, particularly in the areas of resource management and roading. We therefore recommend that Council retain the current Community Board for Foxton, and continue to utilise the expertise of Councillors located rurally to provide a rural voice, specifically those from the Miranui and Kere Kere Wards.

4. Name of individual or group: Community Hui

*Comment: Adding meshblocks to Kere Kere Ward to make it comply*

Attendees would like to see included in the report to Council, the number of people who were moved from the Waiopehu Ward mesh block to the Kere Kere Ward in the last review

**Note: Three meshblocks with a total population of 75 were transferred from the Waiopehu Ward to the Kere Kere Ward in 2013.**

*Comment: Community Boards*

*The two Kere Kere Ward Councillors should both be voting members of the Foxton Community Board as opposed to the current situation where there is only one Kere Kere Ward member on the community board.*

*That it be taken into account the administration and responsibility of the Foxton Beach Freeholding account.*

*Consider how the Foxton Community Board is connected to Council.*

*Could Foxton Beach be removed from the Foxton Community Board area?*

*A workshop with Foxton Community Board members is to be scheduled in as pre-consultation prior to the draft consultation document going to Council.*

*Comment: At Large elections*

*Discussed that if members were elected at large, there could be a scenario where communities are not represented – happy with status quo with wards.*

*Comment: District Boundary Alterations*

*Discussed the process for a ward or area of the population to move to another district i.e. Tokomaru into the PNCC area, or part of Foxton / Beach into the Manawatu District.*

**Note: A Boundary alteration with a neighbouring authority is not part of the Representation Review process.**

*Comment: Presentation to Council*

*Requested that the presentation to the Council be provided to the attendees of the Community Hui.*

### **Legislative Amendments:**

It should be noted that some amendments occurred to the representation review provisions of the *Local Electoral Act 2001 (LEA)* in June 2013. The main amendments involved:

- providing more flexibility for the application of the +/- 10% rule to territorial authority representation arrangements, subject to consideration by the Local Government Commission where arrangements do not comply with the +/- 10% rule;
- initial representation review proposals are not be able to be resolved by councils until 1 March of the year before the year of an election
- allowing local authorities to make minor boundary alterations to wards, communities, or subdivisions of local board areas or communities without undertaking a full representation review, subject to consideration by the Local Government Commission (applies to the optional three year review only);

The first two of the amendments listed above will apply for the first time to local authorities undertaking representation reviews in 2018 (and which did not undertake a review in 2015).

**Legislative Requirements:**

TERRITORIAL AUTHORITIES		LEA2002
Mayor	To be elected by the electors of the district as a whole.	s19B s 8(2) LG(AC) Act 2009
Membership [Excluding Mayor]	To be not less than five nor more than 29 councillors.	s19A s 8(1) LG(AC) Act
Basis of election	Options of: <ul style="list-style-type: none"> <li>• all councillors elected by wards</li> <li>• some councillors elected by wards and some at large</li> <li>• all councillors elected at large.</li> </ul> <p>Each ward must elect at least one councillor, and each councillor representing a ward must be elected by the electors of that ward.</p> <p>If there are no wards, councillors are elected by the electors of the district as a whole.</p>	s19C
Representation	Arrangements must: <ul style="list-style-type: none"> <li>• provide effective representation of communities of interest within the district</li> <li>• if the district is divided into wards, ensure that electors receive fair representation having regard to the +/-10% population rule provided in <i>section 19V(2)</i></li> <li>• ensure that ward boundaries coincide with current statistical mesh block areas</li> <li>• ensure that ward boundaries, as far as practicable, coincide with community boundaries</li> </ul> <p><i>Section 19V(3)(a)</i> provides grounds for not complying with the +/-10% rule as set out in <i>section 19V(2)</i>.</p> <p>For territorial authorities and communities, these relate to:</p> <ul style="list-style-type: none"> <li>• effective representation for island or isolated communities;</li> <li>• where non-compliance would limit effective representation of communities of interest by dividing a community of interest between wards or subdivisions;</li> </ul>	s19T, s19V, s19X

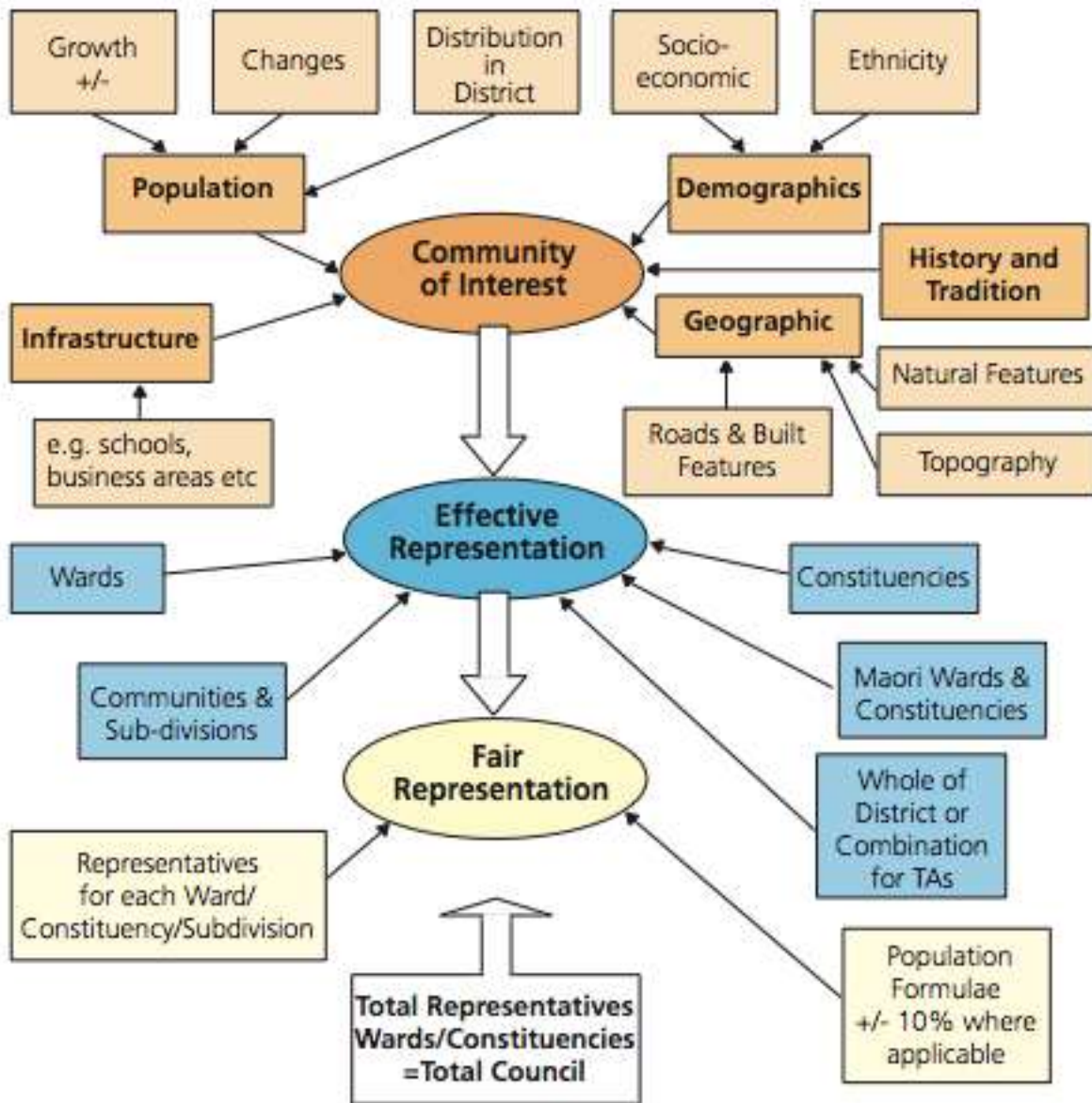
	<ul style="list-style-type: none"> <li>• where non-compliance would limit effective representation of communities of interest by uniting within a ward or subdivision two or more communities of interest with few commonalities of interest.</li> </ul> <p>All exceptions to the +/-10% rule must be approved by the Local Government Commission. The approval of the Commission is required whether or not appeals or objections are lodged against a territorial authority's decision.</p>	
<b>COMMUNITY BOARDS</b>		
Membership	<p>To be not less than four nor more than 12 members and:</p> <ul style="list-style-type: none"> <li>• must include at least four elected members</li> <li>• may include appointed members who must be members of, and appointed by, the territorial authority for the district in respect of which the community is constituted.</li> </ul> <p>The number of appointed members must be less than half the total number of members.</p> <p>If the territorial authority is divided into wards, the appointed members must represent a ward in which the community is situated.</p>	s19F
Basis of election	<p>A community may be subdivided for electoral purposes and, if so, each subdivision must elect at least one member.</p> <p>If the community comprises two or more whole wards of the territorial authority, the members may be elected by the electors of each ward.</p> <p>If the community is not subdivided or divided by wards, then the members must be elected by the electors of the community as a whole.</p> <p>If the community is subdivided, members representing a subdivision must be elected by the electors of that subdivision.</p> <p>If the community is divided by wards, members representing each ward must be elected by the electors of that ward.</p>	s19G
Representation	<p>Arrangements must:</p> <ul style="list-style-type: none"> <li>• provide effective representation of communities of interest within the community and fair representation of electors</li> </ul>	s19V, s19W, s19X

	<ul style="list-style-type: none"><li>• have regard to such of the criteria as apply to local government reorganisation under the Local Government Act 2002 as are considered appropriate in the circumstances</li><li>• with respect to any subdivision, ensure the electors of the subdivision receive fair representation having regard to the +/-10% population rule provided in section 19V(2)</li><li>• ensure the boundaries of every community and of every subdivision of a community coincide with the boundaries of current statistical mesh block areas</li></ul> <p>Section 19V(3)(a) provides grounds for not complying with the +/-10% rule as set out in section 19V(2).</p> <p>For territorial authorities and communities, these relate to:</p> <ul style="list-style-type: none"><li>• effective representation for island or isolated communities;</li><li>• where non-compliance would limit effective representation of communities of interest by dividing a community of interest between wards or subdivisions;</li><li>• where non-compliance would limit effective representation of communities of interest by uniting within a ward or subdivision two or more communities of interest with few commonalities of interest.</li></ul> <p>All exceptions to the +/-10% rule must be approved by the Local Government Commission. The approval of the Commission is required whether or not appeals or objections are lodged against a territorial authority's decision.</p>	
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### ***Communities of interest?***

The term "communities of interest" is used in the Local Electoral Act to describe in general terms the sense of community or belonging reinforced by the geography of the area, the commonality of places to which people go to for their employment, the location of their schools, marae, banks, where they do their shopping and the location of their religious, recreational and major transport facilities etc.

**Diagram of key concepts for communities of interest and fair and effective representation:**



Accreditation: New Zealand Society of Local Government Managers, Code of Good Practice for the Management of Local Authority Elections and Polls 2019, Part 5.

**Fair and Effective Representation**

The Local Electoral Act also requires “fair and effective representation for individuals and communities”. In carrying out a representation review, local authorities need to be guided by the principle in the LEA of “fair and effective representation for individuals and communities”. Fair representation relates to the number of persons represented per member. The ratio of persons per member in each ward or constituency is required to be within +/-10% of the ratio for the district or region as a whole. This is designed to ensure approximate equality in representation i.e. votes of equal value.



When determining fair and effective representation the general and Maori constituencies are dealt with separately. The Horowhenua District Council does not have any Maori Wards.

Effective representation relates to representation for identified communities of interest. This needs to take account of the nature and locality of those communities of interest and the size, nature and diversity of the district or region as a whole.

### ***Maori Seats***

The Horowhenua District Council has not established any Maori Wards

### ***Initial Proposal***

The Council is required to make a decision on its initial proposal by April 2018 and will then advertise it and call for submissions on it at that time. If no submissions are received that is the end of the process and public notice is given. Submissions received must be heard by the Council and after the hearings the Council will consider them and then determine its final proposal. Public notice is given and any appeals received are forwarded to the Local Government Commission who will then hold its own hearings and decide the final details for representation in the region.

### ***Appointment of Independent Panel or Consultants***

The Local Government Commission's guidelines note other considerations in relation to decision-making on representation arrangements. These include the principles of administrative law requiring local authorities to act in accordance with the law, reasonably and fairly. The guidelines also note that local authorities may wish to consider the option of appointing an independent panel or consultants to recommend appropriate representation arrangements for the district or region.

The benefit of appointing an independent panel or consultants is to avoid concerns about the self-interest of elected members determining the representation arrangements under which they are to be elected. Independent panellists may have specialist knowledge or skills on representation issues or be appointed as representatives of a cross-section of the community. The local authority should carefully consider an appropriate balance of such skills and interests in making appointments.

It is important that the local authority, if it appoints such a panel or consultants, makes a commitment to seriously consider their recommendations and, if varying any of these, clearly records the reasons for these variations. The local authority will need to consider reputational risks arising from variations, other than of a minor nature, given its original decision to appoint an independent panel or consultants.

### ***Regional Coordination:***

Another factor which may be considered in relation to the timing of reviews is the desirability of a degree of regional coordination in representation reviews. This is in light of the requirement that, so far as is practicable, regional constituency boundaries coincide with the boundaries of territorial authorities or territorial authority wards. As the Local Government Commission notes in its guidelines, there may also be scope for regional coordination in consultation exercises. This may save costs and also enhance public understanding of the review process. A mechanism to consider regional coordination of reviews is the triennial agreement between local authorities in each region.

**Further Legislative Requirements:**

Date by	Action	Commentary	Statutory ref
<p>2017 to early 2018</p> <p>Between 1 March 2018 and 25 August 2018 (for full 14 day period prior to public notice)</p>	<p>Obtain the most up-to-date population estimates. Identify a range of possible representation models. Undertake preliminary consultation with the public on options.</p> <p>Territorial authority must determine by resolution:</p> <ul style="list-style-type: none"> <li>• whether councillors are to be elected by the electors of the district as a whole, the electors of two or more wards, or a mixture of both options</li> <li>• if councillors are to be elected by the district as a whole, the proposed number of councillors to be elected</li> <li>• if councillors are to be elected by a mix of wards/at large, the proposed number to be elected by the district as a whole and the proposed number to be elected by two or more wards</li> <li>• if councillors are to be elected by wards, the proposed name and boundaries of each ward, and the number of councillors proposed to be elected by the electors of each ward</li> </ul> <p>In making this resolution, territorial authorities must comply with requirements for effective representation of communities of interest and fair representation for electors.</p>	<p>Not legal requirements but recommended as good practice.</p> <p><i>Section 19H</i> is to be read in conjunction with <i>section 19ZH</i> and <i>Schedule 1A</i> in relation to the establishment of Māori wards.</p> <p>Resolutions cannot be passed any earlier than 1 March 2018 (a new legislative requirement) to ensure the use of most up-to-date population estimates and for receipt of poll demands on the electoral system or Māori wards. If a valid poll demand is received, the resolution will have to follow the holding of the poll i.e. after 21 May 2018.</p> <p>Refer to <i>sections 19T, 19V, 19W</i> and the Local Government Commission's guidelines concerning communities of interest and fair and effective representation.</p>	<p>s19H, s19J, s19K, s19T, s19V, s19W s19ZH <i>Schedule 1A: cls 1, 2, 5, 6, 7</i></p>

	<p>Territorial authority must also determine by resolution:</p> <ul style="list-style-type: none"> <li>• whether there should be communities and community boards and, if so, the nature of those communities and the structure of community boards including:</li> <li>• how many communities should be constituted</li> <li>• details of any existing communities that should be abolished or united with others</li> <li>• any boundary alterations that may be necessary</li> <li>• whether any communities should be subdivided for electoral purposes or continue to be subdivided</li> <li>• any alterations to existing subdivisions</li> <li>• the number of members of the boards, including those elected and those appointed</li> <li>• whether the members who are to be elected will be elected by: <ul style="list-style-type: none"> <li>- the community as a whole</li> <li>- subdivisions</li> <li>- wards</li> </ul> </li> <li>• where there are subdivisions: <ul style="list-style-type: none"> <li>- the names and boundaries of those subdivisions</li> <li>- the number of members for each subdivision.</li> </ul> </li> </ul> <p>In making this resolution, territorial authorities must comply with requirements for effective representation of communities of interest and fair representation for electors.</p>	<p>Refer to <i>section 19J(1)</i>.</p> <p>The community board review process applies to all territorial authorities carrying out reviews, not just those that have community boards. Each territorial authority must, as a part of its representation review, consider whether community boards are necessary to provide fair and effective representation for individuals and communities in its district.</p>	
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	<p>If local boards have been established for the territorial authority district, the territorial authority must determine by resolution:</p> <ul style="list-style-type: none"> <li>• the proposed number of elected members</li> <li>• if provided for by an Order in Council under s 25 of the <i>Local Government Act 2002</i>, the proposed number of appointed members</li> <li>• whether the elected members will be elected by: <ul style="list-style-type: none"> <li>- the electors of the local board area as a whole</li> <li>- subdivisions of the local board area</li> <li>- wards</li> </ul> </li> <li>• where there are subdivisions; <ul style="list-style-type: none"> <li>- the names and boundaries of those subdivisions</li> </ul> </li> </ul> <p>The number of members for each subdivision</p> <ul style="list-style-type: none"> <li>• where there are wards, the number of members for each ward</li> <li>• the proposed name of any local board</li> </ul> <p>Refer to <i>section 19ZH and Schedule 1A</i> with respect to Māori wards.</p> <p>As soon as practicable after passing the resolution, the territorial authority must send a copy to:</p> <ul style="list-style-type: none"> <li>• Local Government Commission</li> <li>• Surveyor-General</li> <li>• Government Statistician</li> <li>• Remuneration Authority</li> <li>• Regional council.</li> </ul>	<p>Refer to <i>section 19H</i></p> <p>The following matters can only be dealt with through the reorganisation process under <i>Schedule 3</i> of the <i>Local Government Act 2002</i>:</p> <ul style="list-style-type: none"> <li>• the establishment, union or abolition of local boards</li> <li>• alteration of the external boundaries of the local board area</li> <li>• whether or not a local board has a chairperson elected by the electors of local board area</li> <li>• whether or not the local board has appointed members.</li> </ul>	<p>s19L</p>
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**Current Position and Possible Changes:**

The current representation arrangements for Horowhenua District, calculated using the population estimates as at 30 June 2017 as required, are as follows:

Wards	General Electoral Population	Number of councillors per Ward	Population per councillor	Deviation from District average population per councillor	% deviation from District average population per councillor
Kere Kere	5,780	2	2,890	-356	-10.96
Miranui	3,080	1	3,080	-166	-5.11
Levin	16,950	5	3,390	144	4.44
Waiopahu	6,650	2	3,325	79	2.43
Total	32,460	10	3,246		

The Kere Kere Ward does not comply with the legislation. In 2012, 3 meshblocks (with a population of 75) were transferred from Waiopahu to Kere Kere to enable full compliance with the “+ or – 10%” rule. A minimum of 64 people are required to be added to the Kere Kere Ward again this review to reduce the % deviation below the 10% threshold. Can any more meshblocks be transferred without impacting the communities of interest? Is -10.96% close enough that a sound argument can be made that a distinct community of interests exists and the LGC should grant a dispensation from full compliance? The change in legislation in 2013 certainly gives the Local Government Commission more flexibility to do so. The Council has been advised that the people moved from Waiopahu to Kere Kere in 2013 were not happy with that decision. This indicates that the community of interest was stronger with the Ward they were in rather than the Ward they were moved to.

What do the current wards look like with an increase to 11 councillors?

Wards	General Electoral Population	Number of councillors per Ward	Population per councillor	Deviation from District average population per councillor	% deviation from District average population per councillor
Kere Kere	5,780	2	2,890	-61	-2.07
Miranui	3,080	1	3,080	129	4.37
Levin	16,950	6	2,825	-126	-4.27
Waiopahu	6,650	2	3,325	374	12.67
Total	32,460	11	2,951		

Changing the numbers of elected members from 10 to 11 shifts the area of non-compliance from Kere Kere to Waiopahu. Is 12.67% close enough that a community of interests argument may convince the LGC to allow it? For Waiopahu to comply, at least 158 people would need to be moved out of this Ward (to Kere Kere again?).

Changing the number of councillors from 10 to 11 shifts non-compliance from Kere Kere to Waiopahu – is either ward able to have an adjustment to boundaries in order to comply and still meet local assessment of community of interest?

There were 12 Elected Members from 1989 to 1992, 11 for the 1995 elections and 10 since 1998.

What about reducing Horowhenua District to 3 Wards – combining Kere Kere and Miranui? Is there a community of interest to support this? It complies this time but will it last? In 2012 the Council concluded “that the existing Ward structure is well understood by the electors and the

Council is satisfied that the Ward structure will continue to provide effective representation for distinct communities of interest”.

Wards	General Electoral Population	Number of councillors per Ward	Population per councillor	Deviation from District average population per councillor	% deviation from District average population per councillor
Kere Kere/Miranui	8,860	3	2,953	-293	-9.03
Levin	16,950	5	3,390	144	4.44
Waiopahu	6,650	2	3,325	79	2.43
Total	32,460	10	3,246		

All three Wards comply with the legislation. The three Ward model using projected population increases from the Draft Growth Strategy would look like this for 2020:

Wards	General Electoral Population	Number of councillors per Ward	Population per councillor	Deviation from District average population per councillor	% deviation from District average population per councillor
Kere Kere/Miranui	9,212	3	3,071	-289	-8.60
Levin	17,552	5	3,510	150	4.46
Waiopahu	6,832	2	3,416	56	1.67
Total	33,596	10	3,360		

The three Wards will still comply with the legislation in 2020 and the % deviation is trending down. This suggests that following the predictions in the Growth Strategy, a three Ward structure would have some longevity.

Election of all councillors at large is an option but some councillors elected at large and some by wards will not solve the % deviation for the current 4 ward model for either 10 or 11 councillors to ensure compliance with the legislation.

A 2 Ward model – Levin and ‘the rest’ would work, would provide for the larger urban area and the rural hinterland with the various rural support townships. This might be worth considering and would present a good argument of urban and rural divide.

Wards	General Electoral Population	Number of councillors per Ward	Population per councillor	Deviation from District average population per councillor	% deviation from District average population per councillor
Rural Horowhenua	15,510	5	3,102	-144	-4.44
Levin	16,950	5	3,390	144	4.44
Total	32,460	10	3,246		

**Request:**

Comment on the option of 11 councillors but with 3 in the Waiopahu ward and 5 in Levin, reducing Kere Kere back to previous boundaries and also considering boundary changes for Levin and Miranui to make the population fit for Waiopahu. Would this give a stronger rural voice?

## Community Boards

There is currently one community board for the Foxton Community.

The LGC considered in 2012 that as part of the 2018 review the Council should consult and further consider the appropriateness of the boundaries of Foxton Community to ensure their relevance for the future and that any changes are identified in time for any necessary changes to the boundaries to be discussed with Statistics New Zealand. The Local Government Commission noted in 2012 that while it might be beneficial for the urban related facilities to be located with the Foxton Community, the requirement of the legislation to follow mesh block boundaries would result in some unwieldy boundaries if the community were to be extended. A workshop with the Foxton Community Board will consider this and other matters relating to community boards and will provide feedback to the Council for consideration.

Should there be other community boards. Is the Foxton Community Board still relevant in the governance of the district?

Other matters to be considered include the number of members to be elected to the Foxton Community Board (currently 5) and the number to be appointed (currently 1 of the 2 Kere Kere Ward Councillors)

### 2012 Decision

The Council considered its representation arrangements in a workshop (on 16 May 2012) and at a meeting on 13 July 2012. At this meeting the Council, under sections 19H and 19J of the Act, resolved its initial representation proposal to apply for the October 2013 elections.

The proposal was to –

- retain the status quo in relation to wards and the number of councillors
- transfer three meshblocks (with a population of 75) from Waiopahu Ward to Kere Kere Ward (so that the latter ward complied with the +/-10% rule in section 19V(2) of the Act)
- abolish the Foxton Community Board.

The resulting ward and membership arrangements were as follows:

Wards	General Electoral Population	Number of councillors per Ward	Population per councillor	Deviation from District average population per councillor	% deviation from District average population per councillor
Kere Kere	5,560	2	2,780	-283	-9.24
Miranui	2,980	1	2,980	-83	-2.71
Levin	15,950	5	3,190	127	4.15
Waiopahu	6,140	2	3,070	7	0.23
Total	30,630	10	3,063		

In notifying its proposal, the Council recorded its reasons for its proposals as follows:

- the size of the council is appropriate for the conduct of the council's business
- the existing ward structure is well understood by electors and council is satisfied that the ward structure will continue to provide effective representation for distinct communities of interest
- the amended boundary of Kere Kere Ward, by incorporating three meshblocks from Waiopahu Ward, will continue to provide commonality of interest within those communities

- there needed to be public debate about the retention or otherwise of the Foxton Community Board, and community boards in general. For this reason the Council resolved to move away from the status quo.

A total of 127 submissions (and a petition with 461 signatures) were received and the Council summarised these as follows:

- 124 submissions (and the petition) opposed the abolition of the Foxton Community Board
- 3 submissions supported the abolition of the community board
- 2 submissions proposed that, instead of the boundary alteration between the Kere Kere and Waiopahu Wards, the council adopt a three ward structure involving the merging of the Kere Kere and Miranui Wards
- 2 submissions proposed a community board for the Levin area
- 1 submission proposed a community board for the Shannon area
- 3 submissions proposed an expansion of the Foxton Community's boundaries
- 2 submissions proposed that the number of appointed members on the Foxton Community Board be reduced from two to one.

At its meeting on 19 September 2012 the Council resolved to amend its initial proposal by –

- retaining the Foxton Community Board
- maintaining the number of elected members on the board at five
- reducing from two to one, the number of appointed members on the board.

Seven appeals and objections against the Council's final proposal were received by the deadline of 26 October 2012.

The LGC in 2012 decided to retain the existing boundaries of Foxton Community.

They did consider, however, that as part of the 2018 review the Council should further consider the appropriateness of the boundaries of Foxton Community to ensure their relevance for the future and that any changes be identified in time for any necessary changes to the boundaries to be discussed with Statistics New Zealand.

In 2012 the LGC considered that one appointed member to the Foxton Community Board is adequate.

The LGC decided to uphold the Council's proposals in respect of community boards.

The LGC decided that the Council would comprise the mayor and 10 councillors elected as follows:

- (a) 2 councillors elected by the electors of Kere Kere Ward
- (b) 1 councillors elected by the electors of Miranui Ward
- (c) 5 councillors elected by the electors of Levin Ward.
- (d) 2 councillors elected by the electors of the Waiopahu Ward.

The LGC decided that the Foxton Community Board would comprise five elected members and one member appointed to the community board by the Council representing the Kere Kere Ward.

### ***What has changed since 2012?***

The district has not undergone any major transformation that would indicate the communities of interest have changed so significantly that substantial boundary changes should occur to the current constituencies.



**Draft Growth Strategy:**

Population growth has been greater in some Wards than others but there is one Ward that falls outside the “+ or – 10%” rule. The legislation was changed in 2013 to permit the LGC greater flexibility in the application of the “+ or – 10%” rule.

How far will the Local Government Commission go in approving non-complying wards? Can the boundaries be changed in any way that will not detract from the communities of interest yet change either Kere Kere or Waiopahu Wards population so they comply with the “+ or – 10%” rule? If no change is made how long can this continue without some change – the next review in 3 or 6 years time? If the population growth occurs as predicted in the Horowhenua draft Growth Strategy then the area of least growth (Miranui) will have a % deviation beyond the allowable limits about the middle of the next decade.

- The area of least growth will be Miranui
- Growth is expected to be steady over the next 20 years
- Using expected growth predictions and the current Ward system this is what may happen:

The current representation arrangements for Horowhenua District, calculated using the population estimates as at 30 June 2017 as required, are as follows:

Wards	General Electoral Population	Number of councillors per Ward	Population per councillor	Deviation from District average population per councillor	% deviation from District average population per councillor
Kere Kere	5,780	2	2,890	-356	-10.96
Miranui	3,080	1	3,080	-166	-5.11
Levin	16,950	5	3,390	144	4.44
Waiopahu	6,650	2	3,325	79	2.43
Total	32,460	10	3,246		

The representation arrangements for the current wards of Horowhenua District, calculated using the population estimates in the growth strategy for 2020 are as follows:

Wards	General Electoral Population	Number of councillors per Ward	Population per councillor	Deviation from District average population per councillor	% deviation from District average population per councillor
Kere Kere	6,098	2	3,049	-311	-9.26
Miranui	3,114	1	3,114	-246	-7.32
Levin	17,552	5	3,510	150	4.46
Waiopahu	6,832	2	3,416	56	1.67
Total	33,596	10	3,360		

The representation arrangements for the current wards of Horowhenua District, calculated using the population estimates in the growth strategy for 2030 are as follows:

Wards	General Electoral Population	Number of councillors per Ward	Population per councillor	Deviation from District average population per councillor	% deviation from District average population per councillor
Kere Kere	7,258	2	3,629	-145	-3.84
Miranui	3,238	1	3,238	-536	-14.20
Levin	19,747	5	3,949	175	4.64
Waiopahu	7,495	2	3,748	-26	-0.69
Total	37,738	10	3,774		

The representation arrangements for the current wards of Horowhenua District, calculated using the population estimates in the growth strategy for 2040 are as follows:

Wards	General Electoral Population	Number of councillors per Ward	Population per councillor	Deviation from District average population per councillor	% deviation from District average population per councillor
Kere Kere	8,437	2	4,219	24	0.57
Miranui	3,364	1	3,364	-831	-19.81
Levin	21,980	5	4,396	201	4.79
Waiopahu	8,169	2	4,085	-110	-2.62
Total	41,950	10	4,195		

**Options:**

Option 1: Status Quo and seek Local Government Commission dispensation from the “+ or – 10%” rule

- Considerations:
  - The ratio is only just outside the allowable limits so is any change justified?
  - Consider that transfer of further meshblocks in to Kere Kere Ward cannot be made without impacting the community of interest of this area.
  - Kere Kere’s non-compliance self corrects in the near future if growth occurs as predicted.
  - Miranui becomes an issue in future years.

	WARD	Population	Members	Population-Member Ratio	Difference from Quota	% Difference from Quota
Council	Kere Kere	5,780	2	2,890	-356	-10.96
	Miranui	3,080	1	3,080	-166	-5.11
	Levin	16,950	5	3,390	144	4.44
	Waiopahu	6,650	2	3,325	79	2.43
	Total	32,460	10	3,246		

Option 2: Amend the boundary of the Kere Kere Ward now so that it complies

- Considerations:

- Can two wards be joined together? Can a change like that be justified in terms of community of interest?
- The ratio is only just outside the allowable limits so is any change justified?
- Can further meshblocks be transferred in to Kere Kere Ward (from Waiopehu again, or perhaps from Miranui) without impacting the community of interest of this area? If so, what meshblocks should be transferred (64 minimum population required to be transferred in)?

	WARD	Population	Members	Population-Member Ratio	Difference from Quota	% Difference from Quota
Council	Kere Kere Ward	5,780 (5,844)	2	2,890 (2,922)	-356 (-324)	-10.96 (-9.98)
	Miranui Ward	3,080 (3,016)	1	3,080 (3,016)	-166 (-230)	-5.11 (-7.09)
	Levin Ward	16,950	5	3,390	144	4.44
	Waiopehu Ward	6,650 (6,586)	2	3,325 (3,293)	79 (47)	2.43 (1.45)
	<b>Total</b>	<b>32,460</b>	<b>10</b>	<b>3,246</b>		

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- Considerations:
- Is this considered good governance for the District?
- Increasing the number of Councillors to 11 shifts the non-compliance from Kere Kere Ward to Waiopehu Ward. Can meshblocks be transferred out of Waiopehu Ward without impacting the community of interest of this area?

	WARD	Population	Members	Population-Member Ratio	Difference from Quota	% Difference from Quota
Council	Kere Kere Ward	5,780	2	2,890	-61	-2.07
	Miranui Ward	3,080	1	3,080	129	4.37
	Levin Ward	16,950	6	2,825	-126	4.27
	Waiopehu Ward	6,650	2	3,325	374	12.67
	<b>Total</b>	<b>32,460</b>	<b>11</b>	<b>2,951</b>		

Option 4: Reduce the number of Wards from 4 to 3 by combining the Kere Kere and Miranui Wards.

- Considerations:

- Is this considered good governance for the District?
- Does combining these two Wards impact on the community of interest of either area?
- This is perhaps a longer term solution?

	WARD	Population	Members	Population-Member Ratio	Difference from Quota	% Difference from Quota
<b>Council</b>	Kere Kere/Miranui Ward	8,860	3	2,953	-293	-9.03
	Levin Ward	16,950	5	3,390	144	4.44
	Waiopehu Ward	6,650	2	3,345	79	2.43
	<b>Total</b>	<b>32,460</b>	<b>10</b>	3,246		

Option 5: Reduce the number of Wards from 4 to 2 by combining the Kere Kere, Miranui and Waiopehu Wards into a single rural ward.

- Considerations:
  - Is this considered good governance for the District?
  - Does combining these three 'rural' Wards impact on the community of interest of any of these areas? Does a single rural ward support a good argument for a simple urban/rural divide?
  - The population for each would be similar and would support 5 Councillors each.
  - This is also a longer term solution.

	WARD	Population	Members	Population-Member Ratio	Difference from Quota	% Difference from Quota
<b>Council</b>	Rural Horowhenua Ward	15,510	5	3,102	-144	-4.44
	Levin Ward	16,950	5	3,390	144	4.44
	<b>Total</b>	<b>32,460</b>	<b>10</b>	3,246		

Option 6: Elections at large:

- Considerations:
  - Is this considered good governance for the District?
  - Do elections at large meet the fair and effective representation requirements?
  - No issues with the “+ or – 10%” rule.
  - Mayor and all Councillors elected by the electors of the whole District.
  - Can still retain community boards.

	Population	Members	Population-Member Ratio	Difference from Quota	% Difference from Quota
Council	32,460	10	3,246	n/a	n/a

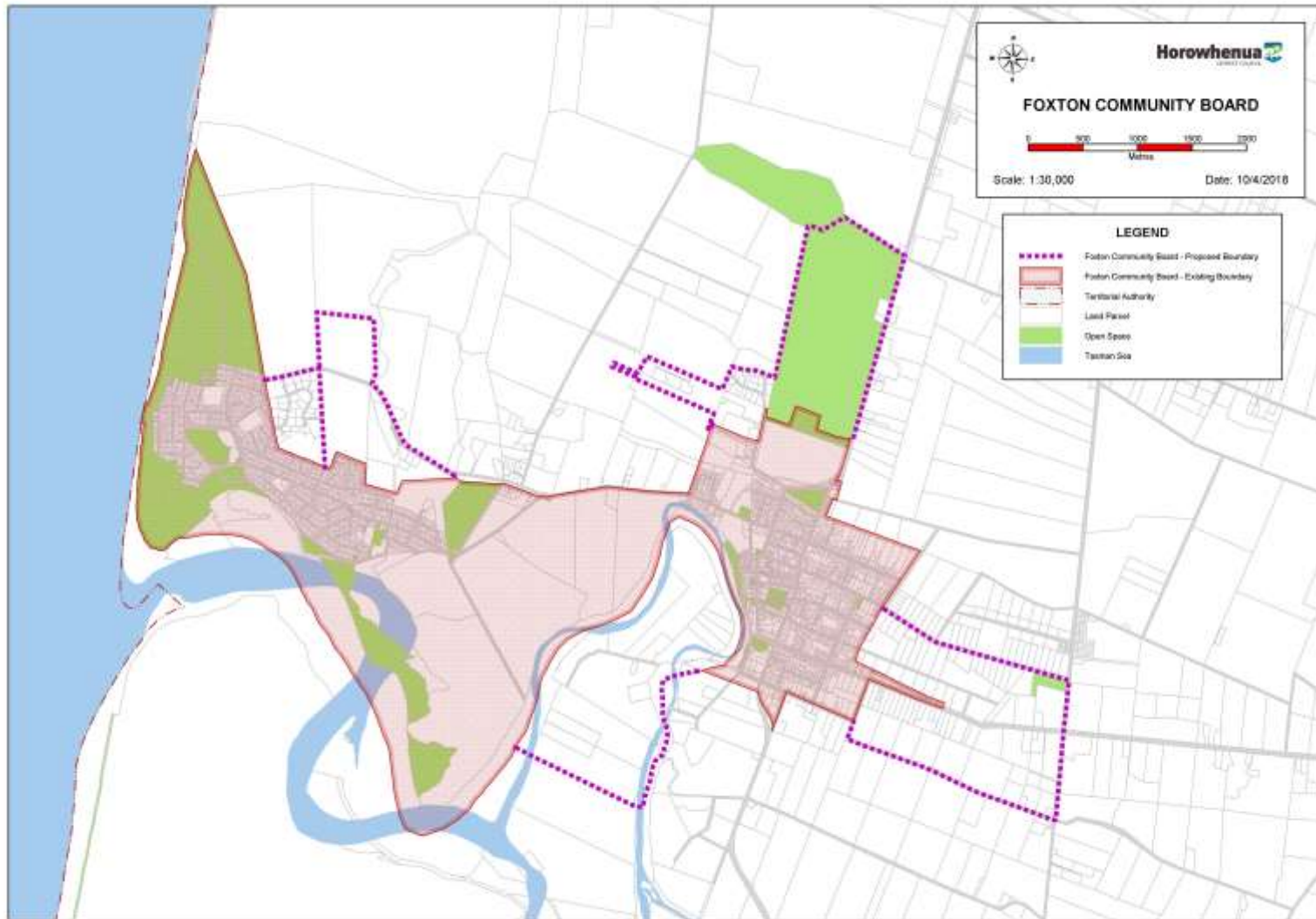
Option 7: Mix of Elections at large and Wards:

- Considerations:
  - Is this considered good governance for the District?
  - Does having some elections at large and some by way of Wards meet the fair and effective representation requirements?
  - The same issues still occur with the “+ or – 10%” rule. Both Miranui and Waiopahu are non-compliant and by quite a large margin.
  - Mayor and some Councillors elected by the electors of the whole District whilst others are elected by Wards.
  - Can still retain community boards.

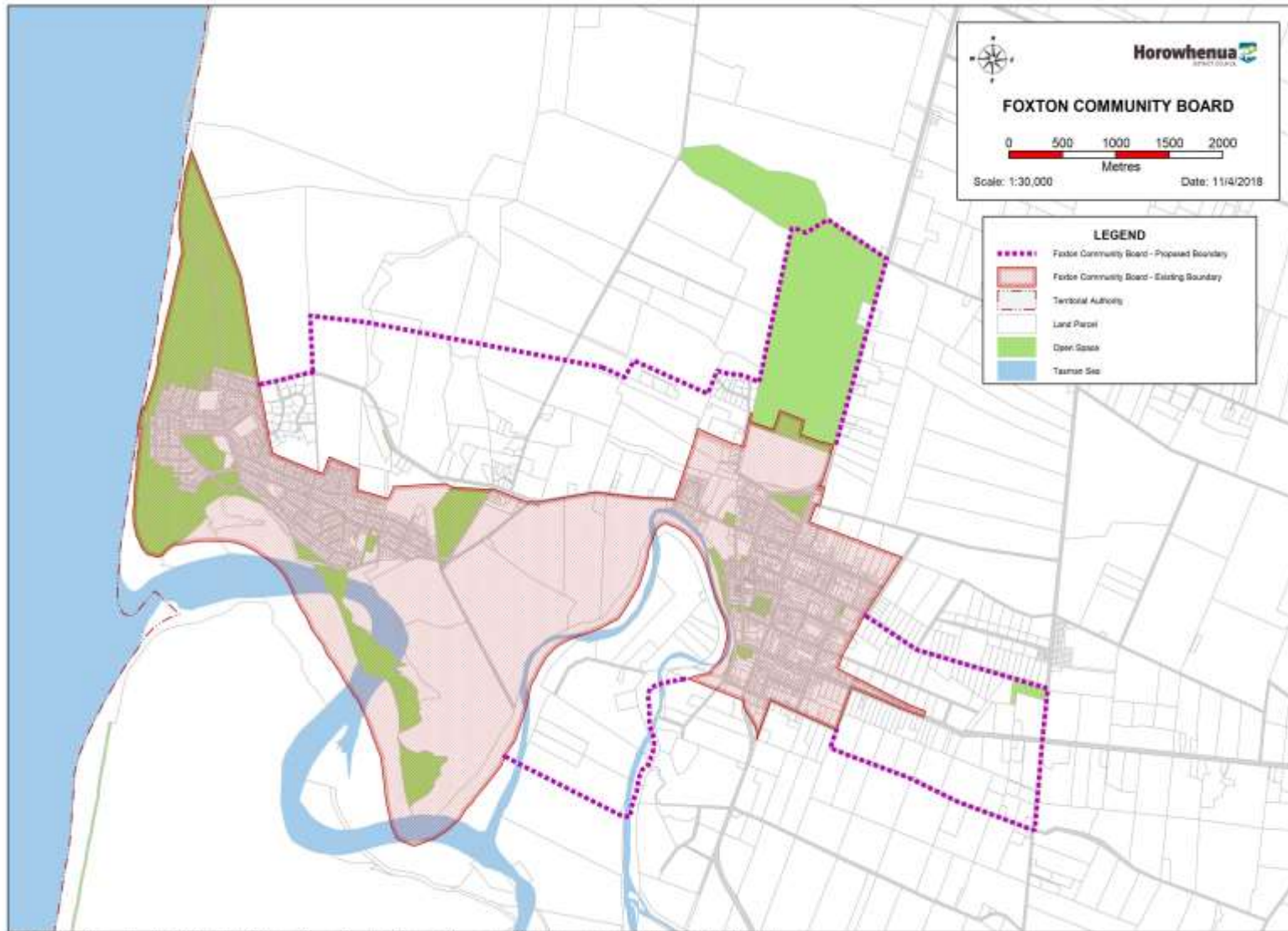
Example: 4 Members elected ‘at large’ and 6 members elected by Wards

	WARD	Population	Members	Population-Member Ratio	Difference from Quota	% Difference from Quota
Council	Kere Kere	5,780	1	5,780	370	6.84
	Miranui	3,080	1	3,080	-2,330	-43.07
	Levin	16,950	3	5,650	240	4.44
	Waiopahu	6,650	1	6,650	1,240	22.91
	Quota	32,460	6	5,410	n/a	n/a
	‘At Large’	(32,460)	4	n/a	n/a	n/a
	<b>Total</b>	<b>32,460</b>	<b>10</b>			

Darryl Griffin, Electionz.com



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# Resource Consenting (Planning) Matters Considered Under Delegated Authority

File No.: 18/150

## 1. Purpose

To present details of decisions made under delegated authority in respect of Resource Consenting (Planning) Matters.

## 2. Recommendation

- 2.1 That Report 18/150 Resource Consenting (Planning) Matters Considered Under Delegated Authority 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. Issues for Consideration

The following decisions were made under delegated authority:

- (i) Subdivision and Land Use Consents Approved:

### **Subdivision Resource Consents Approved – 21/02/18 – 02/04/18**

Approved Date	File Ref	Applicant	Address
22/02/2018	2018/6	Steve & Christine Thompson	541-543 Queen Street, Levin
27/02/2018	2018/7	Christopher John Marer	3 Graham Street, Levin
06/03/2018	2018/8	Stephen Paul Stradling	24 Bruce Road, Levin
07/03/2018	2017/32	Chris Pescini	650 SH57, Levin Rural
13/03/2018	2018/9	Darryl Brian Lark	9 Nelson Street, Foxton Beach
14/03/2018	2017/75	Alan Victor Swanson	291 Kimberley Road, Levin Rural
19/03/2018	2018/10	Jacinta Mary Parry	178 Kanuka Drive, Waitarere Beach
20/03/2018	2018/14	Wayne Owen Moxham	219/255 Park Avenue, Waitarere Beach
21/03/2018	2018/11	Horowhenua District Council	124 Fairfield Road, Levin
21/03/2018	2018/15	Lesley Hazel Kidd	21 Bristol Street, Levin
22/03/2018	2018/12	Dennis Leslie Palmer	613 Queen Street, Levin
23/03/2018	2018/16	Sheryl Anne Bowling	19 Winchester Street, Levin
26/03/2018	2018/17	Zdzislaw Fred Kaczorowski	7 Lakewood Grove, Levin
27/03/2018	2017/55	Woodhaven Gardens Limited	74 McLeavey Road, Levin Rural
27/03/2018	2018/18	Jean McNee	27 Julyan Street, Shannon

### **Land Use Resource Consents Approved – 21/02/18 – 02/04/18**

Approved Date	File Ref	Applicant	Address
23/02/2018	2018/9	Colin John Cudby	399-407 Kaihinu Road, Tokomaru Rural
02/03/2018	2018/7	Rueben James Nicklin	21 Ocean Beach Street, Foxton Beach
14/03/2018	2018/13	Ken Anderson	60 Campbells Road, Tokomaru Rural

15/03/2018	2018/10	R J & R M Bullen	15 Andresen Street, Foxton Beach
22/03/2018	2018/12	P J & V K O'Sullivan	14 Drake Street, Waikawa Beach

(ii) Road Names Approved

None during the reporting period.

## Attachments


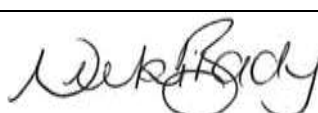
There are no attachments for this report.

### 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)	Megan Leyland <b>Consents Manager</b>	
Approved by	Nicki Brady <b>Group Manager - Customer &amp; Regulatory Services</b>	

## 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 Proceedings of the Strategy Committee 4 April 2018

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
<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 6 and 7.</p>	<p>s6(a) - The making available of the information would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences and the right to a fair trial.</p> <p>s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.</p> <p>s7(2)(c)(i) - The withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information or information from the same source and it is in the public interest that such information should continue to be supplied.</p> <p>s7(2)(d) - The withholding of the information is necessary to avoid prejudice to measures protecting the health and safety of members of the public.</p> <p>s7(2)(f)(ii) - The withholding of the information is necessary to maintain the effective conduct of public affairs through the protection of such members, officers, employees and persons from improper pressure or harassment.</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 6 and 7.</p>