



HOROWHENUA LAKE DOMAIN BOARD

NOTICE OF MEETING

A meeting of the Horowhenua Lake Domain Board will be held in the
Horowhenua District Council Chambers
126-148 Oxford Street, Levin
on Monday, 15 May 2017, commencing at 10.00 am

AGENDA

Public Forum

1. **Welcome and Karakia**
2. **Apologies**
3. **Public Speaking Rights**
4. **Confirmation of Minutes – 13 February 2017**
5. **Matters Arising**
6. **Monitoring Report (copy attached)**

Item 9 The Community Group Licences

Attendance at the Lake Trust's February meeting was very positive with the relationship between the Trust and the Board discussed in some detail and with further dialogue to follow in relation to the buildings and other matters of mutual interest.

Item 40 Bird Management

Attached is a letter from the Department of Conservation confirming that it would provide a \$5,000 grant to the Horowhenua Lake Domain Board for pest management, noting that the terms of the work would need to be agreed by members of the Lake Horowhenua Accord.

7. **Finance**

Mr Paulin will give a finance update.

8. **General**

(a) Council Appointed Domain Board Members

The Minister has approved the appointments to the Domain Board of His Worship the Mayor, Michael Feyen, and Councillors Victoria Kaye-Simmons and Piri-Hira Tukapua and these were gazetted on 13 March 2017.

(b) Taueki Proceedings

Mr Taueki's appeal was declined by the Court of Appeal with it determined that none of his arguments had any real prospect of success so it will be remitted to the District Court for case management and retrial.

9. **In Committee Resolution**

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:

Issues with regard to unauthorised occupation of buildings at the Horowhenua Lake Domain

Reason:	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.
Interests:	s6(a) - The making available of the information would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences and the right to a fair trial. s7(2)(d) - The withholding of the information is necessary to avoid prejudice to measures protecting the health and safety of members of the public. 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. s7(2)(g) – The withholding of the information is necessary to maintain legal professional privilege.
Grounds:	s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 6 and 7.

10. **Next Meeting Date:** 7 August 2017

Note: Public Forum
Five (5) minutes allocated to each speaker

Speaking Rights
Five (5) minutes allocated to each speaker
Speakers to address Agenda items only.
Where possible, speakers to identify which item they wish to speak to prior to the meeting.

MINUTES OF A MEETING OF THE HOROWHENUA LAKE DOMAIN BOARD HELD IN THE HOROWHENUA DISTRICT COUNCIL CHAMBERS, 126-148 OXFORD STREET, LEVIN, ON MONDAY, 13 FEBRUARY 2017, COMMENCING AT 10.00 AM

PRESENT

Mr A McKenzie	(Chair, Department of Conservation)
Mr R Warrington	(Board Member, Iwi Representative)
Mr M Wiremu-Matakatea	(Board Member, Iwi Representative)
Mayor M Feyen	(Horowhenua District Council)
Cr V Kaye-Simmons	(Board Member, Horowhenua District Council)
Cr P Tukapua	(Horowhenua District Council)

IN ATTENDANCE

Mr J Paulin	(Finance Manager, HDC)
Mrs K J Corkill	(Meeting Secretary)

PUBLIC IN ATTENDANCE

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

1. WELCOME AND KARAKIA

The meeting commenced with a karakia (Mr Marokopa Wiremu-Matakatea).

PUBLIC FORUM

Mrs Anne Hunt handed out copies of resolutions passed by the Lake Domain Board on 2 November 2015 and spoke to them in the context of the appeal by Crown Law on behalf of the Police and the decision reached by Judge Ellis in December 2016 in relation to the Taueki Trespass case at the Domain. With this matter being directed back to the District Court for retrial, Mrs Hunt suggested it was an abuse of process to retry someone who had been acquitted. She advised that Mr Taueki had sought leave to appeal the matter and it would go to the Court of Appeal. As this was going to be a huge case Mrs Hunt suggested that the Domain Board be very careful in any further arrangements with the rowers and hold fire until the Court processes were completed.

Speaking on behalf of the Horowhenua Obedience Dog Training Club and thanking the Board for giving permission for the verandah to proceed, Rosemary Cleator advised that it had been erected, it had been in place in time for Anniversary weekend and it was excellent. Additionally the gear shed was also being refurbished.

Mrs Cleator also raised the issue of the geese at the Domain, which were particularly bad at present. To use their area they had to clear away the excrement. She requested the Board look at an on-going arrangement to cull the geese each year. The Club would be happy to support any proposal by writing letters to the appropriate agencies such as the Regional Council.

Mr McKenzie suggested an application to Horizons Regional Council's Annual Plan process would be appropriate.

Mr Matt Sword, Chair of the Lake Trust, was welcomed to the table and introduced himself. Picking up on comments made by the last speaker, he said he did agree that the situation with the geese needed to be dealt with.

With this being the first time he had been to a Lake Domain Board Meeting and with the Trust being keen to work with the Domain Board on anything that affected the Lake, Mr Sword said the reason he had come was because he felt the time was right to start reinvigorating and enhancing the Lake Domain and there was a lot of support from the Trustees for that to happen. There was also a Memorandum of Partnership between the Trust and the Board to work more closely together to move forward positively.

Mr Sword said he disagreed with the first speaker. There were certain matters in Court that would follow their course; however he would encourage the Lake Domain Board to move on. He had not been at the Lake on Waitangi Day, but everyone he had spoken to had said how amazing it was. Although there were issues around the buildings, there were still positive things that could be done.

Mr McKenzie said it was fantastic to see the Chair of the Lake Trustees at the meeting which was an indication of the good relationship between the Trust and the Board. The Domain Board was new in terms of some of its members and it was important that the relationship with the Trust was cemented going forward. A meeting would be arranged to discuss the buildings and to find a solution with regard to their use. The High Court decision had helped in terms of sorting out who the occupiers of the buildings were with the Court basically saying that both the Trust and the Board were occupiers and both were involved in the buildings' management.

On behalf of the Lake owners, Mr Sword said he was absolutely clear that the paramount goal was to progress things to promote the interests of the owners. The way to do that was to get more people involved, caring about the Lake. They did not want to return to an era of pollution and moving forward would be an on-going process.

Commenting on Waitangi Day at the Lake, Cr Kaye-Simmons said it had taken six years and it had been somewhat of a struggle but this year it had paid off. They had had the biggest committee they had ever had and a lot of young people had come down to fund raise for various activities. There was a great partnership happening, with Recreation Services turning up early on the day to make sure the poo was eliminated. Positive feedback had been received, and not just through social media. People had turned up who had not been down to the Lake for a long time; new residents had come who did not know there even was a lake. She said she would like to encourage further events down at the Domain for the community and its people.

The Chair formally welcomed everyone to the meeting, particularly new members. He looked forward to new ideas and new input. He acknowledged the contribution of Brendan Duffy who had contributed to the Board "long and strong", and also Tony Rush who had been on the Board since it recommenced in 2011.

Whilst the Board normally met quarterly, Mr McKenzie noted that the Board had not had a meeting in November 2016 because of the change of Council officers and the need to identify who would sit on what committee.

Mayor Feyen introduced himself saying he was still getting his head around things since he had been elected. There were obviously issues that had been around for a long time and he said his aim was to try and come up with some things that could get a run on the board. He welcomed having Crs Kaye-Simmons and Tukapua on the Board with him and wanted to have good Council involvement.

2. APOLOGIES

An apology was recorded for Dr Procter. Dr Roygard and Mr Logan from Horizons Regional Council, who had hoped to attend the meeting, also made their apologies.

NOTED

3. PUBLIC SPEAKING RIGHTS

Speaking to Item 35 on the Monitoring Report, Mr Charles Rudd tabled a letter and attachment in relation to the Horowhenua Lake Domain Board Elections for the Muaūpoko Iwi members that he had sent to the Hon Maggie Barry, Minister of Conservation, cc'd to Reg Kemper at DOC, and spoke to the letter's contents. A copy of Mr Rudd's letter is attached to the official minutes.

Mayor Feyen queried if Mr Rudd would support and be involved in an approach to the Minister if that could be arranged. Mr Rudd said he would if that would solve the problem.

Speaking to Item 39 on the Monitoring Report in relation to the Lake Horowhenua Clean-Up Projects – Resource Consent Applications, Mrs Christine Moriarty said she was representing the Hokio Environmental Kaitiaki Alliance (HEKA) and the Water & Environmental Care Association (WECA) which were concerned about the condition of the Lake. She was joined at the table by Mr Peter Heremia, who introduced himself.

Mrs Moriarty raised issues with the wording around the Accord partners restoring water quality to the Lake as the mentioned consents were not going to fix the water quality, nor would harvesting clean up the Lake. The Lake was filthy because of what was going into it. There was no consent that she knew of that was going to clean those things up so she suggested the wording was totally wrong. She said the Domain Board's history on the issue of water quality in the Lake was appalling and disgraceful and it should be held responsible for some of those issues. With regard to the situation of the geese, this was a lake and geese did reside by water. The dog training area did not naturally reside on a lake edge and if there was an issue with the geese, perhaps the dog people should move elsewhere. She said she did not like to see geese shot; perhaps they could be moved somewhere else or offered to people.

Mayor Feyen said he had heard that the Canada geese that were shot were used as food.

Mr Heremia raised further issues concerning the clean-up of the Lake, which he said had been in the pipeline for the last 20 years and which, from his point of view, were going to take another 20 years. He further suggested that the current incentive for wanting to clean up the lake was money.

Mr Wiremu-Matakatea responded to Mr Heremia's comments saying that the Lake would have been cleaned up by now if it had not been for the legal actions taken that had stopped those trying to do the work.

4. CONFIRMATION OF MINUTES – 2 MAY 2016

Moved: Kaye-Simmons Seconded: Warrington

“THAT the Minutes of the Horowhenua Lake Domain Board meeting held on 1 August 2016 be confirmed as a true and correct record.”

CARRIED

5. MATTERS ARISING

There were no matters arising.

6. MONITORING REPORT

Item 9 The Community Group Licences

The Chair advised that he would be meeting with the Lake Trust later in the month.

Item 16 Media Release

Remove.

Item 35 Resignation of Board Member and Appointment of a Replacement

The Domain Board, with the assistance of the Lake Trustees, had put forward names for the Minister's consideration. The Minister declined to make a decision because of a parallel process by a different group which had submitted further names. What the Board's next step should be was unclear but an enquiry would be made of DOC at the Lake Accord Meeting scheduled for 28 February as to what should now be done in terms of process. The Chair would report back at the next Board meeting.

Item 43 Tree Planting at the Domain

Cr Kaye-Simmons advised that approximately 400 trees had been jointly planted by Levin School, Keep Levin Beautiful, Recreation Services and HDC.
Completed.

7. APPROVALS GRANTED

Moved: Warrington

Seconded: Kaye-Simmons

"THAT the following approvals granted by the Chair:

- *New Zealand Defence Force Trade Training School – 24 March 2016; and*
- *Waitangi Day Committee – use of Muaūpoko Park on Waitangi Day (6 February 2017) from 7.30 am to 5.00 pm*

be confirmed."

CARRIED

8. FINANCE

Acknowledging the assistance of Council's Senior Finance Officer, Sheryl Turner, in the preparation of the documentation, Mr Paulin tabled the following for adoption by the Board:

- Annual Report for the year ended 30 June 2016;
- Budget for the year ended 30 June 2017;
- Annual Report for the period ended 31 January 2017.

In speaking to the accounts, Mr Paulin noted that an unqualified audit opinion had been received indicating that the auditors were happy with the financial statements and processes of the Board.

Moved: Wiremu-Matakatea

Seconded: Warrington

"THAT the Horowhenua Lake Domain Board adopts the Annual Report for the year ended 30 June 2016."

CARRIED

In submitting the budget for adoption for the year ended 30 June 2017, Mr Paulin noted the contributions of \$5,000.00 from DOC and \$2,000.00 from HDC. Any monies payable by the Sea Cadets and Horowhenua Obedience Dog Training Club for their tenure at the Domain to be followed up.

Moved: Wiremu-Matakatea Seconded: Warrington

“THAT the Horowhenua Lake Domain Board adopts the budget for the year ended 30 June 2017.”

CARRIED

Moved: Kaye-Simmons Seconded: Warrington

“THAT the Horowhenua Lake Domain Board adopts the Annual Report for the year ended 31 January 2017.”

CARRIED

9. GENERAL

- (a) Horowhenua Obedience Dog Training Club – Terms Dates and Calendar of Events for 2017 for approval

Moved: Warrington Seconded: Kaye-Simmons

“THAT the Horowhenua Lake Domain Board approves the Horowhenua Obedience Dog Training Club Term Dates and Calendar Events for 2017:

Agility Training Tuesday nights 5.30 pm to 8.00 pm when fine

The area on the west side of the rings is used for both Agility and Obedience Training.

*Term Dates for 2017: Term 1: 18 January to 15 March
 Term 2: 22 March to 17 May
 Term 3: 24 May to 19 July
 Term 4: 2 August to 27 September
 Term 5: 4 October to 29 November*

*Events: 22 & 23 January
 25 & 26 February
 5 March
 22 & 23 April
 29 & 20 July
 20 August
 16 & 17 September*

CARRIED

- (b) Taueki Proceedings

Mr McKenzie recapped on the process taken by the Board, under s18 of the ROLD Act, in trespassing from the buildings at the Lake three people who were interfering with the public's right to use the Domain. It had been a relief to the Board when the High Court had remitted the trespass action against Philip Taueki back to the District Court; however there had been an appeal lodged with the Court of Appeal to that decision.

10. MEETING DATES

These were noted for the balance of the year, although Mr McKenzie suggested the Board may wish to consider aligning its meetings with Lake Accord meetings.

11. MEETING CLOSURE

There being no further business, the meeting closed at 11.07 am with a karakia.

CONFIRMED this

day of

2017

.....
Chairperson

HOROWHENUA LAKE DOMAIN BOARD - MONITORING REPORT
following the 13 February 2017 meeting

Item	Item Description	Meeting Date	Resolution/Action	Responsible person	Date to Action by	Date Completed	Comment
9	The Community Group Licenses	13 February 2017	The Chair to meet with the Lake Trustees later in the month	Chair			Chair attended a Lake Trust meeting on 19 February
15	Vision Statement/Management Plan	4 July 2011 8 April 2013 3 February 2014 1 August 2016	To be prepared				To be progressed in partnership with Horizons RC Lake Accord would encompass some of the Board's vision, but statutory obligations also needed to be considered.
35	Resignation of Board Member and Appointment of a Replacement	5 November 2015 1 February 2016 2 May 2016 1 August 2016		Chair			Advice to be sought on the Board's role with regard to next steps. Nominees received from the Lake Trust have been forwarded to the Minister for her determination. The Minister's response still awaited. Until replacements confirmed the current iwi members remain/ Response from Minister still awaited.

Item	Item Description	Meeting Date	Resolution/Action	Responsible person	Date to Action by	Date Completed	Comment
		13 February 2017	With the Minister declining to make a decision, an enquiry to be directed to DOC as to next steps				
39.	Lake Horowhenua Clean Up Projects – Resource Consent Applications	1 February 2016					The consents had been approved but there had been an appeal so the process was continuing.
40.	Bird Management	1 August 2016	<i>“THAT the Horowhenua Lake Domain Board writes to Horizons Regional Council requesting that it fund through its Annual Plan process, and lead a programme to control Canada Geese at Muatūpoko Park in consultation with such interested parties as the Lake Trust, Horowhenua Lake Domain Board, Horowhenua District Council, Department of Conservation and local farmers.”</i>	Chair			
42.	Lake Trust Update	2 May 2016	Update from the Lake Trust to be regular Agenda item		On-going		
43.	Tree Planting at the Domain	2 May 2016 1 August 2016	<i>“THAT Keep Levin Beautiful be requested to organise a planting day at Muatūpoko Park to coincide with Arbor Week (3-10 June 2016)”.</i>	Cr Kaye-Simmons	10 June 2016		Delayed due to storm damage..
44.	Taueki Proceedings	13 February 2017 1 August 2016	Judgment of Judge Moss in relation to the Taueki Trespass proceedings.appealed.	Chair		Completed	

Item	Item Description	Meeting Date	Resolution/Action	Responsible person	Date to Action by	Date Completed	Comment
		13 February 2017					The High Court had remitted the trespass action back to the District Court. That judgment also appealed.



Department of
Conservation
Te Papa Atawhai

27 April 2017

DOC-3026804

Alan McKenzie
Chair
Horowhenua Lake Domain Board
alan.mckenzie@outlook.com

Tēnā koe Alan,

Biodiversity Grant – Pest Management at Lake Horowhenua

This letter is to confirm our conversation regarding the Department of Conservation support for pest management around the Lake Horowhenua.

The Department would like to provide a \$5,000 grant to the Horowhenua Lake Domain Board (the Board). The purpose of the grant is to support the development of an assessment of pest management needs around the Lake and the most appropriate and sustainable pest control methods to meet these needs.

The terms of reference for the work will need to be agreed by members of the Lake Horowhenua Accord. The Department would also like to review a final draft of the report before it is concluded. The contact point for this work in the Department is Tene Tangatatai (ttangatatai@doc.govt.nz).

Could please arrange for an invoice for \$5,000 plus GST to be sent to the Department of Conservation at your earliest convenience.

Nāku noa, nā

Allanah Irvine
Operations Manager, Manawatu

cc: Tene Tangatatai, Senior Ranger, Department of Conservation
Matt Sword, Chairperson, Lake Horowhenua Accord
Karen Corkill, Support Officer, Horowhenua District Council

Department of Conservation *Te Papa Atawhai*
Te Papaioea / Palmerston North Office
www.doc.govt.nz