

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

**Date:** Wednesday 4 April 2018  
**Time:** 4.00 pm  
**Meeting Room:** Council Chambers  
**Venue:** 126-148 Oxford St  
Levin

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## Strategy Committee

### OPEN AGENDA

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#### MEMBERSHIP

<b>Mayor</b>	Mr Michael Feyen	
<b>Deputy Chairperson</b>	Mrs Victoria Kaye-Simmons	
<b>Councillors</b>	Mr Wayne Bishop	
	Mr Ross Brannigan	
	Mr Ross Campbell	
	Mr Neville Gimblett	
	Mr Barry Judd	
	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	

Contact Telephone: 06 366 0999  
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Website: [www.horowhenua.govt.nz](http://www.horowhenua.govt.nz)

**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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<b>ITEM</b>	<b>TABLE OF CONTENTS</b>	<b>PAGE</b>
<b>PROCEDURAL</b>		
1	Apologies	5
2	Public Participation	5
3	Late Items	5
4	Declarations of Interest	5
5	Confirmation of Minutes – 28 February 2018	5
6	Announcements	5
<b>REPORTS</b>		
7	Executive	
	7.1 LGNZ Remit Application - Process for appointing the Deputy Mayor	7
	7.2 LGNZ Remit Application - Review of Māori Representation - Local Electoral Act 2001	19
8	Strategy and Development	
	8.1 Growth Response Projects Update	25
<b>IN COMMITTEE</b>		
9	Procedural motion to exclude the public	49
C1	Chief Executive Recruitment Process - Update	49



**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 Strategy Committee, 28 February 2018**

**6 Announcements**

Public Participation (further information):

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

Speakers may (within the time allotted and through the Chairperson) ask Elected Members questions as they relate to the agenda item to be considered by the meeting, however that right does not naturally extend to question Council Officers or to take the opportunity to address the public audience be that in the gallery itself or via the livestreaming. Council Officers are available to offer advice 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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# LGNZ Remit Application - Process for appointing the Deputy Mayor

File No.: 18/172

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## 1. 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.

## 2. Recommendation

- 2.1 That Report 18/172 LGNZ Remit Application - Process for appointing the Deputy Mayor 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 Strategy Committee endorses/does not endorse the attached draft LGNZ Remit Application – Process for appointing the Deputy Mayor for submission to LGNZ as per their Remit Policy.

## 3. Background/Previous Council Decisions

Section 41A of the Local Government Act 2002 sets out the Roles and Powers of Mayors including the power to appoint a Deputy Mayor. Clause 18 of schedule 7 of the same Act prescribes the process a Council can use to remove a chairperson, deputy chairperson or deputy mayor.

I am of the view that this part of the law is confusing and could be clarified in that it could be considered circular in nature. I.e. a Mayor could appoint a deputy under section 41A(3)(a), a Council could remove that deputy by way of majority vote under clause 18(1) of schedule 7, and then a Mayor could re-exercise his or her powers under section 41A(3)(a) and reappoint.

This is the situation that occurred in December 2016 when I endeavoured to reinstate my choice of Deputy Mayor. I did indicate at the time that I thought my position was correct and that this part of the LGA was very grey and confusing.

I am seeking the Committee's support to take this issue forward to LGNZ via its Remit Policy process (**attached**) for consideration at this year's LGNZ Annual General Meeting.

## 4. Issues for Consideration

As the Committee will be aware this aspect of the Local Government Act was tested by the Horowhenua District Council in December 2016 when Council, using the process prescribed by clause 18, schedule 7 of the Local Government Act 2002 by resolution, removed the Deputy Mayor appointed by myself as Mayor under section 41A(3)(a) and appointed an alternative Deputy Mayor by way of election.

As mentioned above, there was acceptance by the majority of Council at that time that the process followed by the Horowhenua District Council was correct and it was not subject to challenge in any way. I also understand that legal advice obtained at that time was that the Council had followed the correct process under the Local Government Act 2002, that the newly Elected Deputy Mayor would remain such unless Council changed the situation by way of resolution, and that I as Mayor could not again exercise his powers under section 41A(3)(a) for the remainder of the triennium. A copy of that legal advice is attached as supporting information.

I, however, maintain the view that the law is ambiguous in this regard and needs clarification as to intent and interpretation and seek the Committee' support to take the attached (draft Remit Application) to LGNZ for consideration as per their Remits Policy. I have spoken to a number of Mayors who also regard this legislation as very grey and trust they will provide support for a remit to LGNZ for its clarification if passed by HDC.

## Attachments

No.	Title	Page
A	Remit Process Memo 2018	9
B	Simpson Grierson - Mayors Powers to Appoint - Legal Opinion - 16 December 2016	11
C	Proposed Remit to LGNZ - Clarification of process to appoint Deputy Mayor	17

### Confirmation of statutory compliance

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

- containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,
- is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

## Signatories

Author(s)	Michael Feyen <b>Mayor</b>	
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Approved by	Michael Feyen <b>Mayor</b>	
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MEMORANDUM

We are.  
LGNZ.

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**Date:** 6 March 2018  
**To:** Mayors, Chairs and Chief Executives  
**From:** Malcolm Alexander, Chief Executive, Local Government New Zealand  
**Subject:** **2018 Annual General Meeting Remit Process**

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We invite member authorities wishing to submit proposed remits for consideration at the Local Government New Zealand Annual General Meeting (AGM) to be held on **Sunday 15 July 2018** in Christchurch, to do so no later than **5pm, Monday 21 May 2018**. Notice is being provided now to allow members of zones and sectors to gain the required support necessary for their remit (see point 3 below). The supporting councils do not have to come from the proposing council's zone or sector.

Proposed remits should be sent with the attached form. The full remit policy can be downloaded from the [LGNZ website](#).

**Remit policy**

Proposed remits, other than those relating to the internal governance and constitution of Local Government New Zealand, should address only major strategic "issues of the moment". They should have a national focus articulating a major interest or concern at the national political level.

The criteria for considering remits were reviewed in March 1999 and National Council adopted the following Remits Screening Policy:

1. Remits must be relevant to local government as a whole rather than exclusively relevant to a single zone or sector group or an individual council;
2. Remits should be of a major policy nature (constitutional and substantive policy) rather than matters that can be dealt with by administrative action;
3. Remits must have formal support from at least one zone or sector group meeting, or five councils, prior to their being submitted, in order for the proposer to assess support and clarity of the proposal;
4. Remits defeated at the AGM in two successive years will not be permitted to go forward;
5. Remits will be assessed to determine whether the matters raised can be actioned by alternative, and equally valid, means to achieve the desired outcome;
6. Remits that deal with issues or matters currently being actioned by Local Government New Zealand may also be declined on the grounds that the matters raised are "in-hand". This does not include remits that deal with the same issue but from a different point of view; and
7. Remits must be accompanied by background information and research to show that the matter warrants consideration by delegates. Such background should demonstrate the:
  - nature of the issue;
  - background to it being raised;

## MEMORANDUM

**We are.  
LGNZ.**

- issue's relationship, if any, to the current Local Government New Zealand Business Plan and its objectives;
- level of work, if any, already undertaken on the issue by the proposer, and outcomes to date;
- resolution, outcome and comments of any zone or sector meetings which have discussed the issue; and
- suggested actions that could be taken by Local Government New Zealand should the remit be adopted.

### Remit process

Local Government New Zealand will take the following steps to finalise remits for the 2017 AGM:

- all proposed remits and accompanying information must be forwarded to Local Government New Zealand no later than **5pm, Monday 21 May 2018**, to allow time for the remits committee to properly assess remits;
- a remit screening committee (comprising the President, Vice President and Chief Executive) will review and assess proposed remits against the criteria described in the above policy;
- prior to their assessment meeting, the remit screening committee will receive analysis from the Local Government New Zealand staff on each remit assessing each remit against the criteria outlined in the above policy;
- proposed remits that fail to meet specified criteria will be informed as soon as practicable of the committee's decision, alternative actions available, and the reasons behind the decision;
- proposers whose remits meet the criteria will be contacted as soon as practicable to arrange the logistics of presenting the remit to the AGM; and
- all accepted remits will be posted to the Local Government New Zealand website at least one month prior to the AGM.

To ensure quality preparation for members' consideration at the AGM, the committee will not consider or take forward proposed remits that do not meet this policy, or are received after **5pm, Monday 21 May 2018**.

### General

Remits discussed at the AGM will be presented in the AGM Business Papers that will be distributed to delegates not later than two weeks before the AGM, as required by the Rules.

Should you require further clarification of the requirements regarding the remit process please contact Leanne Brockelbank on 04 924 1212 or [leanne.brockelbank@lgnz.co.nz](mailto:leanne.brockelbank@lgnz.co.nz).



16 December 2016

**Partner Reference**  
Jonathan Salter - Wellington

Mark Lester  
Horowhenua District Council  
126 Oxford Street  
Levin 5540

**Writer's Details**  
Direct Dial: +64-4-924 3588  
Email: matthew.hill@simpsongrierson.com

Sent by Email

For: Mark Lester

Dear Mark

**Exercise of mayoral powers in section 41A of the Local Government Act 2002**

1. You have asked for our advice in respect of the recent exercise of the mayoral powers in section 41A of the Local Government Act 2002 (LGA) by the Mayor of the Horowhenua District Council (Council).
2. In particular, you have asked for clarification as to which person currently occupies the role of Deputy Mayor, given events which occurred at the Council meeting on 7 December 2016.

**Background**

3. We understand that at some point after the triennial election on 8 October 2016 the Mayor exercised the power in section 41A of the LGA to appoint Cr Campbell as Deputy Mayor.
4. Subsequently, a notice of motion was lodged in respect of a meeting to be held on 7 December 2016. The notice of motion proposed that Cr Campbell be removed as Deputy Mayor, and for the Council to elect a new Deputy Mayor.
5. At the 7 December meeting, we understand that Cr Campbell was removed as Deputy Mayor by majority vote of the Council. Immediately following that resolution to remove Cr Campbell, the Mayor foreshadowed his intention to re-exercise the powers in section 41A to re-appoint Cr Campbell as Deputy Mayor.
6. After a short adjournment, there was then an election for a new Deputy Mayor (with Cr Bishop and Cr Kaye-Simmons as candidates). The voting was in favour of Cr Bishop (with 6 votes for him and 2 votes for Cr Kaye-Simmons, with 2 abstentions) and Cr Bishop was accordingly declared elected as the Deputy Mayor.

**Advice**

7. In our opinion, in the circumstances as we understand them, on 7 December 2016 there was no effective exercise of the power of appointment in section 41A(3)(a). In the event, the power of appointment in clauses 17 and 18(4)(b) of Schedule 7 of the LGA was duly exercised.

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8. Even if the Mayor could lawfully re-exercise the powers in section 41A, it is clear that the Mayor could not re-appoint the person who the Council had removed by majority vote.
9. Accordingly, Cr Bishop is the lawfully appointed Deputy Mayor of the Council, on the basis that he was appointed by the Council on 7 December 2016.
10. For the remainder of the triennium, the Mayor's power in section 41A(3) of the LGA to appoint a Deputy Mayor is not exercisable. Should it be desirable for the Deputy Mayor to be replaced, the Council would need to exercise the powers in clause 18 of the LGA to remove and appoint a new Deputy Mayor.

*The nature of section 41A of the LGA*

11. Section 41A of the LGA was inserted into the LGA in 2012.<sup>1</sup> While the Government appeared to have intended the new powers to constitute a change from the status quo, in our opinion sections 41A(1) and (2) largely codified the long-standing reality of the Mayor's role being to provide leadership to other elected members and to his or her community.
12. Section 41A(3) provides the Mayor with the following powers:
  - (3) *For the purposes of subsections (1) and (2), a mayor has the following powers:*
    - (a) *to appoint the deputy mayor;*
    - (b) *to establish committees of the territorial authority;*
    - (c) *to appoint the chairperson of each committee established under paragraph (b), and, for that purpose, a mayor—*
      - (i) *may make the appointment before the other members of the committee are determined; and*
      - (ii) *may appoint himself or herself.*
13. However, section 41A(4) provides express limitations on the scope of the subsection (3) powers, as follows:
  - (4) *However, nothing in subsection (3) limits or prevents a territorial authority from—*
    - (a) *removing, in accordance with clause 18 of Schedule 7, a deputy mayor appointed by the mayor under subsection (3)(a); or*
    - (b) *discharging or reconstituting, in accordance with clause 30 of Schedule 7, a committee established by the mayor under subsection (3)(b); or*
    - (c) *appointing, in accordance with clause 30 of Schedule 7, 1 or more committees in addition to any established by the mayor under subsection (3)(b); or*
    - (d) *discharging, in accordance with clause 31 of Schedule 7, a chairperson appointed by the mayor under subsection (3)(c).*
14. Of particular relevance in these circumstances is subsection (4)(a), which specifically provides that the mayoral powers in subsection (3) do not limit or prevent a council from removing a deputy mayor appointed by the mayor.

<sup>1</sup> Section 41A is set out in full in the Appendix to this letter.

*Section 41A does not override fundamental powers of local authorities*

15. In our opinion, it is clear from the wording of section 41A of the LGA (and the inclusion of various express limitations and restrictions) that it is not intended to derogate from the fundamental powers of local authorities acting and deciding matters through voting at meetings.
16. The provision conferring fundamental legal authority on council actions is clause 24 of Schedule 7 of the LGA:
  - (1) *The acts of a local authority must be done, and the questions before the local authority must be decided, at a meeting by—*
    - (a) *vote; and*
    - (b) *the majority of members that are present and voting.*
  - (2) *For the purposes of subsection (1), the mayor or chairperson or other person presiding at the meeting—*
    - (a) *has a deliberative vote; and*
    - (b) *in the case of an equality of votes, does not have a casting vote (and therefore the act or question is defeated and the status quo is preserved).<sup>2</sup>*
17. Given the fundamental nature of these provisions in terms of the functioning of councils, any departure from them could be expected to be explicit, which section 41A is not. Accordingly, as provided for by clause 24 of Schedule 7, due democratic process requires decisions of a council to be by majority vote at meetings (with the mayor having a deliberative vote just like other councillors and only a casting vote if provided for in Standing Orders).

*Section 41A does not empower the Mayor to unwind Council decisions*

18. In circumstances where the Mayor's exercise of his section 41A(3) power has resulted in the appointment of a Deputy Mayor, who is then removed by the Council through the process in clause 18 Schedule 7 (explicitly preserved through subsection (4)(a)), in our opinion the appointment made under Schedule 7 can be changed only using the particular mechanisms provided in Schedule 7.
19. The Mayor's power to appoint the Deputy Mayor in section 41A(3)(a) cannot be used by the Mayor as a power to reverse Council decisions. This is especially the case in light of the specific preservation of the Council's power to remove a deputy mayor through the Schedule 7 process, and the more fundamental principle that council actions and decisions obtain their lawful authority through the process of majority vote at meetings (see clause 24 of Schedule 7).
20. In our opinion, it is highly questionable whether the mayoral powers in section 41A of the LGA are capable of being lawfully exercised by the Mayor in the face of a notice of motion to remove the current Deputy Mayor (and appoint a different person to the role). Such a purported exercise of the mayoral powers runs counter to the fundamental democratic process through which councils function.

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<sup>2</sup> Unless Standing Orders provide otherwise.



21. The principle that a local authority's actions and decisions must be undertaken by members voting at meetings (and the limited powers of a mayor to override or detract from that principle) is illustrated by the case of *Mayor of Dannevirke v Ries* (1908) 27 NZLR 757. In that case, the Court held that the mayor cannot refuse to put a motion (and prevent it from being considered by the council in accordance with its standing orders) where the motion was in accordance with standing orders. The Court held that the mayor's duty is to preside at meetings and to conduct meetings in a proper manner.
22. Where, as here, the Mayor's exercise of his section 41A power to appoint a deputy has ultimately been reversed by the Council (through a majority of members voting), then it is not appropriate for the Mayor to purport to unwind the clear expression of the Council's democratic will, exercised in accordance with Schedule 7 of the LGA.
23. In our opinion, for the remainder of the triennium, the Mayor's power in section 41A(3) of the LGA to appoint a Deputy Mayor is not exercisable, given the very particular process set out in clause 18 of Schedule 7 of the LGA. Should it be desirable for the Deputy Mayor to be replaced, the Council would need to follow the process in clause 18 of Schedule 7 of the LGA.


*Power cannot be exercised to appoint same person*

24. For the sake of argument, if it was assumed that the mayoral powers were capable of being exercised where the Council has sought (and succeeded) in lawfully removing the Deputy Mayor and appointing a new person to the role, in our opinion such exercise of power would logically be limited to appointing some other person to the position of Deputy Mayor other than the person who the Council had just removed. The purported exercise to re-appoint the same person would amount to a perverse use of the power.
25. In any event, where the Council, acting through a majority of its members at a meeting, reaches a decision (in this case, the appointment of a deputy), it is not open to the Mayor to reverse that action.

*Final remarks*

26. Accordingly, on the basis that at the 7 December 2016 meeting Cr Campbell was removed from office and Cr Bishop was appointed as Deputy Mayor (in accordance with the Schedule 7 process for removal and appointment of the Deputy), it was not open to the Mayor to reverse that appointment and re-appoint Cr Campbell. In any event, that did not occur. The position is clear that Cr Bishop is the current Deputy Mayor.
27. Please let us know if you have any queries in respect of this advice.

Yours faithfully  
SIMPSON GRIERSON



Jonathan Salter / Matthew Hill  
Partner / Associate

Appendix

Section 41A Local Government Act 2002

**41A Role and powers of mayors**

- (1) The role of a mayor is to provide leadership to—
  - (a) the other members of the territorial authority; and
  - (b) the people in the district of the territorial authority.
- (2) Without limiting subsection (1), it is the role of a mayor to lead the development of the territorial authority's plans (including the long-term plan and the annual plan), policies, and budgets for consideration by the members of the territorial authority.
- (3) For the purposes of subsections (1) and (2), a mayor has the following powers:
  - (a) to appoint the deputy mayor;
  - (b) to establish committees of the territorial authority;
  - (c) to appoint the chairperson of each committee established under paragraph (b), and, for that purpose, a mayor—
    - (i) may make the appointment before the other members of the committee are determined; and
    - (ii) may appoint himself or herself.
- (4) However, nothing in subsection (3) limits or prevents a territorial authority from—
  - (a) removing, in accordance with clause 18 of Schedule 7, a deputy mayor appointed by the mayor under subsection (3)(a); or
  - (b) discharging or reconstituting, in accordance with clause 30 of Schedule 7, a committee established by the mayor under subsection (3)(b); or
  - (c) appointing, in accordance with clause 30 of Schedule 7, 1 or more committees in addition to any established by the mayor under subsection (3)(b); or
  - (d) discharging, in accordance with clause 31 of Schedule 7, a chairperson appointed by the mayor under subsection (3)(c).
- (5) A mayor is a member of each committee of a territorial authority.
- (6) To avoid doubt, a mayor must not delegate any of his or her powers under subsection (3).
- (7) To avoid doubt,—
  - (a) clause 17(1) of Schedule 7 does not apply to the election of a deputy mayor of a territorial authority unless the mayor of the territorial authority declines to exercise the power in subsection (3)(a);



- (b) clauses 25 and 26(3) of Schedule 7 do not apply to the appointment of the chairperson of a committee of a territorial authority established under subsection (3)(b) unless the mayor of the territorial authority declines to exercise the power in subsection (3)(c) in respect of that committee.



Annual General Meeting 2018

Remit application

<b>Council Proposing Remit:</b>	Horowhenua District Council
<b>Remit passed by:</b> (Zone/Sector meeting and/or list five councils as per policy)	To be confirmed
<b>Remit:</b>	
<i>THAT LGNZ lobbies Central Government to clarify the process for the appointment and removal of a Deputy Mayor in the Local Government Act 2002.</i>	

**Nature of the issue:**

Section 41A of the Local Government Act 2002 sets out the Roles and Powers of Mayors including the power to appoint a Deputy Mayor. Clause 18 of schedule 7 of the same Act prescribes the process a Council can use to remove a chairperson, deputy chairperson or deputy mayor. There is a view that this part of the law is confusing and could be clarified in that it could be considered circular in nature. I.e. A Mayor could appoint a deputy under section 41A(3)(a), a Council could remove that deputy by way of majority vote under clause 18(1) of schedule 7, and then a Mayor could re-exercise his or her powers under section 41A(3)(a) and reappoint.

**Background to its being raised:**

This aspect of the Local Government Act was tested by the Horowhenua District Council in December 2016 when Council, using the process prescribed by clause 18, schedule 7 of the Local Government Act 2002 by resolution, removed the Deputy Mayor appointed by Mayor Feyen under section 41A(3)(a) and appointed an alternative Deputy Mayor by way of election.

Whilst there was general acceptance at that time that the process followed by the Horowhenua District Council was correct and it was not subject to challenge in any way there is a view held by some that the law could be clearer in this regard.

**New or confirming existing policy:**

N/A

**How the issue relates to objectives in the current Work Programme:**

N/A

**What work or action on the issue has been done on it, and the outcome:**

As above, this aspect of the Local Government Act was tested by Council in December 2016. Legal advice obtained at that time was that the Council had followed the correct process under the Local Government Act 2002, that the newly Elected Deputy Mayor would remain such unless Council changed the situation by way of resolution, and that the Mayor could not again exercise his powers under section 41A(3)(a) for the remainder of the triennium. A copy of that legal advice is attached as supporting information.

**Any existing relevant legislation, policy or practice:**

Local Government Act 2002

**Outcome of any prior discussion at a Zone or Sector meeting:**

This has not been discussed at a Zone Three meeting.

**Evidence of support from Zone/Sector meeting or five councils:**

To be confirmed if remit is endorsed by Horowhenua District Council.

**Suggested course of action envisaged:**

LGNZ lobby Central Government to provide clarification around this aspect of the Local Government Act 2002.

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

File No.: 18/174

## 1. 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.

## 2. Recommendation

- 2.1 That Report 18/174 LGNZ Remit Application - Review of Māori Representation - Local Electoral Act 2001 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 Strategy Committee endorses/does not endorse the attached draft LGNZ Remit Application – Review of Māori Representation within the Local Electoral Act 2001.
- 2.4 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.

## 3. Background/Previous Council Decisions

Currently, territorial authorities can resolve that a district be divided into one (1) or more Māori wards for electoral purposes. Further, if a territorial authority resolves to introduce a Māori ward, once publicly notified, the public has the right to demand a poll on whether the district should be divided into one or more Māori wards.

This poll is binding and of note is that these poll provisions only apply to the establishment of Māori wards. This is discriminatory to Māori and inconsistent with the principles of Te Tiriti o Waitangi.

I am seeking Council support to take this issue forward to the LGNZ via its Remit Policy process for consideration at the LGNZ Annual General Meeting 2018.

## 4. Issues for Consideration

Horowhenua District Council is currently undergoing the six yearly Representation Review.

Discussions regarding Māori representation led to a view that individual territorial authorities should not necessarily be tasked with deciding whether or not to establish a Māori ward.

Rather, there should be consistency throughout the country such as with Māori Electorates for General Elections which are a special category of electorate that gives reserved positions to representatives of Māori in Parliament. Every area in New Zealand is covered by both a general and a Māori electorate of which there are currently seven Māori electorates.

Amendments were made to the Local Electorate Act in 2001 with the intention of increasing Māori representation within local authorities; the intent has not been successful. Since the changes were made to the Act, there has been two Māori wards established – Waikato Regional Council and Wairoa District Council. Further to this, five councils have recently resolved to establish Māori wards and are all facing a binding poll which could overturn the decision of each council.

LGNZ has recently written a letter to coalition government leaders requesting a review of the particular section of the Act that provides provision for a binding poll. This review should extend further than only removing the poll provisions.

Therefore, a review of the Local Electoral Act 2001 should determine a consistent approach throughout the country that is fair and equitable to Māori and consistent with the principles of Te Tiriti o Waitangi.

A draft of the Remit Application is attached.

## Attachments



No.	Title	Page
A	LGNZ - Letter to Coalition Government Leaders - Māori Ward Poll	21
B	Proposed Remit to LGNZ - Review of Local Electoral Act 2001 - Maori Representation	23

### 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)	Piri-Hira Tukapua <b>Councillor</b>	
Approved by	Michael Feyen <b>Mayor</b>	

Who's  
putting local  
issues on  
the national  
agenda?

**We are.  
LGNZ.**

22 March 2018

Rt Hon Jacinda Ardern  
Prime Minister  
Leader of the Labour Party  
Parliament Buildings  
WELLINGTON

Rt Hon Winston Peters  
Deputy Prime Minister  
Leader of New Zealand First  
Parliament Buildings  
WELLINGTON

Hon James Shaw  
Leader of the Green Party  
Parliament Buildings  
WELLINGTON

Dear Leaders

**Removing the poll for Māori wards and constituencies – an open letter to the Government**

**Ngā mihi kia koutou kī runga i ngā tini āhuatanga ō te wā, greetings to you all during this time of many and varied issues.**

We are writing to you in your role as the three leaders of our governing coalition on behalf of our members, the 78 local authorities of New Zealand. This letter seeks your support to remove those sections (s.19ZA to 19ZG) of the Local Electoral Act 2001 (LEA) that allow for polls of electors on whether or not a city, district or region can establish Māori wards and constituencies.

Following its decision in 2001 to establish Māori constituencies for the Bay of Plenty Regional Council, Parliament amended the LEA to give this power to councils, in consultation with their citizens. The amendment also allowed electors, through a binding poll, to either require a council to establish wards and constituencies or overturn a council decision to that effect.

The changes to the LEA were intended to increase Māori representation in local authorities but the intent has failed, largely due to the nature of the poll provisions; provisions which do not apply to any other type of ward or constituency. The binding poll only applies to Māori wards and constituencies.

Since 2002, in fact, the only Māori wards or constituencies so far established have been the constituencies introduced by the Waikato Regional Council, by resolution, in 2013 and the Māori wards, agreed by poll, in Wairoa in 2016. Over this period many polls have been held at the request of iwi to establish Māori wards only to be lost and in a number of instances councils have resolved to establish Māori wards only to have their decisions overturned by a poll of voters, for example, in New Plymouth District prior to the 2016 local elections.

Currently five councils have resolved to establish Māori wards; these are Kaikoura District Council, Manawatu District Council, Western Bay of Plenty District Council, Whakatāne District Council and Palmerston North City Council, and each council is facing a binding poll that could reverse their decisions. Should any of the polls succeed (a simple majority is all that is required) then not only will the proposed Māori wards not be established, but no future consideration of Māori wards will be able to take place until after the 2022 local authority elections.

As noted, these poll provisions apply only to the establishment of Māori wards and constituencies. That they do not apply to other wards and constituencies marks the provision as discriminatory to Māori and inconsistent with the principle of equal treatment enshrined in the Treaty of Waitangi. Either the poll provisions should apply to all wards or they should apply to none. The discriminatory nature of these polls is not acceptable.

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Of equal concern, the polls reduce a complex issue to a simple binary choice, which, by encouraging people to take sides, damages race relations in our districts. Matters of representation and relationships should be addressed in a deliberative manner that employs balanced and considered dialogue – not by poll. In fact, a poll is not necessary. Should a council resolve to establish Māori wards or constituencies, or any other ward, against the wishes of its community then the community has the option to hold that council to account at the next election – this is how representative democracy is intended to work.

It is imperative that the Government acts to address the unfairness created by the poll provisions and put in place a legislative framework that will enable mature and constructive conversations about options for Māori representation in local authorities. We acknowledge that the answers will vary from place to place, which is appropriate, but resorting to simplistic and emotion-fuelled campaigns to seek signatures and votes is not good for our communities.

We intend to share this letter widely with our members and the public and look forward to meeting with you to discuss our request and share with you the reasons why we believe this is an important and urgent matter for parliament to consider.

Nāku iti nei, nā



Mayor Dave Cull  
President  
Local Government New Zealand

CC: Hon Nanaia Mahuta, Minister of Local Government  
Hon Kelvin Davis, Minister for Crown/Māori Relations

Annual General Meeting 2018

Remit application

<b>Council Proposing Remit:</b>	Horowhenua District Council
<b>Remit passed by:</b> (Zone/Sector meeting and/or list five councils as per policy)	To be confirmed
<b>Remit:</b>	THAT LGNZ lobbies Central Government to review the Local Electoral Act 2001 (the Act) with regard to Māori Wards and Māori Constituencies, with a view to providing an innovative solution to enable fair and equitable Māori representation in local government.

**Nature of the issue:**

Currently, territorial authorities can resolve that a district be divided into one (1) or more Māori wards for electoral purposes. Further, if a territorial authority resolves to introduce a Māori ward, once publicly notified, the public has the right to demand a poll on whether the district should be divided into one or more Māori wards.

This poll is binding and of note is that these poll provisions only apply to the establishment of Māori wards. This is discriminatory to Māori and inconsistent with the principles of Te Tiriti o Waitangi.

**Background to its being raised:**

Horowhenua District Council is currently undergoing the six yearly Representation Review.

Discussions regarding Māori representation led to a view that individual territorial authorities should not necessarily be tasked with deciding whether or not to establish a Māori ward.

Rather, there should be consistency throughout the country such as with Māori Electorates for General Elections which are a special category of electorate that gives reserved positions to representatives of Māori in Parliament. Every area in New Zealand is covered by both a general and a Māori electorate of which there are currently seven Māori electorates.

Amendments were made to the Local Electorate Act in 2001 with the intention of increasing Māori representation within local authorities, the intent has not been successful. Since the changes were made to the Act, there has been two Māori wards established – Waikato Regional Council and Wairoa District Council. Further to this, five councils have recently resolved to establish Māori wards and are all facing a binding poll which could overturn the decision of each council.

Therefore, a review of the Local Electoral Act 2001 should determine a consistent approach throughout the country that is fair and equitable to Māori and consistent with the principles of Te Tiriti o Waitangi.

**New or confirming existing policy:**

N/A

**How the issue relates to objectives in the current Work Programme:**

N/A

**What work or action on the issue has been done on it, and the outcome:**

Horowhenua District Council is aware that on 22 March 2018 LGNZ President, Dave Cull sent a letter to Rt Hon Jacinda Ardern, Rt Hon Winston Peters and Hon James Shaw as leaders of the colition, seeking support to remove the poll for Māori ward provision in the Local Electoral Act 2001.

**Any existing relevant legislation, policy or practice:**

Local Electoral Act 2001.

**Outcome of any prior discussion at a Zone or Sector meeting:**

This has not been discussed at a Zone Three meeting.

**Evidence of support from Zone/Sector meeting or five councils:**

To be confirmed if remit is endorsed by Horowhenua District Council.

**Suggested course of action envisaged:**

LGNZ lobby Central Government to review the Local Electoral Act 2001.



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# Growth Response Projects Update

File No.: 18/169

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## 1. 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.

## 2. Recommendation

- 2.1 That Report 18/169 Growth Response Projects Update be received.
- 2.2 That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

## 3. Background/Previous Council Decisions

### Ōtaki to North Levin (O2NL) Expressway

The NZ Transport Agency (NZTA) Project Reference Group (PRG), including Council Elected Members and Officers, along with members of the community, iwi and other stakeholders met in August 2017 to discuss outcomes of the Multi Criteria Analysis process. Following this, further investigations were undertaken including traffic modelling, constructability and continued discussions with Tangata Whenua. This information was reported back to the PRG prior to commencement of engagement with affected and potentially affected landowners at the end of January 2018. Since then NZTA have met with a considerable number of landowners and will continue to engage directly with these landowners.

The NZTA public announcement of short-listed options for engagement was made 5 February 2018. The options are all east of the existing Levin and Manakau townships – three north of the Ohau River and three south, providing a combined total of nine options for consideration. The NZTA 'Pop-up' shop in Levin also opened on 7 February 2018 and provided the public with an opportunity to view maps and talk directly with the NZTA project team.

To date Council has not supported a preferred expressway location; however it understands the reasons why alignments to the west of Levin have been excluded from this round of engagement. This has provided relief for some landowners and anxiety for others. Council continues to support the process for NZTA to identify an alignment that delivers the best overall outcomes for the District. Unfortunately the recent serious accidents and road closures on the State Highway network south of Levin have once again highlighted the critical importance of the O2NL expressway to deliver much needed improvements to safety and resilience of the highway network. The predicted future increases in traffic volumes coupled with the looming completion and subsequent flow on traffic impacts (further exacerbating safety issues) of Transmission Gully and the Peka Peka to Otaki Expressway is extremely concerning.

It is clear that all options have positive and negative effects, to varying degrees, across a broad range of criteria. Council has developed a process to provide feedback to NZTA in response to the second round of engagement with affected or interested stakeholders and the public generally (Noting that this is not a formal submission process lodged under the RMA).

Council has attended a number of NZTA Community Engagement Events and Community Meetings including presenting at the O2NL Public Meeting led by MP Nathan Guy on 1

March 2018. In addition to this considerable discussion has been had with members of the community at Council LTP/Growth Strategy Engagement Events throughout March and following up enquires from interested or affected residents. This has been important for Council to hear from the communities perspective in what is a difficult and stressful experience they are going through at present.

To date Council has conducted a briefing with Elected Members and Officers to highlight key issues and information required to feel sufficiently informed to provide feedback on this round of engagement. Internal Council briefings were held on 28 February and 7 March at which direction was sought from Elected Members around key issues for inclusion in feedback to NZTA. This direction has formed the attached feedback to NZTA for adoption at 4 April 2018 Strategy Committee Meeting.

#### Transforming Taitoko / Levin Town Centre

Work was completed in December 2017 on the draft Levin Town Centre Strategy to provide a clear understanding of the current issues and future opportunities for the Levin Town Centre regardless of if or when a Levin Bypass is implemented by NZTA.

Since then, planning and preparation for the community engagement has commenced. Elected Members were briefed on the engagement plan on 21 March.

Targeted engagement with business and building owners will occur, alongside a 'pop-up' style public engagement hub using a retro-fitted shipping container in the Te Takeretanga o Kura-hau-pō carpark. Officers will also be engaging directly with MTA and coordinating with community events such as BA5.

The outcome sought from this engagement is:

- Whether we have got the 'Big Six' considerations outlined in the document right;
- One key question (with supporting commentary/prompts) focusing on how each of the six considerations can be achieved
- Whether the action points contained in the Strategy document will achieve the intended outcome
- What role Council should play in implementing the Strategy

The Draft Strategy and engagement material are being circulated to Elected Members for review prior to printing.

#### Horowhenua Growth Strategy 2040

The District is growing faster than at any other time in the past quarter of a century. Because of growth pressures, combined with projected population increase, Council Officers have been reviewing the Horowhenua Development Plan 2008 and preparing a Growth Strategy that looks out to 2040. The Growth Strategy identifies how the district can accommodate the projected population increase and new businesses. The Strategy will signal where the future growth areas are likely to be and ultimately how the District will change and grow. The Strategy is to be adopted by Council following public engagement. This won't change the zoning of the land identified for growth, it will set the direction, which can then be implemented through a public District Plan change process. Timing and engagement on a plan change would likely commence in mid-2018 and could take up to 18 months.

A challenge for this work has been maintaining an appropriate level of momentum while the Otaki to North Levin expressway project advances. While there is uncertainty over the preferred corridor and interchange options it maintains a level of uncertainty for the settlements with potential growth areas in the expressway project area.

In late 2017, letters and maps of the potential future growth areas were sent out to affected landowners across the District. A subsequent drop-in session and ongoing individual meetings and phone calls have provided valuable insight to improve the understanding of

the sites and the alignment of landowner's future aspirations with Council's proposals. Some landowners were positive about the idea, while others said they didn't want to change the way they were using their land. The landowner feedback resulted in some further refinement to the identified growth areas.

While the landowner engagement has been occurring technical work has continued with the development of the Growth Strategy assumptions and the Liquefaction and Flood Risk Hazard Assessment for the potential growth areas. This has including meeting with Horizons Planning Staff.

In conjunction with the Long Term Plan (which includes a consultation topic about the provision of reticulated services to existing settlements and future growth areas), the community is being consulted on the potential future growth areas. This public engagement commenced on 23 February 2018 and closes on 26 March 2018. The majority of feedback to date has been supportive of Councils approach.

#### 4. Issues for Consideration

##### Ōtaki to North Levin (O2NL) Expressway

Attached feedback to NZTA confirms unanimous Council support for the O2NL project. Prior to the NZTA finalising an indicative business case on a preferred alignment to the NZTA board in June, Council will endeavour to provide direction on a preferred corridor alignment in the form of a second submission in late April 2018. Although Council has reviewed and understood all the technical information supporting the project, no direction can be provided until Council has the opportunity to consider the feedback provided by the community and other key stakeholders to NZTA, and until the social impacts of the project are better understood.

Once timing for the project is confirmed, more detailed work can continue on:

- Input into the development of an interchange strategy and design to meet the needs of the existing community and future growth areas
- Confirmation of methods and level of input into a preferred alignment developed design process, prior to the formal consenting phase
- Audit of District Plan to consider rules that exclude certain activities to ensure appropriate development and consider the provision of new opportunities resulting from the new expressway corridor.
- Development of a multi-modal Horowhenua 2040 transport strategy that provides improvements to the existing transport system and incorporates changes in the Levin Town Centre and impacts of future growth areas and an O2NL expressway
- Investigation of a strategy for revocation of any redundant State Highway including key considerations for the Levin Town Centre.

##### Transforming Taitoko / Levin Town Centre

Indicative timeframes for engagement as follows:

- Early-Mid April 2018 – Door knocking and letter drop to building and business owners to discuss the Strategy and explain the upcoming engagement process. Consultation with building and business owners will be a major focus throughout the engagement period, given the significance of this project to them.
- Late April-Mid May 2018 – Public engagement on Strategy will commence. The focus of the engagement will be to inspire the community and key stakeholders to start thinking about future aspirations, opportunities and clearly highlight key projects to progress.

Another key focus will be on the role that the community considers Council should play in implementing the Strategy.

Additional workstreams will be progressed in conjunction with or following development of the Strategy including:

- Further engagement and workshops with Iwi to develop the cultural and heritage context of the Strategy and exploring links to other initiatives, input and partnership in future opportunities to enhance the identity of the town centre and activity in this space.
- Alignment of District Plan rules with Strategy outcomes with potential for a 'Development Zone' to enable greater flexibility for new development
- Costing and programming of identified projects
- Coordination with the Earthquake Prone Building project to ensure options and solutions align with the Strategy
- Further work in conjunction with O2NL project including development of a Horowhenua 2040 Transport Strategy (Consideration of Multi-modal networks, ring roads etc.) and strategy for revocation.

#### Horowhenua Growth Strategy 2040

Feedback on the Growth Strategy from the community closes on 26 March 2018. To support the preparation of the final Growth Strategy work will also continue on:

- Technical assessment of proposed growth areas including site specific onsite testing to inform flooding and liquefaction hazard assessments
- Ongoing discussions with landowners
- Meetings with key stakeholders – including NZTA planners
- Exploring opportunities for collaborative 'Master planning' of growth areas to ensure optimal community outcomes are provided by developments.
- Preparation of Structure Plans for future growth areas including the feedback received from public and landowner engagement.

Following the analysis of the public engagement feedback and completion of technical reports the Growth Strategy will be prepared for adoption by Council. The adopted Growth Strategy will form the basis for the development of a plan change to the District Plan to implement the Strategy through rezoning land for future development. A hold point prior to proceeding with a plan change is to understand how NZTA have progressed with identifying a preferred corridor and interchange options and the impact on any proposed future growth areas. Current indications are that a recommended option will be presented to the NZTA board in June 2018 for subsequent approval of a preferred corridor. The expressway corridor options have potential to impact the future development of Levin, Ohau and Manakau.

Opportunities to collaborate with stakeholders on the future growth planning will continue to be sought throughout the process to better inform planning, decisions and outcomes.

## Attachments

No.	Title	Page
A	HDC FEEDBACK TO NZTA ON THE O2NL PROJECT - March 2018 - Attachment - 4 April Strategy Committee Meeting	30

**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)	Daniel Haigh <b>Growth Response Manager</b>	
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Approved by	David Clapperton <b>Chief Executive</b>	
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## HDC FEEDBACK TO THE TRANSPORT AGENCY ON THE O2NL PROJECT

### 1. Introduction

- 1.1. The Horowhenua District Council (HDC) welcomes the opportunity to provide this feedback to the New Zealand Transport Agency (NZTA) as a key input into the decision-making process on the Ōtaki to North of Levin (O2NL) project.
- 1.2. **Council has reviewed and considered the short-listed corridor options and wishes to confirm its unanimous support for the O2NL project that is essential to address:**
  - **The current serious safety issues on the existing highway network**
  - **Impacts of congestion and safety in the Levin Town Centre**
  - **Issues of resilience for road users and in the case of emergency response**
  - **The provision of certainty to all stakeholders**
  - **Opportunities for increasing the economic efficiency and unlocking the development potential of Horowhenua and central NZ.**
- 1.3. The above points are covered in feedback under the following sections and build on the feedback submitted to NZTA in July 2017, which we attach to this document (Appendix A):
  - **The Need and Support for the Project** and requirement to progress to construction (refer section 2).
  - **Process for preferred option selection** (refer section 3).
  - **Future key expectations and considerations** for the development of the project moving forward (Refer section 4)

### 2. The Need and Support for the Project

- 2.1 **Council would like to reinforce its unanimous support for this project which is essential for the future of our District. It will not only respond to the existing safety, efficiency, social and environment issues caused by the existing State highway but will enable a transformational change for the community by delivering significant socio-economic benefits across the Horowhenua.**
- 2.2 With the construction of the expressways to the south planned for completion by 2020 and the increase in population and economic growth that is predicted for the District, we anticipate that existing safety, efficiency, resilience, economic and environmental issues are likely to be amplified. We consider the O2NL project addresses these concerns and provides a

critical mechanism for promoting substantial economic and social wellbeing gains over the long-term in line with the objectives of Council and Central Government.

- 2.3 The location of the Horowhenua District means that it sits on a key north-south highway link. With Palmerston North to the north growing as a key national freight hub and the economic hub of Greater Wellington Region to the south, efficient highway links through the District are essential to support these areas. Both these areas are undergoing major investment in road transport and without an efficient link through the Horowhenua District then the benefits from these investments will be lost.
- 2.4 The project will improve regional transport outcomes in the Horowhenua District and will make a positive contribution to delivering the Government's strategic priorities of regional economic development and safe transport systems. These priorities closely align with the O2NL project objectives and benefits, as follows:
- Improving safety for all road users in our District.
  - Mitigating the State highway traffic impact in Levin Town Centre
  - Providing resilient inter-regional connections;
  - Enabling extensive local and regional socio-economic benefits
- 2.5 A key outcome we seek from NZTA and Central Government is to confirm timing and certainty for the project, this is important for delivering the expected project outcomes as soon as possible and additionally to provide clarity and certainty for residents directly and/or indirectly affected by alignment options.

### Safety

- 2.6 **To assist in providing a land transport system free of death and serious injury, the O2NL project needs to deliver an expressway-standard highway to improve the current poor safety record on our regional roads - State Highway 1 (SH1) and State Highway 57 (SH57). Unfortunately, recent and previous serious accidents and road closures on the State Highway network south of Levin highlight the critical importance of the O2NL expressway to deliver much-needed improvements to the safety and resilience of our regional network.**
- 2.7 Those parts of SH1 and SH57 which are in our District fall short of contributing to a land transport system that is safe, and free of death and serious injury. The standard of these roads is such that they only achieve a 2-star to 3-star KiwiRAP rating, which is a major contributor to their poor safety record.
- 2.8 Of serious concern is the impact of the soon-to-be-completed highway network to the south of the project. While the new expressway from Ōtaki south has been positive to address issues in this area and enhancing regional development opportunities to the north, extending all the way to Wellington will mean that drivers will be accustomed to driving on a 5-star road for some time before encountering the 2- to 3-star roads in the District and the Levin town centre. This rapid change in road quality is likely to lead to a significant increase in the risk of crashes on the poorer standard roads as drivers adjust to the changing road environment.

Council urges NZTA to further investigate the impacts of this to inform decisions around timing for completion of the O2NL project.

- 2.9 Traditional safety interventions are unlikely to provide a solution on a road that is fundamentally of an inappropriate standard for the traffic volume. Recent growth has pushed well past the limits of what can safely be sustained with the current road format, regardless of the level of investment in safety improvements. Extensive investigations have previously been carried out by NZTA to confirm that the O2NL project is the only solution to the inadequacies of the current state highway network, which continue to result in deaths and serious injuries.
- 2.10 The local access and inter-regional route functions of the existing highway have reached a point where they are incompatible due to the increased traffic volumes that now exist. In addition, many of our successful market garden businesses that are vital to meeting the food demands of the lower North Island rely on SH1 for direct access. The resulting high numbers of tractor movements along SH1 are incompatible with traffic moving at high speed and the already serious risk this issue presents will only be exacerbated by the increasing traffic volumes on this stretch of the highway network as a result of the completion of the rest of the Wellington Northern Corridor.

#### Levin Town Centre

- 2.11 **The O2NL project needs to bring much needed relief to the Levin town centre by removing inter-regional traffic, especially trucks to improve the environment and enable the opportunity to develop a town centre that is more thriving and vibrant to support a growing community.**
- 2.12 Council is set to consult with the Community on the future of the Levin Town Centre with consideration of earthquake prone buildings, a potential bypass, exploring transport options (Public transport and cycle opportunities) and Town Centre Activity. The O2NL project provides a once in a lifetime opportunity to transform the Levin Town Centre and provide a sustainable future. Removing inter-regional traffic from the town centre is critical to achieving this.
- 2.13 The State highway inter-regional (through) traffic and particularly heavy vehicles need to be removed from the main street of Levin to improve the environment and associated amenity of the Town Centre. Vehicles queuing and starting from a standstill at the traffic signals cause air pollution and noise, adversely affecting the health and experience for pedestrians using the town centre.
- 2.14 Safety for pedestrians and cyclists is a concern in the town centre. Pedestrians are restricted in their ability to cross the main street mid-block due to the traffic volumes and for those that do safety is an issue.
- 2.15 Opportunities to enhance the visitor experience in the town centre are being limited by the presence of the State Highway and the level of changes that can be made without impacting on the efficiency and effectiveness of the highway network.



### Resilience

- 2.16 **A high level of resilience is critical on SH1 through the south of the District as it provides a critical link between the central North Island and the Wellington region, in particular for regional freight. Once past Levin to the north, the state highway network offers alternative routes via SH1 to Sanson and SH57 to Palmerston North.**
- 2.17 Improved resilience on SH1 to the south of Levin is essential since it closes regularly due to flooding or vehicle accidents causing significant disruption to the lower North Island regional transport network. Additionally, the SH1 route is currently the only vehicular access into Wellington from the Horowhenua in the response to a significant natural hazard event.
- 2.18 In the case of a significant earthquake event the highway to the south of Levin relies on several aging structures that could be threatened during a major earthquake. This matter is of particular concern as Horowhenua is expected to play a critical role in the supply and transit of resources and evacuation as outlined in the draft Wellington Earthquake National Initial Response Plan 2017. The RNZAF Base Ohakea would likely act as logistical hub (Particularly for International aid) and additionally the Palmerston North Airport being used for incoming response personnel and evacuation in the event of a major earthquake or Tsunami impacting on the Wellington International Airport.
- 2.19 The benefits from investment in highly resilient infrastructure to the south (Wellington Northern Corridor) will not be fully realised if the highways through the Horowhenua are a weak link from a resilience perspective.

### Extensive local and regional Socio-economic benefits

- 2.20 **Social and Economic Impacts can easily be seen too narrowly thereby ignoring the greatest benefits of major transportation infrastructure projects. For Levin, its surrounding district and the region, the boost to investment in and across these areas is unquestionably critical. The long term nature of the O2NL investment and the long-lived asset created provides the basis for an opportunity to deliver economic and social wellbeing gains over the long term, in doing so, overcoming Horowhenua's long-standing and well documented challenges in the key community outcome areas that are imbedded in Council's existing strategy development and planning. These community outcomes that have been consulted on in the 2018-2038 Long Term Plan (Refer extract Appendix B) and align very closely with the Government Living Standards Framework, are:**

- **Thriving Communities**
- **Partnership With Tangata Whenua**
- **An Exuberant Economy**
- **Stunning Environment**
- **Enabling Infrastructure**
- **Vibrant Cultures**

- 2.21 HDC is committed to improving the social and economic wellbeing of its communities. The O2NL project offers the scope for significant contribution to this in many tangible ways which will generate additional economic value, employment, and improved social wellbeing through an increased capacity for the district to cater for improvements to key social infrastructure such as education, housing and health, and providing opportunities for enhanced social connectedness and resiliency. HDC are keen to work closely with NZTA and others to achieve these ends.
- 2.22 HDC has made a significant commitment and investment in the economic and social development of its community through:
- Council policy and financial commitment through its Long Term Plan (Long Term Plan 2018-2038 currently undergoing consultation) including the provision of core infrastructure;
  - Provision for housing growth and related development through its District Plan, Growth Strategy (Horowhenua Growth Strategy 2040 currently undergoing consultation), and other mechanisms;
  - Commitment to and completion of plans for a major re-work of the Levin's commercial hub and town centre (Transforming Taitoko/Levin Town Centre Strategy currently under development)
  - Sponsorship of the Horowhenua New Zealand Trust, an economic development entity which undertakes active management of social and economic opportunities; and,
  - Land use, consolidation and transport planning to support the community's development on an efficient, equitable and environmentally sound basis.
- 2.23 HDC understands that a core plank of Government Policy at present is the rejuvenation of provinces and the development of regional economic and social wellbeing. Careful engagement in decision making about the O2NL project has the potential to reinforce, broaden and amplify gains to the region delivering benefits well beyond those generally associated with the usually narrow concept of transport benefits, including:
- The district economies of Whanganui, Palmerston North / Manawatu and Levin create something of a growth triangle in the Lower North Island, providing links from the Southern North Island regional economy of Wellington to points in the East to the Hawkes Bay, the West stretching up to the Taranaki and Whanganui economies and southwards via Horowhenua.
  - The way in which Levin and the Horowhenua both feed and take traffic from the various link options is therefore determinative of the goods, services, freight, storage and related logistics capability of the Horowhenua district and its wider economy.
  - HDC policies sit alongside existing strong development trends which offer the opportunity to open up land presently underutilised or developed only sub optimally, to service the burgeoning broader commuter markets growing out of Wellington.
  - Choice of options which facilitate and promote these trends offers scope to collaborate with local initiatives (both public and private) to maximise gains which have regional as well as district impacts.

- 2.24 The proposed redevelopment of Levin Town Centre will help resolve environmental, efficiency, and climate change impact issues over the long term exploring options for a multi-modal transport hub and rail commuting coupled with multiple options / links to smaller towns in the district and less vehicle-intensive development. This is well aligned with core Government Policy. O2NL option choices including interchange locations developed and chosen to integrate with the Town Centre plans offer the chance to reinforce and facilitate the rail / road interfaces planned at present. Various other advantages – such as offering solutions to the significant earthquake prone building problem in the Levin Town – are also able to be supported through options which favour and help to stimulate investment
- 2.25 HDC and its community are seeking long-run sustainable economic and social outcomes. This infrastructure involves long lived assets, so decisions need to be strategic with a long term focus. HDC has comprehensive plans and mechanisms which can support and be woven into the O2NL project and design decisions to maximize benefits for its people, communities, and wider Region.

### Importance of Certainty

- 2.26 **Certainty is required for affected residents, businesses and the community to get on with their lives and additionally for developing growth opportunities to cater for current and expected increases in population. Lack of certainty is having a negative impact on potentially affected property owners and Council's ability to plan for the future comprehensively in accordance with urban design principles.**
- 2.27 Certainty is urgently required for those landowners potentially affected, whether directly or indirectly, by the corridor options. For some, the O2NL project has come as a surprise, while others have anticipated it for some time. The effect of this uncertainty on the community is significant. We acknowledge that NZTA has offered support through the consultation process. However, what is needed now is a decision on a preferred corridor and confirmation on when the project will be approved and constructed.
- 2.28 Council's ability to plan for the future and economic growth potential is being impacted by the lack of certainty and slow development towards construction of the O2NL project. Areas zoned in the District Plan for future development, or that are currently proposed as future growth areas in the draft Growth Strategy, are impacted by this uncertainty, limiting current development in these areas within the District, and preventing the development of a strategic outcome. It is important to ensure these areas do not become "blighted" by a future transport project that has an uncertain delivery date. The District has experienced this issue before with areas designated for a future highway, and has limited further development, only to see those designations later withdrawn and potential development opportunities lost during that time. The community deserves certainty to ensure that it can plan and move forward in a comprehensively planned manner.
- 2.29 The key next step is for NZTA and Central Government to confirm timing for the project, and proceed with securing the relevant approvals. This is important for delivering the expected

project outcomes as soon as possible and additionally to provide clarity and certainty for residents directly and/or indirectly affected by the various alignment options.

### 3. Process for preferred option selection

- 3.1 Council understand the importance of showing leadership for the Community to ensure certainty and urgency around delivery of this project. This outcome will be achieved by providing support for the project and ensuring that all relevant benefits and issues are understood. Council have assessed all the technical information provided by NZTA and reviewed the corridor options against the high level outcomes outlined in the previous feedback to NZTA (Appendix A). To date Council has not supported a preferred expressway location; however it understands the reasons why alignments to the west of Levin have been excluded from this phase of engagement. This decision has provided certainty for some landowners who would have been affected in the west, but has not addressed the concerns of those affected by the eastern options.
- 3.2 Prior to the NZTA finalising an indicative business case on a preferred alignment to the NZTA board in June, Council will endeavour to provide direction on a preferred corridor alignment in the form of a further submission (Early May 2018). Although Council have reviewed and understand all the technical information supporting the project, no direction can be provided until Council have the opportunity to consider the feedback provided by the Community and other key stakeholders to NZTA and the social impacts of the project are better understood.
- 3.3 Council is committed to working collaboratively with NZTA to establish a preferred alignment.

### 4. Future key expectations and considerations

- 4.1. Council has attended a number of meetings, and actively engaged with groups and individuals to gain an understanding of the community's concerns and aspirations. A consistent message has been received about the lack of information around the level of analysis on the social impacts of the various corridor options including noise, severance, community disruption, changes to way of life, community expectations, housing supply and accessibility. Council strongly urges NZTA to undertake further investigation into the social and impacts of this project prior to and following a decision being made on a preferred corridor.
- 4.2. Of particular concern to Council and residents potentially affected by any of the proposed alignments are for those who would be located in close proximity to the new expressway and how issues of noise and amenity will be addressed.
- 4.3. NZTA's further work should also include particular consideration of the Council's intended future growth areas to ensure the strategic development in these areas is not compromised by the new expressway. Council's previous feedback highlighted a number of key principles

and outcomes that will need to be considered during the next stage of project investigation including connectivity within and between communities and the mitigation of visual, amenity and noise effects.

- 4.4. Our previous feedback contained several principles that are relevant to the design of the project. We would like to see these principles being applied in the next phase when the project is developed in more detail.
- 4.5. A key issue for the next phase of the project is the location of interchanges which will have a significant impact on the way people and freight will move around our District. In our previous feedback we indicated our thoughts on interchange requirements and we look forward to working the Agency in more detail on this aspect of the project.
- 4.6. We support the collaborative approach being taken to develop the project so far. The Agency's willingness to engage with the community, key stakeholders and Iwi is appreciated. The different perspectives and knowledge that these groups bring have and will continue to provide valuable input to the project and deliver positive outcomes for the District.

APPENDIX A – HDC feedback to NZTA on first round of engagement for O2NL  
project July 2017

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Strategy Committee  
05 July 2017

Horowhenua  
DISTRICT COUNCIL

## DRAFT HDC FEEDBACK TO NZTA ON THE O2NL RONS PROJECT

### 1. Introduction

- 1.1. The Horowhenua District Council (HDC) welcomes the opportunity to provide this feedback to the NZ Transport Agency (the Agency) on the Otaki to North of Levin (O2NL) Roads of National Significance project.
- 1.2. It outlines the key expectations and issues considered important for the development of the project from a HDC perspective and aims to support its progress.
- 1.3. The feedback is grouped under the following headings:
  - Collaboration and Support
  - Cultural and Heritage
  - Project Programme, Scope and Staging
  - Project Design
  - Effects on Urban Form
  - Interchanges
  - Walking and Cycling
  - Access and Road Network
  - Amenity
  - Environment and Ecology
  - Economic Impacts
- 1.4. This feedback is not intended to be a complete record of all the views, issues and requirements that HDC considers relevant to the project. It is reflective of our knowledge and the level information available on the project. As the project develops and more detailed information becomes available, we would welcome further opportunities to provide feedback.

### 2. Collaboration and Support

#### **Collaboration**

- 2.1. We support the collaborative approach being taken to develop the project. The Agency's willingness to engage with the community, key stakeholders and iwi is appreciated. The different perspectives and knowledge that these groups bring will provide valuable input to the project and deliver positive outcomes for the District. The current engagement plans proposed to the end of the year will ensure that communities, stakeholders and iwi get the opportunity to communicate to the Agency their views and aspirations for the project.

#### **Support**

- 2.2. The project is important for our District, and we are very eager to see it progress through to construction at the earliest opportunity. We fully support the intent of the project and acknowledge the transport benefits and the opportunities it can bring for the economy both at a national level and for our District, especially if the project planning and design process are well considered and delivered on.

Strategy Committee  
05 July 2017

Horowhenua  
DISTRICT COUNCIL

- 2.3. The project will create significant change to the roading infrastructure in the District. Approximately 27km of existing State highway will become local road and HDC's responsibility. Levin town centre will experience change and being a key centre in the District it is important that HDC plans effectively for the future changes.
- 2.4. Responding to these changes and engaging on the project generally, creates administrative challenges for HDC with increased demand for resources and specialist technical advice creating additional expenses.
- 2.5. To enable HDC to continue engaging effectively on the project, which assists the Agency deliver positive national and local project outcomes, the provision of financial or resourcing support is requested. This will help offset the additional expenses being created by the project.

### 3. Culture and Heritage

- 3.1. The Horowhenua District has high cultural and heritage value for iwi, hapū and the wider community. HDC supports strong engagement with iwi and hapū to ensure cultural issues are dealt with appropriately and sensitively. The Agency should support tangata whenua through the engagement process.
- 3.2. The District has a significant cultural landscape, containing wāhi tapu and areas and features of cultural importance, these need to be identified, respected and preserved in the design process.
- 3.3. The cultural significance to tangata whenua of the Tararua Mountain Range, the sea and rivers should be respected and preserved in the design process.
- 3.4. All components of the design of the Expressway and associated infrastructure should recognise the local cultural and heritage context.

### 4. Project Programme, Scope and Staging

#### **Programme**

- 4.1. The length of time taken to develop the project and the changes in scope are creating anxiety and uncertainty for our community. This will be compounded by the level of detail that surrounds this round of consultation.
- 4.2. Moving forward, HDC wants to see more certainty on the project for the District, our community and potentially affected property owners. Traffic growth has been high on SH1 over the last 3 years and can be expected to remain high, exacerbating existing traffic issues in the District. This demonstrates the crucial need to achieve the forecast construction start of 2021 or face unacceptable traffic conditions.
- 4.3. We support the current programme through to construction and consider it important that the Agency works expeditiously to achieve it.

#### **Scope**



Strategy Committee  
05 July 2017

Horowhenua  
DISTRICT COUNCIL

- 4.4. Whilst it is beneficial to extend the scope of the project from SH1 Taylors Road to the Manawatū River, we do however question the reasoning of ending the project at the Manawatū River and not the northern end of Foxton. Roading standards and traffic volumes on the section of SH1 between Manawatu River and Foxton are no different to those immediately to the south.
- 4.5. The traffic impact on Foxton as the first town traffic on SH1 will pass through from Wellington needs to be assessed. Removing bottlenecks between Wellington and Foxton will create free flowing traffic conditions on SH1 that may create future traffic issues in Foxton.
- 4.6. The overall scope of the project should consider the impact not only within the District but also on the function of the District from an inter-regional perspective.
- 4.7. HDC does not support the scope of the project or staging scenario that ends the project south of Levin. This would not alleviate the traffic issues in the town centre.
- 4.8. The project needs to consider the high level of growth being predicted for the District with project decisions supporting the District achieves its growth projections. HDC are reviewing the future growth projections for the District and can provide updated information to the Agency.

#### **Staging**

- 4.9. Generally, HDC does not support any staging of the project; however, if staging was going to enable parts of the project to be delivered early this would be supported.

#### **5. Project Design**

- 5.1. The project should promote good urban design principles to assist the District to realise its growth potential and help achieve its community outcomes.
- 5.2. Given the scale of the project, it will have a profound effect on the District, its communities and landscape well into the future. Therefore, HDC expects the Agency to use best practice design standards with a high degree of innovation applied to produce project outcomes that support the District in achieving its community aspirations and outcomes.

#### **6. Effects on Urban Form**

- 6.1. The project should limit its overall impact on existing developed areas in the District.
- 6.2. The project should maintain the integrity of the district's growth areas and should minimise severance of these areas from existing residential areas, particularly around Levin.
- 6.3. Appropriate future proofing should be included in the design of new infrastructure to ensure that it can be easily upgraded to accommodate growth in the District.

#### **7. Interchanges**

Strategy Committee  
05 July 2017

Horowhenua  
DISTRICT COUNCIL

- 7.1. The provision of interchanges must be strategically located to ensure highly efficient access to Levin and its town centre. Levin is a key destination in the District which is reflected by the significant volume of traffic that has an origin or destination there.
- 7.2. It is desirable that the form of interchanges achieves as much free flow of traffic as possible, by using merges/diverges rather than give way or stop control.
- 7.3. HDC supports a connection to the south of Levin that will be the key access between Levin and the south. It is understood that a connection for Levin is being considered to the south of Ōhau; however, HDC considers that a location closer to Levin would provide a more beneficial access and give a sense to drivers that Levin is close. This location should be investigated.
- 7.4. It is understood that an interchange at Manakau has been investigated and whilst this would be desirable to serve the local area, it is not considered a suitable access to Levin from the south. The interchange would potentially attract a high volume of traffic onto the existing SH1 which would be a local road in the future.
- 7.5. The interchange provision should enable inter-regional freight movements that travel through Levin to avoid the town centre.
- 7.6. The interchanges on the expressway will form gateways and first impressions to the District, its towns and services and should enhance the appeal of the District for visitors and residents.
8. Walking and Cycling
  - 8.1. A shared walkway/cycleway should be provided that runs the length of the project like that built in the MacKays to Peka Peka RONS project.
  - 8.2. The project should integrate with HDCs shared pathways strategy, and ensure connection opportunities between O2NL pathways and HDC's local pathway network are included.
  - 8.3. Any residential areas severed by the Expressway should have appropriate connections for walking and cycling as long detours are not attractive or appropriate for these modes.
  - 8.4. The expressway should not limit the opportunity for the proposed growth areas to integrate with existing residential areas in terms of walking and cycling.
  - 8.5. Any roads that experience increases in traffic volumes should maintain the existing level of service for pedestrians and cyclists with mitigation measures as necessary.
  - 8.6. The project should improve traffic conditions in Levin town centre and create opportunities for improved pedestrian movement in and around the town centre.

Strategy Committee  
05 July 2017

Horowhenua  
DISTRICT COUNCIL

9. Access and Road Network

**Access**

- 9.1. The RONS project should recognise the key destinations in the District and provide easy access between these areas and the Expressway, especially for traffic associated with Levin.
- 9.2. Maintain efficient two-way access to Levin from the south via a connection at Ōhau or closer to Levin.
- 9.3. Maintain efficient two-way access between Levin and SH1 to the north.
- 9.4. Maintain efficient access to Levin from SH57 and Palmerston North.
- 9.5. Access between the local road network and expressway should minimise traffic on local roads that could otherwise be using the expressway.
- 9.6. Ensure the RONS interchange strategy maintains access points to Levin from the north and south.
- 9.7. Maintain and enhance access to key recreational areas within the District, especially the Tararua hill country, Ōhau River and Lake Horowhenua.

- 9.8. Provide good access from the expressway for freight traffic accessing industrial areas in Levin.

**Road Network**

- 9.9. Any changes to the local road network should minimise any increase in travel time for local traffic.
- 9.10. Reduce congestion and delays in the Levin Town Centre.
- 9.11. Any capacity and safety issues on the local road network because of changed traffic patterns should be mitigated.
- 9.12. The level of service for existing freight and commercial vehicle movements around the District should be enhanced.
- 9.13. Revoked State Highways should be designed to meet their new function as part of the local multi-modal transport network.
- 9.14. Revoked State Highways, including structures, are required to have an appropriate remaining life.

Strategy Committee  
05 July 2017

Horowhenua  
DISTRICT COUNCIL

10. Amenity

- 10.1. Any infrastructure changes should preserve and enhance the rural character of the District.
- 10.2. With the proposed Expressway running in a north-south direction any impact on the visual amenity and access between the Tararua Mountain Ranges and the sea should be minimised.
- 10.3. Contribute to enhancing the character and amenity in Levin Town Centre particularly by removing non-essential heavy vehicles.
- 10.4. Minimise effects on key view shafts for existing and future residential areas.
- 10.5. Promote innovation in the design to enhance the overall fit with the landscape and cultural heritage of the District.
- 10.6. Incorporate design components (e.g. artwork, embossed concrete surfaces) that promote and celebrate the local cultural and heritage context of the District.

11. Environment and Ecology

- 11.1. Improve the overall environmental footprint of transport infrastructure throughout the District affected by the project.
- 11.2. Improve the management of stormwater runoff from any new and revoked infrastructure.
- 11.3. Include positive environmental and ecological outcomes for land, air and water for native flora and fauna to thrive across the scope of the project.
- 11.4. The multiple small stream crossings and waterways should be recognised and provided for in the design and earthworks managed to maintain principle land forms.

12. Economic Impacts

- 12.1. Many businesses in the District are located adjacent to the existing State highways and rely on passing traffic. The impact on these businesses and the wider economic impacts on the District needs to be assessed as part of the project.

APPENDIX B – Community Outcomes extract from HDC 2018-2038 Long Term  
Plan Consultation Document

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# Community Outcomes

## Ngā Putanga Hapori

We are reviewing our Community Outcomes to ensure Council will be in the best position to tackle challenges to come.

As set out in the Local Government Act 2002, Community Outcomes are what we aim to achieve in meeting the current and future needs of our Communities for good quality infrastructure, public services and performance of regulatory functions. The Community Outcomes listed here are not in any particular order.

We are keen to get your feedback on the following:



### Thriving communities

- Our Communities have a 'sense of place' that makes people proud to live here.
- Our Community has access to health, social and recreation facilities which enable people to enjoy positive healthy lifestyles.
- Our Communities live in a safe and supportive environment and are empowered to make positive and healthy lifestyle choices.
- Our Communities are inclusive, connected and have the opportunity to influence local outcomes and decisions.
- Our Communities are resilient and provide for intergenerational well-being through networks which care for all ages.
- Our Communities individually and collectively participate in community development.



### An exuberant economy

- We are a welcoming, enabling and business friendly District that encourages economic development.
- We provide opportunities for people of all ages and at all phases of life to enjoy a quality of living within our District that is economically sustainable and affordable.
- We recognise and manage the effects of population growth and actively promote the District as a destination of choice.
- We value the role our District's natural, cultural and social assets play in supporting economic development.



### Stunning environment

- We are proud of our natural and built environments.
- We sustainably manage our environment so it can be enjoyed now and by future generations.
- Our natural resources play a vital role in sustaining the District.
- We actively support improving the health of our District's rivers, lakes and waterways.



## Enabling Infrastructure

- Our community facilities and infrastructure services are planned and developed to meet current and future needs.
- Waste reduction, recycling, energy conservation and efficiency are promoted as part of how we all live.
- We have reliable, efficient and well planned community facilities and infrastructure services.
- Our community facilities and infrastructure are built resiliently, preparing us to combat natural hazards.



## Partnership with Tangata Whenua

- We acknowledge our partnership with the Tangata Whenua of our District through a proactive approach to the Treaty of Waitangi and its principles.
- We support Mana Whenua to maintain and enhance their traditions with their ancestral lands and waterways, wahi tapu and other taonga.
- We will work with local marae, hapū and iwi to support their development and capacity building.
- We value working together to achieve common goals.



## Vibrant cultures

- We are proud of the heritage and diversity of our District and our people.
- We respect each other and what we each contribute to the District through our traditions and cultures.
- Our Community's cultural diversity is celebrated.



Have your say

Did we get the Community Outcomes right?

Are we missing something, or focusing on something we shouldn't be?

See page 31 on how to make a submission on the Community Outcomes.

## What's happening in our District Ngā Kaupapa e haere ana i tō tātou Rohe

After a generation of decline, growth has recently returned to Horowhenua.

Council is committed to aiding growth to ensure our economy and Communities become more sustainable and so you can live, work and raise your family here.

For the purposes of forecasting, Council assumes the population will grow by just over 1% per year for the 20-year period of this LTP. This means that by 2038 about 41,128 people will call Horowhenua home. In the past two years the growth rate has exceeded the forecast. The growth is prompted by two major factors: international immigration and regional migration because of major roading improvements between Horowhenua and Wellington.

We expect more people will move here, whether in retirement, for a change of lifestyle, or for job opportunities. Growth could accelerate further if the proposed Ōtaki to North of Levin Expressway occurs. Depending on the outcome of this Expressway, there may be an impact on what has been assumed in terms of growth and associated costs. This could result in an amendment to the LTP.

The increase in population will have a noticeable impact on Council with regard to income, expenditure and asset management.

We have also thought about what happens if the growth doesn't occur or if it occurs faster than we have forecasted. See the Financial Strategy.





## 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 Chief Executive Recruitment Process - Update

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 6 and 7.	<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>