

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

Date: Wednesday 6 March 2024
Time: 1:00 pm
Meeting Room: Council Chambers
Venue: 126-148 Oxford St
Levin

Council

OPEN AGENDA

MEMBERSHIP

Mayor
Deputy Mayor
Councillors

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

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Shannon Service Centre/Library, Plimmer Terrace, Shannon
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Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted. Should Members require further information relating to any reports, please contact the Chief Executive Officer or the Chairperson.

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Karakia

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

1 Apologies

2 Public Participation

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

3 Late Items

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

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

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

4 Declarations of Interest

Members are reminded of their obligation to declare any conflicts of interest they might have in respect of the items on this Agenda.

5 Confirmation of Minutes

5.1 Meeting minutes Council, 7 February 2024

5.2 Meeting minutes In Committee Meeting of Council, 7 February 2024

Recommendations

That the meeting minutes of Council, 7 February 2024 be accepted as a true and correct record.

That the meeting minutes In Committee Meeting of Council, 7 February 2024 be accepted as a true and correct record.

File No.: 24/78

6.1 Adoption of Long Term Plan 2024-2044 Consultation Document and Supporting Information

1. Purpose

- 1.1 To adopt the Consultation Document and associated Supporting Information for the draft Long Term Plan 2024-2044.

This report directly aligns with Council's top 10 priority "*Get the basics right and support the customer focussed delivery of core services*".

2. Executive Summary

- 2.1 As part of the development of Council Long Term Plans, the Local Government Act 2002 (LGA) requires councils to use a Consultation Document to consult with the community. Adoption and notification of the Consultation Document enables the start of the formal consultation period.
- 2.2 This report sets out how the draft Long Term Plan 2024-2044 has been developed, the audit process, and provides an overview of the supporting documents and consultation document for the Long Term Plan 2024-2044. The LGA requires the supporting documents to be adopted before the consultation document for the Long Term Plan. Council is required to adopt these documents before consultation on the Long Term Plan 2024-2044 begins.

3. Recommendations

- 3.1 That Report 24/78 Adoption of Long Term Plan 2024-2044 Consultation Document and Supporting Information be received.
- 3.2 That this matter or decision is recognised as significant in terms of s76 of the Local Government Act.
- 3.3 That Horowhenua District Council adopts the Financial Strategy, Infrastructure Strategy, Activity Statements, Significant Forecasting Assumptions, Revenue and Financing Policy, Schedule of proposed fees and charges, Rates Remission and Postponement Policy, Remissions of Rates on Maori Freehold Land, Prospective Accounting Policies, Summary of Council's policy on determining significance, Working with Maori, Financial Statements and Council Controlled Council Organisations in draft as supporting documents to the consultation process for the Council's Long Term Plan 2024-2044.

- 3.4 That Horowhenua District Council receives the final Waste Assessment 2024, previously endorsed at the 7 February 2024 Council Meeting, and notes that it will be provided as Supporting Information as part of the Long Term Plan 2024-2044 consultation.
- 3.5 That Horowhenua District Council notes feedback has been requested on the Waste Assessment 2024 from the Medical Officer of Health and that this feedback will be appended to the assessment.
- 3.6 That Council agrees, as part of the Long Term Plan 2024-2044 and in light of the Waste Assessment 2024, to proceed with a new Waste Management and Minimisation Plan in accordance with section 50(3) of the Waste Minimisation Act.
- 3.7 That Horowhenua District Council notes the draft Waste Minimisation and Management Policy 2024, adopted for consultation at the 7 February 2024 Council Meeting will be consulted on as part of the Long Term Plan 2024-2044 consultation.
- 3.8 That Horowhenua District Council adopts the final Draft Waste Management Minimisation Plan, previously adopted at the 7 February 2024 Council Meeting, for consultation, noting that it forms a key component of the Long Term Plan 2024-2044 consultation and seeks to replace the current Waste Management and Minimisation Plan 2018-2024.
- 3.9 That Horowhenua District Council approves the content and options proposed for the Topic What Services do we need for our community including the rates increase in 2024/25.
- 3.10 That Horowhenua District Council approves the content and options proposed for the Topic Managing Waster including the Future of Kerbside Recycling.
- 3.11 That Horowhenua District Council approves the content and options proposed for Topic Sharing Costs – Who pays for what.
- 3.12 That Horowhenua District Council adopts the Rates Remission and Postponement Policy 2024 for consultation concurrently with the Long Term Plan 2024-2044.
- 3.13 That Horowhenua District Council adopts the Revenue and Financing Policy for consultation concurrently with the Long Term Plan 2024-2044.
- 3.14 That Horowhenua District Council adopts the draft Development Contributions Policy 2024 for consultation concurrently with the Long Term Plan 2024-2044.
- 3.15 That Horowhenua District Council adopts the draft Significance and Engagement Policy 2024 for consultation concurrently with the Long Term Plan 2024-2044.
- 3.16 That Horowhenua District Council resolves that it is prudent to adopt a draft budget for consultation that is not balanced in year 1 to 3. This is on the basis that it will be recovered over the life of the Long Term Plan.
- 3.17 That Horowhenua District Council adopts the Consultation Document for the Long Term Plan 2024-2044 for public consultation.
- 3.18 That if necessary, the Group Manager Community Vision and Delivery, in consultation with the Chief Executive, be given delegated authority to make editorial changes that may arise as part of the publication process for the proposed Long Term Plan 2024-2044

4. Background / Previous Council Decisions

- 4.1 The LTP is a key strategic document for Council setting Council's budget and strategic direction for 20 years.
- 4.2 The decisions Council makes through this process will have significant impacts on our community. The services and projects Council decides to include or remove from the LTP will affect our current and future generations.
- 4.3 These decisions will impact the Level of Service (LOS) we are able to provide, the amount of debt we hold, and the level of rates we require our community to pay. It is Council's role to weigh up these costs and benefits to make the best decision for our community.
- 4.4 Given the impact of an LTP it is particularly important that Council is open and transparent with our community throughout this work. Council has held 20 Workshops, 18 of which have been public enabling the community to receive the information at the same time as it was being discussed by Elected Members. The two Public Excluded workshops included information about contracts Council holds and internal operational matters so were not public due to the sensitivity of these matters. They were followed by public meetings, a workshop on 6 December, and the Council meeting on 13 December 2023 so commercial sensitivity could be balanced with transparency.

- 4.5 The 20 Workshops to date have covered the following topics:

Workshop	Date	Topic
1	16 August 2023	Introduction to the LTP
2	23 August 2023	Defining the scope
3	30 August 2023	Appetite for Growth
4	13 September 2023	Statements of Service Provision (SSPs) and Early Engagement
5	20 September 2023	External Facing Activities
6	27 September 2023	Walking & Cycling, Earthquake-prone Buildings, Prioritisation, Waste Minimisation & Management Plan.
7	11 October 2023	Supporting Strategies, climate change and early engagement
8	18 October 2023	Post-election updated, Solid Waste Rating and WMMP
9	1 November 2023	LTP Design, Financial Strategy Overview, Activities Discussion 1: Community Facilities, Community Support, Representation and Community Leadership, Community Infrastructure
10	8 November 2023	Activities Discussion 2: Solid Waste, Property, Regulatory Services, Land Transport
11	15 November 2023	Activities Discussion 3: Three Waters, Information Services

12	29 November 2023	A – Public Workshop: Shaping information into options: Early Engagement Feedback, SSP Review, Fees and Charges B – Public Excluded Workshop: Budget package discussion (closed as included commercially sensitive material)
13	6 December 2023	LTP Update: Key Assumptions, Financial Strategy, Infrastructure Strategy, Revenue and Financing Policy splits, Budget Package
14	13 December 2023	Public Excluded Workshop: Further discussion of Budget Package material from 29 November Workshop B.
15	24 January 2024	Preparation for Audit, Impact of Reforms, Confirming direction on key policies, Audit updates about Consultation Document, SSPs
16	31 January 2024	Pre-Audit check-in: Rating update, Draft Waste Assessment, draft WMMP, draft accompanying doc, Revised draft LTP narrative, initial designs
17	7 February 2024	Council Meeting: Option for Council to have an unaudited LTP Consultation Document
18	14 February 2024	Consultation and Engagement
19	21 February 2024	Post-Audit/Pre-Consultation Update
20	28 February 2024	Audit Feedback and Finalisation of documents for consultation

- 4.6 The Workshops and Council meetings above have led to the development of the draft LTP Consultation Document and Supporting Information presented for adoption for consultation at this meeting.
- 4.7 The Consultation Document is based on the range of information clearly set out in the supporting documents. The purpose of these documents is to provide more detailed information on the key issues and the data showing the implications of each option. The information that is proposed to change contained in these documents has been presented to Council in the LTP workshop series over the past months.
- 4.4 When developing an LTP, Council must use the special consultative procedure as set out in section 93A of the LGA. Council is required to produce and adopt a consultation document that aligns with the purpose of consultation documents as set out in section 93B of the LGA.
- 4.5 For this LTP process, councils were permitted to have an unaudited Consultation Document. This option arose following the General Election, which saw the new coalition government confirm that it would repeal the existing reform legislation which had intended that council's would no longer be responsible for three waters.
- 4.6 The Minister of Local Government advised that as part of the new Government's *Local Water Done Well* and as part of providing councils with clarity and certainty for developing long-term plans in 2024 councils would be permitted to have unaudited long-term plan consultation documents. This acknowledged that while the legislation was signaled to change, at the time at which many councils would be preparing their LTP the legislation would still require Councils to exclude three waters from their LTP. The new Government has been very clear their expectation is for councils to include three waters in their LTP and that the legislation will be changed to reflect this.

- 4.7 Council agreed to have an unaudited LTP Consultation Document at the meeting on 13 February 2024.
- 4.8 Audit NZ have commenced their audit of the Council information in the LTP supporting documents ahead of their final audit process which will occur once Council have held hearings, deliberations and made any final changes to the LTP documents. Because Audit NZ have not completed their usual audit process of the Consultation Document, they will not be issuing an audit opinion on the Consultation Document in the way they have done so for previous LTP processes.

5. Discussion

5.1 The supporting documents that are presented for adoption for consultation are:

- Financial Strategy
- Infrastructure Strategy
- Revenue and Financing Policy
- Working with Maori
- Activity Statements
- Financial Statements
- Rates Remission and Postponement Policy
- Remissions of Rates on Maori Freehold Land,
- Prospective Accounting Policies
- Significant Forecasting Assumptions
- Council Controlled Organisations

5.2 The other Policies presented for adoption for consultation are:

- Development Contributions Policy
- Significance and Engagement Policy

5.3 These are in addition to the draft Waste Minimisation and Management Policy adopted for consultation at the 7 February Council meeting.

5.4 The information below provides an overview of the changes proposed through this Long Term Plan 2024-2044. The full changes can be viewed in the supporting information and the consultation document. It is proposed that consultation is open on all of these documents.

Financial Strategy

5.5 Council is required to have a Financial Strategy within the Long Term Plan. The purpose of the financial strategy as set out in section 101A of the LGA is to:

(2) (a) facilitate prudent financial management by the local authority by providing a guide for the local authority to consider proposals for funding and expenditure against; and

(b) provide a context for consultation on the local authorities proposals for funding and expenditure by making transparent the overall effects of those proposals on the local authorities services, rates, deb, and investments.

5.6 The financial goals identified include:

- Ensuring affordable rates for the community,
- Minimising the Council's debt, and
- Making the best use of capital spending.

5.7 The financial strategy provides an overview of Council's financial goals, projected population growth, changing land use, major capital projects, and Councils approach to debt, rates, and balancing the budget. Also covered in the financial strategy are Council's policies on securities, investments and insurance.

5.9 At the 13 December 2023 Council:

- (a) Considered the current financial strategy debt limit of 250% of operating income and endorsed limiting the annual capital delivery programme to ensure that Council's net borrowings remain below the borrowings limit (CO/2023/464).
- (b) Resolved that it is deemed prudent that depreciation will not be fully funded until 2027, but all debt associated with depreciation not previously funded, will be fully repaid by year 11 (CO/2023/463).

5.10 These are reflected in the Consultation Document and the Financial Strategy.

Infrastructure Strategy

5.11 Council is required to include an infrastructure strategy that covers a minimum of 30 years within the Long Term Plan. The purpose of the infrastructure strategy is to:

- (a) Identify significant infrastructure issues for the local authority over the period covered by the strategy; and
- (b) Identify the principal options for managing those issues and the implications of those options.

5.12 The Infrastructure Strategy was updated during the Long Term Plan Amendment 2021-2041 (LTPA), adopted in June 2023. The current draft Infrastructure Strategy continues with the direction agreed during the LTPA.

Revenue and Financing Policy

5.14 Council is required to include our revenue and financing policy within the Long Term Plan. The purpose of this policy is to identify Council's sources of funding, and how it is used to fund operational and capital expenditure. In other words it sets out who pays for what and why.

5.15 The changes made to the Revenue and Financing Policy are reflected in the proposed changes to rates and fees and charges in the consultation document and supporting information, both for the rates increase and for how rates are shared.

Working with Maori

5.16 Council is required to set out any steps that Council intends to take to foster the development of Maori capacity to contribute to decision making processes over the period of the long term plan. This document was updated during the LTPA, with further minor amendments made now.

5.17 Council is currently developing the Māori Engagement Framework, which, when adopted, will be incorporated into this document for clarity and to provide a consistent approach.

Activity Statements

5.18 Council is required by Schedule 10(2) of the LGA 2002 to identify groups of activities and activities within those groups, and identify for each group of activities the rationale for delivery, the community outcomes, significant negative effects they may have on the community, the statement of service provision (levels of service and performance measures) and funding impact statement. Council also provides the proposed capital expenditure programme.

5.19 Council's groups of activities include; Land Transport, Water Supply, Wastewater Disposal, Stormwater, Solid Waste, Regulatory Services, Representation and Community Leadership, Community Facilities, Community Support, Community Infrastructure, Property.

5.20 The Activity Statements have been reviewed and updated. These include the updated Performance measures (or Statements of Service Provision (SSPs)) and targets with significant changes made. This followed Audit advice provided through the Annual Report

process. The overall the number of SSPs has been reduced, while making them more meaningful and ensuring connection to Council's Community Outcomes.

Financial Statements

- 5.21 Council's Financial Statements provide the: Funding Impact Statement, Forecast Statement for Comprehensive Revenue and Expense, Forecast Statement of Changes in Equity, Forecast Statement of Financial Position, Forecast Cashflow Statement, Forecast Funding Impact Statement, Capital Expenditure, Reconciliation between Forecast Funding Impact Statement and the Forecast Statement of Comprehensive Income, Reserve Funds and Benchmark Disclosures.
- 5.22 Council is proposing to meet all benchmarks across the 20 year plan (apart from balanced budget benchmark for the first three years).

Significant Forecasting Assumptions

- 5.23 Council is required to identify any significant forecasting assumptions that are made when developing the associated Long Term Plan. All assumptions have been reviewed and updated to reflect the changes in assumptions that inform this Long Term Plan.
- 5.24 To enable preparation of the LTP Supporting Information, including the development of Activity Management Plans, and financial modelling, Council endorsed the Significant Forecasting Assumptions at the Council Meeting on 7 February 2024 (CO/2023/458).

Remissions of Rates on Maori Freehold Land

- 5.25 This Policy aims to ensure the fair and equitable collection of rates from all sectors of the Community, while recognising that certain Māori owned land has particular conditions, features, ownership structures, or other circumstances that make it appropriate to provide relief from rates.
- 5.26 This Policy:
- a) supports the principles in the Preamble to Te Ture Whenua Māori Act 1993 (as required by section 102(3A) of the LGA);
 - b) has been prepared following consideration of the matters in Schedule 11 of the LGA (as required by section 108(4) of the LGA).
- 5.27 In accordance with this Policy, Council provides for the remission of rates on Māori freehold land, in certain circumstances.

Prospective Accounting Policies

- 5.30 The prospective accounting policies are required to be included in a long term plan. This policy has been updated to reflect that this Long Term Plan will be operative beginning at the start of the 2024/25 financial year.

Council Controlled Organisations

- 5.31 Schedule 10(7) of the LGA 2002 identifies Council is required to name any council controlled organisations and any subsidiary of council controlled organisations and identify the local authorities significant policies and objectives in relation to ownership and control of the organisation; the nature and scope of activities to be provided by the council controlled organisations and the key performance targets.

Rates Remission and Postponement Policy

- 5.32 Section 102(3)(a) identifies that Council may adopt a Rates Remission Policy. A rates remission policy must state the objectives sought to be achieved by the remission of rates and the conditions and criteria to be met in order for rates to be remitted.

- 5.33 During the Long-Term Plan Amendment that was completed in June 2023, Council reviewed the way that it share rates across the district. Through conversations with the community, Council were asked to look at additional options for supporting those that are struggling to pay rates.
- 5.34 As a result the Rates Remission and Postponement Policy was updated and consulted on in 2023. The new proposed Policy aims to provide some ratepayers in Horowhenua with options to apply for some reductions in their rates. It also provides the opportunity for some residents to apply to postpone their rates.
- 5.35 Councillors voted to hold the decision on finalising the new policy until a review of the budget for remissions was completed. This is included in the LTP and introduces a cap of 1% of rates on remissions. A cap is in place so that if more people apply for remissions in each space, they could receive less remissions than they have in the past.

Development Contributions Policy

- 5.36 Development contributions are provided for under the Local Government Act 2002 (LGA 2002) and are able to be used to fund capital expenditure required as a result of growth. Council re-introduced Development Contributions through the LTP 2021-2041.
- 5.37 There was a partial review of the Policy through the LTPA, as it included amendments to the Infrastructure Strategy and capital programme which needed to be reflected in the Development Contributions Policy.
- 5.38 Proposed amendments to the Policy include:
- Updating the policy to support the principles of Te Ture Whenua Maori Act 1993.
 - Delegating some decision making to General Manager Housing and Business/Chief Executive for some requests for remission/reduction/postponement
 - Updating growth assumptions and base data
 - Introducing additional maps to define DC areas
 - Greater flexibility to undertake special assessment
 - Updating the Development Contribution amounts based on the capital projects in the LTP.

Significance and Engagement Policy

- 5.39 Schedule 10(11) of the LGA 2002 requires Council to include a summary of the Significance and Engagement Policy prepared under section 76AA of the LGA 2002 in the LTP.
- 5.40 The purpose of the significance and engagement policy is:
- (a) to enable the local authority and its communities to identify the degree of significance attached to particular issues, proposals, assets, decisions, and activities; and
 - (b) to provide clarity about how and when communities can expect to be engaged in decisions about different issues, assets, or other matters; and
 - (c) to inform the local authority from the beginning of a decision-making process about—
 - (i) the extent of any public engagement that is expected before a particular decision is made; and
 - (ii) the form or type of engagement required.
- 5.41 Every local authority is required to have a significance and engagement policy that sets out the local authority's approach to determining the significance of proposals, criteria in assessing significance, how the local authority will respond to community preference about engagement, and how the local authority will engage with communities on other matters.

5.42 Officers have made minor amendments to the 2021 policy and this report is seeking that Council adopt the amended policy. The minor amendments include:

- Addition of thresholds for significance
- To update wording in a number of places to provide greater clarity and to ensure it is current regarding Community preferences, engagement methods, explaining what a 'whole of asset' approach means in more detail, and when Council may not engage.

Draft Long Term Plan 2024-2044 Consultation Document

5.43 The Consultation Document has been designed to present the information on the issues Council is seeking feedback on in an engaging and informative way. The theme *Challenging times, challenging choices* was developed in response to the challenging economic times being faced by our community and Council, and the challenging choices Council wants to discuss with and get feedback from our community on.

5.44 The key issues are identified as:

- *What services does our community need* – which sets out the options for the rates increase.
- *Managing Waste* – this section:
 - Introduces the draft Waste Minimisation and Management Plan being consulted on;
 - Sets out the intention to split the current Solid Waste rate into its three components to better
 - Asks which option people would prefer for managing kerbside recycling; and
 - Asks people would prefer for paying for the Levin Landfill After Care and Landfill Debt
- *Sharing costs: Who pays for what* – this section proposes:
 - Options for funding Te Awahou Foxton Community Board
 - Introducing an Economic Development Rate
- Other consultation questions
 - Feedback and submissions can be provided about any of the LTP Supporting Information. Three policies that have been amended where a specific question is asked are:
 - Rates Remissions Policy – Reviewed following the LTPA
 - Development Contributions Policy
 - Significance and Engagement Policy
 - A question about the proposed Fees and Charges is also included – most fees and charges have increased to reflect inflation, with higher than average fee increases to meet Revenue and Financing Policy target for Animal Control.

5.45 Council endorsed the Waste Assessment and Waste Management Minimisation Plan at its meeting on the 7 February 2024. Minor amendments to these documents have been made to get into its final form ready for inclusion with the Long Term Plan consultation. Updated copies are provided as attachments to this report. This work has been completed as per the requirements of the Waste Minimisation Action 2008. At the time of writing this report, feedback from the Medical Officer of Health has not been received, but is anticipated to be received as part of the consultation process.

6. Options

6.1 *Option 1: Adopt the Long Term Plan 2024-44 Consultation Document and Supporting Information for public consultation.*

Option 1 starts the public engagement process on the 20 year plan. It enables the community to have their say on what is proposed, to feed into future deliberation by Council.

6.2 *Option 2: Delay adopting the Long Term Plan 2024-44 Consultation Document and Supporting Information.*

Option 2 delays the start of community consultation. This option would only be appropriate if Council considers there needed to be fundamental changes to the Consultation Document. If this is the case, Elected Members would need to provide clear guidance on the changes requested. If significant, those changes may need to go through a further Audit process which would need to be fitted in around the currently scheduled audits of other councils. This delay would shift the community consultation period, hearings and deliberation timelines. It may compromise the ability for Council to adopt the Long Term Plan (proper) by 30 June 2024.

6.3 The Officer recommendation is Option1.

6.4 **Cost**

The cost of community consultation associated with the adoption of the Long Term Plan Consultation Document is incorporated into existing budgets.

6.5 **Rate Impact**

The adoption of the Consultation Document will not have a rates impact. The Consultation Document outlines the proposed rates increases for the 20 year plan. Specific feedback is sought on the rates increase and changes to rating differentials.

6.6 **Community Wellbeing**

The adoption of the Consultation Document will not have a direct impact on community wellbeing. The Consultation Document seeks feedback on Council's community outcomes, and the activities Council provide the community have an impact on wellbeing.

6.7 **Consenting Issues**

There are no consenting issues relevant to the decision to adopt the Long Term Plan Consultation Document.

6.8 **LTP Integration**

The Consultation process and Supporting Information are key components of forming the Long Term Plan 2024-44.

6.9 **Consultation**

The adoption of the Long Term Plan Consultation Document and Supporting Information would trigger the start of the public formal consultation process on the Long Term Plan 2024-44. Given the significant proposed rate increase and the nature of the other topics addressed in the LTP Consultation Document, the engagement with the district during the consultation period will be very important so that the impacts of the LTP are understood and the community have their say through the submission process to inform the final LTP decisions.

6.10 **Legal Considerations**

The development of the Long Term Plan Consultation Document and wider Long Term Plan process is dictated by the requirements of the Local Government Act 2002. The Consultation Document has been prepared to meet these legislative requirements.

6.11 Financial Considerations

There are no financial considerations in making the decision to adopt the Long Term Plan Consultation Document and Supporting Information. The development of the Long Term Plan 2024-44 is provided for in existing budgets and it will be through the process of the hearings and deliberations that Council make decisions that will have financial implications.

6.12 Iwi Considerations

There are no specific Iwi considerations relevant to the decision to adopt the Long Term Plan Consultation Document and Supporting Information. Engagement opportunities are being discussed with Iwi and hapu to contribute to the LTP.

6.13 Climate Change Considerations

There are no specific climate change considerations relevant to the decision to adopt the Long Term Plan Consultation Document and Supporting Information.

6.14 Environmental Considerations

There are no environmental considerations relevant to the decision to adopt the Long Term Plan Consultation Document and Supporting Information.

6.15 Health & Safety

There are no health and safety concerns from adopting the LTP Consultation Document and Supporting Information.

6.16 Other Considerations

There are no other considerations.

6.17 Next Steps

If Council decides to adopt the Consultation Document and Supporting Information, the documents will be finalised and made public for community consultation commencing on 15 March 2024.

7. Supporting Information

Risk Area	Risk Identified	Consequence	Likelihood	Risk Assessment (Low to Extreme)	Managed how
Legal and Reputational	The Consultation Document for this LTP has not been subject to the usual audit process ahead of adoption and consultation. There is the risk that the final audit process identifies an aspect of the LTP that should	Moderate	Possible	9 Moderate	All reasonable steps have been taken by officers to ensure that the Consultation Document is fit for purpose and would satisfy the audit requirements had the document been subject

	have been communicated differently in the Consultation Document and therefore could undermine the LTP process and reflect negatively on Council's reputation.				to a full audit process. The Consultation Document has been viewed by Audit NZ and they have considered this while undertaking their review of the Supporting Information.
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Confirmation of statutory compliance

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

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

8. Attachments

No.	Title	Page
A	LTP 2024_Consultation Doc_PROOF 9 - 28 Feb 2024	20
B	Financial Strategy LTP 2024 -2041 - 27 Feb 24 (<i>Under Separate Cover</i>)	
C	Draft LTP 2024 Infrastructure Strategy (<i>Under Separate Cover</i>)	
D	LTP 2024-2044 draft Activity Statements - 27 feb 2024 (<i>Under Separate Cover</i>)	
E	LTP 2024-2044 - Significant Forecasting Assumptions - 27 Feb 2024 (<i>Under Separate Cover</i>)	
F	LTP 2024 - 2044 Revenue and Financing Policy - 27 Feb 2024 (<i>Under Separate Cover</i>)	
G	LTP 2024 - 2044 Rates remission and postponement policy-27 Feb 2024 (<i>Under Separate Cover</i>)	
H	LTP 2024 -2044 Remission of Rates on Māori Freehold Land policy - 27 Feb 2024 (<i>Under Separate Cover</i>)	
I	LTP 2024 -2044 - Prospective Accounting Policies - 27 Feb 2024 (<i>Under Separate Cover</i>)	
J	LTP 2024 - 2044 - Summary of Council's policy on determining significance - 27 Feb 2024 (<i>Under Separate Cover</i>)	
K	LTP 2024 - 2044 - Working with Māori - 27 Feb 2024 (<i>Under Separate Cover</i>)	
L	LTP 2024 - 2044 Financial Statements - 27 Feb 2024 (<i>Under Separate Cover</i>)	
M	LTP 2024-2044 - Council Controlled Organisations - 2 Feb 2024 (<i>Under Separate Cover</i>)	
N	LTP 2024 -2044 - SSP - 27 Feb 2024 (<i>Under Separate Cover</i>)	
O	2024-25 Draft Fees and Charges schedule - 26 Feb 2024 (<i>Under Separate Cover</i>)	
P	LTP 2024 -2044 - DC policy draft as at 27 Feb 24 (<i>Under Separate Cover</i>)	
Q	LTP 2024 - 2044 - Significance and Engagement Policy - 28 Feb 2024 (<i>Under Separate Cover</i>)	
R	HDC - Waste Assessment 2024 (<i>Under Separate Cover</i>)	
S	HDC - WMMP 2024 (<i>Under Separate Cover</i>)	
T	LTP 2024-2044 - Definitions Interpretation - 27 Feb 2024 (<i>Under Separate Cover</i>)	

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PROOF 9

**CHALLENGING
TIMES
CHALLENGING
CHOICES**

Te Mahere Roa 2024-2044 **Long Term Plan 2024-2044**

HE WHĀRANGI UIUI
CONSULTATION DOCUMENT

Horowhenua
DISTRICT COUNCIL



TRANSLATION YOUR GUIDE

What is the Long Term Plan?

The Long Term Plan (LTP) sets our direction for the next 20 years: Outlining our activities and providing a long term focus for decision making. It's an important mechanism which strengthens long term planning, community consultation and participation, and accountability.

This plan;

- Describes the type of District our communities have told us they want – our community outcomes.
- Details the services and key projects we plan to deliver over the next 20 years to deliver on these community outcomes.
- Outlines the cost of delivering these services and how they will be funded.

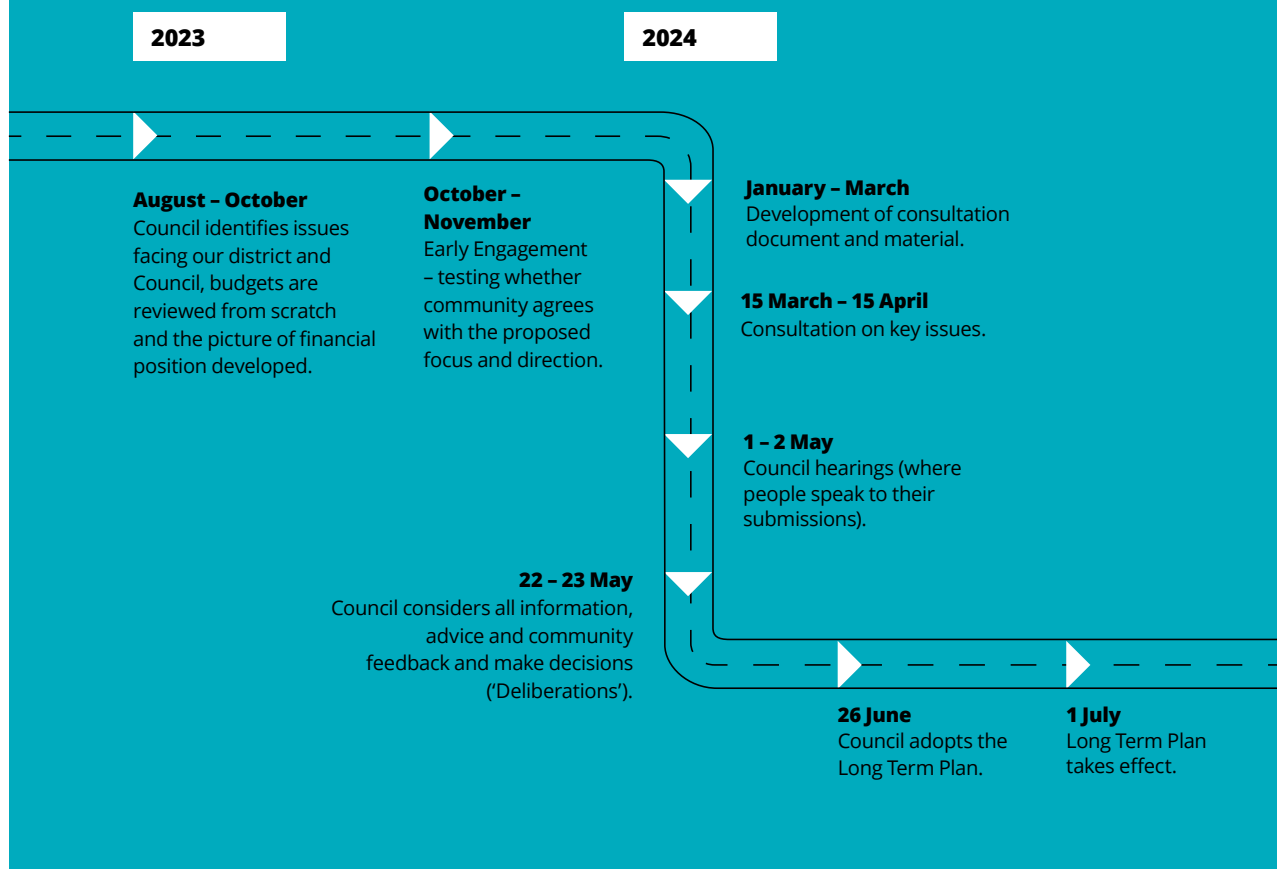
Why have a Long Term Plan?

Under the Local Government Act 2002 we have to develop a LTP every three years with full consultation of our community each time. The LTP is also an important process which gives our community the opportunity to have a say on where we are heading so it is developed together, and to ensure our planning is robust.

How it's developed and how you can be involved

The process for developing our LTP is outlined below. Currently, we are in the formal stage of the consultation process, where we're seeking your input into our draft LTP.

Key Dates



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TRANSLATION INTRODUCTION

Mayor and Councillors' welcome

Challenging times call for challenging choices.

Times are tough, the cost of living continues to rise, and like many households, Council have some tough decisions to make.

Everyone is feeling the pressure due to many factors, including the cost of living. Council is not immune to cost increases and the challenges posed by inflation, interest rates, depreciation and insurance are having a massive impact on our fixed costs, which leaves us with the challenge of balancing the community's aspirations, while living within our means.

Proposing a significant rates increase at any time, but particularly now, is not a decision made lightly, but it's the choice we have to make, if our community expects to receive similar levels of service as currently provided.

Now, more than ever, Council has been looking at ways to reduce costs, without changing or drastically reducing the services residents currently receive.

We need your feedback on three key questions:

1. What services do we need for our community?
2. How should we fund kerbside recycling?
3. Sharing costs - who should pay for what?

Our community has said that we should focus on the basics, prioritise care for the environment and be ready to maximise opportunities ahead. These things cost money, and we are acutely aware of the consequence of cutting services. The average rates increase of 17.4% we are proposing is much greater than we've seen in the past but is required to ensure our borrowings do not exceed our

limits, we can continue to deliver Three Waters services and we are financially sustainable into the future. Some properties may see increases above 20%. The impact of the proposed average rates increase will vary between households, depending on where you live and the value of your property.

Waste minimisation and management is another important topic to discuss. How should we manage waste to reduce our impact on the environment? We have been borrowing money to deliver kerbside recycling, a decision that is simply not sustainable and so we are proposing that this is now funded by rates.

We started from scratch, looking at costs and budgeting models to explore options to significantly reduce Council's day to day running costs. We've modelled what this might mean for services Council delivers and reviewed our fees and charges to ensure we have the balance right between user charges where individuals pay for specific services they use, and the general rate where the overall community pays for services. We need to hear your views on how costs are shared and who should pay for what.

This consultation document isn't just about presenting our financial plan, it's about outlining what Council will deliver given the issues we are facing in this economic climate to ensure the decisions we make are sustainable and Horowhenua remains a place we love to live in now and in the future.

Take the time to have your say. We need your voice to help shape our district as we navigate challenging times and make some tough decisions.

Mayor Bernie Warden and Councillors



TRANSLATION OUR KEY CHALLENGES





Keeping Council Services Affordable

Our key financial goal is to manage growth while living within our means. This requires striking a balance between trying to achieve affordable rates for the community, making sure rates are shared fairly making sure those that are developing new homes pay their share, while minimising Council's debt, and optimising capital spending.

Let's be real – we're facing some serious financial challenges, and it is important we're upfront about this. Faced with a 'broken' funding model, councils nationwide are grappling with balancing substantial rate increases to pay for what they already do and potential cuts to essential services in their upcoming Long Term Plans. Horowhenua is no exception. We believe the local government funding model needs a revamp, but that's not a quick fix, and a comprehensive review is overdue.

Councillors (after months of workshops, Council meetings and exploring various options) have endorsed a draft Long Term Plan budget that proposes an average rates increase of 17.4%. Even with this proposed increase, Council still needed to reduce some of our current services. Maintaining status quo, would see a 23.6% rates increase, an increase Elected Members could not endorse.

The weight of proposing a significant rates increase was difficult for Elected Members. We understand the challenges many households are facing, especially with our district experiencing a disproportionately lower than average household income compared to the rest of New Zealand, coupled with the ever-rising costs of living affecting everyone.

The fact is Council is facing significant cost increases, including impacts on the cost of managing, developing and replacing our assets. These cost increases mean Council is required to increase fees and charges and rates significantly to continue with the same levels of service to our communities. To put this into perspective, Council's interest, depreciation, insurance and utilities alone account for 14% of the proposed rates increase.

We also haven't been charging enough in rates in the past to cover our day-to-day and long term expenses. Historically, we've borrowed money to keep rate increases lower. While that made rate increases better before, it isn't a sustainable solution for our future. It now means we're stuck with higher debt and are finding it difficult to invest in upgrading our infrastructure for growth and ensuring the renewal of vital existing infrastructure. Even though increasing rates might not be the most popular move, continuing like this just isn't feasible in the long run as we no longer can continue to borrow to pay for our operational costs such as our daily use of assets (depreciation).

As we move forward, we need to find a delicate balance between the need for higher rates and the desire to minimise impacts on essential Council services. That's why we're asking for you to share your views and guide us as we lean into the tough decisions ahead.



INFLATION

When prices go up therefore the purchasing power of money goes down

DEPRECIATION

The monetary value of an asset goes down over time due to use, wear and tear e.g. car

INTEREST RATE

The cost of borrowing money



Caring for the Environment

For many years we've been using debt to help fund the increasing costs of our recycling and waste disposal services. We recognise this approach isn't sustainable in the long run. We are also facing a 30 year commitment to remediating our closed landfill.

We're now suggesting a targeted rate to fund the 30 year remediation of the Levin Landfill and the repayment of the debt still owing on the Landfill. The debt will be recovered over the next 20 years and will be paid for equally by all properties in our district. Another targeted rate is recommended for our recycling collection and will be paid for by those properties in the mapped area that is currently serviced for recycling. Additionally, we propose a separate districtwide targeted rate for all other solid waste activities. This includes transfer stations and waste minimisation efforts and will be paid for by a targeted fixed rate. These measures aim to provide a clear and sustainable financial structure for solid waste activities while addressing specific needs in each area.

The Government's 'Local Water Done Well' programme will keep water assets within Council ownership 'adding stronger central government oversight, which will have a significant impact on debt and rates'. Our LTP has been developed on the basis that Council retains our water assets, consistent with the direction of the new coalition government.

Your input is crucial as we consider how to finance these services in the future, including how costs are shared e.g. some things are paid for by all ratepayers and others by those who benefit most. Now, we need to hear from you, our community, about the service levels you're willing to prioritise as we navigate these decisions.

Preparing for Growth

It's an exciting time for Horowhenua. Every year, more people are discovering Horowhenua's natural beauty and charm, making it a fantastic place for families and individuals to call home.

Our community is growing steadily and it's not slowing down anytime soon. Horowhenua is the fastest-growing district in the Manawātū-Whanganui region, with our population forecasted to increase to more than by 66,000 by 2051.

Here's a glimpse into the future:

For a long period, the Horowhenua district had a relatively stable population. However, since 2014 our population has been growing at a rate of 2% per annum. The population of the Horowhenua district at the 2018 Census was 33,261 and estimated to be 37,500 by June 2023. Population growth was above forecasts.

Growth forecasts have pulled back since 2021 lowering forecast population and household numbers from 2021 estimates, but Horowhenua is forecast to continue as the fastest growing district in the Manawati-Whanganui region, and to grow strongly alongside the councils in the greater Wellington region. Our district's population is projected to grow at a rate of 1.5% per annum from 2023 until 2030, increasing to 2.1% per annum until 2044. This means our population will increase to over 54,000 by 2044 and over 66,000 by 2054.



Ōtaki to North of Levin Expressway

The Ōtaki to North of Levin (Ō2NL) expressway will be the largest infrastructure project in our district's history. Approximately 21km of a total 24km of the new highway proposed will be built within the Horowhenua district. With the expressway gearing up for completion by the end of 2029, things are about to get busier and more vibrant.

The Ō2NL project lead by Waka Kotahi NZTA, presents an array of opportunities for Horowhenua – both for those already here and for new arrivals. Once completed, the new four-lane highway will significantly improve safety and see Wellington just an hour's drive from Levin, increasing the district's integration with the capital and other major centres and moving us to the heart of the lower North Island economy.

Once Ō2NL is completed it will add to the allure of our district, making it an even more attractive place to call home. As our local economy flourishes, so does the appeal of living and working here. The new expressway will provide a more efficient transport route for all road users, and we look forward to supporting the delivery of this vital project for our community and the benefits it will bring for years to come.

Housing

With the anticipated growth, and challenges for our families already here, the need for more houses becomes apparent. Approximately 7,336 additional houses will need to be built in our district by 2044 to keep up with the population growth. These statistics are driving the delivery of our Housing Action Plan, which has a simple vision of providing "Homes for All".

The rapid population increase also emphasises the need for sustainable and inclusive development, something we are firmly committed to enabling so that our businesses and organisations can grow with us.

As a district we continue to plan for growth with major development areas like Tara-Ika, introducing new neighbourhoods and communities to our district, and investing in key infrastructure to support and enable that growth.

Infrastructure

Growth isn't just about houses, we need to ensure we have infrastructure plans in place to enable this development. As with the Long Term Plan Amendment 2023, our focus turns to ensuring we're equipped to meet the surge in demand for water supply, effectively manage stormwater discharge and ensure our wastewater treatment plants can keep up with demand, while also addressing the aging infrastructure across our entire network.

As part of our funding policies for growth, we are making sure that new developments (new houses) pay for the new infrastructure required to service them. For example a new property in Levin will need to contribute approximately \$28,000 towards the cost of infrastructure investment.

TRANSLATION COMMUNITY OUTCOMES

These were developed out with our community as part of the 2021-2041 Long Term Plan. We think they are still current, but have made a few additions (underlined). During early engagement we asked you if these are still the outcomes you want us to work towards and 96% of you who responded said yes.



- We will uphold Te Tiriti o Waitangi/ The Treaty of Waitangi and its principles
- We build mutually respectful partnerships with Tangata Whenua
- We support Mana Whenua to maintain and enhance tikanga with their ancestral lands and waterways, wāhi tapu and oter taonga
- We support whānau, marae, hapū and iwi in achieving their aspirations.
- We recognise the role of Mana Whenua as kaitiaki of their rohe



- We are business friendly
- We will work with others to enable our economy to grow
- We support diversity and resilience in our local economy
- We aspire for economic security for all our people
- We seize growth opportunities for our district



- We contribute to improving our natural environment for current and future generations to enjoy
- Our communities are able to access and enjoy natural areas and public spaces
- We recognise and protect the important natural features in our district
- We ensure our built environment supports the wellbeing of our people
- We minimise waste
- We manage competing pressures on resources sustainably

snippets from illustration



**Fit for purpose
Infrastructure**

- We develop and maintain facilities and infrastructure to meet the needs of current and future generations
- We provide efficient reliable and affordable infrastructure
- We work with partners to develop infrastructure that enables growth
- Our community facilities and infrastructure are resilient, helping us to respond to climate change and natural hazards



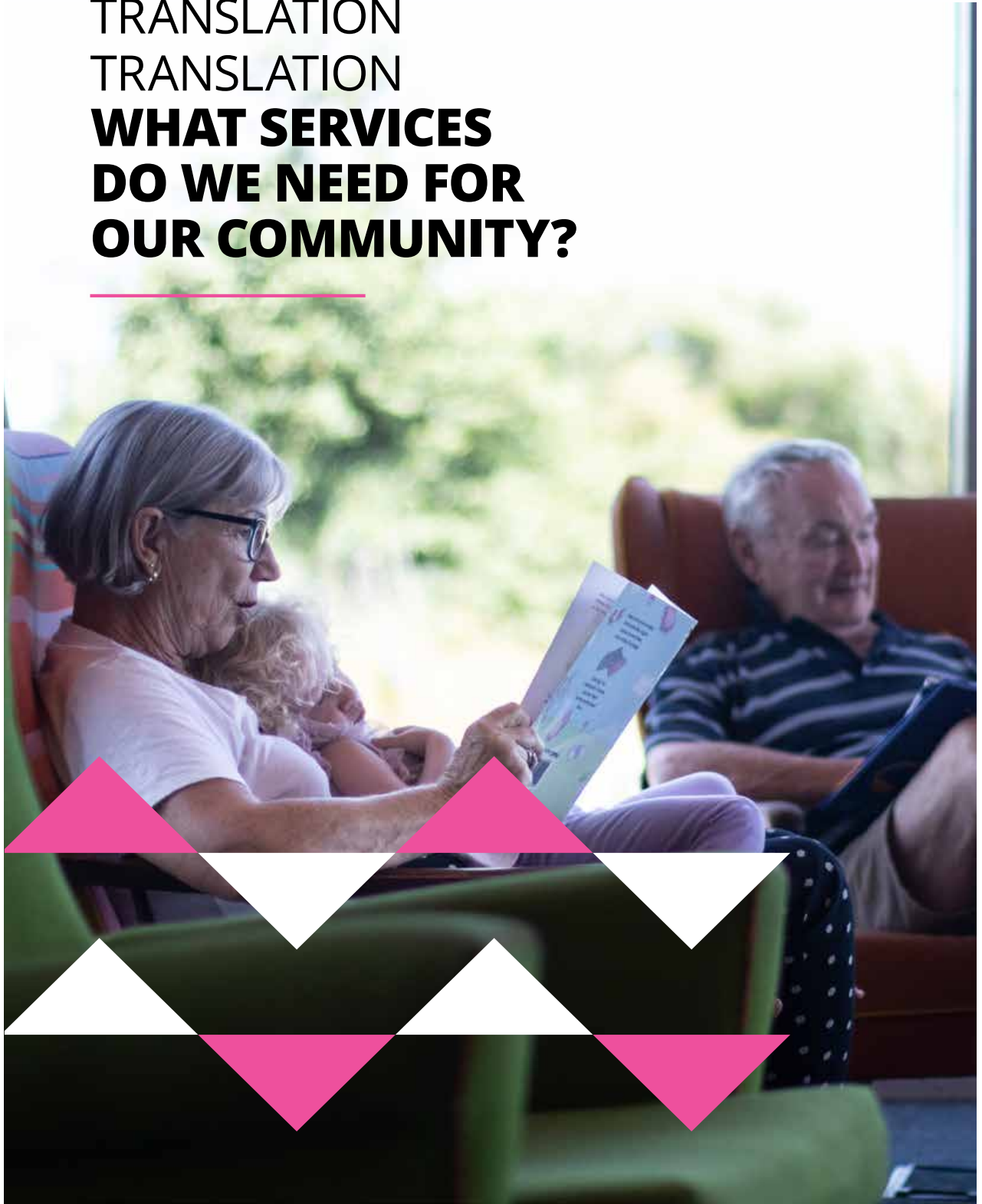
**Strong
Communities**

- We value the diversity of our people
- We recognise the value of our district's heritage and its contribution to our communities sense of identity and pride
- We take an inclusive approach and encourage our people to participate in local decision making
- We provide infrastructure and services as a foundation for resilient and connected communities
- We build collaborative relationships with service providers to help enable all of our people to live positive, connected and healthy lifestyles

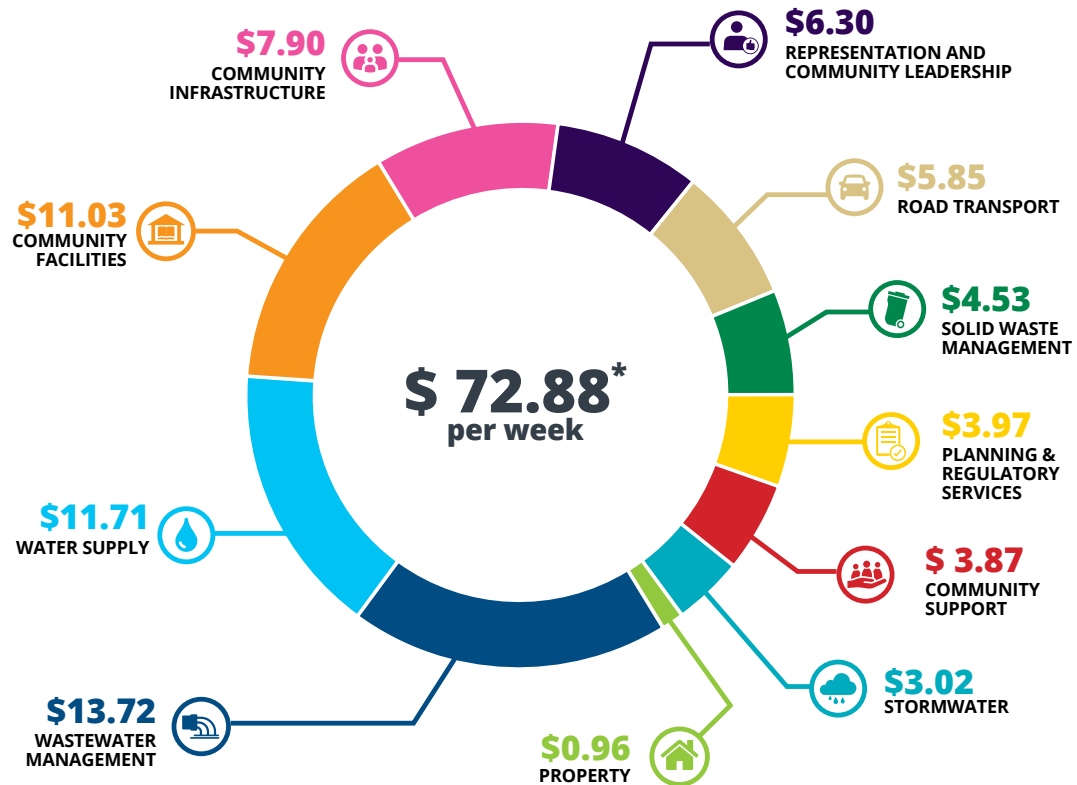


TOPIC #1

TRANSLATION
TRANSLATION
**WHAT SERVICES
DO WE NEED FOR
OUR COMMUNITY?**

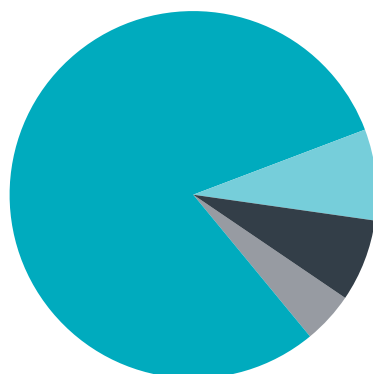


Where do your rates go?



* Based on a Levin residential property valued at \$550,000 Capital Value and \$340,000 Land Value (under the December 2022 QV valuations) with the total estimated rates of \$3,790 for 2024/25 under the preferred option.

What are our revenue sources?



● RATES
80.2%

● FEES AND CHARGES
8.0%

● GRANTS AND SUBSIDIES
7.3%

● OTHER REVENUE*
4.5%

* Development Contributions and miscellaneous revenue



Questions

1. What services do we need for our community?
2. Which option do you think will put Horowhenua in the best position for the future?

Council is facing significant financial challenges as a result of the current economic environment, and we've been actively seeking ways to reduce costs without compromising the services you depend on.

Inflation, rising interest rates, and escalating costs for essential needs like insurance and asset maintenance, leave Council trying to balance the community's aspirations with a financial reality that is challenging.

Unlike other councils who may have a port or an airport to augment their income, rates continue to be our main source of income and now make up just over 80% of our operating income. The decision to propose a significant rate increase is not one we take lightly, especially under the current circumstances. Yet, to maintain the levels of service our community are accustomed to, we're looking at a substantial rate increase. We've started re-evaluating everything from scratch, scrutinising our operational costs and exploring every opportunity to make significant reductions. This includes a careful review of our fees and charges to ensure a balance between user-specific service payments and the general rate funding. We are working hard to find operational savings across the board, which means we look to deliver things in a different way, an example of this is increasing the number of people receiving rates notices and other communications by email rather than post. That won't suit everyone, but where it does, it significantly reduces our printing and postage costs – money that can be saved or spent on something else.

To put it into perspective, just covering cost increases like interest, depreciation, insurance, and utilities, we're looking at an average rates increase of 14%. But to fully manage the increasing costs of operating a business, while maintaining current service levels, we're actually facing the need for an average rates increase of 23.6%.

In the past, Council has borrowed money to make rates increases more manageable, but this has led to a considerable amount of debt, limiting our ability to renew and invest in our capital assets. This approach is unsustainable in the long term.

To ensure affordable rates for the community in the long term, we are facing a tough time ahead as we work to minimise Council's debt and fully rate fund operational costs and depreciation. With this approach, by 2027 we would've achieved a fully balanced budget, allowing us to begin reducing debt. Council will then look to cap future rates increases at 10% per annum.

To reduce the average rates increase to Council's preferred option of 17.4% (Option 2), several significant changes to the current levels of service have been proposed that are likely to be noticed by the community if they were to go ahead. Two of the more noticeable changes proposed include reducing the opening hours of Te Awahou Nieuwe Stroom, Youth Space and Te Takeretanga o Kura-hau-pō and stopping urban berm mowing. In Option 3 we identified additional cost saving options that Council considered but decided not to include in the preferred option due to the level of impact these savings would have on existing services. Across all options is the expectation that the organisation find close to \$1 million of operational savings per annum, this is about us being proactive in ensuring Council is living within its means.

We want to hear from you about what services are essential for our community and which ones aren't. If we reduce the rates increase, it means we have to find additional ways to cut back on some services. If you want things to stay as they are, we're looking at average rates increases higher than 17.4%. We really need your thoughts on this.



OPTION 1 (CURRENT LEVELS OF SERVICE)
23.6% average rates increase to keep the current levels of service

- ✓ No reduction of levels of service (that is, what services are provided and how often).
- ✗ Significant rates increase which will be less affordable for those most vulnerable in our community, and will be challenging for many others.

Impact on rates:

Example Property	Land Value	Capital Value	2023/24 rates	Indicative Rates (2024/25)
Levin Urban	\$340k	\$540k	\$3,233	\$3,975
Levin Commercial (SUIP)	\$440k	\$690k	\$11,981	\$13,666
Lifestyle	\$450k	\$740k	\$2,266	\$2,734
Rural	\$980k	\$1,950k	\$2,797	\$3,513
Rural Commercial/Industrial	\$1,000k	\$2,510k	\$5,281	\$7,661

Impact on debt: No additional debt needed



LAND VALUE

This is the likely price the land would sell for at the time of revaluation with no buildings or improvements.

CAPITAL VALUE

This is the likely price a property would sell for at the time of revaluation. This includes the land and any buildings or other improvements.

QUOTABLE VALUE

(Council's valuation service provider) determines the value of the property by looking at the selling price of similar properties in the area.



WHAT DOES PREFERRED OPTION MEAN?

The law says we have to state what our preferred option is. This doesn't mean we've made our minds up already, it is a starting point for discussion, and is used as the basis for working out the budget. We want our community to tell us what they think so that can be factored into our final decisions.



OPTION 2 (PREFERRED)

17.4% average rates increase with some reduced levels of service

This is hard for us to propose but it involves reducing or removing some services – for example reducing the opening hours of Te Awahou Nieuwe Stroom, Youth Space and Te Takeretanga o Kura-hau-pō and stopping urban berm mowing.

- ✓ Our community will continue to receive most of the services they currently receive.
- ✓ Our finances are managed in a more sustainable way, building the capacity to pay back debt.
- ✓ By 2027 we will achieve a fully balanced budget, allowing us to begin reducing debt. Council will then look to cap future rates increases at 10% per annum.
- ✗ Some levels of service will be reduced. Our community should expect to see reduced levels of service in the following areas:
 - Removal of fund for Adverse Events/Emergencies
 - Increase in fees (higher than the average) to meet Revenue and Financing Policy target for Animal Control and other minor changes across the organisation. For example - In most cases, the dog registration fee is proposed to go from \$80 to \$104 (30% increase).
 - On Sundays closing Te Takeretanga o Kura-hau-pō and the Youth Space (normally open 1pm to 4pm) and Te Awahou Nieuwe Stroom (usually open 10am to 4pm).
 - Increased parking meter fees from \$1.10 to \$2.00 to increase revenue
 - Council will sell half our Carbon Credits
 - Increase trade waste levies
 - Stop urban berm mowing



Impact on rates:

Example Property	Land Value	Capital Value	2023/24 rates	Indicative Rates (2024/25)
Levin Urban	\$340k	\$540k	\$3,233	\$3,790
Levin Commercial (SUIP)	\$440k	\$690k	\$11,981	\$13,314
Lifestyle	\$450k	\$740k	\$2,266	\$2,534
Rural	\$980k	\$1,950k	\$2,797	\$3,275
Rural Commercial/Industrial	\$1,000k	\$2,510k	\$5,281	\$7,293



Impact on debt: Debt increased by \$1.3m for 2024/25

Example Property	Land Value	Capital Value	23.6% Option 1 Indicative Rates	17.4% Option 2 Indicative Rates
Levin Urban	\$340,000	\$540,000	\$3,975	\$3,790
Levin Commercial (SUIP)	\$440,000	\$690,000	\$13,666	\$13,314
Lifestyle	\$450,000	\$740,000	\$2,734	\$2,534
Rural	\$980,000	\$1,950,000	\$3,513	\$3,275
Rural Commercial/Industrial	\$1,000,000	\$2,510,000	\$7,661	\$7,293

OPTION 3

Reduced Services to achieve an average rate increase less than 17.4%

This option includes a range of other possible ways to reduce rates.

If you prefer this option, on the submission form you can say, whether you support all or only some of these items being reduced or removed.

- ✓ Average rate increase will be less than the proposed 17.4%.
- ✗ Our community should expect to see significantly reduced levels of service in the following areas:
 - Remove funding for Adverse Events/Emergency Management Fund
 - Increase in fees to meet Revenue and Financing Policy target for Animal Control and other minor changes across the organisation
 - On Sundays closing Te Takeretanga o Kura-hau-pō and the Youth Space (normally open 1pm to 4pm) and Te Awahou Nieuwe Stroom (usually open 10am to 4pm).
 - Increased parking meter fees from \$1.10 to \$2.00 to increase revenue
 - Sell half our Carbon Credits
 - Increase trade waste levies
 - Stop urban berm mowing
 - Reduce Council's Economic Development investment
 - Reduce investment in waste minimisation activities
 - Return to borrowing money to pay for recycling
 - Deprioritise affordable housing and action plan implementation
 - Reduce investment in information services
 - Reduce the level of rates funded depreciation
 - Reduce investment in roading
- ✗ Our finances won't be managed in a more sustainable way, limiting our capacity to pay back debt.
- ✗ We will be at risk of not achieving a fully balanced budget, meaning we will incur more debt and face higher rates increases in future years.

The impacts of this option on rates for each property and on Council's borrowings will depend on the reduction in rates expected.



Impact on rates – Options to further reduce rates include:

As a reference - if we reduce rates by 1% we need to find savings of \$524,000.

In preparing the budget, Council considered a range of other savings options to further reduce the proposed rates increase. These options are included below but were not Council's preferred option due to the potential adverse implications of these reductions:

- Slowing down our work on implementing our affordable housing action plan (\$90,000)
- Reduce Council's investment in Waste Minimisation activities (\$100,000)
- Reducing our investment in economic development for our district (\$200,000)
- Continue to fund some recycling through debt (\$625,000)
- Remove funding for community development, which would include community grants and funding (\$945,000)



Impact on debt: this depends on which items above are chosen, but these are unlikely to affect debt.

TOPIC #2

TRANSLATION MANAGING WASTE

Effective waste management for our district, requires a bit of a reset. We've closed the Levin Landfill, but there are ongoing costs associated with managing the closed landfill as well as landfill debt. We're proposing to share the solid waste rates including kerbside recycling in a more sustainable and equitable way. We also want your feedback on the Waste Minimisation and Management Plan 2024 (WMMP), so that our vision and goals for Waste Management align with the community's aspirations.

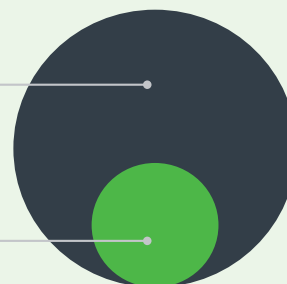


Current solid waste rates breakdown

URBAN
80%
(\$178.11)

(Includes the provision of landfill, waste transfer stations, waste minimisation initiatives and recycling.)

RURAL
20%
(\$119.14)



Proposed solid waste rates breakdown

Instead of the current Targeted Rate for the solid waste activity, we are proposing having three separate Targeted Rates.



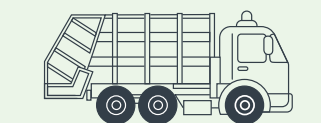
Landfill Legacy Rate - \$99.40

(Districtwide fixed charge which includes landfill aftercare and debt repayment)



Kerbside recycling – \$144.61

(Fixed charge for those that receive kerbside recycling)



Solid waste – \$96.32

(Districtwide fixed charge which includes the provision of waste transfer stations, mobile recycling stations and waste minimisation initiatives)

2A: LANDFILL LEGACY RATE - LEVIN LANDFILL AFTERCARE AND LANDFILL DEBT

Over the past 60 years, Horowhenua residents have benefited from Council's landfills. The last operational landfill was closed in Levin on October 2021.

Our closed landfills require careful ongoing monitoring and maintenance, especially the Levin Landfill, which needs monitoring and maintenance for a minimum of 30 years. To cover these costs, a 'Landfill Legacy Rate' is proposed to be introduced. This rate will allow us to repay the existing landfill loan of \$4.7m and fund the

ongoing monitoring and maintenance of our closed landfills. We would have ideally paid for this in the past but we haven't yet. As all residents are likely to have benefited from the landfills in some way, the cost will be evenly shared among all properties in the district. with the loan being serviced over the next 20 years.

Landfill Aftercare Costs and Rates Distribution

	Total	Annual Payment
Landfill Debt – 30 June 2023 (20 Year)	\$4.7m	\$236,750
Landfill aftercare costs		\$1,469,702
	Total including GST	\$1,962,420
	Total (SUIP)*	19,732
Annual charge to repay		\$99.40




*Assume growth for 2024/25

OPTION 1 (PREFERRED) Repay through Targeted Rate

**Create a separate targeted rate to repay the landfill loan and pay for aftercare.
Everyone will pay the same.**

As residents of the district benefited from the landfills, the cost will be equally distributed across all properties. Regardless of the size, value or use of your land, everyone would pay the same amount.




- ✓ Easier to administer, one fee for all so the fee is more communicable.
- ✗ Not proportionate. Properties with lower land value would pay a higher proportion than properties with a higher land value.
- ✗ People who have never used the landfill, would be expected to pay.

<p> Cost: no change to the total funding.</p>	<p> Impact on rates: Based on current parameters, new targeted rate for landfill would be approximately \$99.40 per property (SUIP).</p>	<p> Impact on debt: Lower by \$237k for 2024/25</p>
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OPTION 2 (STATUS QUO) Repay through Solid Waste Targeted Rates

Repay the landfill loan and pay for aftercare through the current solid waste targeted rates.

- ✓ Because landfill aftercare and maintenance benefits the entire community, it would be funded from the solid waste targeted rate, with 80% paid by urban and 20% by rural.
- ✗ People who never used are paying for it, includes people who never used landfill.

<p> Cost: no change to the total funding.</p>	<p> Impact on rates: No change to how rate is currently shared, resulting in the urban rate payer paying a larger share than the rate payer.</p>	<p> Impact on debt: No impact on debt.</p>
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2B: DELIVERY OF KERBSIDE RECYCLING SERVICES

Questions

1. How should we fund kerbside recycling services?
2. Who receives it?

Currently Council provides a fortnightly kerbside recycling service to urban properties.

The situation for rural properties is less straightforward. Residents who receive the rural kerbside recycling service have never fully paid for the collection and there is no defined extent (or boundary) of the rural service. A decision needs to be made to either remove the service or determine if there is a workable and fair way to rate some or all rural residents for the service.

A further complexity is that not all rural properties receive the kerbside recycling service, those that do were offered

the service during its inception if they already had a private commercial rubbish bin collection service in place.

This service is funded through the Solid Waste targeted rate. This rate has three components: kerbside recycling, waste disposal operations such as the transfer station, maintenance of the closed Levin Landfill. We are splitting the rate into the three parts so it is clearer who is being charged for what and to more appropriately share the costs.

There are four options below to show how this could be managed.

OPTION 1 (STATUS QUO)

Urban continues to pay, some rural properties subsidised to receive the same service

This option proposes that we would continue with our current approach to service delivery. This means to continue the service to existing urban and rural properties, this includes only offering new properties in urban locations kerbside recycling.

Rural properties currently receiving the service, and provided it is deemed safe to do so, would continue to receive the service with no contribution towards recycling (they do however continue to pay the rural portion of the solid waste rate).

- ✓ Costs of the service are no longer loan funded to provide the service; rural properties who already receive the service will continue to do so.
- ✗ Urban properties pay for service to be delivered to rural properties; and potentially significantly higher impact on rates increases
- ✗ There are health and safety risks associated with services provided in rural areas that have narrow roads and speed limits that exceed 50km/hr.



Impact on rates: Based on current parameters, proposed 2024/25 targeted rate would be approximately \$342 per SUIP for Urban, \$226 per SUIP for Rural.



Impact on debt: No change to planned reduction in debt.

OPTION 2 (PREFERRED)

Transition to a targeted rate for kerbside recycling

Urban and Rural share the costs evenly to continue receiving recycling services.

This option proposes to keep the waste service delivery as it is until 1 July 2026 only, recognising that this approach isn't aligned with the best practice for rating models. During this period, we would continue the kerbside recycling service for both existing and new properties in urban and rural areas currently receiving the service, provided it is safe to do so.

- ✓ Service costs are no longer loan funded, ensuring financial sustainability.
- ✓ All existing customers, both urban and some rural will continue to receive the service.
- ✓ The contribution through rates is distributed more fairly among users of the service.

Note: All rural property owners will still have access to the Mobile Recycling Stations (MRSs).

- ✗ There will be an increase in rates for rural properties receiving the service. This option might lead to higher rates for those who use the service.
- ✗ There is a risk of opt-out by rural properties. If existing rural property owners receiving recycling choose not to participate, they will still need to pay.
- ✗ Higher costs for rural service delivery. To deliver the service rurally would cost more for rural properties, this option would require urban to contribute to the majority of those service increases.
- ✗ Delivering services in rural areas poses health and safety risks due to the narrow roads and speed limits that exceed 50km/hr.



Cost: Increasing at the rate of inflation.



Impact on rates: Based on budget, the proposed 2024/25 targeted rate would be approximately \$144.61 per SUIP for those receiving recycling service.



Impact on debt: No change to planned reduction in debt.

OPTION 3 Urban only kerbside recycling from 1 July 2026

Urban continues to pay and only Urban receives the service

This option could only take effect from 1 July 2026 when the existing service contract ends. The services include removing the existing rural service to the 2,200 properties that currently receive the service. This option sits within the Ministry of Environment (MfE) intentions and allow the benefits of a new contract tailored to kerbside recycling only to urban areas.

- ✓ Remove any payment disparity between districtwide with urban properties covering for the service that is only delivered to them.
- ✓ Remove any costs associated with delivering a service to a wider demographic.
- ✓ Remove any health and safety risks associated with rural service delivery.
- ✓ Improved contract conditions.
- ✓ Greater emphasis and use on mobile recycling stations.
- ✗ Increase of waste to landfill, with rural properties disposing of waste through transfer stations and kerbside bins.
- ✗ Not aligned with a waste minimisation ethos.

Cost: increasing at the rate of inflation.

Impact on rates: No change for 2024/25 as this is planned to take effect from 1 July 2026.

Impact on debt: No change to debt



WHAT IS A SUIP?

A SUIP is a Separately Used or Inhabited Parts (LGA term) and is one of the factors that may be used by councils in calculating liability for targeted rates.

Examples of Separately Used or Inhabited Parts include:

- On a residential property, each separately habitable unit, flat, house or apartment.
- On a commercial property, each separate space intended to be used as a shop or other retail or wholesale outlet, other than that used by the owner.
- In an office block, each space intended to be used as offices that is or would be used by a different business from the owner.

OPTION 4 Removal of Kerbside Recycling in the district from July 2026

This couldn't come into effect until 1 July 2026 as we have a Kerbside Refuse Collections contract that continues to mid-2026. This option is included because affordability is a key factor in providing services within the district. We anticipate our district would require the implementation of five additional Mobile Recycling Stations to manage demand.

- ✓ Saves on collection and processing costs – approximately \$1.9m per year.
- ✓ With more Mobile Recycling Stations (MRSs) consistently located throughout the district easier to harmoniously target rates throughout the district.
- ✓ Increased user pay model – residents paying for increase in recycling going to landfill.
- ✗ In breach of Ministry for the Environment (MfE) service requirements, meaning we would lose the MfE Waste Levy Funding (\$280,000 - 2023-24).
The government is "ensuring kerbside recycling services are provided to households in urban areas (ie, towns of 1000 people or more) by 1 January 2027".
- ✗ Loss of funding for school waste minimisation education and other waste minimisation support services.
- ✗ Loss of public support for circular economy objectives (potential public backlash).
- ✗ Increased landfill tonnages (residents use Council kerbside bags and transfer stations).
- ✗ Increased landfill tonnages.
- ✗ Residents will pay more for waste to landfill disposal i.e. require more bags or larger bins.
- ✗ Would need to figure out what to do with all Kerbside Recycling infrastructure i.e. 16,000 plus bins and same for crates.
- ✗ Bin and crate storage costs would be significant.
- ✗ Increase the need for more Mobile Recycling Stations.
- ✗ More Mobile Recycling Stations required throughout the district, this would be moderately cheaper than existing kerbside option however:
 - Location and Land will be needed
 - Would require resource consent (High noise levels)
 - High contamination issues
 - Additional MRS costs associated
- ✗ Central government have indicated they may mandate all Councils to provide urban kerbside recycling*. Potential that we may need to roll out kerbside recycling collection for a second time.

<p>Cost (estimated): \$0-1.62m.</p>	<p>Impact on rates: No change for 2024/25 as this would take effect from 1 July 2026. Rates for 2026/27 would reduce up to 2.5%..</p> <p>This assumes no change in the number of MRSs and no change in the MfE Waste Levy. Indications are that MfE may increase their funding, which could reduce cost savings to \$0.</p>	<p>Impact on debt: No change to debt</p>
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* <https://environment.govt.nz/what-government-is-doing/areas-of-work/waste/improving-household-recycling-and-food-scrap-collections/>



TARGETED RATE

Any rate (other than a general rate) targeted at users or beneficiaries of a particular service.

Targeted rates are used for solid waste, water supply, swimming pools, libraries, and representation and community leadership.

GENERAL RATES

Everyone pays for the service based on their land value as the service benefits the entire community e.g. the provision of emergency management services, maintaining our award winning parks and reserves, sports and playgrounds, public halls and buildings, public toilets and street beautification.

2C: MANAGING AND MINIMISING WASTE

Making the best use of the resources we have is fundamental to the health and wellbeing of our community. The question is how we get better at reducing, reusing and recycling our waste and how can Council best support this work.

The government requires all councils to produce a waste minimisation and management plan. The plan helps us to comply with legislation and access waste levy funding from the government. As part of this consultation, we are asking you to provide your input into our draft Waste Management and Minimisation Plan 2024.

After the decision to close the Levin Landfill, we'll be honest, we thought we would be in a better position to discuss the big ideas around waste management and minimisation, but quickly realised that we are constrained somewhat by contract renewals and the need to fix the basics first. This means taking an adaptive approach to our waste journey, addressing current issues with kerbside recycling services and being upfront with how we share the costs associated with the Levin Landfill Aftercare and Levin Landfill debt.

While we've been quite specific about the solid waste topics and options we'd like you to submit on, we still want to hear your views on the draft Waste Management and Minimisation Plan (included in the supporting documents) and your aspirations and ideas for waste minimisation and management in our district. Your feedback will guide our investigations into a number of waste minimisation and management opportunities that align with our upcoming solid waste contract renewals in July 2026.

The draft Waste Management and Minimisation Plan is available on the Let's Korero site, or by scanning this QR code.



WASTE MANAGEMENT & MINIMISATION VISION

To provide households and businesses with affordable and impactful waste management and minimisation services.
To promote community empowerment, individual responsibility and positive behaviour change.

Waste Management & Minimisation Goals

- ▶ Reduce waste where we can
- ▶ Manage waste responsibly
- ▶ Make it easy to recycle
- ▶ Provide the best price disposal of urban waste
- ▶ Maintain community services
- ▶ Provide high impact, low cost delivery of targeted waste diversion initiatives
- ▶ Promote the environmentally safe disposal of all waste (including hazardous waste, herbicides, lithium ion batteries, paint etc.)
- ▶ Council to advocate for our community on a regional and national level
- ▶ Educate the community on waste minimisation



TOPIC #3

TRANSLATION
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**SHARING COSTS -
WHO SHOULD PAY
FOR WHAT?**



As with solid waste, part of Council getting the basics right, and sharing costs fairly, we're proposing to change how we share rates for the Te Awahou Foxton Community Board, and Economic Development. We're also proposing changes to our Rates Remission Policy.

3A: TE AWAHOU FOXTON COMMUNITY BOARD RATE

Te Awahou Foxton Community Board (TAFCB) represents its local community and advocates to Council about local issues, including public transport and facilities such as libraries and parks.

The board has six members: five members elected by voters, and one councillor from the Horowhenua District Council.

The Board received \$188,000 in funding from Council, paid for by rates, each year.

Currently everyone's rates include an equal amount that goes in to keeping TAFCB running. We would like to know if you agree to keeping it this way or would prefer a targeted rate which would see Foxton and Foxton Beach ratepayers pay a targeted rate.

OPTION 1 (STATUS QUO)
Fund through Representation and Community Leadership Targeted rates only

All Horowhenua rate payers fund TAFCB through Representation and Community Leadership Targeted rates.

This option involves no changes, meaning everyone in the district will continue to pay equal amounts to fund the TAFCB.

- ✓ Easier to administer.
- ✓ Is the funding arrangement that community is familiar with.
- ✗ Foxton community gets extra representation, than the rest of the district, yet the entire district pays.

 Cost: no change to either the total funding or how it is shared amongst ratepayers now.	 Impact on rates: No change to how rate is currently shared.	 Impact on debt: No impact on debt.
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OPTION 2 (PREFERRED) Fund through new Targeted Rate

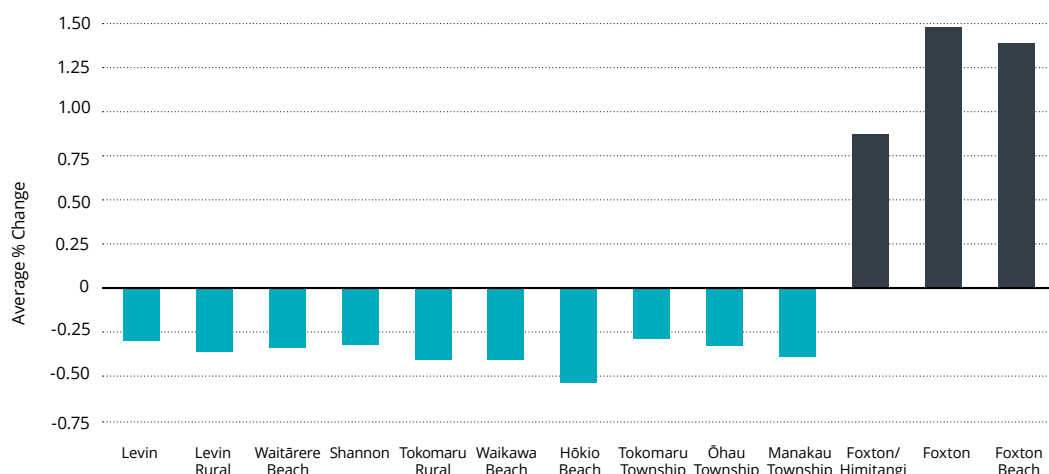
Foxton and Foxton Beach residents pay a Targeted Rate to fully fund the costs for TAFCB

This option proposes that Foxton and Foxton Beach properties (within the TAFCB electorate) will pay a separate fixed targeted rate to fund TAFCB as they are intended to be better represented by having this in place compared to the rest of the district.

- ✓ Costs would be funded in a more equitable way.
- ✓ Non Foxton and Foxton Beach ratepayers would see a rates decrease for this portion of their rates bill.
- ✗ Potential to create negative sentiment with Foxton and Foxton Beach ratepayers.
- ✗ Foxton and Foxton Beach residents would see a rates increase aligned with this service.

<p>Cost: no change to the total funding</p>	<p>Impact on rates: Based on current parameters, new targeted rate would be approximately \$55 per SUIP. Foxton and Foxton Beach properties rates would increase by an estimated 1.5%. Non Foxton and Foxton Beach properties rates would decrease by an average 0-1% for each suburb.</p>	<p>Impact on debt: No impact on debt</p>
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What Option 2 would look like across the district



3B: ECONOMIC DEVELOPMENT TARGETED RATE

We are considering changing the way economic development is funded, but not changing the amount of money put towards this.

We want and need the economy of Horowhenua to thrive. This leads to better standards of living, improved education opportunities, better paying jobs, good quality housing, and access to quality healthcare.

Currently, economic development is funded entirely through the district wide general rate, with the costs shared across all ratepayers. However, the level of benefit that ratepayers experience from the funding Council puts into economic development will vary, with the greatest benefit being experienced by the business community.




The economic development funding covers business support and advice provided to existing businesses, Iwi and Māori economic development, inward investment, training opportunities, communications, and provision of economic data. The majority of this budget is provided to the Horowhenua Company Limited who hold the current contract to deliver economic development services on behalf of Council.

We have been working hard to come up with another option for your consideration which acknowledges this difference. We're proposing a new Horowhenua Economic Development targeted rate. This would be targeted to reflect the benefit that businesses gain from having more people either moving to our district or visiting and spending on goods and services here.

OPTION 1 (STATUS QUO)
Fund through General Rate

Economic Development is funded through the General Rate, meaning costs are shared across everyone based on the land value of their property.

- ✓ It is status quo and what the community and businesses are familiar with. It is a simple and straight forward calculation to manage.
- ✓ Because it applies an even approach across the district to all ratepayers, it is less likely to be challenged on who is funding it.
- ✗ The costs of economic development are being shared across our entire community, with general ratepayers paying for an activity that the commercial businesses are receiving a greater benefit from.

 Cost: no change to either the total funding or how it is shared amongst ratepayers now.	 Impact on rates: No change to how rate is currently shared.	 Impact on debt: No impact on debt.
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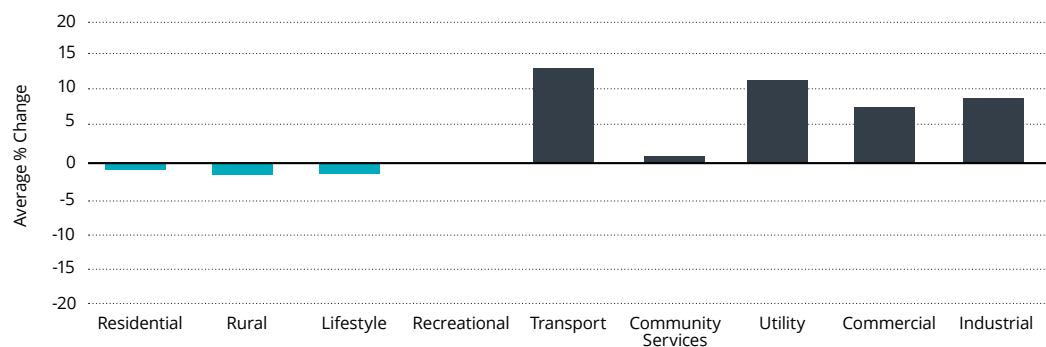
OPTION 2 (PREFERRED) New Economic Development Targeted Rate

Targeted Rate based on capital value from properties identified by QV as either commercial, utilities, industrial or mining, which is currently funded by General rates.

- ✓ Would result in those that are intended to receive the benefit of the economic development service paying a greater share of the cost, resulting in a fairer way of funding the activity. Approx. a 75% Targeted Rate/25% General Rate split.
- ✗ Introduction of a new Targeted Rate will require some additional administration.
- ✗ Has potential to introduce some confusion and complexity to how this activity is funded, could create potential arguments over the nature of the benefit that the commercial businesses receive and is likely to lead to some challenges around which businesses are subject to this new Targeted Rate.

<p>Cost: no change to the total funding.</p>	<p>Impact on rates: Reduction in rates to non-Commercial, Utilities, Industrial and Mining properties of around 1-2%. Commercial, Utilities, Industrial and Mining properties pay on average 8-9% higher rates.</p>	<p>Impact on debt: No impact on debt.</p>
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How Option 2 would impact rates



Note: Council Utilities have been removed from graph to make the scale more meaningful.



3C: RATES REMISSION AND POSTPONEMENT POLICY



Do you support the proposed ways of changing the Rates Remission Policy to provide ways for some ratepayers to reduce their rates and others to apply to postpone their rates?

The Rates Remission Policy was consulted on in 2023. The Policy aims to provide some ratepayers in Horowhenua with options to apply for some reductions in their rates. It also provides the opportunity for some residents to apply to postpone their rates.

Councillors voted to hold the decision on finalising the new policy until a review of the budget for remissions was completed. In the Long Term Plan budget we have budgeted a cap of approximately 1% of rates or \$630,000 for remissions, which is the same level as for 2023/24. The cap is in place so that if more people apply for remissions in each space, they could receive less remissions than they have in the past. The other option that Elected Members considered was increasing the budget for remissions to \$959,000 to ensure everyone that currently receives a remission continues to receive the same level of remission as they currently do. Because this would have required us to increase rates by a further almost \$330,000 or 0.6%. Elected Members were not supportive of this option.



Visit letskorero.horowhenua.govt.nz/admin/projects/rrpp for more information on the Rates Remission and Postponement Policy consultation.

The Rates Remission and Postponement Policy changes include capping the level of rates for the following remissions

- **Part 7** - Land Used for Primary Industry and Rural Residential purposes in areas that have been rezoned as Residential and Business Zones – Limiting the remissions to \$220,000. This will result in an approximate 26% reduction in the level of remission for properties that currently receive the remission.
- **Part 11** - Subdivisions which are in Common Ownership but do not meet the criteria of a Contiguous Property – This remission will not be provided in the next financial year.
- **Part 12 Bare land** - This will result in an approximate 50% reduction in the level of remission for properties that currently receive the remission.
- **Part 14** - Contiguous rating units not in common ownership. This will result in an approximate 50% reduction in the level of remission for properties that currently receive the remission.
- **Part 15-17** - for Property under development or earthquake strengthening, Rating units containing two or more Separately Used or Inhabited Parts (SUIP) and Special Circumstances Remission – The total available remissions will be capped at \$25,000.



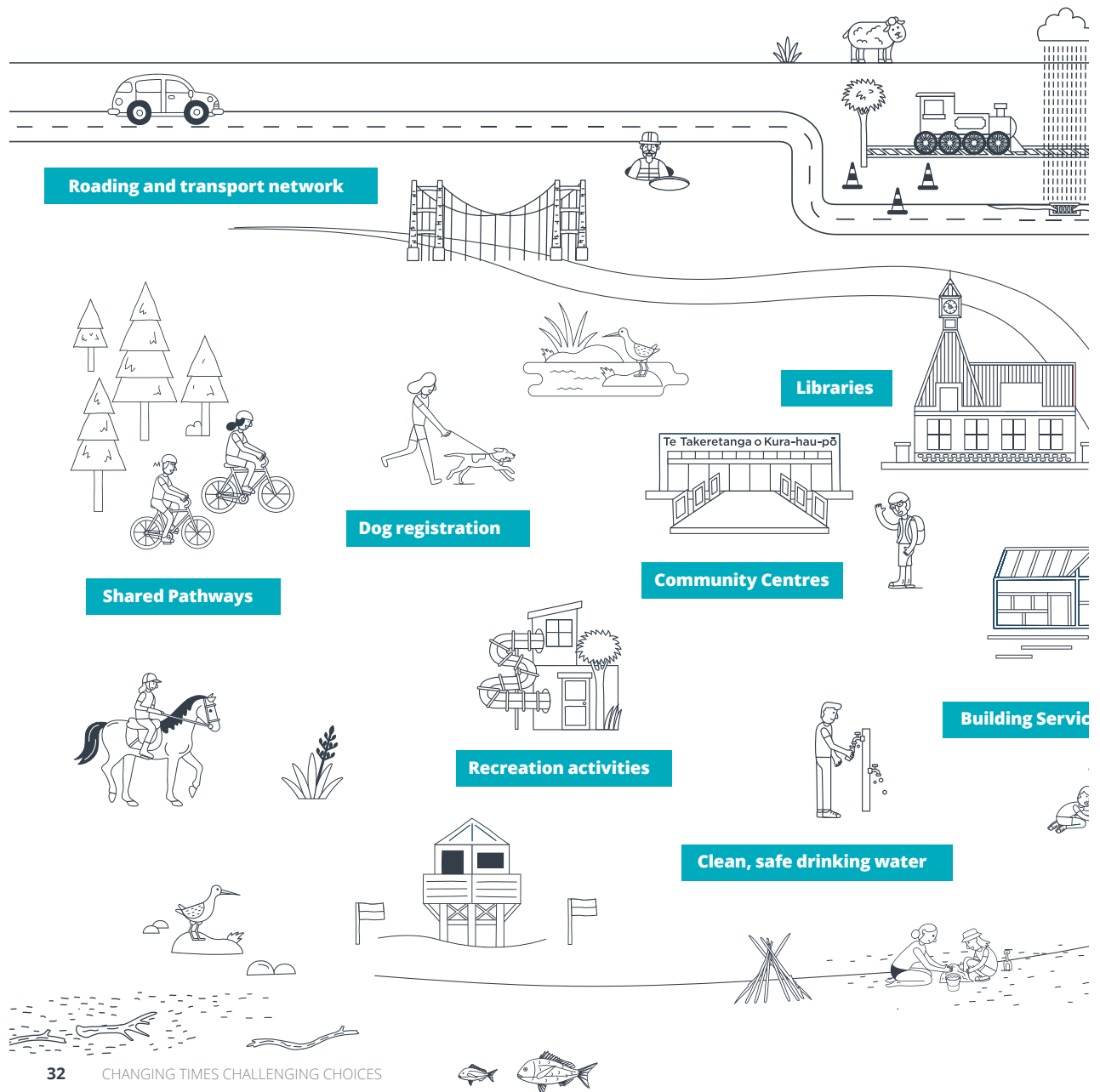
Should we cap the level of rates for the remissions above?

TRANSLATION THE BIGGER PICTURE

A snapshot of Council Services

We undertake a wide range of legally required functions as well as other activities our community want us to deliver.

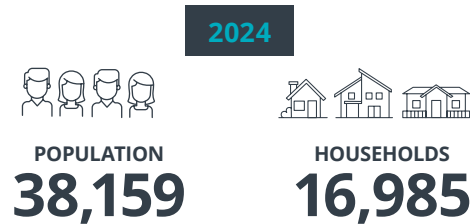
Most of our funds to provide these services and facilities come from our Horowhenua community as rates, with the remainder from fees, charges and grants.



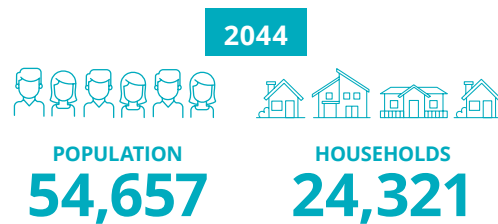


Where are we heading?

Where we are now



Where we are going



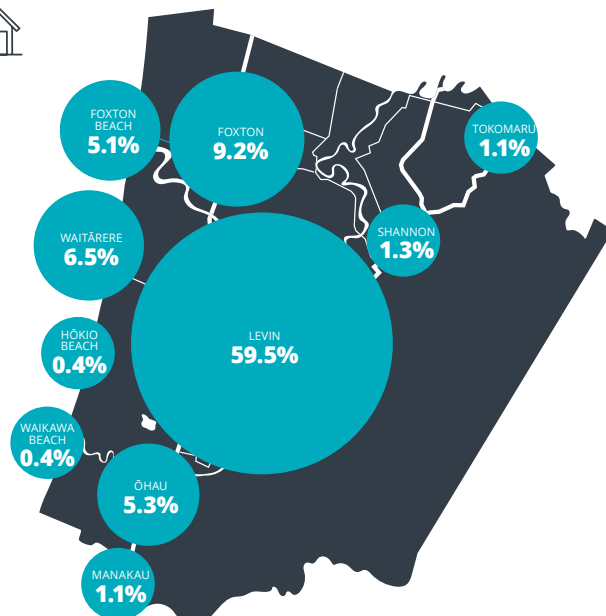
Age



Growth in our district



Anticipated % of new houses 2024-44



TRANSLATION TRANSLATION **OUR FINANCIAL STRATEGY**

*Investing carefully for growth
and living within our means*



The Council's Financial Strategy sets out our overall financial goals for the next 20 years (2024–44)

It determines how we'll fund our operations and our proposed capital expenditure. The Financial Strategy supports our goals of improving our financial position and making sure we are funding infrastructure investment that supports resilience and agreed growth projections. Overall Horowhenua is getting into good shape for the future, with the Ōtaki to North of Levin (Ō2NL) expressway and enhanced passenger rail services set to improve connection to our district together with forecasted steady population growth. However, while we're well placed to capitalise on growth opportunities, we must focus on balancing our budget and reducing our debt.

Achieving a balance

The Financial Strategy aims to achieve a balance of three elements: ensuring affordable rates for the community, minimising the Council's borrowings, and making the best use of capital spending.

Changes in any one of these three elements will affect the others. To achieve this balance, we propose the following key financial targets and limits:

- Annual rates increases are going to be high in the first three years of the LTP with increases of 17.4%, 11.5% and 9.3% for the first three years. After this we will be able to set the limit at 10% and work hard to keep rates below that.
- Our net borrowings limit is to be less than 250% of our operating income, however we're aiming to be less than 200% of our operating income within six years; and
- Our capital expenditure is to be no more than \$315m in total for the first six years. Council's large asset base and growing population means we have significant capital expenditure costs, which in turn influence our rates and borrowings.

The Council's large asset base means we have significant capital expenditure costs, and this impacts our rates and borrowings. The charts following show our proposed rates increases, borrowings and planned capital spending.

Our proposed approach

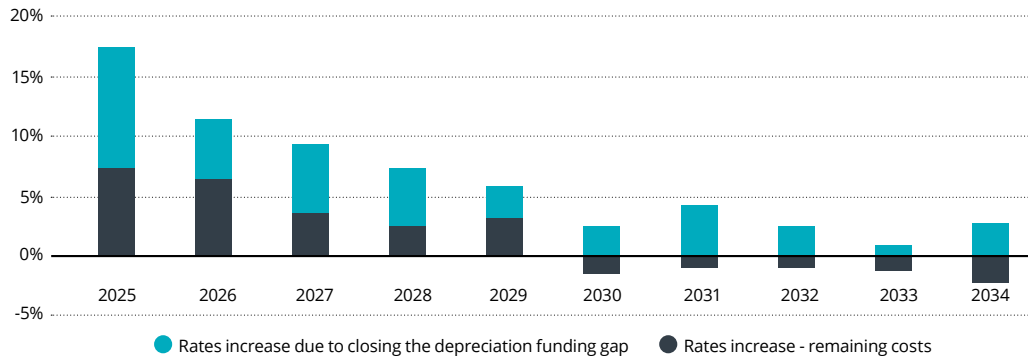
The Financial Strategy focuses on reducing Council's debt by limiting our capital spending to no more than \$315 million in the first six years of the LTP. This equates to an average of just under \$50m a year and allows us to keep our borrowings below our limit of 250% of operating income. We think it is prudent to stay within this proposed limit and ensure we are moving to balance our operational budget by the end of the third year of the LTP. This means our operating incomes will be enough to cover our operating expenses. Our Financial Strategy assumes the continuation of property disposal sales, with the income either provided to pay back debt or reinvest in Levin Town Centre initiatives.

In 2021 we agreed to reduce the level of non-funded depreciation over the short term, and we have continued with this commitment. For the first three years of the LTP we will not have a balanced budget because we are still working towards fully funding our depreciation and rate funding our operating costs.

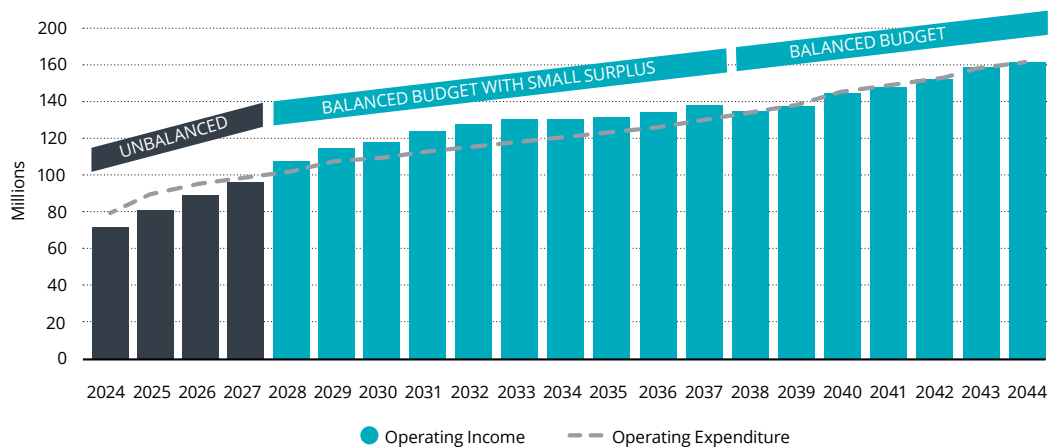
Those rates can be used to reduce our level of debt and make sure we have enough "room" in our debt limit to invest in renewals in the future. It does mean that rates will be significantly higher in the first two years of the LTP with an average increase of 17.4% and 11.5%.

From 2027/28, however, we will be in a small surplus position, and we will be able to use the additional rates to reduce our debt levels further. The chart following shows how we are tracking with balancing our operating income and our operating expenses.

Rates increases required to fully fund depreciation

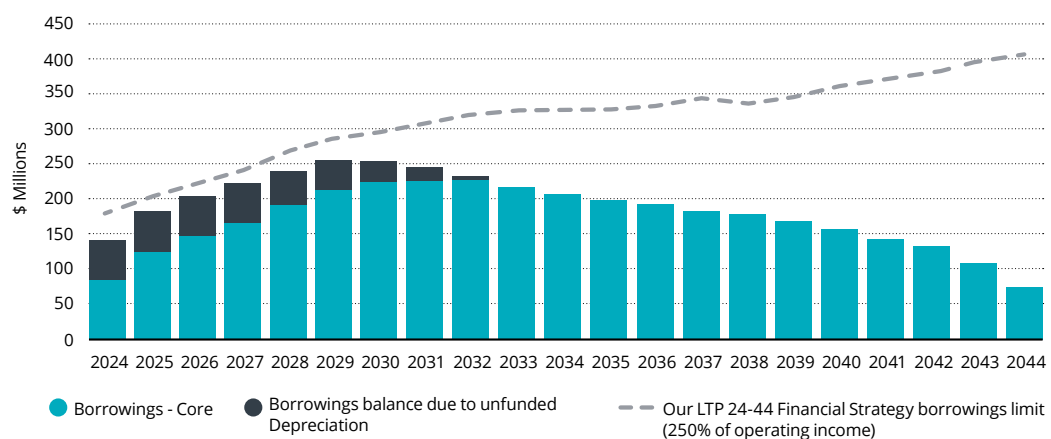


Balanced budget test

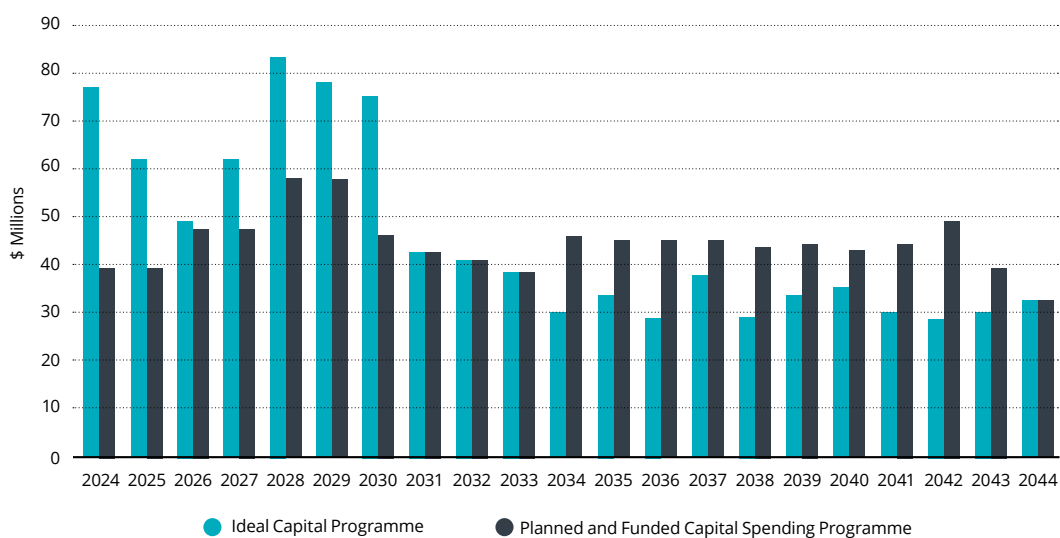


Our Borrowings (net)

Borrowings due to previous decisions not to fund depreciation



Our planned capital spending



You can see detailed information about these adjustments in the full Financial Strategy.

Illustrations

TRANSLATION TRANSLATION **OUR INFRASTRUCTURE STRATEGY**



Our Infrastructure Strategy is a key component of the LTP because spending on infrastructure assets account for the majority of Council's spending.

It provides a 30 year picture and long term thinking to significant decisions around investment in infrastructure. It demonstrates how we are managing our assets sustainably and prudently, through future periods of growth and other pressures. To connect the dots in our planning the Infrastructure Strategy aligns with the Financial Strategy to ensure the delivery of

these activities is not only affordable for the community but also sustainable.

Our Infrastructure Strategy provides the key strategic direction for balancing the challenges and opportunities our high growth presents with the need to renew or replace ageing assets.

Our Goals

- 1 Provide affordable levels of service through prudent infrastructure management.
- 2 Engage with our community to ensure customer expectations match infrastructure investment.
- 3 Ensure infrastructure is fit for purpose for our current community whilst also facilitating growth.
- 4 Provide infrastructure which supports wellbeing and enables a sustainable community.

Risks we face

- 1 Population and growth
- 2 Ageing infrastructure
- 3 Resilience - Natural Hazards and Climate Change
- 4 Changes to levels of service
- 5 Public health and environmental outcomes

The proposed 20 year capital programme listed within the activity statements, detail the full capital programme that we would ideally like to complete. Because of the challenges around our levels of debt, we are required to limit our levels of capital spending by just over 27% for the first seven years. This is outlined within the Financial Strategy and Infrastructure Strategy. As part of finalising the LTP we will be agreeing which projects will form part of the reduced programme. At an overall level we are planning to limit the level of three waters pipe renewals to focus on our water and waste water treatment.

How it's paid for

Rates pays for most of this, but Development Contributions are also used – they are the tool we use to recover growth related costs from developers for infrastructure upgrades caused by district growth (not renewals of existing assets). We have reviewed and updated the Development Contributions Policy 2024 and it also forms part of the LTP consultation. You'll find it in the LTP supporting documents and we encourage you to have your say on the changes proposed.

Similar to the increase in rates proposed, we are also proposing a sizeable increase to development contributions to fund the additional costs of infrastructure to enable the growth.

Key issues for our infrastructure assets and our response






Assets	Key issues	Our response	Cost
Land Transport	Increases in demand caused by the Ō2NL expressway and growth Low use of and satisfaction with active transport infrastructure	Develop and deliver a programme of works based on forecasted network deficiencies before 2029 when the expressway opens. Increase spending on walking and cycling facilities to improve levels of service and increase safety of vulnerable road users.	\$33.7m over 30 years \$8.5m in walking and cycling investment over 10 years, including maintenance, renewals and improvements.
Water Supply	Demand exceeding supply On average Horowhenua consumes 300 litres per day per person, which is above average	Water Master Plan, the Poads Road Water Reservoir and Water Demand Management.	\$25.5m Years 1-3 (~\$120m over 30 years)
Wastewater	Which Ageing infrastructure to renew	Investing in Master Plan for upgrade to ageing and deteriorating Waste Water Treatment Plan and to cope with increased demand from industrial and population growth.	\$52.1m in Years 1-3
Stormwater	Resilience to natural hazards and climate change Effects of infill development	Catchment Management Plans. New developments take flowpaths of water into account.	\$76m over 30 years
Community Facilities	Aquatics: Population growth Renewing ageing infrastructure (Te Awahou Nieuwe Stroom (TANS) roof) Facility renewals to maintain existing levels of service	Develop business case for the expansion or redevelopment of Levin Aquatic Centre. Investing to replace TANS roof. Invest for all building and activity renewals as well as the purchasing of library books.	\$100,000 in Year 2 \$500,000 (est) \$58m over 20 years
Community Infrastructure	Balancing renewals with growth Population growth Environmental awareness	Complete Renewals funding – was deferred in 2021 due to affordability. Fund to deal with growth-related pressures, consolidate and improve Levels of Service. Build resiliency into the urban tree canopy, foreshore and streams (via riparian planting).	\$123m over 30 years \$30m over 30 years \$1.2m over 30 years
Property	Funding renewals	Fund to maintain levels of service and replace assets before they fail.	\$17m over 30 years

TRANSLATION TRANSLATION HOW TO HAVE YOUR SAY

Kōrero Mai

It's easy to ask questions and share your thoughts with us. **Submissions close 15 April 2024.** Council will receive the formal submissions and other feedback received, including comments from social media, ahead of Council's decision making.

Find out more online

-  letskorero.horowhenua.govt.nz/LTP
-  Facebook.com/HorowhenuaDC/
-  Tiktok.com/@hdcouncil
-  Instagram.com/horowhenuadc
-  ltip@horowhenua.govt.nz

In person

Speak to one of our Council officers on 06 366 0999 or Elected Members (*see page 43*).

Face to Face at one of our events or workshops.
A full list of events and workshops is available on letskorero.horowhenua.govt.nz/LTP.

Drop in to a Cuppa with a Councillor session at Te Takeretanga o Kura-hau-pō, Te Awahou Nieuwe Stroom or Shannon Library to learn more about the Long Term Plan, share your views and get help to make a submission.

- Thursday 21 March 10.30am
- Thursday 28 March 10.30am
- Thursday 4 April 10.30am
- Thursday 11 April 10.30am

Making your submission by paper

Submissions can be delivered to:



Horowhenua District Council Offices
126 Oxford Street, Levin
Te Takeretanga o Kura-hau-pō
Bath Street, Levin

Te Awahou Nieuwe Stroom
92 Main Street, Foxton

Posted to:

Horowhenua District Council
Private Bag 4002
Levin 5540

The information this consultation document and proposals are based on is available:

-  online at letskorero.horowhenua.govt.nz/LTP
-  in hardcopy at Te Takeretanga o Kura-hau-pō, Te Awahou Nieuwe Stroom or Shannon Library.

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6.2 Delegations Register

1. Purpose

- 1.1 The purpose of this report is to recommend that the Council resolve to make required changes to the Horowhenua District Council Delegations Register (Delegations Register) dated 6 March 2024, including the delegation of the powers, functions and duties necessary for the Chief Executive Officer to perform their role.

2. Executive Summary

- 2.1 The operative Delegations Register was adopted by Council on 22 November 2023 (**attachment A**).
- 2.2 As part of the adoption on 22 November 2023, it was signalled to Council that further updates to the Delegations Register may be identified and need to be brought back to Council for consideration in early 2024.

3. Recommendation

- 3.1 That Report 24/104 Delegations Register be received.
- 3.2 That this matter or decision is recognised as not significant in terms of S76 of the Local Government Act.
- 3.3 That Council adopts the recommended Delegations Register attached to this Report, dated 6 March 2024, noting the delegations it provides to the Chief Executive Officer.
- 3.4 That the adopted Delegations Register dated 6 March 2024 be published on the Council website.

4. Background / Previous Council Decisions

- 4.1 The Delegations Register provides for the delegations from Council to various bodies and Council staff, which should include the Chief Executive Officer.
- 4.2 The adoption of the Delegation Register provides an ability for the Chief Executive Officer to independently manage internal delegations (those powers that are delegated or sub-delegated by the Chief Executive Officer) which are set out in the Chief Executive Delegations Register.

5. Discussion

- 5.1 The Delegations Register dated 6 March 2024 (**attachment B**) is recommended for adoption. It has been reviewed and updated to enable minor enhancements throughout the document as discussed with Council in November 2022, and in particular to enhance Part A, specifically the Resource Management Act 1991 and Water Services Act 2021.
- 5.2 The enhancements can be summarised as follows:
- a) Inclusion of wording linking to the Council Plan On A Page focus areas within section 1 Purpose (page 3);
 - b) Review and update of Acts, and any regulations made under the Acts (page 8);

- c) Updated Building Act 2004 to explain the exceptions in more detail to remove likelihood for confusion over interpretation (page 9);
- d) Update to listed policies (page 22);
- e) Full review and update to Part A Resource Management Act 1991) including to positions, sections and clauses, first schedule and inclusion of general delegations (pages 28-38); and
- f) Inclusion of Water Services Act in Part A (pages 39-42).

- 5.3 The recommended Delegations Register is based on the Long Term Plan/Annual plan. This makes it flexible enough to enable the Chief Executive Officer to carry out their broad responsibilities of implementing Council directions and carrying out the day-to-day operations to achieve the outcomes set by the Council, and to do so in an efficient and effective manner, without having to obtain approval from Council for something that has already been authorised through the Long Term Plan/Annual Plan.
- 5.4 At the same time, the Delegations Register holds the Chief Executive Officer accountable for executing only those work programmes and budgets that are set out in the Long Term Plan/Annual Plan, except in an emergency. There are also a number of conditions in the recommended Delegations Register that must be reported in writing to the Council or relevant committees.
- 5.5 The recommended Delegations Register also provides for the Chief Executive Officer to sub-delegate relevant powers to staff members, unless this is expressly excluded within Part A.

6. Options

- 6.1 Due to the intention set by Council to complete the second stage of updates to the Delegations Register for review early in 2024, and due to the potential risk associated with not aligning, the only option considered to be reasonably practicable is to update Council's approach to delegations as set out in the recommendation.

Cost

- 6.2 There are no direct costs arising from the adoption of the proposed Delegations Register.

Community Wellbeing

- 6.3 There are no direct community or social impacts related to this report.

Consenting Issues

- 6.4 There are no direct consenting impacts relating to this report.

LTP Integration

- 6.5 There are no direct LTP integration impacts relating to this report.

7. Consultation

- 7.1 As the development and adoption of delegations is an administrative function of the Council, and intended to achieve greater efficiencies in the delivery of Council's powers, functions and role, officers do not consider there to be any need for consultation in relation to this report and the recommendations made.

8. Legal Considerations

- 8.1 The ongoing continuous improvement of the Delegations Register supports efficient and effective management and exercise of delegations which reduces legal risk for the Council.

9. Financial Considerations

- 9.1 There are no direct financial considerations relating to this report.

10. Iwi Considerations

- 10.1 There are no direct cultural impacts relating to this report.

11. Climate Change Considerations

- 11.1 There are no direct climate change impacts relating to this report.

12. Environmental Considerations

- 12.1 There are no direct environment impacts relating to this report.

13. Health & Safety Considerations

- 13.1 There are no direct health and safety impacts relating to this report.

14. Other Considerations

- 14.1 The outcomes of the consultation on the Proposed Rates Remission and Postponement Policy and what eventuates by way of the final policy will likely trigger an update to the Delegations Register. This update will be brought to Council by way of a variation to the Delegations Register as part of the Council decision paper on the Rates Remission and Postponement Policy.

15. Next Steps

- 15.1 If adopted, officers add the Council resolution number to the approvals section (page 1) and will publish the Delegations Register on the Council's website.
- 15.2 Reflect any required changes which eventuate following Council consideration of the proposed Rates Remission and Postponement Policy into the Delegations Register and where applicable the Chief Executives Delegation Register.

16. Supporting Information

Strategic Fit/Strategic Outcome

Review of the Council Delegations Register aligns with the following operational and delivery goals:

- Council Plan on a Page Top Ten Priorities - Get the basics right and support the customer focused delivery of core services.
- Council Plan on a Page Top Ten Priorities - Enable the rebuilding of the Horowhenua District Council organisation, with a focus to empower a culture of excellence, service and continuous improvement.
- Council Plan on a Page Our Other Focus Areas – Undertake a review of Council policies.

Risk

The recommended Delegations Register will enable the Chief Executive Officer to properly sub-delegate to staff. Council's Delegation Register should align with current legislation to ensure any decisions made by Council and staff are legal and facilitate staff being able to effectively undertake the requirements of their positions.


Confirmation of statutory compliance

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

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

17. Attachments

No.	Title	Page
A	Delegations Register - FINAL - Adopted By Council - 22 November 2023	69
B	Delegations Register - Proposed for adoption by Council - 6 March 2024	105

Author(s)	Nicki Brady Procurement & Organisation Transformation Manager	
Approved by	Jacinta Straker Group Manager Organisation Performance	
	Monique Davidson Chief Executive Officer	



Delegations Register

22 November 2023



Approvals

Adopted by Council	Adopted by resolution of Council, CO/2023/448, on 22 November 2023.
Review Period	Next review November 2024, or earlier where triggered by a change in current operational practice or change in good practice

Change History

Version No.	Amendment/s	Date	Completed by
1.0	New Document	September 2022	Ben Blyton Procurement Advisor
2.0	Improvements and incorporation of legal advice	November 2023	Nicki Brady Procurement and Organisation Transformation Manager

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Using the Delegations Register

This delegations register is broken into three parts:

The **Delegations Policy** explains the way in which delegations and sub-delegations apply and operate in the Council.

Part A set out within seven sub-parts, contains delegations authorised by the Council to the Chief Executive Officer of statutory, regulatory and other delegations. This includes all of the responsibilities, duties and powers imposed on the Council by statute or assumed under bylaws made by the Council, together with the delegations in respect of financial management, property and assets, and other matters such as dealing with legal proceedings. Noting that these delegations may be sub-delegated by the Chief Executive Officer, unless this is expressly excluded within Part A.

Part B contains delegations authorised by the Council to Officers.

Delegations Policy

1 Purpose

The purpose of the Delegations Register is to set out the Horowhenua District Council's ('the Council') policies, procedures and delegations relating to decision making when giving effect to its statutory duties, responsibilities and powers.

The Council supports the principle of delegating decision-making to the lowest competent level. This makes best use of the abilities of Elected Members, ensuring the cost-effective use of resources and promoting the development of efficient and effective management. This principle has been applied to the preparation of this Delegations Register.

The delegations have been approved by Council resolution/s. Delegations, unless otherwise stated, are deemed to have been made under Clause 32, Schedule 7 of the Local Government Act 2002 (LGA).

Delegations to Standing Committees and Subcommittees, are recorded in the Council and Committee Terms of Reference 2022 – 2025.

2 Definitions

2.1. Delegation

Delegation is the conveying of a duty or power to act to another person, including the authority that the person making the decision would themselves have had in carrying out that duty or exercising that power.

To avoid doubt, no delegation relieves the body or person making the delegation of the liability or legal responsibility to perform or ensure performance of the function or duty being delegated. The Council may have the power to delegate under enactments other than the Local Government Act 2002.

The laws relating to local government generally recognise that the decisions of a delegate may be reviewed or appealed to the delegator who may confirm, vary, overrule, or substitute any decision although there are exceptions such as where a decision is made and other review remedies are available (e.g. appeal to a court or tribunal).

Any delegation made includes any ancillary responsibilities, duties or powers necessary to give effect to that delegation.

Unless specifically time-limited, a delegation will continue in force until specifically revoked, or varied by the delegator or the Council. Where Council revokes, suspends for a period, or amends the terms of conditions in relation to any delegation, it will be recorded by resolution of Council.

Unless a valid delegation in respect of a matter has been made and included in the Delegations Register, any decision required in respect of that matter can only be made by the Council at an ordinary or extraordinary meeting.

Unless otherwise expressly stated in this Delegations Register, all financial values stated in this document are GST exclusive.

2.2. Powers Retained by Council

Schedule 7 Clause 32 of the Local Government Act 2002 states that Council retains the following non-delegable powers:

- The power to make a rate;
- The power to make a bylaw;
- The power to borrow money, or purchase or dispose of assets, other than in accordance with the Long Term Plan or annual plan;
- The power to adopt a Long Term Plan, Annual Plan or Annual Report;
- The Power to appoint a Chief Executive Officer;
- The power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the long-term plan or developed for the purpose of the Local Governance Statement;
- The power to adopt a Remuneration and Employment Policy.

2.3. Chief Executive Officer

Horowhenua District Council is a local authority under the Local Government Act 2002. Elected members and the Mayor make up the Councils' governing body, which is responsible and democratically accountable for decision-making.

The governing body appoints only one employee, the Chief Executive Officer, whom has absolute control over all employment-related matters concerning staff, and has authority to:

- Approve the employment of all staff.
- Approve staff members taking up or engaging in other employment, in addition to their Council employment, subject to the following provisos:
 - Council duties having priority;
 - The other employment is not to interfere with or impair the due and proper discharge of their normal duties;
 - The other employment will not be carried out during the staff member's Council working hours; and
 - There being no conflict of interest arising from the other employment.

The Chief Executive Officer is responsible for leading and overseeing staff in implementing the decisions of the Council and ensuring that all statutory responsibilities of the Council are met. The Chief Executive Officer is responsible for ensuring that all responsibilities, duties and powers delegated to him/her/them, or to any person employed by the Council, are properly performed or exercised. This includes those imposed or conferred by an Act, regulation or bylaw.

The Chief Executive Officer may delegate to any other officer of the Council any of his/her/their powers under the Act, or any other statute and may nominate another staff member to act as Chief Executive Officer during temporary periods of absence from duties together with such of the Chief Executive Officer's powers as they consider appropriate.

The Chief Executive Officer may revoke or suspend for a period, or amend the terms and conditions in relation to any delegation to subordinates that they have made.

The Chief Executive Officer is the Principal Administrative Officer as defined in Section 42(4) of the Local Government Act 2002, and shall perform the duties and functions pertaining to this position except in cases where particular duties and functions have been delegated to another officer in writing, or by the Delegations Register.

2.4. Member and Officer

For the purpose of this Policy:

- "officer" means a named person, or the person who is for the time being the holder of a specified office;
- "member" means a member of the governing body of the Council, including the Mayor.

The Council may delegate to a member or officer of the Council any of its responsibilities, duties or powers other than those referred to in section 2.1. Such delegations may be further delegated, subject to any conditions, limitations, or prohibitions imposed by the Council or by the committee, body or person that made the original delegation.

An officer whom any responsibilities, duties or powers delegated may exercise them in the same way and with the same effect as the delegating officer could have done.

If not limited otherwise in the Delegations Register, where there are changes to officer position titles within the Council, but the Delegations Register has not yet been updated to reflect the new titles, any officer who performs or exercises the same or a substantially similar role or function as a former position title, may exercise the delegations of that former position title. Where the authority is granted to a number of officers employed in different departments of the Council, it will be up to the department leader(s) concerned to ensure that the authority is exercised consistently across those departments.

A delegated authority must be exercised in accordance with officer duties as identified in their Position Description, and all relevant Council policies and conditions, such as financial limits, process and reporting requirements.

Where an officer is in a position in an acting capacity, the officer may exercise the delegations to that position. However, the officer should state that he/she/they are exercising the delegation in acting capacity.

Where there is any ambiguity between the wording of a legislative function and the delegation of that function to an officer, the wording of the legislation will prevail. A delegation made under legislation that is subsequently repealed will be read as a delegation made under any replacement or corresponding legislation that has the same effect (until the Delegations Register can be amended).

An officer may decide not to exercise their delegation in cases of uncertainty or high policy content, and refer the decision back to the delegator.

Responsibilities, duties or powers under the Resource Management Act 1991 and the Local Government (Rating) Act 2002 delegated by the Council to officers, including the Chief Executive Officer, may not be sub-delegated.

2.5. Term of Delegation

The Delegations Register will be reviewed annually and at other times as needed i.e. legislation change, and unless any delegation is expressed to be for a defined period it will continue until revoked by the delegator or the Council, or withdrawn by operation of law.

2.6. Delegation to Office

Unless a contrary intention is indicated, every delegation will be to a stated officer or position and not to an individual or the membership of a group in their personal capacities. In every case of this type the delegation will survive any change in the occupier of any such office.



Part A - Chief Executive Officer Delegations



Council delegates to the Chief Executive Officer, with power of sub-delegation to officers, the authority to exercise and administer all responsibility, duties and powers of the Council under the following Acts, and any regulations made under the Act, and the following Regulations:

Part A - Sub Part 1 - Chief Executive Officer Legislative Requirements

Council delegates to the Chief Executive Officer, with power of sub-delegation to officers, the authority to exercise and administer all responsibility, duties and powers of the Council under the following Acts, and the following regulations:

- Amusement Devices Regulations 1978
- Biosecurity Act 1993
- Burial and Cremation Act 1964
- Camping Ground Regulations 1985
- Electricity Act 1992
- Family Violence Act 2018
- Fencing Act 1978
- Fire and Emergency New Zealand Act 2017
- Food Act 2014
- Freedom Camping Act 2011
- Gas Act 1992
- Government Roadway Powers Act 1989
- Hazardous Substances and New Organisms Act 1996
- Health Act 1956
- Heritage New Zealand Pouhere Taonga Act 2014
- Infrastructure Funding and Financing Act 2020
- Land Drainage Act 1908
- Litter Act 1979
- Local Government Act 1974
- Local Government (Financial Reporting and Prudence) Regulations 2014
- Natural and Built Environment Act 2023
- Privacy Act 2020
- Protected Disclosures (Protection of Whistleblowers) Act 2022
- Public Records Act 2005
- Public Works Act 1981
- Railways Act 2005
- Rate Rebate Act 1973
- Rating Valuations Act 1998
- Residential Tenancies Act 1986
- Sale and Supply of Alcohol Act 2012
- Summary of Proceedings Act 1957
- Telecommunications Act 2001
- Trespass Act 1980
- Unit Titles Act 2010
- Utilities Access Act 2010
- Urban Development Act
- Water Services Act 2021
- Water Services Entities Act 2022

Council Delegates to the Chief Executive Officer the powers of the Council under the following legislation, with exceptions as follows:

Building Act 2004 and any regulations made under that Act, including the Building Code (Schedule 1 to Building Regulations 1992)

Delegation to the Chief Executive Officer with the power of sub-delegation to Officers

Under section 232 of the Building Act 2004, authority to exercise and administer all responsibilities, duties and powers of the Council as a Territorial Authority and Building Consent Authority under the Building Act 2004, any regulations made under that Act and the Building Code (Schedule 1 to the Building Regulations 1992) except:

- the adoption, amendment or replacement of the Council's policy on dangerous, earthquake prone and insanitary buildings as required by sections 131 and 132;
- the making of arrangements to transfer functions to another building authority under section 213;
- the transfer of functions, duties or powers of a territorial authority to another territorial authority under sections 233- 236;
- the setting of fees or charges under section 219.

Dog Control Act 1996 and any regulations made under that Act

Delegation to the Chief Executive Officer with power of sub-delegation to Officers

Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act except the power to:

- make or review a bylaw or the Dog Control Policy under section 10, 10AA, 20;
- the setting of fees or charges under section 37, 68;
- making grants under section 6(2)(b);
- hearing and determining an objection to a probationary owner classification, a disqualified owner classification, a dangerous dog classification, and/or a menacing dog classification under sections 22, 26, 31, 33B, 33D.

Food Act 2014 and regulations made under that Act

Delegation to the Chief Executive Officer with power of sub-delegation to Officers

Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act except the power to:

- set fees or charges under section 205

Gambling Act 2003 and any regulations made under that Act

Delegation to the Chief Executive Officer with power of sub-delegation to Officers

Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act except the power to:

- adopt, amend or replace a class 4 venue policy under sections 101 - 102

Health Act 1956 and any regulations made under this Act (including without limitation the Camping-Grounds Regulations 1985, the Health (Registration of Premises) Regulations 1966, the Health (Hairdressers) Regulations 1980 and the Health (Burial) Regulations 1946)

Delegation to the Chief Executive Officer with power of sub-delegation to Officers

Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act except the power to:

- making bylaws under section 64

Impounding Act 1955 and any regulations made under that Act

Delegation to the Chief Executive Officer with power of sub-delegation to Officers

Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act except the power to:

- set poundage fees and sustenance charges under section 14
- declare under section 34 that section 33 does not apply to a specified road in the district.

Land Transport Act 1998 and any rules and regulations made under that Act

Delegation to the Chief Executive Officer with power of sub-delegation to Officers

Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act except the power to:

- making bylaws under sections 22AB to 22AD

Litter Act 1979 and any regulations made under that Act

Delegation to the Chief Executive Officer with power of sub-delegation to Officers

Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act except the power to:

- hear objections under section 10
- make bylaws under section 12
- adopt an infringement notice regime under section 13.

Local Government Act 2002 and any regulations made under that Act

Delegation to the Chief Executive Officer with power of sub-delegation to Officers

Authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act, except:

- Those matters that cannot be delegated by Council, specified in the Local Government Act 2002 (set out in section 2.2 of this Delegation Register);
- any matter that can only be given effect by a Council resolution.

Local Government (Rating) Act 2002 and any regulations made under that Act

Delegation to the Chief Executive Officer with no power of sub-delegation

Delegation, under section 132, of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act, except:

- the power to make further delegations;

Note: Part B – Officer Delegations sets out separate Council delegations direct to Officers.

Local Government Official Information and Meetings Act 1987 and any regulations made under that Act

Delegation to the Chief Executive Officer with power of sub-delegation to Officers

Delegation, under section 42, of authority to exercise and administer all responsibilities, duties and powers of the Council under Parts 2 to 5 of the Act and any regulations made under the Act, except those in section 32 (which relates to responses to recommendations made by the Ombudsman under section 30(1)).

Racing Industry Act 2020 and any regulations made under that Act

Delegation to the Chief Executive Officer with power of sub-delegation to Officers

Authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act except the power to:

- adopt, amend or replace the TAB venue policy under sections 96-97

Reserves Act 1977 and any regulations made under that Act

Delegation to the Chief Executive Officer with power of sub-delegation to Officers

Authority to exercise and administer all responsibilities, duties and powers of the Council in its role as an Administering Body, and as a delegate of the Minister of Conservation, under the Reserves Act 1977 and any regulations made under the Act and management plans except:

- a) the power to declare land to be a reserve and the power to hear objections and make a decision on whether to confirm the resolution under section 14 (other than the power to attend to gazettal under section 14(4));
- b) the power to exchange reserve land for other land under section 15;
- c) the power to classify reserves, by Gazette notice, according to their principal or primary purpose under section 16(1);
- d) the power to give full consideration to objections and submissions under 16(4);
- e) the power to change a classification or purpose of a reserve, consider objections and form an opinion that the change in the classification of a scenic, nature, scientific or historic reserve is justified under section 24(1), 24(2)(e), 24(3) and 24(5);
- f) the power under section 25(1) to dispose of land in such manner and for such purposes as the Minister specifies following the revocation of the reservation of any public reserve (or part of one) under section 24;
- g) the power to approve reserve management plans under section 41(1);
- h) the power to give or decline approval for the erection of shelters, huts, cabins, lodges etc on any recreation or scenic reserve under section 45;
- i) the power under section 55(2)(a), (d), (e), (f) and (g) to decline or give consent to specific activities on a scenic reserve;
- j) the power under section 58(b) to set apart and use part of a reserve as a site for residences and other buildings;

- k) the power under section 73(5) to consent or decline consent in writing to a member of an administering body becoming the lessee of any land under the control of that body;
- l) the power under section 75(1) and (2) to consent or decline to consent to the afforestation of a recreation or local purpose reserve;
- m) the power to make bylaws under section 106;
- n) the power to grant licences pursuant to Section 48A of the Reserves Act 1977 for the use of a reserve for a communications station (such granting of licences to be subject where appropriate to the approval of the appropriate Minister of the Crown and the provision of the First Schedule of the Reserves Act 1977);
- o) the power to hear and report to Council on submissions and to make recommendations to Council on decisions, relating to the revocation of reserve land;
- p) the power to determine from time to time whether a park has Districtwide importance and is therefore not a "local" park;
- q) any power that is expressly required by the Act to be exercised by resolution of the Council.

Limitation

Where the Chief Executive Officer sub-delegates the power of the Council in its role as an Administering Body, and as a delegate of the Minister of Conservation, to officers, the Chief Executive must ensure different officers exercise the Minister's powers and the Administering Body's powers, when making a decision on a matter that provides for a decision to be made by both the Minister and the Administering Body.

Resource Management Act 1991 and any regulations made under that Act

Delegation to the Chief Executive Officer with no power of sub-delegation

Delegation, under section 34A, of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act, except:

- the power of delegation; or
- the power of approval of a policy statement or plan under clause 17 of schedule 1.

Note: Part B – Officer Delegations sets out separate Council delegations direct to Officers.

Waste Minimisation Act 2008 and any regulations made under that Act

Delegation to the Chief Executive Officer with power of sub-delegation to Officers

Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act except the power to:

- prepare, adopt, amend or revoke a waste management and minimisation plan; or
- make or review a bylaw

Part A - Sub Part 2 - Chief Executive Officer Financial Delegations

Financial Delegations	Details and Limitations
<p>Operational/Capital Expenditure The authority to commit expenditure of up to \$1,000,000 excl GST, whether operational or capital expenditure and where budgets have been established by an adopted Long Term Plan or Annual Plan, is delegated to the Chief Executive Officer, who may further delegate to any other officer of Council as required.</p> <p>Any expenditure outside of this requires approval from Council or an appropriate Council Committee Subcommittee on an as required basis.</p>	<p>Conditional on:</p> <ul style="list-style-type: none"> expenditure being budgeted for; compliance with the procedures identified in any relevant financial authority manual or policy in relation to each transaction (for example current Council policies (e.g. procurement), or financial management guidelines); with regard to the acquisition and disposal of assets, the transaction being in accordance with the long-term plan
<p>Re-allocate Operating Expenditure The authority to re-allocate operating expenditure between budgets with the same rating mechanism (funding sources).</p>	<p>Conditional on:</p> <ul style="list-style-type: none"> provided it is necessary to achieve committed outputs decided on during the Long Term Plan (LTP) or Annual Plan; provided the end-of-year budgeted surplus or deficit will be achieved, with any likely exceedance is to be reported to Council or the relevant Standing Committee.
<p>Capital Expenditure – Emergency and Transitional Periods Power of the Chief Executive Officer alone to commit the Council to financial transactions (or projects consisting of multiple transactions) relating to the acquisition, purchase, or provision of assets (including vehicle fleet, plant or machinery), services, property, gifts, guarantees, indemnities and the acquisition or disposal of assets. This power includes the authority to administer, enforce, and cancel such transactions or to vary them.</p>	<p>As notified in the current Manawatū-Whanganui CDEM Group Plan - the authority to approve contingency expenditure for an emergency including but not limited to flood events, a civil defence emergency management event, maritime oil spills or a pest animal, plant or disease outbreak in the Horowhenua district.</p>
<p>Operational Expenditure – Emergency and Transitional Periods Power of the Chief Executive Officer alone to commit the Council to financial transactions (or projects consisting of multiple transactions) relating to the acquisition, purchase, or provision of assets, (including vehicle fleet, plant or machinery), services, property, gifts, guarantees, indemnities and the disposal of assets. This power includes the authority to administer, enforce, and cancel such transactions or to vary them.</p>	<p>As notified in the current Manawatū-Whanganui CDEM Group Plan - the authority to approve contingency expenditure for an emergency including but not limited to flood events, a civil defence emergency management event, maritime oil spills or a pest animal, plant or disease outbreak in the Horowhenua district.</p>

Part A - Sub Part 3 - Chief Executive Officer Interim Powers

Delegation and Limitations

In relation to matters arising during the Christmas recess, from the third week in December until the end of January (annually), the authority to make decisions and execute documents (including entering into any contract or authorising any expenditure) on behalf of the Council, in respect of urgent matters arising at this time, in consultation with the Mayor, or if the Mayor is not available, the Deputy Mayor, and if the Deputy Mayor is not available, then the Chair of the Risk and Assurance Committee, with any such decision made to be reported to the first ordinary meeting of the Council in the New Year.

Part A - Sub Part 4 - Chief Executive Officer Other Delegations

Delegations	Details and Limitations
Administer Contracts or Letters of Acceptance	Authority to sign on Council's behalf contracts or letters of acceptance for the purposes of creating a contract where it has been resolved by the Council or any committee of the Council to accept any tender or quotation, or is within the financial delegation of the Chief Executive Officer position.
Asset Disposal	Authority to approve the disposal (whether by tender or otherwise) of any motor vehicle or item of plant in accordance with a recognised programme of vehicle and plant replacement up to a book value of \$50,000 (exclusive of GST) per item.
Administer Elected Members' Remuneration and Expense Claims	Authority to consider and approve elected members' remuneration and expense claims.
Administer External Grants or Funding	Authority to receive and/or administer external grants or funding.
Administer Insurance Policies	Authority to administer Council insurance policies, subject to the exercise of such delegated power being reported to the Risk and Assurance Committee.
Administer Land Transport (Roading) Programme	Authority to negotiate the Land Transport (Roading) Programme and its funding with Waka Kotahi/NZ Transport Agency, and submit monthly and annual claims against the accepted programme.
Administer Progress Payments	Authority to certify and authorise progress payments in relation to contracts entered into by the Council up to the value of the accepted contract sum, where it has been resolved by the Council, or is within the financial delegation of the Chief Executive Officer position.

Administer Payments	Authority to approve banking, investment, payroll and tax payments in accordance with Councils policy.
Bank and Invest Funds	<p>Authority to:</p> <ul style="list-style-type: none"> • Bank, transfer, and invest funds held by the Council in accordance with Council policy, subject to the observance of appropriate internal controls; • Sign and countersign, bills of exchange, promissory notes and other negotiable instruments, withdrawal notices or authorise electronic payments on behalf of Council; • Approve payroll payments and all payroll related matters; • Approve all tax payments and tax related matters; and • Approve the opening and closing of Council Bank Accounts.
Carbon Credit Transactions	Authority to approve carbon credit transactions including but not limited to sell, purchase, transfer and redeem carbon credits.
Credit Card Expenditure	<p>To authorise expenditure for:</p> <ul style="list-style-type: none"> • Officer positions assigned a credit card; and • Credit card assigned to The Mayor in the case of absence of one of the signatories (see below). <p>Limitation: The Mayors sensitive expenditure must be approved by the Chair of the Risk and Assurance Committee and the Deputy Mayor. In the case of absence of one of the signatories, the Chief Executive Officer can sign.</p>
Disposal of Council Records	Authority to dispose of any Council records, or where required, to make application to another authority for disposal.
Issue Credit Notes, Refunds and Transfers	Authority to authorise the issue of credit notes/refunds/transfers up to \$30,000.
Transfer Funds Between Council Bank Accounts	Authority to transfer funds between any of the Council's bank accounts.
Treasury Management	Authority to release or alter loans, mortgages and statutory land charges.
Raise and Manage Public Debt	Authority to provide for and manage the Council's borrowing facilities, debt, and risk hedging according with council policy and the Annual Plan. This includes without limitation issuing bonds, drawing debt under existing facilities, renegotiation and extension of existing facilities, negotiation and establishment of new facilities and hedging interest rates.

Recover Debt	Authority to take appropriate action within Council policy to recover debts, including via debt collection agencies.
Write Down Value of Stock	Authority to write down the value of stock (where the write down is no more than \$10,000).
Write Off Bad Debts	Authority to write off debts of up to \$30,000.
Write Off Stock and Minor Assets	Authority to write off stock items and minor assets (where the write off is no more than \$10,000).

Part A - Sub Part 5 – Chief Executive Officer Property Delegations

Council Property and Assets

Delegation to the Chief Executive Officer with power of sub-delegation to officers

Commercial Leasing, Concessions and Permits – Authority to approve the leasing or granting of any licence to occupy or tenancy, to vary the terms and conditions of any lease, licence to occupy or tenancy, or to terminate any lease, licence to occupy or tenancy involving Council land where:

- The lease term does not exceed five years (including any rights of renewal);
- The concession is not required to be registered against the title of the property;
- The annual concession fee for the proposed term of the concession is within the Chief Executive Officer financial delegation.

Authority to grant and administer stall site licences including licences for the occupation of legal road (including termination thereof where required for non-payment of rental or other good reason).

Community Leases – Authority to grant a lease where:

- The lease term does not exceed five years (including any rights of renewal); and/or
- The concession is not required to be registered against the title of the property; and/or
- No objections have been received following public notification; and/or
- The annual concession fee for the proposed term of the concession is within the Chief Executive Officer financial delegation.

Acquisition and Disposal of Land - Authority to negotiate, enter into, implement, vary, enforce and cancel contracts with other parties on behalf of the Council for the acquisition of land (including interests in land) or the disposition of land (including interests in land) owned by the Council, and to sign all required documentation, in accordance with the Long Term Plan or Council resolution.

Authority to engage such consultants or contractors considered necessary as part of the process to acquire or dispose of land (including interests in land) in accordance with the Long Term Plan or Council resolution.

Other Land Dealings

- Authority to generally exercise the powers of the Council contained in the Residential Tenancies Act 1996 in relation to any property;
- Authority to deal (other than acquiring, disposing, leasing or licensing) with Council land (including interests in land), including without limitation granting, entering into, varying, surrendering, releasing or discharging mortgages, easements, encumbrances, bonds, covenants, or other instruments, and to sign all required documentation; and

<ul style="list-style-type: none"> Authority to manage, administer and enforce the terms and conditions of any Easement Instrument (excluding reserves under the Reserves Act 1977) of which the Council is the grantor or the grantee (including authority to agree to any variation or surrender), or any encumbrance, bond, or covenant, and to give or decline any consent or approval requested by any party to such Instrument, and to sign all required documentation.
<p>Property Management and Maintenance</p> <ul style="list-style-type: none"> Authority to enter into contracts for the maintenance, management and development of any Council property; Authority to approve the use of any Council building, facility or equipment by an outside person or organisation in accordance with established guidelines; and Authority to approve the hiring out, and the terms and conditions thereof, of any Council asset.
<p>Limitations</p> <p>All of the above delegations are subject to:</p> <ul style="list-style-type: none"> The terms of the Financial Delegation to the Chief Executive Officer; Applicable Council policy, including the Commercial Leasing, Concessions and Permit Policy and Community Leases Policy; Any specific statutory requirements, including the requirement that with regard to the acquisition and disposal of assets, the transaction being in accordance with the Long-term plan, or Annual Plan; The signing of all leases and licences to occupy must be undertaken by Council unless specifically allowed for otherwise; Applications for commercial leases in excess of five years being referred to Council for resolution; and Applications for community leases in excess of five years being referred to Council for a resolution.

Part A - Sub Part 6 – Chief Executive Officer Other Matters

Authorisation to use the Common Seal

Delegation to the Chief Executive Officer
<p>Authority to affix the Council's common seal:</p> <ul style="list-style-type: none"> to any warrants issued by the Council where the warrants authorise entry onto private land on behalf of the Council; and in any other situation where the Council is directed by legislation to use its common seal; providing that the signature of the Chief Executive Officer followed by that of the Mayor or Deputy Mayor and one Councillor have first been obtained and that the use of the common seal is recorded in a register.
<p>The Common Seal will be affixed to any document that is required to be executed under the Seal, including:</p> <ul style="list-style-type: none"> Warrants to enter private land on behalf of the Council made under the Resource Management Act, the Natural and Built Environment Act, the Biosecurity Act, the Building Act, Local Government Act 1974 or the Local Government Act 2002; When executing any Memorandum of Transfer pursuant to section 80 of the Local Government (Rating) Act 2002; Regional policy statements and regional and district plans prepared under the Resource Management Act; Bylaws prepared under the Local Government Act 2002 or other relevant statutes; Any documents which otherwise require the use of the Council's Common Seal.

Note: All Common Seal transactions will be recorded on the Common Seal Register, which is maintained by the Executive Assistant to the Chief Executive, and reported to a subsequent Council meeting when not already authorised by Council resolution.

A Council resolution is required for the Seal to be affixed to a document; however in the case of a document of a routine nature, and/or a document which is urgent, the Seal may be affixed to such documents and such action reported to the next Council meeting for a confirmation resolution.

Development Contributions

Delegation to the Chief Executive Officer with power of sub-delegation to officers

Authority to carry out on Council's behalf, all its functions, powers and duties in relation to the Horowhenua District Council's Development Contributions Policy.

Private Development Agreement

- Authority to request in writing that a developer enters into a private development agreement with the Council; and
- Authority to decide on the terms of a private development agreement whereby a developer provides infrastructure, facilities or land (or a combination of these) in lieu of cash for development contributions.

Limitations

- Applications for remissions of Development Contribution levies must be heard by the relevant standing committee or Council.

Issue a Trespass Notice

Delegation to the Chief Executive Officer with power of sub-delegation to officers

The authority to issue a trespass notice on Council's behalf.

Legal Proceedings

Delegation to the Chief Executive Officer with power of sub-delegation to officers

The authority to:

- Obtain legal advice on Council's behalf;
- Sign on Council's behalf any routine legal administrative document;
- File in the name of the Council a Statement of Defence, or other appropriate response, to any proceedings against the Council, commenced in any Court or Tribunal; and
- Initiate legal proceedings, including collection of Court costs awarded.

The authority to settle claims against Council, where proceedings are filed or contemplated, up to a limit of \$50,000 (exclusive of GST) in accordance with a recommendation from Council's insurers, or competent legal advice, where time constraints do not permit the matter to be referred to a meeting of Council or an appropriate Committee, is delegated to the Chief Executive Officer and, wherever possible, in consultation with the Mayor or Deputy Mayor.

Limitations:

Unless otherwise provided for in this Delegations Register, the authority to commence Civil proceedings is confined to the Council except in exceptional circumstances where time does not permit consideration by Council and where such action is necessary to protect or further Council's interests. In such circumstances the authority to commence Civil proceedings is delegated to the Chief Executive Officer, following discussion with the Mayor, or in their absence Deputy Mayor.

Media and Public Notices

Delegation to the Chief Executive Officer with power of sub-delegation to officers

The authority to make statements to the news media relating to Council's business.

The authority to place public notices and advertisements in relevant newspapers, on social media or other publications or channels.

Registrar of Members' Pecuniary Interests

Delegation to the Chief Executive Officer with power of sub-delegation to officers

The Chief Executive Officer is appointed as the nominated registrar.

The Local Government (Pecuniary Interests Register) Amendment Act 2022 requires Council to appoint a Registrar under Section 54G(1) to:

- compile and maintain the register of members' pecuniary interests; and
- provide advice and guidance to members in connection with their obligations under this subpart.

Remissions (Rates)

Delegation to the Chief Executive Officer with no power of sub-delegation to officers

The authority to consider and decide on applications made up to \$2,500 under the following Rates Remissions Policies:

- Part 1 Community groups
- Part 2 Voluntarily protected land
- Part 3 Penalties on rates
- Part 4 Excessive water charges
- Part 5 Remnant land
- Part 6 Rating units in industrial and commercial areas used for residential purposes
- Part 8 Small rate balances
- Part 9 Targeted rates on non-rateable land
- Part 11 Subdivisions which are in Common Ownership but do not meet the criteria of a Contiguous Property
- Part 12 On Bare Land
- Part 13 Council Owned Utilities
- Part 14 Contiguous rating units not in common ownership.

The authority to consider and decide on applications made under Policy Part 7 Land Used for Primary Industry and Rural Residential purposes in areas that have been rezoned as Residential and Business Zones.

The authority to consider and decide on applications made under Policy Part 10 Properties affected by disasters is decided by the Council.

Limitations

Any requested remissions above \$2,500 or if there is any doubt or dispute arising, the application is to be referred to the Chairperson of the Risk and Assurance Committee.

Note: Part B – Officer Delegations sets out separate Council delegations direct to Officers.

Submissions

Delegation to the Chief Executive Officer with power of sub-delegation to officers

Authority to determine that an external consultation process or an external engagement process warrants a submission by the Council, and to determine whether the submission will be approved by Council.

The authority to:

- Make a submission to a Board of Inquiry in relation to a proposed national policy statement under section 49 of the Resource Management Act;
- Make a further submission to a Board of Inquiry in relation to a proposed national policy statement under section 50(2) of the Resource Management Act;
- Make a submission on all proposed planning instruments under the Natural and Built Environment Act and Spatial Planning Act;
- Make a submission to the Environment Court in relation to a special tribunal's report relating to a water conservation order (section 209 of the Act);
- Be heard at an inquiry for a proposed Water Conservation Order (section 211 of the Act) and apply for the revocation or amendment of any Water Conservation Order (section 216 of the Act);
- Make a submission to an adjoining local authority on any proposed regional policy statement, regional or district plan or change or variation (Clause 6 of Schedule 1 of the Act); and
- Make a submission to any application to an adjoining authority for resource consent (section 96 of the Act).

The authority to make a submission on any other matters of general Council interest or concern, where it is not possible within the available time to refer the matter to the Council or relevant standing committee.

Vote on Behalf of Council

Delegation to the Chief Executive Officer

Authority to vote on behalf of Council, where a resolution of Council is not a prerequisite, is delegated to:

- 1) the Chief Executive Officer,

and is delegated to:

- 1) the Mayor; and in their absence
- 2) the Deputy Mayor; or
- 3) the Chair of the Hearings Committee.

The proxy is instructed to vote in the best interests of Council but to take direction from Council on sensitive or controversial matters before committing Council's shareholder votes.

Part A - Sub Part 7 – Chief Executive Officer Bylaw and Policy Delegations

Horowhenua District Council Bylaws and Policies

Delegation to the Chief Executive Officer with power of sub-delegation to officers

The Council appoints the Chief Executive Officer as the appropriate officer designation under Horowhenua District Council Bylaws and Policies.

Authority to exercise and administer all responsibilities, duties and powers of Council Bylaws and Policies, including but not limited to authority to do all things necessary to:

- implement and uphold Bylaws and Policies;
- appoint Council staff members as authorised officers with the appropriate officer designation under Bylaws and Policies; and
- sub-delegate generally and particularly any of those powers conferred upon the Chief Executive Officer under Bylaws and Policies.

Powers to take enforcement action against any person who breaches any such injunction and to make any decision on any matter relating to any such action.

Powers to institute any enforcement action, including a prosecution for an offence against any of the Council's Bylaws, or bringing injunction proceedings, together with a power to make any decision pertaining to such enforcement or prosecution or injunction proceedings.

Horowhenua District Council Bylaws and Policies including but not limited to:

- | | |
|--|---|
| <ul style="list-style-type: none"> • Alcohol (Liquor) Bylaw 2015 • Animal Nuisance and the Keeping of Pigs, Poultry and Bees Bylaw • Dog Control Bylaw • Land Transport Bylaw • Public Places Bylaw • Solid Waste Bylaw • Trade Waste Bylaw • Wastewater Bylaw • Water Supply Bylaw | <ul style="list-style-type: none"> • Community Leases Policy • Commercial Leasing, concessions and Permit Policy • Dangerous & Insanitary Buildings Policy • Development Contributions Policy • Dog Control Policy • Food Premises Grading Policy • Gambling Class 4 Venue Policy • Infringement Policies • Local Alcohol Policy • Psychoactive Substances Policy • Rates Remission Policy • Remission of Rates on Māori Freehold Land Policy • Revenue and Financing Policy • Significance and Engagement Policy • TAB Venue Policy |
|--|---|

Part B – Officers Statutory and Other Delegations

The Council delegates to the persons who hold the positions as set out below, the following responsibilities, duties, and powers as set out in the tables in this Part.

Unless otherwise specified, these delegations exclude any power, responsibility or duty that has been delegated to a Community Board, Committee, Subcommittee (including an Officer Subcommittee), Council Hearings Panel or other subordinate decision-making body.

These powers may only be sub-delegated if it is expressly provided for in the tables below.

All delegations are made severally unless specified otherwise (i.e. the delegation can be exercised by the officer acting alone).

Local Government (Rating) Act 2002

The Council delegates all powers, duties and functions under the Local Government (Rating) Act 2002 to the Chief Executive Officer, excluding those matters in respect of which delegation is prohibited by any Act or regulation, or which are expressly excluded from this delegation.

These are specific delegations to Officers:

- Group Manager Organisation Performance
- Financial Controller
- Financial Services Manager
- Senior Rates Officer

Section	Details of Power	Reasons	Delegated to (Acronym)			
			GMOP	FC	FSM	SRO
27(5)	The decision on whether to divide rating units and the methodology for division.	A division may be required where a single rating unit falls into a number of differential categories.	✓	✓	✓	✓
28(2)	The decision on whether the disclosure of the name of any person is necessary to identify a rating unit.	The Rating Information Database (RID) may not contain the name of any person unless this is necessary to identify the particular property.	✓	✓	✓	✓
29	Authority to determine objections to the RID.	An owner has the right to object to any entry in the RID on a number of grounds. Council determines whether the objection is valid and any actions required correcting it.	✓	✓	✓	✓
35	Authority to remove a name from the RID.	A person's name may be removed from the RID in circumstances outlined in Section 35. Generally this is as a result of a sale or disposal of the property.	✓	✓	✓	✓

38(3)	Authority to request confirmation from a person proposing to inspect the rates record	There are restrictions on who can view all the details contained in the rate records. The local authority may request from a person, by any reasonable means that the local authority considers appropriate, confirmation that he or she (a) falls within the class of people described in subsection (1)(d)(i) and (b) reasonably requires the information in the rates record for the purposes of subsection (1)(d)(ii).	✓	✓	✓	✓
39	Authority to determine objections to rates records.	A ratepayer may object to information contained in the rates records on the ground that the rates are calculated incorrectly or that the rates balance is incorrect.	✓	✓	✓	✓
40	Authority to correct errors in the RID and Rate Records.	Errors in the RID or rate records may be corrected even if there was no objection.	✓	✓	✓	✓
44-51	Authority to redesign and deliver rates assessments and invoices	A local authority must deliver a rates assessment and invoice with set content as set out in 45(1) which includes any other information that the local authority sees fit	✓	✓	✓	✓
52	Authority to agreed methods of payments for rates.	The Act allows rates to be paid by any method that is agreed by the local authority.	✓	✓	✓	✓
54	Authority not to collect small amounts, up to \$10.00.	The Act allows the authority to not collect small amounts where, in its opinion, it is uneconomic to do so. It is envisaged that this will only occur where the cost to collect a debt is likely to exceed the amount of the debt due.	✓	✓	✓	✓
61	Authority to collect unpaid rates from the owner.	Where a ratepayer, other than the owner, is in default, the local authority may collect rates that are in default, from the owner.	✓	✓	✓	✓
62	Authority to collect unpaid rates from persons other than the owner.	Where the owner is in default of their rates, the local authority may recover the rates from a mortgagee.	✓	✓	✓	✓
63	Ability to commence legal proceedings for the recovery of rates that are in default.	Where rates are in default, the local authority may commence legal proceedings against the owner for recovery of the rates.	✓	✓	✓	✓
67	Commencement of rating sales or lease provisions.	Once a local authority has received judgement and payment had not been received within the prescribed period, the authority may commence the process to carry out a rating sale or lease of the land to satisfy the level of the debt. Note:	✓			

		This process is carried out by the District Court Registrar and does not apply to Māori Freehold Land.				
72	Authority to sell land by private treaty.	If land that was the subject of a rating sale does not sell above the reserve set by the Registrar, the Registrar may, with the consent of the local authority, sell the land by private treaty for any consideration that the Registrar thinks reasonable. Note: This does not apply to Māori Freehold Land.	✓			
77–83	Authority to sell abandoned land.	A local authority has the power to commence the process to have land declared 'abandoned' if rates have not been paid on it for three years, and the ratepayer: <ul style="list-style-type: none"> • is unknown, or • cannot be found after due enquiry, or • is deceased and has no personal representative, or • has given notice of the intention to abandon or has abandoned the land. The process is carried out through the District Court and the Court has to be satisfied the appropriate endeavours have been made to discover the owner. Note: This does not apply to Māori Freehold Land.	✓			
85, 87, 114, 114A and 115	Authority to administer rate remission and postponement policies (including on Māori freehold land).	As defined within the remission and postponement policies, and on the same terms and limitations given in the delegation to the Chief Executive Officer.	✓	✓	✓	✓
99	Authority to apply for charging orders.	The Act provides that where it has proved impossible to obtain rate on Māori Freehold Land, a local authority may apply to the Māori Land Court for a charging order on the land.	✓	✓		
135	Authority to sign documents for Court proceedings.	The Act authorises Council to commence legal proceedings. The authority to sign such documents needs to be delegated to appropriate officers.	✓	✓		

Resource Management Act 1991

The Council delegates all powers, duties and functions under the Resource Management Act 1991 to the Chief Executive Officer excluding those matters in respect of which delegation is prohibited by any Act or regulation, or which are expressly excluded from this delegation.

The Resource Management Act 1991 prevents the Chief Executive Officer from sub-delegating powers under that Act. The following are separate Council delegations direct to officers under that Act. These are specific delegations to Officers:

- Group Manager - Community Experience and Services (GMCES)
- Group Manager – Community Vision and Delivery (GMCVD)
- Group Manager – Housing and Business Development (GMHBD)
- Strategic Planning Manager (SPM)
- Strategic Planner (SP)
- District Plan Lead (DPL)
- Senior Policy Planner (SPP)
- Policy Planner and Principal Policy Advisor (PP)
- Compliance Manager (CPM)
- Planning Team Lead (PTL)
- Senior Resource Management Planner, Resource Management Planner, Planning Technician (P)
- Resource Management Planner – Contractor (PC)
- Independent Hearings Commissioner (HC)

Delegations include temporary Acting CE, GMCES, GMCVD, GMHBD, SPM, SP, DPL, SPP, PP, CPM or PTL when relevant or required.

Section or Clause Number	Delegation Description	Delegated to (Acronym)												
		GMCS	GMCVD	GMHBD	SPM	SP	DPL	SPP	PP	PTL	CPM	P	PC	HC
10(2)(b)	Time extension to existing use.		✓	✓	✓		✓	✓		✓				
34(A)(1) and (2) and 100(A)	The nomination of one or more commissioners in accordance with Council's policy for appointing commissioners. <i>(ICWC)</i>		✓	✓	✓		✓	✓		✓				
36A	The power to decide whether or not to consult with any person about a consent application.	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	
36(5) and s36AAB	Power to reduce or waive fees or deposits for charitable or community organisations or in other situations deemed appropriate, and remitting the whole or part of a charge.			✓						✓				
37(1)	Power to waive or extend time limits as specified in this section.		✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓
37(2)	Waive compliance with the requirement to submit information as outlined in Section 37(2) and the power to set new terms for the rectification or the omission of the inaccuracy.		✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓
37A(6)	Power to determine and notify those persons who are directly affected by the extension or waiver of compliance with a time period, method of service, or service of document.		✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓
38	Power to authorise an Enforcement Officer/s to carry out all or any of the functions and powers as an enforcement officer under this Act.	✓	✓	✓										
41B	The power to direct an applicant to provide briefs of evidence to the authority before a hearing. <i>(ICWC)</i>		✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	
41C	The power to request further information prior to or at a Hearing. <i>(ICWC)</i>		✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	
42	The power to make an order that a hearing be held with the public excluded. The power to make an order prohibiting or restricting the publication or communication of any information supplied or obtained in the course of any proceedings. <i>(ICWC)</i>		✓	✓	✓		✓	✓	✓	✓		✓	✓	
42A(1)	The power to commission a report by an officer or consultant for hearing.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	

Section or Clause Number	Delegation Description	Delegated to (Acronym)												
		GMCEs	GMCVD	GMHBD	SPM	SP	DPL	SPP	PP	PTL	CPM	P	PC	HC
42A(5)	The Authority to waive compliance with service of documents requirements. <i>(ICWC)</i>		✓	✓	✓	✓	✓	✓	✓	✓		✓		
44A (3)-(5)	The power to amend a District Plan rule that duplicates or conflicts with a rule in a National Environmental Standard without using the process in Schedule 1.		✓											
55	The power to amend the District Plan to include specific objectives and policies where directed to do so by a National Policy Statement without using the process in Schedule 1.		✓											
58I	The power to implement mandatory directions of National Planning Standards without using the process in Schedule 1.		✓											
86D(2)	The power to make an application to the Environment Court for a rule to have legal effect. <i>(ICWC)</i>	✓	✓	✓	✓		✓							
87AAB(1) and (2)	New Consent Exemption under this section.		✓		✓	✓	✓	✓	✓			✓	✓	
87BA	Power to give notice that an activity is a deemed permitted boundary activity.													
87BB	Exemption of activities from resource consent for marginal or temporary breaches		✓		✓	✓	✓	✓	✓			✓	✓	
87(E)	Decision on whether to allow an application to be determined by the Environment Court and authority to determine an application for referral to the Environment Court is incomplete. <i>(ICWC)</i>	✓	✓	✓										
88(3)1(3A)	The power to determine that an application is incomplete and to return the application with written reasons for the determination.		✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	
91, 91C and 91F	The power to defer an application pending additional consents.		✓	✓	✓	✓	✓	✓	✓			✓	✓	
92(1)	The power to request further information relating to an application.		✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	

Section or Clause Number	Delegation Description	Delegated to (Acronym)												
		GMCEs	GMCVD	GMHBD	SPM	SP	DPL	SPP	PP	PTL	CPM	P	PC	HC
92(2)	The power to commission a report on any matter relating to the application.		✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	
92A(2)	The power to set a time limit within which further information requested by a territorial authority should be provided.		✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	
92A(3)	The power to decline an application for failure to meet requirements under this subsection.		✓	✓	✓	✓	✓	✓	✓	✓		✓		
95 and 95(A)–(F)	The power to determine when applications shall be non-notified, limited notified or publicly notified.		✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	
97(4)	The power to close submissions on a limited notified resource consent early if the matters in s97(4) are met.		✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	
99	The power to convene a pre-hearing meeting and exercise all powers under this section.		✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	
99A	The power to refer applicants and persons who made submissions on the application to mediation and the authority to appoint a mediator under section 34A. (ICWC)		✓	✓	✓	✓	✓	✓	✓	✓		✓		
100	The power to determine that a hearing is not needed. (ICWC)		✓	✓	✓	✓	✓	✓	✓	✓		✓		
101	The power to fix a hearing date and time and place of the hearing.		✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	
102	Functions in relation to joint hearings.		✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	
103	Functions in relation to combined hearings for resource consents in relation to the same proposal.		✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	
104A, 104B, 104C, 104D	The power to grant or refuse non notified resource consents, and the power to decide on applications made with full or limited notification where a hearing is not required under Section 100 of this Act. (ICWC)*		✓	✓	✓	✓	✓	✓	✓	✓		✓		✓
106	The power to refuse to grant a subdivision taking in consideration the issues specified in S106. (ICWC)		✓	✓	✓	✓	✓	✓	✓	✓		✓		✓

Section or Clause Number	Delegation Description	Delegated to (Acronym)												
		GMCS	GMCVD	GMHBD	SPM	SP	DPL	SPP	PP	PTL	CPM	P	PC	HC
108 and s108AA	The power to determine conditions of a resource consent.		✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	
108A (1), (2) and(3)	Bonds.		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
109	The power to authorise Council use of bond funds. <i>(ICWC)</i>		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
124(2)(e)	The power to permit an existing consent to continue while applying for a new consent.		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
125	The power to extend the period within which a resource consent lapses. <i>(ICWC)*</i>		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓
126	The power to cancel unexercised resource consents. <i>(ICWC)</i>		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓
127	The power to decide on an application for change to or cancellation of consent conditions. <i>(ICWC)</i>		✓	✓	✓	✓	✓	✓	✓	✓		✓		✓
128-132	The power to initiate and determine a review of conditions of a resource consent. <i>(ICWC)</i>		✓	✓						✓	✓			✓
133A	Power to approve an amended resource consent within 20 working days of the granting of the original.		✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓
138	The power to grant or refuse partial or full surrender of a resource consent. <i>(ICWC)</i>		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
139	The power to grant or refuse an application for a certificate of compliance.		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
139A	The power to grant or refuse an application for an existing use certificate.		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
147	The power to comment on whether a consent application recommended to be called in by the Environmental Protection Authority, should be called in.		✓	✓										
149Z	The power to process applications referred from the Minister for the Environment or the EPA.		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
168, 169	The power to process notices of requirement from a requiring authority.		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	

Section or Clause Number	Delegation Description	Delegated to (Acronym)												
		GMCS	GMCVD	GMHBD	SPM	SP	DPL	SPP	PP	PTL	CPM	P	PC	HC
170	The power to decide whether to include a notice of requirement in a proposed plan change. <i>(ICWC)</i>		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
173	The power to identify landowners and occupiers who are directly affected by a decision on a designation		✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	
174	The power to appeal to the Environment Court against the whole or any part of a decision of a requiring authority. <i>(ICWC)</i>		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
176A(2)	The power to waive the requirement for an outline plan.		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
176A(4)	The power to request changes to an outline plan.		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
176A(5)	The power to Appeal against the decision of a requiring authority to the Environment Court. <i>(ICWC)</i>		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
181	The power to alter a designation. <i>(ICWC)</i>		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
184(1)(b) and 184(2)(b)	The power to extend the expiry period of a designation that has not been given effect to. <i>(ICWC)*</i>		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
190	The power to process notices of requirement for a heritage order from a heritage authority.		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
195A	The power to alter heritage orders. <i>(ICWC)</i>		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
195B	The power to make written objection or submission to the Minster regarding the transfer of a heritage order.			✓	✓	✓	✓	✓						
198C	The power to decide whether a notice of requirement application will be determined by the Environment Court as requested by applicant. <i>(ICWC)</i>		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
198I	The power to decide whether a notice of requirement application will be determined by the Environment Court. <i>(ICWC)</i>		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
220	The power to impose conditions on subdivision consents.		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
221(1)	The power to impose a condition requiring the issuing of a consent notice.		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
221(3)(b)	The power to review, vary or cancel any consent notice. <i>(ICWC)*</i>		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

Section or Clause Number	Delegation Description	Delegated to (Acronym)												
		GMCEs	GMCVD	GMHBD	SPM	SP	DPL	SPP	PP	PTL	CPM	P	PC	HC
222	The power to extend a completion period and to issue a completion certificate.		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
223	The power to approve any survey plan.		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
224(c)	Power to certify compliance with specified conditions prior to deposit of survey plan.		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
224(f)	Power to certify compliance with building code provisions.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
226(e)	Power to issue a certificate in accordance with this Section.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
S232.	The power to approve the creation of an esplanade strip in accordance with S232 (1) and (2).	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
S234(6)	The power to grant (with or without modifications) or decline an application to vary or cancel an instrument creating an esplanade strip.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
234(7)	The power to certify a varied or cancelled esplanade strip.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
235	Power to agree to create an esplanade strip with the agreement of the registered proprietor.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
237	The power to approve survey plans where esplanade reserves or esplanade strips are required.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
237B	The power to authorise the creation, variation, or cancellation of easements.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
237C	The power to close esplanade or access strips to the public in certain circumstances.	✓	✓	✓										
240(1) and (3)	The power to endorse survey plans with covenants and to approve the covenant instrument.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
240(4) and (5)	The power to approve the cancellation of a covenant imposed under this Section or under the corresponding provision of any former enactment for non-notified applications.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
S241(2)(a)	The power to approve the individual disposal of land or the holding of land in separate titles which have previously been amalgamated.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

Section or Clause Number	Delegation Description	Delegated to (Acronym)													
		GMCEs	GMCVD	GMHBD	SPM	SP	DPL	SPP	PP	PTL	CPM	P	PC	HC	
241(3) and (4)(b)	The power to cancel in whole or in part any condition described in Subsection (2).	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
243	The power to revoke an easement in whole or in part.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
274	The power to nominate an officer or other person to attend a proceeding of the Environment Court.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
299	The power to appeal against the decision or report and recommendation of the Environment Court to the High Court on a point of law. (ICWC)	✓	✓	✓											
311	The power to apply for a declaration in accordance with this Section. (ICWC)*	✓	✓	✓	✓					✓	✓	✓	✓		
316	The power to apply for an enforcement order or interim enforcement order.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
325A(2)	The power to cancel an abatement notice.	✓	✓	✓	✓					✓	✓	✓	✓		
325A(5)	The power to determine an application to review and/or amend an abatement notice. (ICWC)	✓	✓	✓						✓	✓	✓	✓		
330	The power to make the necessary determinations and undertake such actions as are provided for in Subsections (1) to (3) inclusive.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
334	The power to seek a search warrant from a District Court Judge or any duly authorised Justice or any Community Magistrate or Registrar for entry for search.	✓	✓	✓	✓					✓	✓	✓	✓		
336	The power to return property seized under sections 323 and 328	✓		✓						✓	✓				
357C	The power to grant an extension of time to lodge an objection under Sections 357 to 357B hear and determine any matters under this Section. (ICWC)	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
First Schedule, Part one, Clause 5	Power to decide on whom public notice shall be sent in relation to a policy statement or plan or a change thereto.	✓	✓	✓	✓										

Section or Clause Number	Delegation Description	Delegated to (Acronym)													
		GMCES	GMCVD	GMHBD	SPM	SP	DPL	SPP	PP	PTL	CPM	P	PC	HC	
First Schedule Part One Clause 6	The power to make a submission on a proposed policy statement or plan that was notified under Clause 5. <i>(ICWC)</i>	✓	✓	✓	✓		✓								
First Schedule, Part one, Clause 8AA	The power to refer to mediation issues raised by persons who have made submissions on the proposed plan or policy statement and the power to appoint an independent mediator in accordance with this Clause. <i>(ICWC)</i>	✓	✓	✓	✓		✓								
First Schedule, Part One, Clause 14	The power to authorise an appeal against any aspect of a requiring Authority's or heritage protection authority's decision. <i>(ICWC)</i>	✓	✓	✓	✓		✓								
First Schedule, Part two, Clause 23	The power to require further information from an applicant.	✓	✓	✓	✓										
First Schedule, Part three, Clause 32	The power to certify as correct copies of material to be incorporated by reference into a plan or proposed plan.	✓	✓	✓	✓		✓								
All Clauses of First Schedule, Part 1 except 5, 10, and 20	Power to prepare, change, and review of policy statements and plans, except the following:														
	Clause 5: Public notice and provision of document to public bodies Clause 10: Decisions on provisions and matters raised in submissions Clause 20: Operative date	✓	✓	✓	✓		✓								



Delegations Register

6 March 2024



Approvals

Adopted by Council	Adopted by resolution of Council, (resolution number), on (date).
Review Period	Next review January 2025, or earlier where triggered by a change in current operational practice or change in good practice.

Change History

Version No.	Amendment/s	Date	Completed by
1.0	New Document	September 2022	Ben Blyton Procurement Advisor
2.0	Stage 1 - Improvements and incorporation of legal advice	November 2023	Nicki Brady Procurement and Organisation Transformation Manager
3.0	Stage 2 - Document review and various updates, enhancements to Resource Management Act 1991 and incorporation Water Services Act 2021	December 2023 – 6 March 2024	Nicki Brady Procurement and Organisation Transformation Manager

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Using the Delegations Register

This delegations register is broken into three parts:

The **Delegations Policy** explains the way in which delegations and sub-delegations apply and operate in the Council.

Part A set out within seven sub-parts, contains delegations authorised by the Council to the Chief Executive Officer of statutory, regulatory and other delegations. This includes all of the responsibilities, duties and powers imposed on the Council by statute or assumed under bylaws made by the Council, together with the delegations in respect of financial management, property and assets, and other matters such as dealing with legal proceedings. Noting that these delegations may be sub-delegated by the Chief Executive Officer, unless this is expressly excluded within Part A.

Part B contains delegations authorised by the Council to Officers.

Delegations Policy

1 Purpose

The purpose of the Delegations Register is to set out the Horowhenua District Council's ('the Council') policies, procedures and delegations relating to decision making when giving effect to its statutory duties, responsibilities and powers.

The application of delegated authority is intended to improve the efficiency, effectiveness and timeliness of decision-making and is consistent with the Council Plan On A Page focus areas of 'Get The Basics Right' and 'Rebuilding the Organisation' with a focus to empower a culture of excellence, service and continuous improvement.

The Council supports the principle of delegating decision-making to the lowest competent level. This makes best use of the abilities of Elected Members, ensuring the cost-effective use of resources and promoting the development of efficient and effective management. This principle has been applied to the preparation of this Delegations Register.

The delegations have been approved by Council resolution/s. Delegations, unless otherwise stated, are deemed to have been made under Clause 32, Schedule 7 of the Local Government Act 2002 (LGA).

Delegations to Standing Committees and Subcommittees, are recorded in the Council and Committee Terms of Reference 2022 – 2025.

2 Definitions

2.1. Delegation

Delegation is the conveying of a duty or power to act to another person, including the authority that the person making the decision would themselves have had in carrying out that duty or exercising that power.

To avoid doubt, no delegation relieves the body or person making the delegation of the liability or legal responsibility to perform or ensure performance of the function or duty being delegated. The Council may have the power to delegate under enactments other than the Local Government Act 2002.

The laws relating to local government generally recognise that the decisions of a delegate may be reviewed or appealed to the delegator who may confirm, vary, overrule, or substitute any decision although there are exceptions such as where a decision is made and other review remedies are available (e.g. appeal to a court or tribunal).

Any delegation made includes any ancillary responsibilities, duties or powers necessary to give effect to that delegation.

Unless specifically time-limited, a delegation will continue in force until specifically revoked, or varied by the delegator or the Council. Where Council revokes, suspends for a period, or amends the terms of conditions in relation to any delegation, it will be recorded by resolution of Council.

Unless a valid delegation in respect of a matter has been made and included in the Delegations Register, any decision required in respect of that matter can only be made by the Council at an ordinary or extraordinary meeting.

Unless otherwise expressly stated in this Delegations Register, all financial values stated in this document are GST exclusive.

2.2. Powers Retained by Council

Schedule 7 Clause 32 of the Local Government Act 2002 states that Council retains the following non-delegable powers:

- The power to make a rate;
- The power to make a bylaw;
- The power to borrow money, or purchase or dispose of assets, other than in accordance with the Long Term Plan or annual plan;
- The power to adopt a Long Term Plan, Annual Plan or Annual Report;
- The Power to appoint a Chief Executive Officer;
- The power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the long-term plan or developed for the purpose of the Local Governance Statement; and
- The power to adopt a Remuneration and Employment Policy.

2.3. Chief Executive Officer

Horowhenua District Council is a local authority under the Local Government Act 2002. Elected members and the Mayor make up the Councils' governing body, which is responsible and democratically accountable for decision-making.

The governing body appoints only one employee, the Chief Executive Officer, whom has absolute control over all employment-related matters concerning staff, and has authority to:

- Approve the employment of all staff.
- Approve staff members taking up or engaging in other employment, in addition to their Council employment, subject to the following provisos:
 - Council duties having priority;
 - The other employment is not to interfere with or impair the due and proper discharge of their normal duties;
 - The other employment will not be carried out during the staff member's Council working hours; and
 - There being no conflict of interest arising from the other employment.

The Chief Executive Officer is responsible for leading and overseeing staff in implementing the decisions of the Council and ensuring that all statutory responsibilities of the Council are met. The Chief Executive Officer is responsible for ensuring that all responsibilities, duties and powers delegated to him/her/them, or to any person employed by the Council, are properly performed or exercised. This includes those imposed or conferred by an Act, regulation or bylaw.

The Chief Executive Officer may delegate to any other officer of the Council any of his/her/their powers under the Act, or any other statute and may nominate another staff member to act as Chief Executive Officer during temporary periods of absence from duties together with such of the Chief Executive Officer's powers as they consider appropriate.

The Chief Executive Officer may revoke or suspend for a period, or amend the terms and conditions in relation to any delegation to subordinates that they have made.

The Chief Executive Officer is the Principal Administrative Officer as defined in Section 42(4) of the Local Government Act 2002, and shall perform the duties and functions pertaining to this position except in cases where particular duties and functions have been delegated to another officer in writing, or by the Delegations Register.

2.4. Member and Officer

For the purpose of this Policy:

- "officer" means a named person, or the person who is for the time being the holder of a specified office;
- "member" means a member of the governing body of the Council, including the Mayor.

The Council may delegate to a member or officer of the Council any of its responsibilities, duties or powers other than those referred to in section 2.1. Such delegations may be further delegated, subject to any conditions, limitations, or prohibitions imposed by the Council or by the committee, body or person that made the original delegation.

An officer whom any responsibilities, duties or powers delegated may exercise them in the same way and with the same effect as the delegating officer could have done.

If not limited otherwise in the Delegations Register, where there are changes to officer position titles within the Council, but the Delegations Register has not yet been updated to reflect the new titles, any officer who performs or exercises the same or a substantially similar role or function as a former position title, may exercise the delegations of that former position title. Where the authority is granted to a number of officers employed in different departments of the Council, it will be up to the department leader(s) concerned to ensure that the authority is exercised consistently across those departments.

A delegated authority must be exercised in accordance with officer duties as identified in their Position Description, and all relevant Council policies and conditions, such as financial limits, process and reporting requirements.

Where an officer is in a position in an acting capacity, the officer may exercise the delegations to that position. However, the officer should state that he/she/they are exercising the delegation in acting capacity.

Where there is any ambiguity between the wording of a legislative function and the delegation of that function to an officer, the wording of the legislation will prevail. A delegation made under legislation that is subsequently repealed will be read as a delegation made under any replacement or corresponding legislation that has the same effect (until the Delegations Register can be amended).

An officer may decide not to exercise their delegation in cases of uncertainty or high policy content, and refer the decision back to the delegator.

Responsibilities, duties or powers under the Resource Management Act 1991 and the Local Government (Rating) Act 2002 delegated by the Council to officers, including the Chief Executive Officer, may not be sub-delegated.

2.5. Term of Delegation

The Delegations Register will be reviewed annually and at other times as needed i.e. legislation change, and unless any delegation is expressed to be for a defined period it will continue until revoked by the delegator or the Council, or withdrawn by operation of law.

2.6. Delegation to Office

Unless a contrary intention is indicated, every delegation will be to a stated officer or position and not to an individual or the membership of a group in their personal capacities. In every case of this type the delegation will survive any change in the occupier of any such office.



Part A - Chief Executive Officer Delegations



Part A - Sub Part 1 - Chief Executive Officer Legislative Requirements

Council delegates to the Chief Executive Officer, with power of sub-delegation to officers, the authority to exercise and administer all responsibility, duties and powers of the Council under the following Acts, and any regulations made under the Act, and the following regulations:

- Amusement Devices Regulations 1978
- Biosecurity Act 1993
- Building Research Levy Act 1969
- Burial and Cremation Act 1964
- Camping Ground Regulations 1985
- Civil Defence Emergency Management Act 2022
- Climate Change (Unit Register) Regulations 2008
- Criminal Procedures Act 2011
- Electricity Act 1992
- Family Violence Act 2018
- Fencing Act 1978
- Fire and Emergency New Zealand Act 2017
- Food Act 2014
- Freedom Camping Act 2011
- Gas Act 1992
- Government Roothing Powers Act 1989
- Hazardous Substances and New Organisms Act 1996
- Health Act 1956
- Heritage New Zealand Pouhere Taonga Act 2014
- Housing Improvement Regulations 1947
- Infrastructure Funding and Financing Act 2020
- Land Drainage Act 1908
- Land Transfer Act 2017
- Litter Act 1979
- Local Government Act 1974
- Local Government (Financial Reporting and Prudence) Regulations 2014
- Natural and Built Environment Act 2023
- New Zealand Library Association Act 1939
- Ombudsmen Act 1975
- Privacy Act 2020
- Protected Disclosures (Protection of Whistleblowers) Act 2022
- Public Records Act 2005
- Public Works Act 1981
- Railways Act 2005
- Rates Rebate Act 1973
- Rating Valuations Act 1998
- Residential Tenancies Act 1986
- Sale and Supply of Alcohol Act 2012
- Summary of Proceedings Act 1957
- Telecommunications Act 2001
- Trespass Act 1980
- Unit Titles Act 2010
- Utilities Access Act 2010
- Urban Development Act
- Water Services Act
- *Water Services Entities Act 2022 and Water Services Legislation Act 2023 (process of repeal)*

Council Delegates to the Chief Executive Officer the powers of the Council under the following legislation, with exceptions as follows:

Building Act 2004 and any regulations made under that Act, including the Building Code (Schedule 1 to Building Regulations 1992)

Delegation to the Chief Executive Officer with power of sub-delegation to Officers

Under section 232 of the Building Act 2004, authority to exercise and administer all responsibilities, duties and powers of the Council as a Territorial Authority and Building Consent Authority under the Building Act 2004, any regulations made under that Act and the Building Code (Schedule 1 to the Building Regulations 1992) **except**:

- its powers under sections 131 and 132 relating to the adoption or review of policies on dangerous, earthquake prone and insanitary buildings;
- its power under section 213 to make arrangements for any other building consent authority to perform the Council's functions of a building consent authority;
- its power under sections 219(1)(a) and 281A to set any fee or charge in relation to a building consent and for the performance of any other function or service under the Act;
- its powers under sections 233 to 236 to transfer any of its functions, duties or powers under the Act to another territorial authority;
- its power under sections 233 to 236 to agree to undertake any function, duty or power of any other territorial authority under the Act; and
- its power under section 281B in relation to increasing fees and charges

Dog Control Act 1996 and any regulations made under that Act

Delegation to the Chief Executive Officer with power of sub-delegation to Officers

Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act **except** the power to:

- make or review a bylaw or the Dog Control Policy under section 10, 10AA, 20;
- the setting of fees or charges under section 37, 68;
- making grants under section 6(2)(b);
- hearing and determining an objection to a probationary owner classification, a disqualified owner classification, a dangerous dog classification, and/or a menacing dog classification under sections 22, 26, 31, 33B, 33D.

Food Act 2014 and regulations made under that Act

Delegation to the Chief Executive Officer with power of sub-delegation to Officers

Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act **except** the power to:

- set fees or charges under section 205

Gambling Act 2003 and any regulations made under that Act

Delegation to the Chief Executive Officer with power of sub-delegation to Officers

Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act **except** the power to:

- adopt, amend or replace a class 4 venue policy under sections 101 - 102

Health Act 1956 and any regulations made under this Act (including without limitation the Camping-Grounds Regulations 1985, the Health (Registration of Premises) Regulations 1966, the Health (Hairdressers) Regulations 1980 and the Health (Burial) Regulations 1946)

Delegation to the Chief Executive Officer with power of sub-delegation to Officers

Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act **except** the power to:

- making bylaws under section 64

Impounding Act 1955 and any regulations made under that Act

Delegation to the Chief Executive Officer with power of sub-delegation to Officers

Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act **except** the power to:

- set poundage fees and sustenance charges under section 14
- declare under section 34 that section 33 does not apply to a specified road in the district.

Land Transport Act 1998 and any rules and regulations made under that Act

Delegation to the Chief Executive Officer with power of sub-delegation to Officers

Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act **except** the power to:

- making bylaws under sections 22AB to 22AD

Litter Act 1979 and any regulations made under that Act

Delegation to the Chief Executive Officer with power of sub-delegation to Officers

Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act **except** the power to:

- hear objections under section 10
- make bylaws under section 12
- adopt an infringement notice regime under section 13.

Local Government Act 2002 and any regulations made under that Act

Delegation to the Chief Executive Officer with power of sub-delegation to Officers

Authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act, **except**:

- Those matters that cannot be delegated by Council, specified in the Local Government Act 2002 (set out in section 2.2 of this Delegation Register);
- any matter that can only be given effect by a Council resolution.

Local Government (Rating) Act 2002 and any regulations made under that Act

Delegation to the Chief Executive Officer with no power of sub-delegation

Delegation, under section 132, of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act, **except**:

- the power to make further delegations;

Note: Part B – Officer Delegations sets out separate Council delegations direct to Officers.

Local Government Official Information and Meetings Act 1987 and any regulations made under that Act

Delegation to the Chief Executive Officer with power of sub-delegation to Officers

Delegation, under section 42, of authority to exercise and administer all responsibilities, duties and powers of the Council under Parts 2 to 5 of the Act and any regulations made under the Act, **except** those in section 32 (which relates to responses to recommendations made by the Ombudsman under section 30(1)).

Racing Industry Act 2020 and any regulations made under that Act

Delegation to the Chief Executive Officer with power of sub-delegation to Officers

Authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act **except** the power to:

- adopt, amend or replace the TAB venue policy under sections 96-97

Reserves Act 1977 and any regulations made under that Act

Delegation to the Chief Executive Officer with power of sub-delegation to Officers

Authority to exercise and administer all responsibilities, duties and powers of the Council in its role as an Administering Body, and as a delegate of the Minister of Conservation, under the Reserves Act 1977 and any regulations made under the Act and management plans **except**:

- a) the power to declare land to be a reserve and the power to hear objections and make a decision on whether to confirm the resolution under section 14 (other than the power to attend to gazettal under section 14(4));
- b) the power to exchange reserve land for other land under section 15;
- c) the power to classify reserves, by Gazette notice, according to their principal or primary purpose under section 16(1);
- d) the power to give full consideration to objections and submissions under 16(4);
- e) the power to change a classification or purpose of a reserve, consider objections and form an opinion that the change in the classification of a scenic, nature, scientific or historic reserve is justified under section 24(1), 24(2)(e), 24(3) and 24(5);
- f) the power under section 25(1) to dispose of land in such manner and for such purposes as the Minister specifies following the revocation of the reservation of any public reserve (or part of one) under section 24;
- g) the power to approve reserve management plans under section 41(1);
- h) the power to give or decline approval for the erection of shelters, huts, cabins, lodges etc on any recreation or scenic reserve under section 45;
- i) the power under section 55(2)(a), (d), (e), (f) and (g) to decline or give consent to specific activities on a scenic reserve;
- j) the power under section 58(b) to set apart and use part of a reserve as a site for residences and other buildings;
- k) the power under section 73(5) to consent or decline consent in writing to a member of an

- administering body becoming the lessee of any land under the control of that body;
- l) the power under section 75(1) and (2) to consent or decline to consent to the afforestation of a recreation or local purpose reserve;
 - m) the power to make bylaws under section 106;
 - n) the power to grant licences pursuant to Section 48A of the Reserves Act 1977 for the use of a reserve for a communications station (such granting of licences to be subject where appropriate to the approval of the appropriate Minister of the Crown and the provision of the First Schedule of the Reserves Act 1977);
 - o) the power to hear and report to Council on submissions and to make recommendations to Council on decisions, relating to the revocation of reserve land;
 - p) the power to determine from time to time whether a park has Districtwide importance and is therefore not a "local" park;
 - q) any power that is expressly required by the Act to be exercised by resolution of the Council.

Limitation

Where the Chief Executive Officer sub-delegates the power of the Council in its role as an Administering Body, and as a delegate of the Minister of Conservation, to officers, the Chief Executive must ensure different officers exercise the Minister's powers and the Administering Body's powers, when making a decision on a matter that provides for a decision to be made by both the Minister and the Administering Body.

Resource Management Act 1991 and any regulations made under that Act

Delegation to the Chief Executive Officer with no power of sub-delegation

Delegation, under section 34A, of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act, **except**:

- the power of delegation; or
- the power of approval of a policy statement or plan under clause 17 of schedule 1.

Note: Part B – Officer Delegations sets out separate Council delegations direct to Officers.

Waste Minimisation Act 2008 and any regulations made under that Act

Delegation to the Chief Executive Officer with power of sub-delegation to Officers

Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act **except** the power to:

- prepare, adopt, amend or revoke a waste management and minimisation plan; or
- make or review a bylaw

Part A - Sub Part 2 - Chief Executive Officer Financial Delegations

Financial Delegations	Details and Limitations
<p>Operational/Capital Expenditure The authority to commit expenditure of up to \$1,000,000 excl GST, whether operational or capital expenditure and where budgets have been established by an adopted Long Term Plan or Annual Plan, is delegated to the Chief Executive Officer, who may further delegate to any other officer of Council as required.</p> <p>Any expenditure outside of this requires approval from Council or an appropriate Council Committee Subcommittee on an as required basis.</p>	<p>Conditional on:</p> <ul style="list-style-type: none"> expenditure being budgeted for; compliance with the procedures identified in any relevant financial authority manual or policy in relation to each transaction (for example current Council policies (e.g. procurement), or financial management guidelines); with regard to the acquisition and disposal of assets, the transaction being in accordance with the long-term plan
<p>Re-allocate Operating Expenditure The authority to re-allocate operating expenditure between budgets with the same rating mechanism (funding sources).</p>	<p>Conditional on:</p> <ul style="list-style-type: none"> provided it is necessary to achieve committed outputs decided on during the Long Term Plan (LTP) or Annual Plan; provided the end-of-year budgeted surplus or deficit will be achieved, with any likely exceedance is to be reported to Council or the relevant Standing Committee.
<p>Capital Expenditure – Emergency and Transitional Periods Power of the Chief Executive Officer alone to commit the Council to financial transactions (or projects consisting of multiple transactions) relating to the acquisition, purchase, or provision of assets (including vehicle fleet, plant or machinery), services, property, gifts, guarantees, indemnities and the acquisition or disposal of assets. This power includes the authority to administer, enforce, and cancel such transactions or to vary them.</p>	<p>As notified in the current Manawatū-Whanganui CDEM Group Plan - the authority to approve contingency expenditure for an emergency including but not limited to flood events, a civil defence emergency management event, maritime oil spills or a pest animal, plant or disease outbreak in the Horowhenua district.</p>
<p>Operational Expenditure – Emergency and Transitional Periods Power of the Chief Executive Officer alone to commit the Council to financial transactions (or projects consisting of multiple transactions) relating to the acquisition, purchase, or provision of assets, (including vehicle fleet, plant or machinery), services, property, gifts, guarantees, indemnities and the disposal of assets. This power includes the authority to administer, enforce, and cancel such transactions or to vary them.</p>	<p>As notified in the current Manawatū-Whanganui CDEM Group Plan - the authority to approve contingency expenditure for an emergency including but not limited to flood events, a civil defence emergency management event, maritime oil spills or a pest animal, plant or disease outbreak in the Horowhenua district.</p>

Part A - Sub Part 3 - Chief Executive Officer Interim Powers

Delegation and Limitations

In relation to matters arising during the Christmas recess, from the third week in December until the end of January (annually), the authority to make decisions and execute documents (including entering into any contract or authorising any expenditure) on behalf of the Council, in respect of urgent matters arising at this time, in consultation with the Mayor, or if the Mayor is not available, the Deputy Mayor, and if the Deputy Mayor is not available, then the Chair of the Risk and Assurance Committee, with any such decision made to be reported to the first ordinary meeting of the Council in the New Year.

Part A - Sub Part 4 - Chief Executive Officer Other Delegations

Delegations	Details and Limitations
Administer Contracts or Letters of Acceptance	Authority to sign on Council's behalf contracts or letters of acceptance for the purposes of creating a contract where it has been resolved by the Council or any committee of the Council to accept any tender or quotation, or is within the financial delegation of the Chief Executive Officer position.
Asset Disposal	Authority to approve the disposal (whether by tender or otherwise) of any motor vehicle or item of plant in accordance with a recognised programme of vehicle and plant replacement up to a book value of \$50,000 (exclusive of GST) per item.
Administer Elected Members' Remuneration and Expense Claims	Authority to consider and approve elected members' remuneration and expense claims.
Administer External Grants or Funding	Authority to receive and/or administer external grants or funding.
Administer Insurance Policies	Authority to administer Council insurance policies, subject to the exercise of such delegated power being reported to the Risk and Assurance Committee.
Administer Land Transport (Roading) Programme	Authority to negotiate the Land Transport (Roading) Programme and its funding with Waka Kotahi/NZ Transport Agency, and submit monthly and annual claims against the accepted programme.
Administer Progress Payments	Authority to certify and authorise progress payments in relation to contracts entered into by the Council up to the value of the accepted contract sum, where it has been resolved by the Council, or is within the financial delegation of the Chief Executive Officer position.

Delegations	Details and Limitations
Administer Payments	Authority to approve banking, investment, payroll and tax payments in accordance with Councils policy.
Bank and Invest Funds	<p>Authority to:</p> <ul style="list-style-type: none"> Bank, transfer, and invest funds held by the Council in accordance with Council policy, subject to the observance of appropriate internal controls; Sign and countersign, bills of exchange, promissory notes and other negotiable instruments, withdrawal notices or authorise electronic payments on behalf of Council; Approve payroll payments and all payroll related matters; Approve all tax payments and tax related matters; and Approve the opening and closing of Council Bank Accounts.
Carbon Credit Transactions	Authority to approve carbon credit transactions including but not limited to sell, purchase, transfer and redeem carbon credits.
Credit Card Expenditure	<p>To authorise expenditure for:</p> <ul style="list-style-type: none"> Officer positions assigned a credit card; and Credit card assigned to The Mayor in the case of absence of one of the signatories (see below). <p>Limitation: The Mayors sensitive expenditure must be approved by the Chair of the Risk and Assurance Committee and the Deputy Mayor. In the case of absence of one of the signatories, the Chief Executive Officer can sign.</p>
Disposal of Council Records	Authority to dispose of any Council records, or where required, to make application to another authority for disposal.
Issue Credit Notes, Refunds and Transfers	Authority to authorise the issue of credit notes/refunds/transfers up to \$30,000.
Transfer Funds Between Council Bank Accounts	Authority to transfer funds between any of the Council's bank accounts.
Treasury Management	Authority to release or alter loans, mortgages and statutory land charges.
Raise and Manage Public Debt	Authority to provide for and manage the Council's borrowing facilities, debt, and risk hedging according with council policy and the Annual Plan. This includes without limitation issuing bonds, drawing debt under existing facilities, renegotiation and extension of existing facilities, negotiation and establishment of new debt and facilities and hedging interest rates.

Delegations	Details and Limitations
Recover Debt	Authority to take appropriate action within Council policy to recover debts, including via debt collection agencies.
Write Down Value of Stock	Authority to write down the value of stock (where the write down is no more than \$10,000).
Write Off Bad Debts	Authority to write off debts of up to \$30,000.
Write Off Stock and Minor Assets	Authority to write off stock items and minor assets (where the write off is no more than \$10,000).

Part A - Sub Part 5 – Chief Executive Officer Property Delegations

Council Property and Assets

Delegation to the Chief Executive Officer with power of sub-delegation to officers
<p>Commercial Leasing, Concessions and Permits – Authority to approve the leasing or granting of any licence to occupy or tenancy, to vary the terms and conditions of any lease, licence to occupy or tenancy, or to terminate any lease, licence to occupy or tenancy involving Council land where:</p> <ul style="list-style-type: none"> The lease term does not exceed five years (including any rights of renewal); The concession is not required to be registered against the title of the property; The annual concession fee for the proposed term of the concession is within the Chief Executive Officer financial delegation. <p>Authority to grant and administer stall site licences including licences for the occupation of legal road (including termination thereof where required for non-payment of rental or other good reason).</p>
<p>Community Leases – Authority to grant a lease where:</p> <ul style="list-style-type: none"> The lease term does not exceed five years (including any rights of renewal); and/or The concession is not required to be registered against the title of the property; and/or No objections have been received following public notification; and/or The annual concession fee for the proposed term of the concession is within the Chief Executive Officer financial delegation.
<p>Acquisition and Disposal of Land - Authority to negotiate, enter into, implement, vary, enforce and cancel contracts with other parties on behalf of the Council for the acquisition of land (including interests in land) or the disposition of land (including interests in land) owned by the Council, and to sign all required documentation, in accordance with the Long Term Plan or Council resolution.</p> <p>Authority to engage such consultants or contractors considered necessary as part of the process to acquire or dispose of land (including interests in land) in accordance with the Long Term Plan or Council resolution.</p>
<p>Other Land Dealings</p> <ul style="list-style-type: none"> Authority to generally exercise the powers of the Council contained in the Residential Tenancies Act 1996 in relation to any property; Authority to deal (other than acquiring, disposing, leasing or licensing) with Council land (including interests in land), including without limitation granting, entering into, varying, surrendering, releasing or discharging mortgages, easements, encumbrances, bonds,

<p>covenants, or other instruments, and to sign all required documentation; and</p> <ul style="list-style-type: none">• Authority to manage, administer and enforce the terms and conditions of any Easement Instrument (excluding reserves under the Reserves Act 1977) of which the Council is the grantor or the grantee (including authority to agree to any variation or surrender), or any encumbrance, bond, or covenant, and to give or decline any consent or approval requested by any party to such Instrument, and to sign all required documentation.
<p>Property Management and Maintenance</p> <ul style="list-style-type: none">• Authority to enter into contracts for the maintenance, management and development of any Council property;• Authority to approve the use of any Council building, facility or equipment by an outside person or organisation in accordance with established guidelines; and• Authority to approve the hiring out, and the terms and conditions thereof, of any Council asset.
<p>Limitations</p> <p>All of the above delegations are subject to:</p> <ul style="list-style-type: none">• The terms of the Financial Delegation to the Chief Executive Officer;• Applicable Council policy, including the Commercial Leasing, Concessions and Permit Policy and Community Leases Policy;• Any specific statutory requirements, including the requirement that with regard to the acquisition and disposal of assets, the transaction being in accordance with the Long-term plan, or Annual Plan;• The signing of all leases and licences to occupy must be undertaken by Council unless specifically allowed for otherwise;• Applications for commercial leases in excess of five years being referred to Council for resolution; and• Applications for community leases in excess of five years being referred to Council for a resolution.

Part A - Sub Part 6 – Chief Executive Officer Other Matters

Authorisation to use the Common Seal

Delegation to the Chief Executive Officer

Authority to affix the Council's common seal:

- to any warrants issued by the Council where the warrants authorise entry onto private land on behalf of the Council; and
- in any other situation where the Council is directed by legislation to use its common seal; providing that the signature of the Chief Executive Officer followed by that of the Mayor or Deputy Mayor and one Councillor have first been obtained and that the use of the common seal is recorded in a register.

The Common Seal will be affixed to any document that is required to be executed under the Seal, including:

- Warrants to enter private land on behalf of the Council made under the Resource Management Act, the Natural and Built Environment Act, the Biosecurity Act, the Building Act, Local Government Act 1974 or the Local Government Act 2002;
- When executing any Memorandum of Transfer pursuant to section 80 of the Local Government (Rating) Act 2002;
- Regional policy statements and regional and district plans prepared under the Resource Management Act;
- Bylaws prepared under the Local Government Act 2002 or other relevant statutes;
- Any documents which otherwise require the use of the Council's Common Seal.

Note: All Common Seal transactions will be recorded on the Common Seal Register, which is maintained by the Executive Assistant to the Chief Executive, and reported to a subsequent Council meeting when not already authorised by Council resolution.

A Council resolution is required for the Seal to be affixed to a document; however in the case of a document of a routine nature, and/or a document which is urgent, the Seal may be affixed to such documents and such action reported to the next Council meeting for a confirmation resolution.

Development Contributions

Delegation to the Chief Executive Officer with power of sub-delegation to officers

Authority to carry out on Council's behalf, all its functions, powers and duties in relation to the Horowhenua District Council's Development Contributions Policy.

Private Development Agreement

- Authority to request in writing that a developer enters into a private development agreement with the Council; and
- Authority to decide on the terms of a private development agreement whereby a developer provides infrastructure, facilities or land (or a combination of these) in lieu of cash for development contributions.

Limitations

- Applications for remissions of Development Contribution levies must be heard by the relevant standing committee or Council.

Issue a Trespass Notice

Delegation to the Chief Executive Officer with power of sub-delegation to officers

The authority to issue a trespass notice on Council's behalf.

Legal Proceedings

Delegation to the Chief Executive Officer with power of sub-delegation to officers

The authority to:

- Obtain legal advice on Council's behalf;
- Sign on Council's behalf any routine legal administrative document;
- File in the name of the Council a Statement of Defence, or other appropriate response, to any proceedings against the Council, commenced in any Court or Tribunal; and
- Initiate legal proceedings, including collection of Court costs awarded.

The authority to settle claims against Council, where proceedings are filed or contemplated, up to a limit of \$50,000 (exclusive of GST) in accordance with a recommendation from Council's insurers, or competent legal advice, where time constraints do not permit the matter to be referred to a meeting of Council or an appropriate Committee, is delegated to the Chief Executive Officer and, wherever possible, in consultation with the Mayor or Deputy Mayor.

Limitations:

Unless otherwise provided for in this Delegations Register, the authority to commence Civil proceedings is confined to the Council except in exceptional circumstances where time does not permit consideration by Council and where such action is necessary to protect or further Council's interests. In such circumstances the authority to commence Civil proceedings is delegated to the Chief Executive Officer, following discussion with the Mayor, or in their absence Deputy Mayor.

Media and Public Notices

Delegation to the Chief Executive Officer with power of sub-delegation to officers

The authority to make statements to the news media relating to Council's business.

The authority to place public notices and advertisements in relevant newspapers, on social media or other publications or channels.

Registrar of Members' Pecuniary Interests

Delegation to the Chief Executive Officer with power of sub-delegation to officers

The Chief Executive Officer is appointed as the nominated registrar.

The Local Government (Pecuniary Interests Register) Amendment Act 2022 requires Council to appoint a Registrar under Section 54G(1) to:

- compile and maintain the register of members' pecuniary interests; and
- provide advice and guidance to members in connection with their obligations under this subpart.

Remissions (Rates)

Delegation to the Chief Executive Officer with power of sub-delegation to officers

The authority to consider and decide on applications made up to \$2,500 under the following Rates Remissions Policies:

- Part 1 Community groups
- Part 2 Voluntarily protected land
- Part 3 Penalties on rates
- Part 4 Excessive water charges
- Part 5 Remnant land
- Part 6 Rating units in industrial and commercial areas used for residential purposes
- Part 8 Small rate balances
- Part 9 Targeted rates on non-rateable land
- Part 11 Subdivisions which are in Common Ownership but do not meet the criteria of a Contiguous Property
- Part 12 On Bare Land
- Part 13 Council Owned Utilities
- Part 14 Contiguous rating units not in common ownership.

The authority to consider and decide on applications made under Policy Part 7 Land Used for Primary Industry and Rural Residential purposes in areas that have been rezoned as Residential and Business Zones.

The authority to consider and decide on applications made under Policy Part 10 Properties affected by disasters is decided by the Council.

Limitations

Any requested remissions above \$2,500 or if there is any doubt or dispute arising, the application is to be referred to the Chairperson of the Risk and Assurance Committee.

Note: Part B – Officer Delegations sets out separate Council delegations direct to Officers.

Submissions

Delegation to the Chief Executive Officer with power of sub-delegation to officers

Authority to determine that an external consultation process or an external engagement process warrants a submission by the Council, and to determine whether the submission will be approved by Council.

The authority to:

- Make a submission to a Board of Inquiry in relation to a proposed national policy statement under section 49 of the Resource Management Act;
- Make a further submission to a Board of Inquiry in relation to a proposed national policy statement under section 50(2) of the Resource Management Act;
- Make a submission on all proposed planning instruments under the Natural and Built Environment Act and Spatial Planning Act;
- Make a submission to the Environment Court in relation to a special tribunal's report relating to a water conservation order (section 209 of the Act);
- Be heard at an inquiry for a proposed Water Conservation Order (section 211 of the Act) and apply for the revocation or amendment of any Water Conservation Order (section 216 of the Act);
- Make a submission to an adjoining local authority on any proposed regional policy statement, regional or district plan or change or variation (Clause 6 of Schedule 1 of the Act); and
- Make a submission to any application to an adjoining authority for resource consent (section 96 of the Act).

The authority to make a submission on any other matters of general Council interest or concern, where it is not possible within the available time to refer the matter to the Council or relevant standing committee.

Vote on Behalf of Council

Delegation to the Chief Executive Officer

Authority to vote on behalf of Council, where a resolution of Council is not a prerequisite, is delegated to:

- 1) the Chief Executive Officer,

and is delegated to:

- 1) the Mayor; and in their absence
- 2) the Deputy Mayor; or
- 3) the Chair of the Hearings Committee.

The proxy is instructed to vote in the best interests of Council but to take direction from Council on sensitive or controversial matters before committing Council's shareholder votes.

Part A - Sub Part 7 – Chief Executive Officer Bylaw and Policy Delegations

Horowhenua District Council Bylaws and Policies

Delegation to the Chief Executive Officer with power of sub-delegation to officers

The Council appoints the Chief Executive Officer as the appropriate officer designation under Horowhenua District Council Bylaws and Policies.

Authority to exercise and administer all responsibilities, duties and powers of Council Bylaws and Policies, including but not limited to authority to do all things necessary to:

- implement and uphold Bylaws and Policies;
- appoint Council staff members as authorised officers with the appropriate officer designation under Bylaws and Policies; and
- sub-delegate generally and particularly any of those powers conferred upon the Chief Executive Officer under Bylaws and Policies.

Powers to take enforcement action against any person who breaches any such injunction and to make any decision on any matter relating to any such action.

Powers to institute any enforcement action, including a prosecution for an offence against any of the Council's Bylaws, or bringing injunction proceedings, together with a power to make any decision pertaining to such enforcement or prosecution or injunction proceedings.

Horowhenua District Council Bylaws and Policies including but not limited to:

- | | |
|--|---|
| <ul style="list-style-type: none"> • Alcohol (Liquor) Bylaw 2015 • Animal Nuisance and the Keeping of Pigs, Poultry and Bees Bylaw • Dog Control Bylaw • Land Transport Bylaw • Public Places Bylaw • Solid Waste Bylaw • Trade Waste Bylaw • Wastewater Bylaw • Water Supply Bylaw | <ul style="list-style-type: none"> • Community Leases Policy • Commercial Leasing, concessions and Permit Policy • Corporate Debt Management Policy • Dangerous & Insanitary Buildings Policy • Development Contributions Policy • Dog Control Policy • Electronic Communications (E-mail Quarantine) Policy • Food Premises Grading Policy • Foxton Beach Freeholding Account Strategy and Policy • Gambling Class 4 Venue Policy • Infringement Policies • Local Alcohol Policy • Local Easter Sunday Shop trading Policy 2017 • Psychoactive Substances Policy • Rates Remission Policy • Remission of Rates on Māori Freehold Land Policy • Revenue and Financing Policy • Sensitive Expenditure Policy • Significance and Engagement Policy • TAB Venue Policy |
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Part B – Officers Statutory and Other Delegations

The Council delegates to the persons who hold the positions as set out below, the following responsibilities, duties, and powers as set out in the tables in this Part.

Unless otherwise specified, these delegations exclude any power, responsibility or duty that has been delegated to a Community Board, Committee, Subcommittee (including an Officer Subcommittee), Council Hearings Panel or other subordinate decision-making body.

These powers may only be sub-delegated if it is expressly provided for in the tables below.

All delegations are made severally unless specified otherwise (i.e. the delegation can be exercised by the officer acting alone).

1 Local Government (Rating) Act 2002

The Council delegates all powers, duties and functions under the Local Government (Rating) Act 2002 to the Chief Executive Officer, excluding those matters in respect of which delegation is prohibited by any Act or regulation, or which are expressly excluded from this delegation. These are specific delegations from Council to Officers:

Position	Acronym
Group Manager Organisation Performance	GMOP
Financial Controller	FC
Financial Services Manager	FSM
Senior Rates Officer	SRO

Section	Details of Power	Reasons	GMOP	FC	FSM	SRO
27(5)	The decision on whether to divide rating units and the methodology for division.	A division may be required where a single rating unit falls into a number of differential categories.	✓	✓	✓	✓
28(2)	The decision on whether the disclosure of the name of any person is necessary to identify a rating unit.	The Rating Information Database (RID) may not contain the name of any person unless this is necessary to identify the particular property.	✓	✓	✓	✓
29	Authority to determine objections to the RID.	An owner has the right to object to any entry in the RID on a number of grounds. Council determines whether the objection is valid and any actions required correcting it.	✓	✓	✓	✓
35	Authority to remove a name from the RID.	A person's name may be removed from the RID in circumstances outlined in Section 35. Generally this is as a result of a sale or disposal of the property.	✓	✓	✓	✓

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Section	Details of Power	Reasons	GMOP	FC	FSM	SRO
38(3)	Authority to request confirmation from a person proposing to inspect the rates record	There are restrictions on who can view all the details contained in the rate records. The local authority may request from a person, by any reasonable means that the local authority considers appropriate, confirmation that he or she (a) falls within the class of people described in subsection (1)(d)(i) and (b) reasonably requires the information in the rates record for the purposes of subsection (1)(d)(ii).	✓	✓	✓	✓
39	Authority to determine objections to rates records.	A ratepayer may object to information contained in the rates records on the ground that the rates are calculated incorrectly or that the rates balance is incorrect.	✓	✓	✓	✓
40	Authority to correct errors in the RID and Rate Records.	Errors in the RID or rate records may be corrected even if there was no objection.	✓	✓	✓	✓
44-51	Authority to redesign and deliver rates assessments and invoices	A local authority must deliver a rates assessment and invoice with set content as set out in 45(1) which includes any other information that the local authority sees fit	✓	✓	✓	✓
52	Authority to agreed methods of payments for rates.	The Act allows rates to be paid by any method that is agreed by the local authority.	✓	✓	✓	✓
54	Authority not to collect small amounts, up to \$10.00.	The Act allows the authority to not collect small amounts where, in its opinion, it is uneconomic to do so. It is envisaged that this will only occur where the cost to collect a debt is likely to exceed the amount of the debt due.	✓	✓	✓	✓
61	Authority to collect unpaid rates from the owner.	Where a ratepayer, other than the owner, is in default, the local authority may collect rates that are in default, from the owner.	✓	✓	✓	✓
62	Authority to collect unpaid rates from persons other than the owner.	Where the owner is in default of their rates, the local authority may recover the rates from a mortgagee.	✓	✓	✓	✓

Section	Details of Power	Reasons	GMOP	FC	FSM	SRO
63	Ability to commence legal proceedings for the recovery of rates that are in default.	Where rates are in default, the local authority may commence legal proceedings against the owner for recovery of the rates.	✓	✓	✓	✓
67	Commencement of rating sales or lease provisions.	Once a local authority has received judgement and payment had not been received within the prescribed period, the authority may commence the process to carry out a rating sale or lease of the land to satisfy the level of the debt. Note: This process is carried out by the District Court Registrar and does not apply to Māori Freehold Land.	✓			
72	Authority to sell land by private treaty.	If land that was the subject of a rating sale does not sell above the reserve set by the Registrar, the Registrar may, with the consent of the local authority, sell the land by private treaty for any consideration that the Registrar thinks reasonable. Note: This does not apply to Māori Freehold Land.	✓			
77–83	Authority to sell abandoned land.	<p>A local authority has the power to commence the process to have land declared 'abandoned' if rates have not been paid on it for three years, and the ratepayer:</p> <ul style="list-style-type: none"> • is unknown, or • cannot be found after due enquiry, or • is deceased and has no personal representative, or • has given notice of the intention to abandon or has abandoned the land. <p>The process is carried out through the District Court and the Court has to be satisfied the appropriate endeavours have been made to discover the owner.</p> <p>Note: This does not apply to Māori Freehold Land.</p>	✓			

Section	Details of Power	Reasons	GMOP	FC	FSM	SRO
85, 87,114,114A and 115	Authority to administer rate remission and postponement policies (including on Māori freehold land).	As defined within the remission and postponement policies, and on the same terms and limitations given in the delegation to the Chief Executive Officer.	✓	✓	✓	✓
99	Authority to apply for charging orders.	The Act provides that where it has proved impossible to obtain rate on Māori Freehold Land, a local authority may apply to the Māori Land Court for a charging order on the land.	✓	✓		
135	Authority to sign documents for Court proceedings.	The Act authorises Council to commence legal proceedings. The authority to sign such documents needs to be delegated to appropriate officers.	✓	✓		

2 Resource Management Act 1991

The Council delegates all powers, duties and functions under the Resource Management Act 1991 to the Chief Executive Officer excluding those matters in respect of which delegation is prohibited by any Act or regulation, or which are expressly excluded from this delegation.

The Resource Management Act 1991 prevents the Chief Executive Officer from sub-delegating powers under that Act. The following are separate Council delegations direct to officers under that Act:

Position	Acronym
Group Manager - Community Experience and Services	GMCES
Group Manager – Community Vision and Delivery	GMCVD
Group Manager – Housing and Business Development	GMHBD
Strategic Planning Manager	SPM
Strategic Planner	SP
District Plan Lead	DPL
Senior Policy Planner	SPP
Policy Planner and Principal Policy Advisor	PP
Resource Management Planning Team Lead	PTL
Compliance Manager	CPM
Senior Resource Management Planner, Resource Management Planner, Planning Technician	P
Resource Management Planner – Contractor	PC
Independent Hearings Commissioner	HC

The notation (ICWC) requires any officers exercising powers under the relevant section to obtain the consent of the Chairperson of the Hearings Committee before exercising any authority. Where the delegations refer to consultation with the Chairperson, the Chairperson shall retain the discretion to require such matters to be referred back to the Hearings Committee.

The notation (ICWC) Consultation with the Chairperson shall only be required in respect of applications which have been the subject of a hearing.*

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Section or Clause Number	Delegation Description	GMCEs	GMCD	GMHBD	SPM	SP	DPL	SPP	PP	PTL	CPM	P	PC	HC
10(2)(b)	Time extension to existing use.		✓	✓	✓		✓	✓		✓				
34(A)(1) and (2) and 100(A)	The nomination of one or more commissioners in accordance with Council's policy for appointing commissioners. (ICWC)		✓	✓	✓		✓	✓		✓				
36A	The power to decide whether or not to consult with any person about a consent application.	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	
36B	Determine, prior to entering into any joint management agreement, that the relevant parties to the agreement represent relevant communities of interest; and have the technical or special capability or expertise to perform or exercise the function, power, or duty jointly with the local authority; and that a joint management agreement is an efficient method of performing or exercising the function, power, or duty.	✓	✓	✓										
36C	Perform or exercise alone a function, power, or duty specified in the agreement that is required to be made jointly if a decision is required before the parties can undertake that step, and the joint management agreement is silent about a method for making the decision.	✓	✓	✓										
36E	Give notice to terminate a joint management agreement.	✓	✓	✓										
36(6)	To provide an estimate of the additional fees likely to be imposed.	✓	✓	✓										
36(5), 36AA, 36AAB	Power to reduce or waive fees or deposits for charitable or community organisations or in other situations deemed appropriate, and remitting the whole or part of a charge.			✓						✓				
37(1)	Power to waive or extend time limits as specified in this section.		✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓
37(2)	Waive compliance with the requirement to submit information as outlined in Section 37(2) and the power to set new terms for the rectification or the omission of the inaccuracy.		✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓

Section or Clause Number	Delegation Description	GMCE	GMCV	GMHBD	SPM	SP	DPL	SPP	PP	PTL	CPM	P	PC	HC
37A(6)	Power to determine and notify those persons who are directly affected by the extension or waiver of compliance with a time period, method of service, or service of document.		✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓
38	Power to authorise an Enforcement Officer/s to carry out all or any of the functions and powers as an enforcement officer under this Act.	✓	✓	✓										
41B	The power to direct an applicant to provide briefs of evidence to the authority before a hearing. (ICWC)		✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	
41C	The power to request further information prior to or at a Hearing. (ICWC)		✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	
42	The power to make an order that a hearing be held with the public excluded. The power to make an order prohibiting or restricting the publication or communication of any information supplied or obtained in the course of any proceedings. (ICWC)		✓	✓	✓		✓	✓	✓	✓		✓	✓	
42A(1)	The power to commission a report by an officer or consultant for hearing.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
42A(5)	The Authority to waive compliance with service of documents requirements. (ICWC)		✓	✓	✓	✓	✓	✓	✓	✓		✓		
44A (3)-(5)	The power to amend a District Plan rule that duplicates or conflicts with a rule in a National Environmental Standard without using the process in Schedule 1.		✓											
55	The power to amend the District Plan to include specific objectives and policies where directed to do so by a National Policy Statement without using the process in Schedule 1.		✓											
58I	The power to implement mandatory directions of National Planning Standards without using the process in Schedule 1.		✓											
80C	To decide to apply to the Minister to use the streamlined planning process.	✓	✓	✓	✓		✓							

Section or Clause Number	Delegation Description	GMCES	GMCVD	GMHBD	SPM	SP	DPL	SPP	PP	PTL	CPM	P	PC	HC
86D(2)	The power to make an application to the Environment Court for a rule to have legal effect. <i>(ICWC)</i>	✓	✓	✓	✓		✓							
87AAB(1) and (2)	New Consent Exemption under this section.													
87BA	Power to give notice than an activity is a deemed permitted boundary activity.		✓		✓	✓	✓	✓	✓			✓	✓	
87BB	Exemption of activities from resource consent for marginal or temporary breaches		✓		✓	✓	✓	✓	✓			✓	✓	
87(E)	Decision on whether to allow an application to be determined by the Environment Court and authority to determine an application for referral to the Environment Court is incomplete. <i>(ICWC)</i>	✓	✓	✓										
88(3)1(3A)	The power to determine that an application is incomplete and to return the application with written reasons for the determination.		✓	✓	✓	✓	✓	✓	✓			✓	✓	
91, 91C and 91F	The power to defer an application pending additional consents.		✓	✓	✓	✓	✓	✓	✓			✓	✓	
92(1)	The power to request further information relating to an application.		✓	✓	✓	✓	✓	✓	✓			✓	✓	
92(2)	The power to commission a report on any matter relating to the application.		✓	✓	✓	✓	✓	✓	✓			✓	✓	
92A(2)	The power to set a time limit within which further information requested by a territorial authority should be provided.		✓	✓	✓	✓	✓	✓	✓			✓	✓	
92A(3)	The power to decline an application for failure to meet requirements under this subsection.		✓	✓	✓	✓	✓	✓	✓			✓		
95 and 95(A)-(F)	The power to determine when applications shall be non-notified, limited notified or publicly notified.		✓	✓	✓	✓	✓	✓	✓			✓	✓	
97(4)	The power to close submissions on a limited notified resource consent early if the matters in s97(4) are met.		✓	✓	✓	✓	✓	✓	✓			✓	✓	
99	The power to convene a pre-hearing meeting and exercise all powers under this section.		✓	✓	✓	✓	✓	✓	✓			✓	✓	

Section or Clause Number	Delegation Description	GMCES	GMCVD	GMHBD	SPM	SP	DPL	SPP	PP	PTL	CPM	P	PC	HC
99A	The power to refer applicants and persons who made submissions on the application to mediation and the authority to appoint a mediator under section 34A. <i>(ICWC)</i>		✓	✓	✓	✓	✓	✓	✓	✓		✓		
100	The power to determine that a hearing is not needed. <i>(ICWC)</i>		✓	✓	✓	✓	✓	✓	✓	✓		✓		
101	The power to fix a hearing date and time and place of the hearing.		✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	
102	Functions in relation to joint hearings.		✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	
103	Functions in relation to combined hearings for resource consents in relation to the same proposal.		✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	
104A, 104B, 104C, 104D	The power to grant or refuse non notified resource consents, and the power to decide on applications made with full or limited notification where a hearing is not required under Section 100 of this Act. <i>(ICWC)*</i>		✓	✓	✓	✓	✓	✓	✓	✓		✓		✓
106	The power to refuse to grant a subdivision taking in consideration the issues specified in S106. <i>(ICWC)</i>		✓	✓	✓	✓	✓	✓	✓	✓		✓		✓
108 and s108AA	The power to determine conditions of a resource consent.		✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	
110	If a resource consent lapses, is cancelled or is surrendered and the activity does not proceed, to refund a financial contribution to the consent holder less a value equivalent of the costs incurred by the consent authority in relation to the activity and its discontinuance.	✓	✓	✓										
108A (1), (2) and (3)	Bonds.		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
109	The power to authorise Council use of bond funds. <i>(ICWC)</i>		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
124(2)(e)	The power to permit an existing consent to continue while applying for a new consent.		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
125	The power to extend the period within which a resource consent lapses. <i>(ICWC)*</i>		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓
126	The power to cancel unexercised resource consents. <i>(ICWC)</i>		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓

Section or Clause Number	Delegation Description	GMCES	GMCVD	GMHBD	SPM	SP	DPL	SPP	PP	PTL	CPM	P	PC	HC
127	The power to decide on an application for change to or cancellation of consent conditions. <i>(ICWC)</i>		✓	✓	✓	✓	✓	✓	✓	✓		✓		✓
128-132	The power to initiate and determine a review of conditions of a resource consent. <i>(ICWC)</i>		✓	✓						✓	✓			✓
133A	Power to approve an amended resource consent within 20 working days of the granting of the original.		✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓
138	The power to grant or refuse partial or full surrender of a resource consent. <i>(ICWC)</i>		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
139	The power to grant or refuse an application for a certificate of compliance.		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
139A	The power to grant or refuse an application for an existing use certificate.		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
147	The power to comment on whether a consent application recommended to be called in by the Environmental Protection Authority, should be called in.		✓	✓										
149Z	The power to process applications referred from the Minister for the Environment or the EPA.		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
168, 169	The power to process notices of requirement from a requiring authority.		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
170	The power to decide whether to include a notice of requirement in a proposed plan change. <i>(ICWC)</i>		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
173	The power to identify landowners and occupiers who are directly affected by a decision on a designation		✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	
174	The power to appeal to the Environment Court against the whole or any part of a decision of a requiring authority. <i>(ICWC)</i>		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
176A(2)	The power to waive the requirement for an outline plan.		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
176A(4)	The power to request changes to an outline plan.		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
176A(5)	The power to Appeal against the decision of a requiring authority to the Environment Court. <i>(ICWC)</i>		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	

Section or Clause Number	Delegation Description	GMCES	GMCVD	GMHBD	SPM	SP	DPL	SPP	PP	PTL	CPM	P	PC	HC
181	The power to alter a designation. <i>(ICWC)</i>		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
184(1)(b) and 184(2)(b)	The power to extend the expiry period of a designation that has not been given effect to. <i>(ICWC)*</i>		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
190	The power to process notices of requirement for a heritage order from a heritage authority.		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
191	To consider a notice of requirement for a heritage order and any submissions received and recommend to the requiring authority that it confirm, modify, impose conditions on or withdraw the requirement				✓	✓	✓							
195A	The power to alter heritage orders. <i>(ICWC)</i>		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
195B	The power to make written objection or submission to the Minster regarding the transfer of a heritage order.			✓	✓	✓	✓							
198C	The power to decide whether a notice of requirement application will be determined by the Environment Court as requested by applicant. <i>(ICWC)</i>		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
198I	The power to decide whether a notice of requirement application will be determined by the Environment Court. <i>(ICWC)</i>		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
220	The power to impose conditions on subdivision consents.		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
221(1)	The power to impose a condition requiring the issuing of a consent notice.		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
221(3)(b)	The power to review, vary or cancel any consent notice. <i>(ICWC)*</i>		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
222	The power to extend a completion period and to issue a completion certificate.		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
223	The power to approve any survey plan.		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
224(c)	Power to certify compliance with specified conditions prior to deposit of survey plan.		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
224(f)	Power to certify compliance with building code provisions.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
226(e)	Power to issue a certificate in accordance with this Section.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

Section or Clause Number	Delegation Description	GMCES	GMCVD	GMHBD	SPM	SP	DPL	SPP	PP	PTL	CPM	P	PC	HC
S232.	The power to approve the creation of an esplanade strip in accordance with S232 (1) and (2).	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
S234(6)	The power to grant (with or without modifications) or decline an application to vary or cancel an instrument creating an esplanade strip.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
234(7)	The power to certify a varied or cancelled esplanade strip.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
235	Power to agree to create an esplanade strip with the agreement of the registered proprietor.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
237	The power to approve survey plans where esplanade reserves or esplanade strips are required.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
237B	The power to authorise the creation, variation, or cancellation of easements.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
237C	To close an access strip or esplanade strip during periods of emergency or public risk likely to cause loss of life, injury, or serious damage to property.	✓	✓	✓										
240(1) and (3)	The power to endorse survey plans with covenants and to approve the covenant instrument.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
240(4) and (5)	The power to approve the cancellation of a covenant imposed under this Section or under the corresponding provision of any former enactment for non-notified applications.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
S241(2) (a)	The power to approve the individual disposal of land or the holding of land in separate titles which have previously been amalgamated.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
241(3) and (4)(b)	The power to cancel in whole or in part any condition described in Subsection (2).	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
243	The power to revoke an easement in whole or in part.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
269 -291	Authority to determine and direct Council involvement in Environment Court proceedings.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	

Section or Clause Number	Delegation Description	GMCES	GMCVD	GMHBD	SPM	SP	DPL	SPP	PP	PTL	CPM	P	PC	HC
299-308	The power to appeal against the decision or report and recommendation of the Environment Court to the High Court on a point of law. <i>(ICWC)</i>	✓	✓	✓										
311	The power to apply for a declaration in accordance with this Section. <i>(ICWC)*</i>	✓	✓	✓	✓					✓	✓	✓	✓	
316	The power to apply for an enforcement order or interim enforcement order.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
321	To apply to the Environment Court to change or cancel an enforcement order.	✓	✓	✓										
325A(2)	The power to cancel an abatement notice.	✓	✓	✓	✓					✓	✓	✓	✓	
325A(5)	The power to determine an application to review and/or amend an abatement notice. <i>(ICWC)</i>	✓	✓	✓						✓	✓	✓	✓	
330	The power to make the necessary determinations and undertake such actions as are provided for in Subsections (1) to (3) inclusive.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
332-333	To provide written authorisation to enforcement officers under these sections.	✓	✓	✓							✓			
334	The power to seek a search warrant from a District Court Judge or any duly authorised Justice or any Community Magistrate or Registrar for entry for search.	✓	✓	✓	✓					✓	✓	✓	✓	
336	The power to return property seized under sections 323 and 328	✓		✓						✓	✓			
338	Authority to initiate any prosecution and make decisions on any matter relating to any such prosecution.	✓	✓	✓							✓			
357C	The power to grant an extension of time to lodge an objection under Sections 357 to 357B hear and determine any matters under this Section. <i>(ICWC)</i>	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
357D	To consider and determine an objection to the conditions imposed on a resource consent under section 357A.	✓	✓	✓										

Section or Clause Number	Delegation Description	GMCEs	GMCD	GMHBD	SPM	SP	DPL	SPP	PP	PTL	CPM	P	PC	HC
First Schedule, Part one, All clauses except 5, 10 and 20 (which are the initial decision making and final steps that area for the Council to make)	<p>The power to make decisions relating to the preparation and change of policy statements and plans.</p> <p>The powers in clauses 6, 8AA and 14 are ICWC provisions.</p>	✓	✓	✓	✓									
First Schedule Part two, Clause 23	The power to require further information from an applicant.	✓	✓	✓	✓									
First Schedule Part three, Clause 32	The power to certify as correct copies of material to be incorporated by reference into a plan or proposed plan.	✓	✓	✓	✓									

Section or Clause Number	Delegation Description	GMCEs	GMCD	GMHBD	SPM	SP	DPL	SPP	PP	PTL	CPM	P	PC	HC
General	To lodge submissions on behalf of the Council on any Proposed Regional Plan or variation to a Proposed Regional Plan, or any change to a Regional Plan, or any Proposed Regional Policy Statement.	✓	✓	✓	✓		✓							
General	To lodge submissions on behalf of the Council on any proposed district plan or variation to a proposed district plan administered by the Council, or on any Council initiated or privately initiated change to a district plan administered by the Council, or on any notice of requirement for a designation or on any notice of requirement for a heritage order.	✓	✓	✓	✓		✓							
General	To lodge submissions on behalf of the Council on any proposed District Plan or variation to a Proposed District Plan in other territorial authority districts.	✓	✓	✓	✓		✓							

3 Water Services Act 2021

The Council delegates all powers, duties and functions under the Water Services Act 2021 to the Chief Executive Officer, excluding those matters in respect of which delegation is prohibited by any Act or regulation, or which are expressly excluded from this delegation.

These are specific delegations from Council to Officers:

Position	Acronym
Group Manager Community Infrastructure	GMCI
Acting Operations And Risk Manager	AORM
Three Waters Manager	TWM

Section or Clause Number	Delegation Description	GMCI	AORM	TWM
7	Make assessments as to whether drinking water is safe in accordance with section 7	✓	✓	✓
21	Take any of the actions set out in section 21(2) if an assessment is made that drinking water supplied by Council is or may be unsafe	✓	✓	✓
22(1)	Make assessments as to whether drinking water supplied by Council complies with the drinking water standards.	✓	✓	✓
22(2)	Take any of the actions set out in section 22(2) if an assessment is made that drinking water supplied by Council does not comply with the drinking water standards.	✓	✓	✓
25(2), 26(1)	Power to assess and determine what a sufficient quantity of drinking water is in accordance with the requirements of section 25(2), and whether the ability to maintain a sufficient quantity of drinking water is at imminent risk.	✓	✓	✓
25	Power to make determinations as to whether a restriction or interruption of a drinking water supply is necessary for any of the reasons in section 25(3), or whether a restriction of drinking water supply is appropriate for the reasons specified in section 25(7).	✓	✓	✓
26	Take any of the actions specified in section 25, if a determination has been made pursuant to section 25(3) or 25(7).	✓	✓	✓

Section or Clause Number	Delegation Description	GMCI	AORM	TWM
27	Make assessments as to the risk of backflow in a reticulated water supply and direct that any of the actions specified in section 27(2) if an assessment is made that there is a risk of backflow.	✓	✓	✓
33	Apply to register a temporary drinking water supply and prepare a temporary drinking water safety plan.	✓	✓	✓
34	Notify Taumata Arowai of an unplanned drinking water supply arrangement, implement any directions by Taumata Arowai and apply to register the supply, if required by section 34(4).	✓	✓	✓
35	Assess and determine whether a notifiable risk or hazard exists in relation to or affecting a water supply and take any of the actions set out in section 35(2).	✓	✓	✓
36	Notify Taumata Arowai of any of the matters specified in section 35.	✓	✓	✓
37	Keep, maintain and make available to Taumata Arowai records specified in section 37.	✓	✓	✓
38(1)(a)	Provide prescribed information to consumers.	✓	✓	✓
38(1)(b) and (2)	Establish, maintain and administer a consumer complaints process, and deal with consumer complaints pursuant to that process.	✓	✓	✓
38(1)(c)	Report annually to Taumata Arowai on the consumer complaints process.	✓	✓	✓
43(4)	Contribute to and assist with the implementation of the source water risk management plans of other drinking water suppliers in accordance with section 43(4).	✓	✓	✓
44	Monitor source water at the abstraction point in accordance with the water safety plan and report the results to Taumata Arowai.	✓	✓	✓
45(2)	Inform Taumata Arowai of any inaccuracies identified in the information provided by Taumata Arowai under section 45(1).	✓	✓	✓
45(4)	Inform drinking water suppliers of any known risks or hazards that could affect a source of a drinking water supply or infrastructure.	✓	✓	✓
53	Make submissions on behalf of Council in respect of the draft instruments listed in section 53(1).	✓	✓	✓
54, 56	Apply to register or renew a drinking water supply.	✓	✓	✓
57,58	Apply for an exemption on requirements of drinking water suppliers.	✓	✓	✓
59(7)	Advise Taumata Arowai of affected consumers if drinking water emergency declared.	✓	✓	✓
65	Apply to Taumata Arowai for an exemption from requirements of Part 3 of the RMA and/or consult with Taumata Arowai regarding an application for exemption by another person.	✓	✓	✓

Section or Clause Number	Delegation Description	GMCI	AORM	TWM
84(2)	Consult with Taumata Arowai regarding any proposal by Taumata Arowai to exercise its powers under section 83(2).	✓	✓	✓
89	Apply to Taumata Arowai for an internal review of a reviewable decision.	✓	✓	✓
92	Apply for a stay of an internal review decision.	✓	✓	✓
93/94	File an appeal in the District Court against a decision, determination or compliance order, and make or authorise any interlocutory applications related to the appeal, including an application for an interim order under s.94.	✓		
95	File an appeal in the High Court against a District Court appeal decision.	✓		
96	File an application for leave to appeal and if leave is granted, an appeal, in the Court of Appeal or Supreme Court against a High Court decision.			
104,105, 107	Implement, or direct other persons to implement, directions made by a compliance officer.	✓	✓	✓
106	Consult with Taumata Arowai regarding a proposed exercise of a power by a compliance officer under s.105(3) that would otherwise breach sections 9, 12, 13, 14 or 15 of the RMA.	✓	✓	✓
108	Make available records or documents to a compliance officer.	✓	✓	✓
110	Answer questions made by a compliance officer pursuant to s.110.	✓	✓	✓
129	File any document in the District Court to respond to or defend civil proceedings commenced under section 129.	✓		
130	Give an enforceable undertaking to the chief executive of Taumata Arowai.	✓		
133,143	File any document in the High Court to respond to or defend any proceedings commenced under sections 133 or 143.	✓	✓	✓
134	Apply to withdraw or vary an enforceable undertaking.	✓	✓	✓
142	Provide information to Taumata Arowai on request.	✓	✓	✓
145(4)	Consult with Taumata Arowai regarding proposed environmental performance measures or targets.	✓	✓	✓
146	Keep, maintain and make available to Taumata Arowai records specified in section 146(1)	✓	✓	✓
158	Authority to notify chief executive of Taumata Arowai of interest in knowing of enforcement action.	✓	✓	✓
196	Give a court-ordered enforceable undertaking.	✓	✓	
199	Apply to the District Court or High Court to cancel or vary a restriction or prohibition order.	✓	✓	

Section or Clause Number	Delegation Description	GMCI	AORM	TWM
204	Share information with Taumata Arowai and impose conditions relating to the provision of the information pursuant to section 204(2).	✓	✓	✓
Additional delegations under Local Government Act 2022				
126	Notify Taumata Arowai of the matters specified in section 126(2).	✓	✓	✓
127	Implement immediate or temporary solutions where a drinking water supplier is facing a significant problem or potential problem with its drinking water services, and liaise with Taumata Arowai, the supplier, and consumers of the supply as necessary to address the problem.	✓	✓	✓

File No.: 24/39

6.3 Plan Change 4 (Tara-Ika Growth Area) - Approval and Operative Date

1. Purpose

- 1.1 To obtain approval to publicly notify Proposed Plan Change 4 (Tara-Ika Growth Area) as an operative plan change to the Horowhenua District Plan and to set the operative date.

2. Executive Summary

- 2.1 Plan Change 4 has been through a public notification and hearing process. Public notification of the plan change occurred on 16 November 2020. An Independent Hearing Panel heard the submissions in November and December 2021 and issued their decisions on submissions on 14 June 2022. Council adopted these decisions on 29 June 2022 and publicly notified them on 4 July 2022, starting the period in which appeals could be made to the Environment Court. The appeal period finished on 15 August 2022.
- 2.2 A total of three appeals were received on this Plan Change. None of the appeals were against the rezoning of Tara-Ika. Instead, they were focused on the detail of the plan provisions. Appeals were received from the following parties.
- James McDonnell Limited
 - Waka Kotahi/New Zealand Transport Agency
 - Prouse Family Trust
- 2.3 These appeals have since been resolved via Environment Court mediation. The Environment Court has issued consent orders, confirming that the agreements reached in mediation processes represent their final decision. The consent order for the final appeal was received from the Environment Court on 30 January 2024, meaning that all the appeals are now officially resolved.
- 2.4 With the appeals now resolved, Council needs to make the Plan Change operative and set the operative date. Council needs to publicly notify that this has occurred.
- 2.5 The decisions available to Council are limited to proceeding to notify the date in which the Plan Change becomes operative. Council is not able to reverse the decisions of the Environment Court.

3. Recommendation

- 3.1 That Report 24/39 Plan Change 4 (Tara-Ika Growth Area) - Approval and Operative Date be received.
- 3.2 That this matter or decision is recognised as not significant in terms of S76 of the Local Government Act.
- 3.3 That the approved Plan Change 4 be publicly notified in accordance with Clause 20 of the First Schedule to the Resource Management Act 1991 and that such notice contain the operative date for the Plan Change, being not less than five (5) working days after the date of the public notification.

4. Background / Previous Council Decisions

- 4.1 Proposed Plan Change 4 sought to rezone 420ha of land to the east of Levin for a range of urban zones to enable construction of 3,500+ dwellings, with supporting commercial and community services, in accordance with a Structure Plan.
- 4.2 This need for this rezoning was identified in the Horowhenua Growth Strategy 2040 and forms an important part of the District's growth planning work, providing for a significant number of dwellings.
- 4.3 The proposed Ōtaki to North Levin highway traverses through the plan change area. While this has been subject to a separate Resource Management Act process, both Waka Kotahi and Council have made efforts to integrate the two as best as possible. The Ōtaki to North Levin highway (Notice of Requirement) is currently awaiting Environment Court decisions, following hearings held in November 2023.
- 4.4 The changes to District Plan provisions agreed to during the mediation of appeals do not impact on the overall housing yield or strategic direction of Tara-Ika. The nature of these changes are summarised below:
 - Introduction of a 'noise management area' for land near to the Ōtaki to North Levin highway. Dwellings and other noise sensitive activities in this area need to be constructed to achieve specified indoor noise levels so that future occupiers are not adversely affected by noise from the new highway.
 - Clarification that, in relation to the activities affecting the identified habitats of culturally significant species, relocation of species is an appropriate form of mitigation.
 - The 'downgrading' of part of one collector road to a 'local' road and the removal of two local roads from the Structure Plan.
 - Amendments to the planning maps to change the zoning of some reserves identified on the Structure Plan from 'Open Space' to 'Residential'. The plan provisions still require these reserves to be delivered, but will rely on the Structure Plan to deliver this outcomes rather than both the Structure Plan and zoning. Other consequential changes to the provisions to reflect this change were also made.

5. Discussion

- 5.1 As referenced above, the Environment Court has issued consent orders, confirming the agreements reached in mediation to resolve the appeals, representing the final decisions on the plan change. There are no further appeal options. All appellants have been advised of the Environment Court's decision.
- 5.2 The only decision available to Council is the date at which to make the plan change operative. Making the plan change operative means that the PC4 provisions are fully incorporated into the Horowhenua District Plan. This means any subsequent resource consent applications within the Tara-Ika area will be assessed against these provisions only (and any relevant District-wide provisions) rather than both the PC4 provisions and the previous zoning provisions as at present while the appeals were being resolved.
- 5.3 The operative date needs to allow sufficient time to make the necessary arrangements, including website updates, District Plan maps, Council's GIS system, and the copies of the District Plan held at the service centres.
- 5.4 The Resource Management Act 1991 also requires the operative date to be publicly notified at least 5 working days prior.

6. Options

Option 1

- 6.1 Approve PC4 and publicly notify the operative date as soon as is practicable.

Option 2

- 6.2 Delay approving and publicly notifying PC4 as an operative plan change.
- 6.3 PC4 is beyond any further challenge and Council is legally required to approve the plan change. The only consideration available to Council is whether to delay approving the plan change. However, officers are not aware of any reason why delaying the approval of the plan change would be beneficial. Rather, delaying the approval and operative date would add complexity to any future resource consent applications.
- 6.4 Officers recommended option is therefore Option 1.

Cost

- 6.5 PC4 has been progressed under existing budgets. The process of making PC4 operative will not come an additional cost.

Rate Impact

- 6.6 There is no rate impact associated with either option, as the decision is simply a matter of timing and PC4 has been progressed under existing budgets.

Community Wellbeing

- 6.7 There is no community wellbeing impact directly associated with either option. The PC4 provisions already have legal effect, meaning application can (and are) being lodged already.

Consenting Issues

- 6.8 There are no consenting issues associated with making PC4 operative. It is noted that making PC4 operative will reduce the complexity of resource consent applications in Tara-Ika, as they will only need to be assessed against one set of Plan provisions. At present, proposals have to be assessed against two sets of zoning provisions (those in the existing operative District Plan and those in the Plan Change).

LTP Integration

- 6.9 The overarching purpose of the District Plan and associated plan changes/variations is to achieve sustainable management of the District's natural and physical resources so that they can be enjoyed by future generations. As such, making PC4 operative is consistent with LTP community outcomes, including 'vibrant economy' and 'outstanding environment'.

7. Consultation

- 7.1 No consultation on making PC4 operative has been undertaken and none is necessary. PC4 itself was extensively consulted on. Mediation on appeals involves only those who are party

to the appeals. The final step of notifying the operative date is to close the loop on this process by communicating to the public the operative status of the plan change.

8. Legal Considerations

- 8.1 Council is required to approve and publicly notify the operative date of PC4. The only option available to Council is the date on which this occurs.

9. Financial Considerations

- 9.1 There are no financial considerations associated with the process of notifying the operative date and making PC4 operative.

10. Iwi Considerations

- 10.1 Clause 3B and 4A of Schedule 1 of the Resource Management Act 1991 require Iwi authorities to be consulted on plan changes. In particular, these clauses require Councils to foster Iwi authorities capacity to respond to consultation opportunities (in relation to plan changes), establish and maintain processes to provide opportunities for Iwi authorities to engage, and identify resource management issues of concern, and provide Iwi authorities with draft proposed plan changes (prior to formal notification). These processes were followed, with the invitation to consult made to Iwi authorities within the District. Council has engaged most extensively with Muaūpoko on this plan change.
- 10.2 A further opportunity for comment/feedback came via the public submissions process.
- 10.3 With the plan change process now complete and the decision available to Council being limited to setting the operative date of the plan change, there are no specific Iwi considerations associated with this decision.
- 10.4 There will be ongoing opportunities for engagement with both Muaūpoko and Ngāti Raukawa as development at Tara-Ika occurs. An example of this is the development of the integrated stormwater management plan.

11. Climate Change Considerations

- 11.1 There are no specific climate change considerations associated with the process of notifying the operative date and making PC4 operative.

12. Environmental Considerations

- 12.1 There are no specific climate change considerations associated with the process of notifying the operative date and making PC4 operative.

13. Health & Safety Considerations

- 13.1 There are no specific health and safety considerations associated with the process of notifying the operative date and making PC4 operative.

14. Other Considerations

- 14.1 There are other considerations associated with the process of notifying the operative date and making PC4 operative.

15. Next Steps

- 15.1 Following resolutions from Council, officers will proceed with public notifying the date PC4 will become operative. The Resource Management Act 1991 requires this date to be at least five working days after the date of public notification. Subject to meeting media deadlines

the public notice would be advertised on 15 March 2024 and the Plan Changes made operative 25 March 2024.

- 15.2 Copies of the final approved proposed plan changes will then be provided to the statutory bodies identified in Clause 20 of Schedule 1 of the Resource Management Act 1991.



16. Supporting Information

Strategic Fit/Strategic Outcome The proposed plan changes have been informed by and are consistent with the Council's relevant strategic documents such as the Horowhenua Growth Strategy 2040 and Council's Housing Action Plan.					
Decision Making					
Consistency with Existing Policy The decision is consistent with existing policy.					
Funding					
Risk Area	Risk Identified	Consequence	Likelihood	Risk Assessment (Low to Extreme)	Managed how
Strategic	Nil				
Financial	Nil				
Service Delivery	Nil				
Legal	Nil				
Reputational	Nil				
<u>Confirmation of statutory compliance</u> In accordance with section 76 of the Local Government Act 2002, this report is approved as: <ul style="list-style-type: none"> a. containing sufficient information about the options and their advantages and disadvantages, bearing in mind the significance of the decisions; and, b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision. 					

17. Attachments

No.	Title	Page
A	Chapter 6A - Tara-Ika - Objectives and Policies - Operative Version	155
B	Chapter 15A - Tara-Ika - Rules - Operative Version	168
C	Tara-Ika - Structure Plan 013 - Final Operative Version	197

Author(s)	Lauren Baddock District Plan Lead	
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Approved by	David McCorkindale Group Manager - Vision & Delivery	
	Monique Davidson Chief Executive Officer	

6A OBJECTIVES/POLICIES: TARA-IKA MULTI-ZONE PRECINCT

6A. TARA-IKA MULTI ZONE PRECINCT

The following objectives and policies are to be read in conjunction with the objectives and policies contained within Chapters 1-14 of the Horowhenua District Plan. In the event there is conflict between the objectives and policies in this chapter and those contained within the remainder of the District Plan, the objectives and policies contained within this chapter (Chapter 6A –Tara-Ika) shall apply.

Tara-Ika is a large greenfield site located to the east of the existing urban area of Levin/Taitoko, with the Tararua Ranges forming an impressive backdrop to the area.

Muaūpoko have a very strong and enduring relationship with the Tara-Ika area, as it is an area where they have worked, cultivated, hunted and gathered resources for over 1000 years. Tara-Ika sits between areas of high cultural association to Muaūpoko, including Punahau (Lake Horowhenua) and the Tararua Ranges, and is therefore part of important physical, ecological, visual and spiritual pathways.

The Tara-Ika Development Area (Tara-Ika) totals 470ha and has been master planned to provide a range of housing options and other supportive non-residential activities such as commercial and education activities. The area is expected to accommodate approximately 3,500 residential dwellings and will be home to more than 5,000 people. Some of the surrounding environment has already been developed for rural lifestyle purposes.

The land has been identified as a growth area for the Horowhenua District since the Horowhenua Development Plan was prepared in 2008. The land was subsequently rezoned to Greenbelt Residential Deferred with an associated Structure Plan to guide development introduced to the District Plan. Since this time, growth projections for the District have changed significantly with the District's population now expected to grow rapidly. This prompted the decision to consider Tara-Ika for a greater density of development than what could occur under a Greenbelt Residential Zoning.

Tara-Ika was considered suitable for additional residential capacity due to a range of factors including:

- The site is very flat and relatively unconstrained in term of risk from natural hazards;
- The site is close to the existing urban area of Levin/Taitoko;
- The site has already been identified as a growth area and has had a level of rural lifestyle development occur under the existing zoning. As such, additional development in this area does not result in a significant loss of rural production land.

As such, the area has been master planned and the land consequently rezoned to enable a variety of different residential and non-residential activities to establish.

Tara-Ika is made up of the following zones:

- Commercial Zone (*Tara-Ika Precinct*)
- Open Space Zone (*Tara-Ika Precinct*)
- Residential Zone (*Tara-Ika Precinct*)
- Greenbelt Zone (*Tara-Ika Precinct*)

Each zone has individual objectives, policies, and rules to ensure development achieves the desired objectives and principles for the area. There are also objectives and policies that apply to all zones within Tara-Ika. In addition, the relevant objectives, policies and rules from the existing District Plan chapters and zones will apply. In the case where there are duplicate

6A OBJECTIVES/POLICIES: TARA-IKA MULTI-ZONE PRECINCT

provisions, the more specific provision (i.e. Tara-Ika specific provisions) will apply in place of the more general provisions.

Structure Plan 013

Structure Plan 013 is the primary tool for achieving the spatial layout expected for Tara-Ika and includes Primary and Secondary Structure Plan Features. Primary Features are those most critical to delivering the intended outcomes and have less flexibility in how they are delivered, compared to Secondary Structure Plan Features, which while still important, have more flexibility in how and where they are provided. The different hierarchy between the two is reflected in the policies contained within Chapter 6A and the activity statuses contained within Chapter 15A.

Zones and overlays are also shown on the Structure Plan. These are not Structure Plan features but are shown on the Structure Plan to help demonstrate the spatial logical of the Structure Plan features.

Please note that the Horizons Regional Council One Plan also regulates a number of activities associated with subdivision and land development, including but not limited to, earthworks, vegetation clearance, and activities near streams and areas of indigenous biodiversity. Plan users are advised to refer to the One Plan for further information.

ISSUE 6A.1 OVERALL PRINCIPLES FOR DEVELOPMENT IN TARA-IKA

Through the Horowhenua Growth Strategy 2040, Council identified that the existing zoning and structure plan for the area previously known as 'Gladstone Green' was unlikely to accommodate the level of growth anticipated in the District, or deliver the outcomes desired for the area. Furthermore, the resource consent process was considered unlikely to provide sufficient opportunity to deliver an integrated and co-ordinated development at the scale anticipated. As a result, the Tara-Ika Master Plan was prepared in order to guide and enable residential and other development to ensure that this happens in an integrated and co-ordinated way. This master plan is the basis of the Structure Plan 013 and the following objectives and policies.

ISSUE DISCUSSION

Tara-Ika is anticipated to become a high amenity residential development. However, there is also a risk development could adversely affect the environmental quality and cultural values of the area due to effects arising from increased built form, traffic, and demand for infrastructure and services and pressure on eco-systems.

State Highway 57 separates Tara-Ika from the rest of the urban area of Levin/Taitoko. The preferred corridor for the Ōtaki to North of Levin/Taitoko highway is also located in Tara-Ika (near to existing State Highway 57).

The proposed Ō2NL highway will bring a range of benefits to both Tara-Ika and the wider region. However, there is also the potential for adverse effects, which will need to be avoided, remedied and mitigated. As the Tara-Ika Plan Change and the Ō2NL highway have proceeded on different timeframes and under different regulatory processes, it has been necessary to take a strategic approach to try and anticipate potential effects and how these can be appropriately addressed.

As a large greenfield site, Tara-Ika represents a 'blank' canvas. This presents an opportunity to establish a unique character. However, this also means there is no existing pattern of urban

6A OBJECTIVES/POLICIES: TARA-IKA MULTI-ZONE PRECINCT

development to follow (for example, lot design and layout, street trees and provision for open space). Without an established urban pattern from adjoining areas to replicate, there is a risk that an incoherent urban form and disconnected structure will follow. This could result in inadequate dwelling interaction with the street, adhoc section sizes that affects character and amenity, or establishment of a commercial area in an inappropriate location. It is also possible that future development will not sufficiently consider or prioritise the amenity or functionality of the public realm, resulting in poor quality urban form, inadequate or inappropriate use of street trees and a lack of quality, functional reserve space. The master plan seeks to respond to these risks.

Master planned greenfield development at Tara-Ika therefore presents an opportunity to achieve the following:

- a connected and integrated future-proof development that represents good urban design and provides a high level of residential amenity;
- encourages a variety in housing choice, including higher density options;
- a development that utilises low impact, sustainable servicing solutions and encourages walking and cycling;
- a development which provides facilities and open space to meet the needs of the community;
- a development that maintains and enhances cultural, heritage, and ecological values of the area.

To achieve the above, it is important that subdivision, development, and land use activities are coordinated to occur in locations and at densities that enable sustainable and efficient use of land and delivery of infrastructure and contribute to a high amenity environment.

It is also important that development at Tara-Ika is resilient to the effects of climate change and natural hazards and minimises effects on the natural environment. Both of these considerations require careful stormwater design.

The following objectives and policies seek to respond to the above issue and opportunity.

Objectives & Policies

Objective 6A.1

To achieve an integrated, efficient, and connected development that reflects cultural values and local identity, represents good urban design, is supported by a well-connected, safe and efficient transport network that supports a range of transport modes and has the facilities, infrastructure, social infrastructure, and amenities necessary to contribute to the health, safety, and wellbeing of residents. This includes:

- Encourage housing at a range of densities;
- Provision for a local-scale commercial centre;
- Access to quality public open space;
- Safe and efficient walking and cycling options;
- Design that reflects Muaūpoko cultural values and local history and identity;
- Protection of culturally significant sites;
- Environmentally sensitive design;
- Within the Arapaepae Road Special Treatment Overlay, development that is appropriate for the site in terms of scale, access, and compatibility with surrounding land uses

6A OBJECTIVES/POLICIES: TARA-IKA MULTI-ZONE PRECINCT

- Within the Arapaepae Road Special Treatment Overlay and the Ō2NL Noise Management Area, the health and wellbeing of occupants is appropriately protected.

Policy 6A.1.1

Subdivision, infrastructure and land development in Tara-Ika must be consistent with the outcomes sought by Structure Plan 013. Subdivision and land development that does not provide Primary Structure Plan Features in the manner shown on Structure Plan 013 will only be considered where an alternative is proposed that will achieve the following:

- The same or similar level of connectivity within Tara-Ika;
- The same or similar level of connectivity between Tara-Ika and the existing urban area of Levin/Taitoko;
- Protection of opportunities for land adjacent to Tara-Ika to be connected to Tara-Ika in the future;
- Public recreation space of an equivalent functionality as that shown on the Structure Plan and that is within walking distance of a similar number of properties as shown on the Structure Plan;
- A central open space area of the general size and shape indicated on the structure plan, centrally located and adjacent to the commercial area;
- An area of open space adjoining Waiopahu Reserve, containing Maunu Wahine of a size and shape that enables Muaupoko cultural values to be delivered (as indicated on the Structure Plan and Planning Maps);
- A streetscape that maintains an appropriate expression of street hierarchy and consistency of treatment along any Arterial or Collector Road;

Policy 6A.1.2

Provide for a well-connected and integrated urban environment by specifying the manner in which Primary Structure Plan Features indicated on Structure Plan 013 need to be provided. The manner in which these features need be provided is set out below:

North/South Arterial Roads

- Be provided in a location central to the Tara-Ika growth area and be generally straight.
- Be located to provide road frontage to the commercial zone and central open space (including education overlay).
- Be utilised for stormwater management as required.

East/West Arterial Roads

- Be provided in a location central to the Tara-Ika growth area and generally straight.
- Be oriented to provide views towards the Tararua Ranges.
- Be located to provide road frontage to the commercial area (on both sides of the road) and to the central open space (including education overlay) and make provision connect directly into Taitoko/Levin.
- Be utilised for stormwater management as required.

Collector Roads

- Be uniformly spaced from the arterial roads.
- East/West collector roads should be oriented to provide views towards the Tararua Ranges.

6A OBJECTIVES/POLICIES: TARA-IKA MULTI-ZONE PRECINCT

- North/South collector roads should be located to provide direct connections to the East/West collector roads.
- Be utilised for stormwater management as required.

Strategic Cycleways

- Be located directly alongside arterial or collector roads.
- Be located so that they will (when completed) provide a connection from edge to edge of the Tara-Ika growth area in both a North/South and East/West direction.
- Be located to provide connections to and through the commercial zone.
- Be located to provide connections to the education overlay on two sides.
- The northern East/West cycleway should be located so that (when complete) it will provide a connection from Arapaepae Road to Waiopahu Reserve.

Central Open Space

- The central open space area should be of the general size and shape indicated on the structure plan, located immediately adjacent to the commercial area, and include provision for a primary school.

Maunu Wahine

- Should adjoin Waiopahu Reserve.
- Be of a size and shape that enables Muaūpoko cultural values to be delivered.

Policy 6A.1.3

Subdivision, land development and open space reserves in Tara-Ika will acknowledge, protect, and celebrate Muaūpoko values, history, and local identity in the following ways:

- Use of Muaūpoko names, among others, for streets and reserves;
- Protection of culturally significant sites and their values;
- Prioritise use of locally sourced indigenous plants in street and reserve planting
- Muaūpoko Accidental Discovery and Tikanga Protocol to be observed during site works.

Policy 6A.1.4

Require development to be designed in a manner that enables passive surveillance of public places (such as parks and roads) from private properties using techniques such as good site layout, restricting fence heights, and landscape treatments that will not obscure key sightlines.

Policy 6A.1.5

Provide for non-residential activities, such as community, recreational, educational and commercial activities, which support the day to day needs of the local community, while avoiding any such non-residential activities of a nature and scale that compete with the Levin/Taitoko Town Centre.

Policy 6A.1.6

Require subdivision layout to ensure street design enables the safe and efficient movement of people, traffic and public transport, provides a high level of safety and amenity for

6A OBJECTIVES/POLICIES: TARA-IKA MULTI-ZONE PRECINCT

pedestrians and cyclists, and contributes positively to the public realm, including restricting vehicle crossings over Strategic Cycleways.

Policy 6A.1.7

Encourage additional building height where this would contribute to a well-functioning urban environment (for example, increased housing variety), so long as reasonable privacy of neighbouring dwellings is maintained, culturally important views are maintained along Queen Street East and visual dominance and excessive shading beyond the subject site are avoided.

Policy 6A.1.8

Manage land use within the Arapaepae Road Special Treatment Overlay in a manner that provides flexibility to deliver a context specific response, recognising the unique attributes of the site, while managing adverse effects and providing an acceptable level of amenity for the proposed activity, including safe and efficient access and avoiding or minimising reverse sensitivity effects.

Policy 6A.1.9

Require subdivision layout that will enable buildings to utilise energy efficiency and conservation measures.

Policy 6A.1.10

Require ecological areas, transport corridors, stormwater reserves and open space reserves to be designed and managed in a way that protects and enhances habitat for Muaūpoko taonga.

Policy 6A.1.11

Require new habitable rooms containing noise sensitive activities located within the Ō2NL Noise Management Area to meet acoustic standards that address the health and wellbeing of occupants.

Objective 6A.2

Efficient delivery of infrastructure within Tara-Ika will enable development while protecting environmental and cultural values and achieving a high level of residential amenity.

Policy 6A2.1

Make provision within Tara-Ika for housing yield of at least 3,500 houses.

Policy 6A2.2

Require subdivision and development to be managed, designed and staged to align with the coordinated provision and upgrading of the infrastructure network (including the transport network and stormwater network), public open space, streetscape and local service facilities

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within Tara-Ika, as illustrated on Structure Plan 013.

Policy 6A2.3

Avoid subdivision and development that compromises the ability to provide efficient and effective infrastructure networks including for the wider Tara-Ika Growth Area

Objective 6A.3

Stormwater management in Tara-Ika will be resilient, culturally sensitive, and environmentally sustainable, including:

- Resilient to natural hazards and the likely effects of climate change;
- Incorporating Water -Sensitive Design;
- Minimise adverse effects on downstream environments and ecosystems by retaining all stormwater onsite in a 1 in 100 year annual return interval rainfall event (with allowance for climate change);
- Avoiding natural areas and ecosystems that are sensitive to modifications to changes in groundwater and surface water levels and flows

Policy 6A.3.1

Require an integrated approach to managing stormwater from Tara-Ika to ensure the quality and quantity of runoff does not have an adverse effect on Punahau (Lake Horowhenua), the Koputaroa Stream, or other downstream environments.

Policy 6A.3.2

Require all stormwater to be retained and disposed of within the Tara-Ika Growth Area for up to a 1 in 100 year annual return interval rainfall event (with allowance for climate change and allowance for catchment predevelopment flow continuity), and treated and managed utilising the best practicable option to mitigate the effects of stormwater by including the following:

- (i) limiting the extent of impervious areas;
- (ii) incorporating on-site treatment and disposal of stormwater into subdivision and development design;
- (iii) provision of catchment-wide facilities like wetlands and basins that are efficient and effective from both a construction and maintenance perspective;
- (iv) maintaining predevelopment flows to the natural downstream ecosystems

Policy 6A.3.3

Recognise and provide for the principles of te mana o te wai and the role of Muaūpoko as kaitiaki of the Tara-Ika environment and its connection to Punahau (Lake Horowhenua) by working with Muaūpoko to protect the mauri of freshwater within Tara-Ika and to manage stormwater quality and quantity.

Policy 6A.3.4

Require rainwater collection tanks to be provided on all new residential allotments to capture and reuse runoff.

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Explanation and Principal Reasons

Large scale greenfield development has the potential to lead to adverse environmental outcomes, particularly when the land is owned by multiple different parties. Without a strong framework to guide growth and development in this area, there is potential for individual subdivisions to progress in a fragmented and disconnected manner. Furthermore, there is a risk that no individual application will make provision for facilities such as open space, supportive commercial activities, or educational activities. Further, individual subdivision applications progressing in an adhoc manner are likely to result in inefficient delivery of infrastructure and limit opportunities for connectivity.

The Structure Plan for the Tara-Ika is based on the Tara-Ika Master Plan. It provides a comprehensive framework to manage growth and development in Tara-Ika, including infrastructure, roads and open space. Subdivision and development is required to be undertaken in accordance with the Structure Plan to ensure efficient use of the land and physical resources. It is important the principles of this Structure Plan are adhered to in order to achieve the development outcomes anticipated for this area.

Ensuring subdivision and development is aligned with the Structure Plan will help to deliver a quality living environment that is supported by necessary non-residential activities, amenities, and services.

It is also important to recognise cultural history and identity in this area. One way to achieve this is to ensure that streets and reserve names include Māori names chosen by Tangata Whenua.

ISSUE 6A.2 RESIDENTIAL ZONES (TARA-IKA PRECINCT)

The character of the Residential Zone of Tara-Ika is likely to be different to the wider Levin/Taitoko area due to the era of development, housing density expected, integrated master planning approach to development, and the detail of the design principles identified for this area.

It is important Tara-Ika complements and integrates with the existing residential areas of Levin/Taitoko while providing a different offering (for example, more housing variety).

ISSUE DISCUSSION

The Tara-Ika residential area needs to develop in a manner that reflects good urban design and form to achieve a high amenity living environment that contributes to the wellbeing of its residents.

At present, there is limited variation in residential housing types available within the District. The predominant housing type available is 'family sized' standalone dwellings on relatively large residential sections, ranging from 400m²-800m². However, this uniformity of housing type does not fully satisfy the diverse needs of the Horowhenua community. Tara-Ika offers an opportunity to respond to this by encouraging more variety and improving housing affordability and small lots suitable for smaller dwellings. The following objectives and policies seek to respond to this.

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Objectives & Policies

Objective 6A.4

Achieve a high amenity, walkable residential environment with a range of section sizes and housing types, including affordable housing options, in Tara-Ika.

Policy 6A.4.1

Optimise walkability and encourage choice and a variety of housing types, by providing for higher density residential development near to commercial and community facilities and lower density residential development at the outer edge of Tara-Ika.

Policy 6A.4.2

Enable and encourage a range of housing types and section sizes in Tara-Ika to meet the variety of needs and preferences in our community, while ensuring a high level of residential amenity and connectivity.

Policy 6A.4.3

Use both minimum and maximum density standards to encourage housing variety and to ensure development occurs at a scale and density consistent with the amenity expected for that particular area.

Explanation and Principal Reasons

Management of the residential environment generally focuses on providing for ongoing use and development in a way that maintains and enhances their character and amenity values. In the case of Tara-Ika, the early stages of development will not have an established residential character or amenity to be informed by. Both the Tara-Ika Master Plan and Structure Plan 013 outline some of the characteristics of urban form and design that will lead to the creation of a residential character and amenity that is considered appropriate within this particular context. The above objectives and policies, supported by District Plan rules, seek to achieve these outcomes to build and establish a high amenity residential character for Tara-Ika.

ISSUE 6A.3 COMMERCIAL ZONE (TARA-IKA PRECINCT)

Given the anticipated population of Tara-Ika and the proximity of Tara-Ika to existing residential areas on the eastern side of Levin/Taitoko, the area will likely be supported by a commercial centre in the future. It is important that this is located in the appropriate location to maximise accessibility for the community served, support viability and consequently maximise the benefits this will offer the community. In addition, it is important that the nature and scale of this centre is controlled so as to ensure it offers a high amenity 'focal point' for the community, while not conflicting with the existing Levin/Taitoko town centre.

Issue Discussion

It is important that commercial development in Tara-Ika agglomerates in a highly accessible, central location. If commercial activities and community services establish in an adhoc or sprawling manner, the vibrancy and vitality of the neighbourhood centre will be reduced, limiting the opportunity for it to act as a central point for the community.

6A OBJECTIVES/POLICIES: TARA-IKA MULTI-ZONE PRECINCT

The commercial centre will provide an important service to the community, through meeting the daily or weekly needs of the local catchment. This can reduce the need to travel across town and improves the overall experience of living within an area that, due to the distance from the commercial area of Levin/Taitoko and the presence of a State Highway (State Highway 57 in the short term and the Otaki to North of Levin/Taitoko highway in the longer term), would otherwise be underserved by convenience facilities.

The design and layout of commercial development is important to ensuring a vibrant and attractive centre that the community will want to spend time in. Important considerations include the design of building frontages and the location of carparks. An attractive commercial centre that demonstrates good urban design can also support other types of land uses. This is because quality commercial development can act as an 'attractor' for land uses such as medium density development. This is considered an important relationship to acknowledge and enhance in order to encourage housing variety, as well as to achieve an attractive commercial centre.

In addition to the above, it is important that the Tara-Ika commercial centre does not compete with the Levin/Taitoko town centre, particularly given the proximity of the Tara-Ika commercial centre to both existing and proposed State Highways. Therefore, it is important that the nature and scale of this centre is controlled in order to protect the primacy of the Levin/Taitoko town centre.

Objectives & Policies

Objective 6A.6

Encourage development of a sustainable and attractive local commercial centre that accommodates a variety of compatible land use activities, while protecting the vitality of the Levin/Taitoko Town Centre.

Policy 6A.6.1

Provide for supermarket and/or convenience retail facilities at a scale suitable for the area.

Policy 6A.6.2

Provide for service based commercial activities that support the daily or weekly needs of the local community, so long as nature and scale does not compete with the Levin/Taitoko Town Centre.

Policy 6A.6.3

Ensure the design, nature, and scale of commercial activities contributes positively to the image and overall amenity of the commercial area of Tara-Ika.

Policy 6A.6.4

Ensure the development in the commercial zone contributes positively to the amenity of public places (including footpaths and roads) by:

- (a) avoiding blank walls facing the roads;
- (b) providing level access for pedestrians into shops;
- (c) ensuring fascia boards and associated signage are of a consistent size and height;
- (d) avoiding freestanding signs;
- (e) maximising outlook onto streets and public places;

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- (f) providing weather protection for pedestrians along the road frontages;
- (g) providing service access, car parking and staff parking away from the frontages;

Policy 6A.6.5

Avoid establishing commercial activities that are of a nature and scale that would detract from the vibrancy and vitality of the Levin/Taitoko Town Centre. Examples of such activities include but are not limited to entertainment activities, hotel/motel accommodation, large format retail and other activities of a type and scale that will compete with the Levin/Taitoko Town Centre.

Explanation and Principal Reasons

Given the anticipated population of Tara-Ika, it is both likely and desirable for a range of small scale commercial activities to establish.

Commercial centres fulfil both a functional need for residents, thus reducing their need to travel into Levin/Taitoko or other surrounding areas to meet their daily and weekly convenience needs and provide a focal point for the community. This is important as it provides a place for people to meet and interact with both their neighbours and the wider community. This contributes to feelings of safety, social connectedness and wellbeing, which ultimately improves the overall quality and amenity of the surrounding residential environment. However, it is important that the commercial area of Tara-Ika does not compete with the vibrancy and vitality of the Levin/Taitoko Town Centre.

In order to achieve these outcomes, the above objectives and policies (and supporting rules in Chapter 15A of the District Plan) seek to control the design of signs and buildings and the nature and scale of residential activities in ensure a high amenity environment that encourages walking, cycling through quality of experience. Controls on the scale and nature of commercial activities allowed to establish within Tara-Ika will also avoid conflict with adjoining land uses and ensure that Levin/Taitoko's town centre remains the primary commercial centre in the District.

ISSUE 6A.4 OPEN SPACE (TARA-IKA PRECINCT)

ISSUE DISCUSSION

Given the size of Tara-Ika and the number of lots it will accommodate, the development will require open space provision. It is important that the reserve space is provided in the appropriate location and that it is of a functional size and shape.

Objectives & Policies

Objective 6A.7

To provide high quality public open space that is accessible and can be used for a variety of purposes, including stormwater management.

Policy 6A.7.1

Ensure open space is distributed through Tara-Ika to be easily accessible to all residential lots by requiring all subdivision and development to be consistent with the Structure Plan 013.

Policy 6A.7.2

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Ensure Reserves are of a size, shape and type that enables a functional, recreational use by requiring all subdivision and development to be consistent with the Structure Plan 013.

Policy 6A.7.3

Ensure Reserves are of a size, shape and type that enables functional and recreational uses by requiring all subdivision and development to be consistent with the Structure Plan 013.

Policy 6A.7.4

Require Reserves to recognise and celebrate Muaūpoko history and values through design, wayfinding, storytelling, naming, and use of planting.

Policy 6A.7.5

Enable education facilities to establish at a scale that supports the needs of the local community.

Explanation and Principal Reasons

Open space that can be used for a range of recreational purposes is an important asset for both the wider community and the Tara-Ika community. Furthermore, recreation space contributes positively to residential amenity. In addition, recreation space provides opportunity to manage stormwater during heavy rain events and to contribute to the ecology of an area.

It is important that Tara-Ika is serviced by quality reserve space. As a large greenfield site, there is opportunity to secure land for recreation space early in the land development process, to ensure it is functional, accessible, and of high amenity. The above objectives and policies (and supporting rules in Chapter 15A of the District Plan) seek to secure this outcome.

Methods for Issues and Objectives in Tara-Ika

District Plan

- A range of zones, supported by a 'Tara-Ika Precinct', will be identified on the planning maps.
- Tara-Ika Precinct-specific rules will be applied, in addition to general zoning rules, to specify how subdivision and development will be managed in order to achieve the above objectives and policies.
- A structure plan will guide subdivision and development within Tara-Ika area in order to achieve the above objectives and policies.
- The resource consent process will provide opportunity for appropriate subdivision and development proposals that are not permitted, either because of non-compliance with environmental standards or because of the nature of the non-residential land uses.
- Conditions on resource consents will control the effects of subdivision and development.

Standards expressed as District Plan rules are considered to be the most appropriate and effective method of maintaining minimum standards for the matters over which the Council has jurisdiction. Rules provide certainty for resource users and for neighbours which is important for community understanding of what environmental quality is expected. The use of a Design Guide is effective in providing guidance on the matters and outcomes for achieving

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quality medium density developments.

Tara-Ika Master Plan

The Tara-Ika Master Plan formed the basis of the above objectives and policies and Structure Plan. The Master Plan provides further detail, assessment, and information that justify the outcomes sought for Tara-Ika.

Long Term Plan/Annual Plan

- Council will undertake amenity improvement work including street planting and traffic management schemes within residential areas. Council will co-ordinate the provision of appropriate infrastructure to support residential development.
- Council will continue to maintain the landscape of streets (berms and sealed surfaces) and areas of public open space throughout the settlements.
- Council will require developers to contribute to the costs of new infrastructure and upgrading, reserves provision, community and recreational facilities and amenity improvements in residential areas.
- Council will require developers to contribute to the costs of new infrastructure and upgrading, reserves provision, community and recreational facilities and amenity improvements through its Development Contributions Policy.

There are a range of non-District Plan methods available to promote a good standard of residential design and development, particularly through the use of Codes and Guidelines, and through Council funded initiatives for community and residential amenities. Development Contributions from residential development will be used in the upgrading and expansion of the District's roads, reserves and other civic amenities and facilities.

Other

- Council will work with iwi, particularly in regard to stormwater design, reserve design, planting, and street and reserve naming.
- Contractors will be briefed on the tikanga requirements.

15A RULES: TARA-IKA MULTI-ZONE PRECINCT

15A. TARA-IKA MULTI-ZONE PRECINCT

A 'multi-zone precinct' is a tool set out in the National Planning Standards. The National Planning Standards define a 'precinct' as follows:

A precinct spatially identifies and manages an area where additional place-based provisions apply to modify or refine aspects of the policy approach or outcomes anticipated in the underlying zone(s).

Tara-Ika contains a number of different zones, including Residential, Greenbelt Residential, Open Space, and Commercial. The majority of the current rules and standards contained within these existing zone will apply within Tara-Ika. However, there are some instances where different rules and standards will be required within Tara-Ika. Therefore, the respective zone chapter provisions will apply within Tara-Ika, except as modified by the provisions contained within Chapter 15A. If there is conflict between chapters, the provisions of Chapter 15A will override.

Structure Plan 013

Structure Plan 013 is the primary tool for achieving the spatial layout expected for Tara-Ika and includes Primary and Secondary Structure Plan Features. Primary Features are those most critical to delivering the intended outcomes and have less flexibility in how they are delivered, compared to Secondary Features, which while still important, have more flexibility in how and where they are provided. The different hierarchy between the two is reflected in the policies contained within Chapter 6A and the activity statuses contained within Chapter 15A.

Zones and overlays are also shown on the Structure Plan. These are not Structure Plan features but are shown on the Structure Plan to help demonstrate the spatial logic of the Structure Plan features.

Arapaepae Road Special Treatment Overlay

The Arapaepae Road Special Treatment Overlay is designed to manage the piece of land between Arapaepae Road (currently State Highway 57) and the Ō2NL highway. The shape of this piece of land, its location between two busy roads, and that it is currently taking access of State Highway 57 (which is a limited access highway) will all impact on the way in which it is ultimately developed. As such, the Arapaepae Road Special Treatment Overlay, while having an underlying Residential Zone, provides a high degree of flexibility in the nature and type of activity that can establish, providing that identified effects are appropriately managed.

15A.1 PERMITTED ACTIVITIES

The following activities are permitted activities provided activities comply with all relevant conditions in Rule 15A.6 and Chapters 21, 22, 23 and 24.

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Note: The permitted activity conditions within the relevant zone chapter for the relevant activity type also apply. Where there is conflict between provisions, the more specific provision (i.e. the provisions of this chapter) apply.

15A.1.1 All Zones

15A.1.1.1 Activities permitted by the underlying zone chapters

- (a) Within the Residential Zone of the Tara-Ika Precinct, activities listed as a permitted activity in Chapter 15 are a permitted activity, provided activities comply with all relevant conditions contained within Chapter 15.
- (b) Within the Greenbelt Residential Zone of the Tara-Ika Precinct, activities listed as a permitted activity in Chapter 18 are a permitted activity, provided activities comply with all relevant conditions contained within Chapter 18.
- (c) Within the Open Space Zone of the Tara-Ika Precinct, activities listed as a permitted activity in Chapter 20 are a permitted activity, provided activities comply with all relevant conditions contained within Chapter 20.

15A.1.2 Commercial Zone

In the Commercial Zone, the only permitted activities are:

- (a) Commercial (excluding entertainment activities) occupying up to 250m²
- (b) Retail occupying a floor area of up to 250m²
- (c) Community activities
- (d) Recreation facilities
- (e) Public conveniences
- (f) Open space
- (g) Residential activities above ground floor (i.e. 1st floor or above), or at ground level only where the residential activity does not directly front onto the road boundary (i.e. they are located to the rear of a commercial activity).
- (h) The following types of signs
 - (i) Advertising signs, including public facility or information signs identifying a building, property or business.
 - (ii) Official signs.
 - (iii) Temporary signs.
 - (iv) Signs advertising sale or auction of land or premises.
 - (v) Health and safety signs.

15A RULES: TARA-IKA MULTI-ZONE PRECINCT

- (i) The following network utilities and energy activities:
 - (i) The construction, operation, maintenance and upgrading of network utilities.
 - (ii) Domestic scale renewable energy devices.
- (j) Temporary activities

15A.2 CONTROLLED ACTIVITIES

The following activities are controlled activities provided activities comply with all relevant conditions in Rules 15A.6 and Chapters 21, 22, 23 and 24. In addition, refer to the relevant zone chapters for matters of control and conditions for controlled activities:

Note: The matters of control contained within the relevant zone chapter for the relevant activity type also apply.

15A.2.1 All Zones

- (a) Within the Residential Zone of the Tara-Ika Precinct, activities listed as a controlled activity in Chapter 15 are a controlled activity, provided activities comply with all relevant conditions contained within Chapter 15.
- (b) Within the Commercial Zone of the Tara-Ika Precinct, activities listed as a controlled activity in Chapter 17 are a controlled activity, provided activities comply with all relevant conditions contained within Chapter 17.
- (c) Within the Greenbelt Residential Zone of the Tara-Ika Precinct, activities listed as a controlled activity in Chapter 18 are a controlled activity, provided activities comply with all relevant conditions contained within Chapter 18.
- (d) Within the Open Space Zone of the Tara-Ika Precinct, activities listed as a controlled activity in Chapter 20 are a controlled activity, provided activities comply with all relevant conditions contained within Chapter 20.

15A.3 RESTRICTED DISCRETIONARY ACTIVITIES

The following activities are restricted discretionary activities provided activities comply with all relevant conditions in Rule 15A.8 and Chapters 21, 22, 23 and 24.

Note: The matters of discretion and conditions for restricted discretionary activities contained within the relevant zone chapter for the relevant activity type also apply.

Note: Refer to Chapter 25 for Assessment Criteria as a guide for preparing an assessment of environmental effects to accompany a resource consent application for any of the above activities.

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15A.3.1 All Zones

- (a) The subdivision of land that provides Primary Structure Plan Features in the manner shown on Structure Plan 013 (for the avoidance of doubt, including subdivision where there are no such features depicted on the Structure Plan for the relevant land).
- (b) Within the Residential Zone of the Tara-Ika Precinct, activities listed as a restricted discretionary activity in Chapter 15 are a restricted discretionary activity, provided activities comply with all relevant conditions contained within Chapter 15.
- (c) Within the Commercial Zone of the Tara-Ika Precinct, activities listed as a restricted discretionary activity in Chapter 17 are a restricted discretionary activity, provided activities comply with all relevant conditions contained within Chapter 17.
- (d) Within the Greenbelt Residential Zone of the Tara-Ika Precinct, activities listed as a restricted discretionary activity in Chapter 18 are a restricted discretionary, provided activities comply with all relevant conditions contained within Chapter 18.
- (e) Within the Open Space Zone of the Tara-Ika Precinct, activities listed as a restricted discretionary activity in Chapter 20 are a restricted discretionary, provided activities comply with all relevant conditions contained within Chapter 20.
- (f) Any Permitted or Controlled activity that does not comply with Permitted or Controlled Activity conditions.

15A.3.2 Residential Zone

- (a) Any development within the Arapaepae Road Special Treatment Overlay noted on Structure Plan 013.
- (b) Any activity that does not comply with Rule 15A.6.2.7 – Noise Sensitive Activities in the Ō2NL Noise Management Area.

15A.3.3 Commercial Zone

- (a) Development of new buildings and additions or external alterations to building frontages. (Refer Rule 15A.8.3.1).
- (b) Supermarkets (Refer Rule 15A.8.3.2).
- (c) Drive-through restaurants. (Refer Rule 15A.8.3.3).

15A.4 DISCRETIONARY ACTIVITIES

The following activities are discretionary activities.

Note: Refer to Chapter 25 for Assessment Criteria as a guide for preparing an assessment of environmental effects to accompany a resource consent application for any of the above activities.

15A RULES: TARA-IKA MULTI-ZONE PRECINCT

15A.4.1 All Zones

- (a) Within the Residential Zone of the Tara-Ika Precinct, activities listed as a discretionary activity in Chapter 15 are a discretionary activity.
- (b) Within the Commercial Zone of the Tara-Ika Precinct, activities listed as a discretionary activity in Chapter 17 are a discretionary activity.
- (c) Within the Greenbelt Residential Zone of the Tara-Ika Precinct, activities listed as a discretionary activity in Chapter 18 are a discretionary activity.
- (d) Within the Open Space Zone of the Tara-Ika Precinct, activities listed as a discretionary activity in Chapter 20 are a discretionary activity.
- (e) Subdivision or land use activities that do not provide Primary Features in the manner shown on Structure Plan 013*.
- (f) Subdivisions that do not comply with Rule 15A.8.2.3(b)(ii), 15A.8.3.4(b)(ii), 15A.8.4.1(b)(ii), or 15A.8.5.1(b)(ii).
- (g) Any development that does not comply with Rule 15A.8.2.2(b) - Development within the Arapaepae Road Special Treatment Overlay (Refer to Rule 15A.3.2(a)).
- (h) Any activity not otherwise specified.
- (i) Any Restricted Discretionary Activity that does not comply with Restricted Discretionary Activity Conditions.
- (j) Any activity that does not comply with 15A.8.1.1(b).

**Advice note: Zones are not Primary Structure Plan Features. In the event 'out of zone' activities are proposed, the activity status will be determined based on the zone rules unless the activity does not provide a Primary Structure Plan Feature (e.g. arterial) road, in which case it is captured by Rule 15A.4.1(e).*

15A.4.2 Commercial Zone

- (a) Commercial activities that do not comply with maximum floor area limits.
- (b) Development of a new building, or additions and/or alterations to existing building frontages that do not comply with the conditions for Restricted Discretionary Activities in Rule 15A.8.3.1.

15A.5 NON-COMPLYING ACTIVITIES

The following activities are non-complying activities.

Note: Refer to Chapter 25 for Assessment Criteria as a guide for preparing an assessment of environmental effects to accompany a resource consent application for any of the above activities.

15A RULES: TARA-IKA MULTI-ZONE PRECINCT

15A.5.1 All Zones

- (a) Within the Residential Zone of the Tara-Ika Precinct, activities listed as a non-complying activity in Chapter 15 are a non-complying activity.
- (b) Within the Commercial Zone of the Tara-Ika Precinct, activities listed as a non-complying activity in Chapter 17 are a non-complying activity.
- (c) Within the Greenbelt Residential Zone of the Tara-Ika Precinct, activities listed as a non-complying activity in Chapter 18 are a non-complying activity.
- (d) Within the Open Space Zone of the Tara-Ika Precinct, activities listed as a non-complying activity in Chapter 20 are a non-complying activity.
- (e) Any activity that does not comply with Rule 15A.6.1.1 – Vehicle Access into Strategic Cycleways.
- (f) Industrial Activities (for the avoidance of doubt, this includes activities in the Arapaepae Road Special Treatment Overlay)
- (g) Large Format Retailing (for the avoidance of doubt, this includes activities in the Arapaepae Road Special Treatment Overlay).

15A.6 CONDITIONS FOR PERMITTED ACTIVITIES

Note: The permitted activity conditions within the relevant zone chapter for the relevant activity type also apply. Where there is conflict between provisions, the more specific provision (i.e. the provisions of this chapter) apply.

The following conditions shall apply to all permitted activities:

15A.6.1 All Zones

15A.6.1.1 Vehicle Access into Strategic Cycleways

- (a) No vehicle crossings shall cross a strategic cycleway shown on Structure Plan 013 will be permitted. In such cases, vehicle access to the site shall be via side or rear access lanes shown on Structure Plan 013

15A.6.2 Residential Zones

15A.6.2.1 Rainwater Tanks

- (a) All dwellings shall have a rainwater collection tank permanently connected to internal and external non-potable reuse including toilet flushing, laundry, and outdoor taps. Rainwater tanks must be designed and installed as follows:
 - (i) Size of tank:
 - Roof area of 75m² or less – minimum 2,000 litre capacity
 - Roof area of 75m² to 200m² – minimum 3,000 litre capacity

15A RULES: TARA-IKA MULTI-ZONE PRECINCT

- Roof area of more than 200m² – minimum 5,000 litre capacity
- (ii) The roof area to be connected will be the total footprint of the building (excluding freestanding accessory buildings) and 90% of this must be able to freely drain to the tank without need for pumping. Only runoff from roof surfaces is to be collected into the rainwater tanks.
- (iii) The rainwater tank, plumbing and pump system must be maintained in working condition over the life of the dwelling.
- (iv) The public potable water supply shall be adequately protected by installation of a non-return valve.
- (v) Rainwater tanks are to overflow when full into an on-lot soakage device for stormwater disposal.

Note: Multi-unit dwellings may share an appropriate sized communal tank to be determined at land use or subdivision consent stage.

15A.6.2.2 Maximum Building Height

- (a) In the Medium Density Area the maximum height shall be 10 metres.

15A.6.2.3 Integral Garages

- (a) Integral garages shall account for no more than 50% of the front façade of the dwelling unless the garage component is recessed back from the main pedestrian entrance to the dwelling by at least 1 metre

15A.6.2.4 Building Setback from Boundaries

Front/Road Boundary

- (a) No building shall be located closer than 2 metres from any road boundary, except that a 5 metre long vehicle standing space shall be provided between the road boundary and any structure housing a vehicle where the vehicle takes direct access to the structure from the road.

15A.6.2.5 Daylight Access

- (a) Where two dwellings are joined, there shall be no daylight access standard along the shared boundary.

15A.6.2.6 Fencing

- (a) Front Road Boundary
 - (i) Local Roads
 - The maximum height of a fence or wall sited on the boundary or within 2 metres of the boundary shall be no greater than 1.2 metre high.
 - (ii) Collector and Arterial Roads
 - The maximum height of a fence or wall sited on the boundary or within 2 metres from the boundary is 1.5m high

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- (b) Boundaries adjoining a public reserve or cycle way
- The maximum height of a closed style fence or wall sited on the boundary or within 1.2 metre from the boundary is 1m high
- Or
- The maximum height of an open pool style or trellis fence or wall sited on the boundary or within 1 metre from the boundary is 1.8m high
- (c) Other Boundaries
- The maximum height of a fence or wall sited on the boundary or within 1 metre from the boundary shall not exceed 2 metres.
 - Fences perpendicular to the road shall taper downwards towards the road boundary. The taper should commence at least 1.5m from the road boundary and the maximum height of the fence where it meets the road boundary shall be 1m high if the road is a local road, or 1.5m high if it is an arterial or collector road.

15A.6.2.7 Noise Sensitive Activities in the Ō2NL Noise Management Area

- (a) Any new building, or alteration to an existing building, that contains a noise sensitive activity and is located within the 'Ō2NL Noise Management Area' shown on Figure 15A-1 below must be designed and constructed to achieve the indoor design noise levels from road traffic set out in Table 15A-1 below (excluding areas not deemed to be habitable spaces as defined in Schedule 1 of the Building Regulations 1992). For the purposes of Table 15A-1 noise levels from road traffic means noise levels from road traffic on the Ō2NL highway (once operational) combined with traffic on Arapaepae Road (if applicable). This shall be determined using the noise contours shown on Figure 15A-1 below until such time as more up to date contours or better information is available (for example, predicted noise contours provided as part of any outline plan of works for Ō2NL).

Table 15A-1: Indoor Design Limits

Building Type	Occupancy/Activity	Maximum Indoor Design Noise Level LAeq(24h)
Residential	Living spaces, sleeping spaces (including visitor accommodation and retirement accommodation)	40dB
Education	Assembly Halls	35dB
	Conference rooms, drama studios	40dB

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	Lecture rooms and theatres, music studios	35dB
	Libraries	45dB
	Sleeping areas in educational facilities	40dB
	Teaching areas	40dB
Health	Overnight medical care, wards	40dB
	Clinics, consulting rooms, theatres, nurses' stations	45dB
Cultural Buildings	Places of worship, marae	35dB

Note: This table is informed by Waka Kotahi guidance material on managing State Highway noise. The purpose of this table is to specify the noise level standards for different types of activities. It should not be taken as an indication of what types of activities will be considered acceptable in this location.

- (b) If windows must be closed to achieve the design noise levels in (a), the building must be designed, constructed and maintained with a ventilation and cooling system. For habitable spaces a ventilation cooling system must achieve the following:
- (i) Ventilation must be provided to meet clause G4 of the New Zealand Building Code. Noise from the system must not exceed 30 dB LAeq(30s) when measured 1 metre away from any grille or diffuser.
 - (ii) The occupant must be able to control the ventilation rate in increments up to a high air flow setting that provides at least 6 air changes per hour. Noise from the system must not exceed 30 dB LAeq(30s) when measured 1 metre away from any grille or diffuser.
 - (iii) The system must provide cooling controllable by the occupant that can maintain the temperature at no greater than 25°C. Noise from the system must not exceed 30 dB LAeq(30s) when measured 1 metre away from any grille or diffuser.

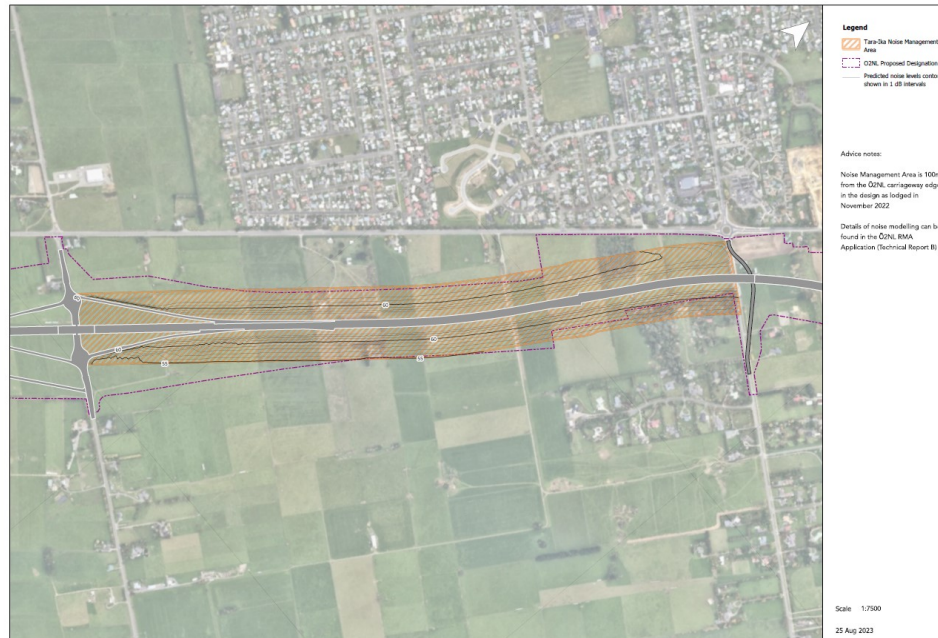
Note: The provisions of Condition 15A.6.2.7 apply irrespective of whether the Ōtaki to north of Levin highway has been constructed or is operational.

- (c) This rule (15A.6.2.7) does not apply to the historic dwelling known as 'Ashleigh' located at 1024 Queen Street East (CFR WN52C/745)
- (d) If construction of the Ō2NL highway does not commence by 31 December 2035 rule 15A.6.2.7 shall no longer apply.

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Figure 15A-1 'Ō2NL Noise Management Area' and Predicted Noise Contour Information for Rule 15A.6.2.7

(Note that a higher resolution version is available from the Council.)



15A.6.3 Commercial

15A.6.3.1 Signs

- (a) A maximum of 2 signs will be permitted per frontage in any 2 of the following preferred locations:
- Building façade;
 - Verandah fascia;
 - Under verandah;
 - Side wall;
 - Inside the display window.
- (b) Signs in the Commercial Zone shall be limited to the following sizes:

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Table 15A-2: Sign Dimensions

Sign Type	Maximum Dimensions
Building Façade	Maximum area 1.2m ² .
Verandah Fascia	Must not extend beyond the fascia.
Under Veranda	Must have a least 2.5m clearance above the ground.
Side Wall	Maximum 8m ² and set back at least 0.5m from corner.

- (c) There shall be no remote signage

15A.6.4 Greenbelt Residential Zone

15A.6.4.1 Rainwater Tanks

- (a) All dwellings shall have a rainwater collection tank permanently connected for internal and external non-potable reuse including toilet flushing, laundry, and outdoor taps. Rainwater tanks must be designed and installed as follows:
- (i) Size of tank:
 - Roof area of 75m² or less - minimum 2,000 litre capacity
 - Roof area of 75m² to 200m² - minimum 3,000 litre capacity
 - Roof area of more than 200m² - minimum 5,000 litre capacity
 - (ii) The roof area to be connected will be the total footprint of the building (excluding freestanding accessory buildings) and 90% of this must be able to freely drain to the tank without need for pumping. Only runoff from roof surfaces is to be collected into the rainwater tanks.
 - (iii) The rainwater tank, plumbing and pump system must be maintained in working condition over the life of the dwelling.
 - (iv) The public potable water supply shall be adequately protected by installation of a non-return valve.
 - (v) Rainwater tanks are to overflow when full into an on-lot soakage device for stormwater disposal.

Note: Multi-unit dwellings may share an appropriate sized communal tank to be determined at land use or subdivision consent stage.

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15A.7 MATTERS OF CONTROL AND CONDITIONS FOR CONTROLLED ACTIVITIES

There are no Tara-Ika Precinct specific Matters of Control. The matters of control and conditions for controlled activities contained within the relevant zone chapter for the relevant activity type apply.

15A.8 MATTERS OF DISCRETION AND CONDITIONS FOR RESTRICTED DISCRETIONARY ACTIVITIES

Note: The matters of discretion and conditions for restricted discretionary activities contained within the relevant zone chapter for the relevant activity type also apply.

The matters over which Council has restricted its discretion for each restricted discretionary activity, and the conditions for each activity, are detailed below:

15A.8.1 All Zones

15A.8.1.1 Stormwater Management Requirements for Restricted Discretionary Activities

- (a) Matters of Discretion
 - (i) The effects on adjacent properties and downstream environments
 - (ii) The matters set out in Policy 6A.3.1, Policy 6A.3.2, and Policy 6A.3.3.
- (b) Conditions
 - (i) Stormwater must be retained onsite and discharged to ground within the Tara-Ika Growth area for up to a 1 in 100 year average recurrence interval (ARI) rainfall event (including modelled increased volumes expected for such events due to climate change).
 - (ii) A stormwater management plan must be submitted with all resource consent applications for restricted discretionary activities, demonstrating how the activity will achieve 15A.8.1.1(b)(i). Stormwater management plans must address the matters set out in 15A.8.1.1(c) below.
 - (iii) All stormwater management plans shall be consistent with the Horowhenua District Plan Subdivision and Development Principles and Requirements 2014 and NZS4404:2010 (Land development and subdivision infrastructure), whichever is more stringent.
 - (iv) The 200th additional allotment/housing unit (or any subsequent allotment/housing unit) shall also include an integrated stormwater management plan for the whole Tara-Ika Growth area that achieves the outcomes in Rule 15A.8.1.1(b) and 15A.8.1.1(c). The 200th additional allotment/housing unit (and any subsequent allotments/housing units) is calculated based on land use or subdivision consents or building consents issued after 14 June 2022 for the area covered by the Tara-Ika structure plan. This integrated stormwater management plan will need to be adopted via

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Council resolution. All subsequent stormwater management plans submitted as required by 15A.8.1.1(b)(ii) shall be consistent with this site wide plan.

- (c) Information Requirements for Stormwater Management Plans
- (i) Stormwater Management Plans must address the following:
- Stormwater management both on-site (on-site soakage pits) and via centralised treatment and soakage facilities (i.e communal treatment wetlands and soakage basins)
- (ii) Compliance with the Horowhenua District Plan Subdivision and Development Principles and Requirements 2014 and NZS4404:2010 (Land development and subdivision infrastructure)
- Detailed design of stormwater management devices (size, location and maintenance requirements), including assets to be vested with Council
 - Pre-soakage treatment for runoff from impervious surfaces (excluding roofs and other on-lot impervious areas such as patios and sheds)
 - The location of overland flow paths for the greater than 100-year ARI rainfall event (with allowance for climate change) and proposed mechanisms for managing these events.
 - Consideration of future development in the upstream catchment from the proposal
- (iii) Stormwater management plans shall include the following methods:
- Pre-soakage treatment by centralised end-of-pipe stormwater wetlands that are sized and located to efficiently service the Tara-Ika Growth Area in an integrated manner. Wetlands shall include a high flow bypass into an adjoining/downstream soakage basin for disposal, sized to bypass flows greater than the Water Quality Flow.
 - The stormwater treatment devices (wetlands) shall be sized to accommodate the Water Quality Flow and Water Quality Volume of the contributing catchment, excluding the roof and on-lot impervious areas that are connected to appropriately sized on-lot soakage devices. The contributing catchment includes adjoining development blocks within Tara-Ika and must consider the future developed upstream catchment.
 - Any wetlands shall be sized to accommodate the Water Quality Flow and Water Quality Volume of the contributing catchment, including adjoining development within Tara-Ika.
- (iv) Calculations used in the preparation of stormwater management plans should demonstrate the following:
- Application of the 12-hour nested design storm specified by Wellington Water in “Reference Guide for Design Storm Hydrology” (2019)
 - Evidence of the use of HIRDS v4 rainfall data (or later version if available) in conjunction with the RCP 8.5 (2081-2100) climate change scenario.
 - Evidence of site-specific soakage testing and the soakage rate for the sizing of on-site soakage pits, using testing methods in accordance with the Horowhenua District Plan Subdivision and Design Requirements and Principles, with a safety factor of 1.5 applied to the testing results (i.e., divide soakage rate result by 1.5).

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- The process of monitoring, reporting and design revision to either confirm compliance with 15A.8.1.1(b) or otherwise alter the design and management of stormwater to achieve compliance.

Advice Note: The reduction of runoff volume and flow from on-lot soakage disposal cannot be considered in the sizing calculations for the 100-year ARI overland flow path, in order to ensure sufficient capacity is available during extreme events when soakage pits may be full.

In the absence of soakage testing or for the purposes of initial design a soakage rate of 100mm per hour will be applied. Rainwater tank volume shall not be considered in the sizing of on-lot soakage due to uncertainty about that rainwater tank volume that may be available at any given time

Acceptable design standards for treatment and soakage devices include Wellington Water's "Water Sensitive Design for Stormwater: Treatment Device Design Guideline" (2019), or Auckland Council's "Stormwater Management Devices in the Auckland Region" (2017).

The Water Quality Volume (WQV) and the Water Quality Flow (WQF) used to size treatment devices shall be calculated using the method specified in Wellington Water's "Water Sensitive Design for Stormwater: Treatment Device Design Guideline" (2019).

Advice Note: Pre-application meetings with Council are strongly encouraged

Advice Note: For the avoidance of doubt, If any part of rule 15A.8.1.1(b)(i) to 15A.8.1.1(b)(iii) is not complied with, resource consent will be required as a Discretionary Activity.

15A.8.2 Residential Zones

15A.8.2.1 Noise Sensitive Activities in the Ō2NL Noise Management Area (Refer to 15A.3.2(b))

- (a) Matters of Discretion
 - (i) The likely sensitivity of the activity to noise effects from Ō2NL and the effectiveness of any mitigation proposed.
 - (ii) The effects of the non-compliance
 - (iii) The effects on the operation of existing and proposed state highways
- (b) Non-Notification
 - (i) Under Section 77D of the RMA, an activity requiring resource consent under 15A.3.2(b) shall not be publicly notified or limited notified, except:
 - Waka Kotahi NZ Transport Agency may be an affected party for the purposes of limited notification; or
 - where the Council decides special circumstances exist (pursuant to Section 95A(9); or
 - where the applicant requests public notification (pursuant to Section 95A(3)(a).

15A.8.2.2 Development within the Arapaepae Road Special Treatment Overlay (Refer to Rule 15A.3.2(a))

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- (a) Matters of Discretion
- (i) Reverse sensitivity effects, including:
- Noise
 - Vibration
 - Visual
 - Traffic
- (ii) Compatibility with surrounding and anticipated land uses, including the roading network.
- (iii) The ability to achieve safe and efficient access.
- (iv) The measures proposed to achieve an acceptable level of amenity for the proposed activity.
- (b) Conditions
- (i) New buildings or alterations to existing buildings containing noise sensitive activities must be designed, constructed and maintained to achieve the indoor design noise levels from Arapaepae Road/State Highway 57 traffic set out in Table 15A-3 below (excludes area not deemed to be habitable spaces as defined by Schedule 1 of the Building Regulations 1992:

Table 15A-3 Indoor Design Limits

Building Type	Occupancy/Activity	Maximum Indoor Design Noise Level $L_{Aeq}(24h)$
Residential	Living spaces, sleeping spaces (including visitor accommodation and retirement accommodation)	40dB
Education	Assembly halls	35dB
	Conference rooms, drama studios	40dB
	Lecture rooms and theatres, music studios	35dB
	Libraries	45dB
	Sleeping areas in educational facilities	40dB
	Teaching areas	40dB

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Health	Overnight medical care, wards	40dB
	Clinics, consulting rooms, theatres, nurses' stations	45dB
Cultural Buildings	Places of worship, marae	35dB

Note: This table is informed by Waka Kotahi New Zealand Transport Agency guidance material on managing State Highway noise. The purpose of this table is simply to specify the noise level standards for different types of activities. It should not be taken as an indication of what types of activities will more broadly be considered acceptable in this location.

- (ii) If windows must be closed to achieve the design noise levels in (i), the building must be designed, constructed and maintained with a ventilation and cooling system. For habitable spaces a ventilation cooling system must achieve the following:
 - Ventilation must be provided to meet clause G4 of the New Zealand Building Code. Noise from the system must not exceed 30 dB LAeq(30s) when measured 1 m away from any grille or diffuser.
 - The occupant must be able to control the ventilation rate in increments up to a high air flow setting that provides at least 6 air changes per hour. Noise from the system must not exceed 30 dB LAeq(30s) when measured 1 m away from any grille or diffuser.
 - The system must provide cooling controllable by the occupant that can maintain the temperature at no greater than 25°C. Noise from the system must not exceed 30 dB LAeq(30s) when measured 1 m away from any grille or diffuser.
- (iii) A design report prepared by a suitably qualified and experienced acoustics specialist must be submitted with the building consent application for construction or alteration of any building containing a noise sensitive activity in or partly in the Arapaepae Road Special Treatment Overlay.
- (c) Non-Notification
 - (i) Under section 77D of the RMA, an activity requiring resource consent under Rule 15A.8.2.1 shall not be publicly notified or limited notified (except Waka Kotahi New Zealand Transport Agency).

15A.8.2.3 Subdivision (Refer to Rule 15A.3.1(a))

- (a) Matters of Discretion
 - (i) Whether the proposal will deliver the outcomes sought by Structure Plan 013, particularly in respect of Secondary Structure Plan Features (local roads/laneways and secondary reserves).

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- (ii) For subdivisions within the Medium Density Area, consistency with the Medium Density Residential Development Design Guide to the extent the content of the guide relates to subdivision.
- (iii) The design, layout and variety of the subdivision, including the size, shape and position of any lot, as well as the future land use and development of each lot. In addition, connectivity and linkages (both within and beyond the subdivision), energy efficiency and conservation, and access to solar energy.
- (iv) Provision of land for publicly accessible open space and recreation that is appropriately located and of a practicable size and shape for recreation and to support management of stormwater during heavy rain events, in general accordance with Structure Plan 013.
- (v) Whether the proposal includes provision of practicable street plantings.
- (vi) The provision of access, any new roads, cycleways, footpaths, and provision of linkages to existing roads.
- (vii) The management of traffic generated and potential adverse effects on the safety and efficiency of the transport network and the State Highway network (including temporary safety impacts that may arise where development of the Tara-Ika Growth Area occurs prior to the Ōtaki to north of Levin highway being constructed and operational.
- (viii) Minimise use of cul-de-sacs, particularly cul-de-sacs that are long or have poor visibility to or from the street they connect to.
- (ix) Consideration of Crime Prevention through Environmental Design Principles.
- (x) The provision of servicing, including water supply, wastewater systems, stormwater management and disposal, telecommunications, gas and electricity.
- (xi) Effects on significant sites and features, including natural/cultural, archaeological and historical sites.
- (xii) Effects on habitats of culturally significant species identified on Structure Plan 013 and the proposed methods to avoid*, remedy or mitigate these effects.

*Advice note: Avoidance, remediation, or mitigation can include relocation of species to protect the survival of the population.
- (xiii) Avoidance or mitigation of natural hazards.
- (xiv) Management of construction effects, including traffic movements, hours of operation, noise, earthworks and erosion and sediment control. This may require cut and fill plans and erosion and sediment control plans to be submitted with applications for subdivision.

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- (xv) Whether tikanga and cultural protocols will be followed during the construction phase, particularly when undertaking earthworks.
 - (xvi) The staging of development and timing of works.
 - (xvii) Compliance with the Council's Subdivision and Development Principles and Requirements (Version: July 2014).
 - (xviii) The potential effects of the development on the safe and efficient operation, upgrading, maintenance and replacement of existing lawfully established network utilities.
 - (xix) The matters described in Sections 108 and 220 of the RMA.
- (b) Conditions
- (i) Minimum Allotment Area and Shape

Each allotment shall comply with the following site area and shape factor standards for each settlement set out in Table 15A-4 below.

Table 15A-4: Standards Applying to Subdivision and Residential Dwelling Units

Residential Zone	Minimum Net Site Area	Maximum Net Site Area/Maximum Density	Minimum Shape Factor	Other Requirements
Medium Density Area	Attached Units: 150m ² *	450m ² *	7m	Maximum street block length: 200m Must include building siting plan.*
	Detached Units: 225m ² *	450m ² *	10m	Maximum block length: 200m Must include building siting plan.*
Standard Residential	330m ²	-	13m	Maximum block length: 200m
Low Density Residential	1000m ²	-	18m	N/A

*The siting plan shall show the location, pedestrian entrances, and outdoor living areas for all future dwellings. Although the dwellings do not need to be built prior to s224 being issued, a condition will be imposed on the subdivision requiring the siting plan to be complied with at

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the time the site is developed unless resource consents is granted for an alternative development. This outcome will be secured by consent notice.

(ii) Structure Plan

- A condition will be imposed on the resource consent of any subdivision that creates additional allotments and involves a site/part of a site that contains a roading asset as indicated by Structure Plan 013 requiring the roading asset to be constructed and vested with Council as indicated on the Structure Plan or as otherwise approved by resource consent.
- A condition will be imposed on the resource consent of any subdivision that creates additional allotments and involves a site/part of a site containing a park or reserve as shown on Structure Plan 013, requiring the site/part of the site containing the reserve to be vested within Council or as otherwise approved by resource consent.

(iii) Water Supply, Wastewater and Other Services

All subdivisions shall comply with the requirements as specified set out in Chapter 24.

(iv) Roads and Access

All subdivisions shall comply with the requirements as specified in Chapter 21.

(v) Network Utilities

There shall be no minimum site area requirements for lots for network utility purposes.

(c) Non-Notification

- (i) Under Section 77D of the RMA, an activity requiring resource consent under Rule 15A.8.2.3 shall not be publicly notified or limited notified, except where:
- For consent applications involving activities close to State Highways, Waka Kotahi New Zealand Transport Agency may be an affected party for the purposes of limited notification.

15A.8.2.3 Non-Compliance with requirements for Rainwater Tank (Refer Rule 15A.6.2.1)

(a) Matters of Discretion

- (i) The potential for increased volume stormwater discharge from the site.
- (ii) The proposed methods for managing increased demand for water.

15A.8.2.4 Non-Compliance with Integral Garages (Refer Rule 15A.6.2.3)

(a) Matters of Discretion

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- (i) The extent to which the integral garage obscures the dwelling from view and/or detracts from the dwelling as the primary feature of the site.
- (ii) The extent to which the integral garage reduces the opportunity for passive surveillance between the dwelling and the streetscape.
- (iii) The effect of the integral garage's position on streetscape character and residential amenity.

15A.8.2.5 Non-Compliance with Fencing (Refer to Rule 15A.6.2.6)

- (a) Matters of Discretion
 - (i) The extent to which the fence reduces the opportunity for passive surveillance and social interaction between public and private space.

15A.8.3 Commercial Zone

15A.8.3.1 New Buildings and Additions/Alterations to Building Frontage (Refer Rule 15A.3.3(a))

- (a) Matters of Discretion
 - (i) Building design and façade treatment should create a high amenity commercial environment that contributes positively to the public realm and enhances pedestrian experience by providing opportunity for interaction between shops front and the street. This includes but is not limited to:
 - Locating main building façades to address the primary street frontage.
 - Providing an interesting and varied building frontage that is not dominated by either featureless facades or glazing.
 - Including horizontal and/or vertical articulation design elements to add visual interest.
 - Designing building frontages that complement any existing adjoining buildings.
 - Locating doorways and entrances to buildings so they are easily identifiable.
 - (ii) The building and site design and layout should prioritise pedestrians over vehicles. This includes but is not limited to:
 - Pedestrian entrances to shops are built right up to the footpath.
 - Any onsite carparking, services areas, and storage areas should be located the rear of the building. They should not be located between the street and the pedestrian entrance to the building.

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- If carpark, services areas, and storage areas are visible from the street, they should be well screened from the street by landscaping or similar.
- (iii) The provision of verandahs that:
 - Provide weather protection to pedestrians
 - Contribute to the overall appearance and pleasantness of the street
- (iv) The application of Crime Prevention through Environmental Design (CPTED) Principles, including:
 - Building design and layout.
 - Use of appropriate planting and landscaping.
- (v) Proposed methods of managing the quality and quantity of stormwater.
- (b) Conditions
 - (i) All buildings in the Commercial Zone (Tara-Ika Precinct) must comply with the following:
 - No part of any building shall exceed a height of 15 metres.
 - All buildings shall be built to the front road boundary of the site.
 - All building shall be built up to the side boundaries (the boundary which is perpendicular to the primary road frontage).
 - All buildings shall have display windows along the ground floor road frontage. At least 50% of ground floor facade surface shall be display space or transparent window or doors. The minimum window area shall be kept clear and not be boarded up, painted or covered by signage.
 - No building shall have a continuous featureless façade/blank wall on the ground floor road frontage wider than 4 metres. A featureless façade or blank wall is a flat or curved wall surface without any openings, glazing or columns, recesses, niches or other architectural detailing
 - All buildings shall have a maximum ground floor road frontage width for individual tenancies of 15 metres.
 - All building frontages shall have a minimum height of 6 metres.
 - The above standards do not apply to service lane frontages.
 - (ii) All buildings in the Commercial Zone (Tara-Ika Precinct) must include a verandah which must comply with the following:
 - A minimum clearance of 2.5 metres directly above the footpath or formed ground surface.

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- A maximum clearance of 4 metres (measured at the base of the verandah fascia) directly above the footpath or from ground surface.
- Extend for the full length of the building.
- Extend outwards from the front of the building to the far side of the kerbing less than 450mm, or the verandah extends out 3 metres whichever is the lesser.
- Provide continuous shelter with any adjoining verandah or pedestrian shelter.

15A.8.3.2 Supermarkets (Refer to Rule 15A.3.3(b))

(a) Matters of Discretion

- (i) Whether parking areas, vehicle access and servicing arrangements are designed and located in a manner that protects the visual amenity of the streetscape and pedestrian safety, including the use of landscaping, planting and lighting.
- (ii) Whether the design and layout of the site and buildings protects the visual amenity of the streetscape and pedestrian safety. For example:
 - The extent of featureless facades.
 - The extent of glazing.
 - The extent of signage.
 - The extent of window displays that prevent visibility into the store from the street.
- (iii) Whether effects arising from operation (for example, hours, location of service areas, waste disposal) will be compatible with any nearby residential zones.

(b) Conditions

- (i) Car parking (if chosen to be provided) must be provided to the rear of the building.
- (ii) The main pedestrian entrance to the supermarket must front the street.

15A.8.3.3 Drive-Through Restaurants (Refer to Rule 15A.3.3(c))

(a) Matters of Discretion

- (i) Whether the design and layout of the site and buildings protects the visual amenity of the streetscape and pedestrian safety. For example:
 - The extent of featureless facades.
 - The extent of glazing.

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- The extent of signage.
 - The extent of window displays that prevent visibility into the store from the street.
 - Screening and/or landscaping of equipment, parking and service areas.
 - Whether the location of the drive-through detracts from pedestrian experience by creating a barrier between the building and the footpath.
- (ii) Whether operating effects are compatible with surrounding land uses (particular residential areas). For example:
- Whether the activity, including parking areas and storage and servicing facilities, is adequately screened to protect the visual amenity of surrounding land uses.
 - Whether the activity, including parking areas and storage and servicing facilities, are located, designed and managed to avoid nuisance effects such as noise and odour on surrounding land uses.
 - The impact of adverse effects arising from the numbers of people and/or vehicles using the site.
 - The effects of the activity's operation on the existing and expected future amenity values of the surrounding area and any mitigation measures proposed.
- (iii) Whether the site is located, designed and laid out in a manner that avoids adverse effects on the safe and effective operation of the roading network, including pedestrians. For example:
- Whether the nature and scale of vehicle movements associated with the activity will have an adverse effect on road users.
 - Whether the drive through is positioned to provide sufficient off-road queuing space during peak times.
 - Whether the site is designed to allow a free flow of traffic from the road into the parking area.
 - Whether the activity is designed in such a manner that vehicles can manoeuvre on-site in a safe and efficient manner.
 - Whether sufficient vehicle (including service vehicles) and pedestrian access is provided to the site to minimise conflict between pedestrians and vehicles.
- (b) Conditions
- (i) The main pedestrian entrance to the restaurant must front the street.
 - (ii) Car parking (if chosen to be provided) must be provided to the rear of the building.

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15A.8.3.4 Subdivision (Refer to Rule 15A.3.1(a))

- (a) Matters of Discretion
- (i) Whether the proposal will deliver the outcomes sought by Structure Plan 013, particularly in respect of Secondary Structure Plan Features (local roads/laneways and secondary reserves).
 - (ii) The design and layout of the subdivision, including the size, shape and position of any lot, including the future land use and development of each lot. In addition, the location of building sites, separation distances, orientation of buildings, and screening/landscape treatment.
 - (iii) The amalgamation of any proposed allotments or balance areas to existing titles of land.
 - (iv) The provision of access, any new roads, cycleways, footpaths, provision of linkages to existing roads and provision for bus stop and turning areas.
 - (v) The provision of servicing, including water supply, wastewater systems, stormwater management and disposal, streetlighting, telecommunications and electricity and, where applicable gas.
 - (vi) Provision of reserves, esplanade reserves, esplanade strips and access strips, including connections to existing and future reserves.
 - (vii) Effects on significant sites and features, including natural, ecological, cultural, archaeological and historical sites.
 - (viii) Site contamination remediation measures and works.
 - (ix) Avoidance or mitigation of natural hazards.
 - (x) Management of construction effects, including traffic movements, hours of operation, noise, earthworks and erosion and sediment control. This may require cut and fill plans and erosion and sediment control plans to be submitted with applications for subdivision.
 - (xi) Whether tikanga and cultural protocols will be followed during the construction phase, particularly when undertaking earthworks.
 - (xii) Staging of the subdivision.
 - (xiii) Compliance with the Councils Subdivision and Development Principles and Requirements (Version: July 2014).
 - (xiv) Those matters described in Sections 108 and 220 of the RMA.
- (b) Conditions

15A RULES: TARA-IKA MULTI-ZONE PRECINCT

- (i) All lots shall demonstrate compliance with the relevant permitted activity conditions, except no minimum lot area requirement applies.

(ii) Structure Plan

- A condition will be imposed on the resource consent of any subdivision that creates additional allotments and involves a site/part of a site that contains a roading asset as indicated by Structure Plan 013 requiring the roading asset to be constructed and vested with Council as indicated on the Structure Plan or as otherwise approved by resource consent.
- A condition will be imposed on the resource consent of any subdivision that creates additional allotments and involves a site/part of a site containing a park or reserve as shown on Structure Plan 013, requiring the site/part of the site containing the reserve to be vested within Council or as otherwise approved by resource consent.

(iii) Water Supply, Wastewater and Other Services

All subdivisions shall comply with the requirements as specified set out in Chapter 24.

(iv) Roads and Access

All subdivisions shall comply with the requirements as specified in Chapter 21.

(v) Network Utilities

There shall be no minimum site area requirements for lots for network utility purposes.

(c) Non-Notification

- (i) Under section 77D of the RMA, an activity requiring resource consent under Rule 15A.8.3.4 shall not be publicly notified or limited notified.

15A.8.4 Open Space Zone

15A.8.4.1 Subdivision (Refer to Rule 15A.3.1(a))

(a) Matters of Discretion

- (i) Whether the proposal will deliver the outcomes sought by Structure Plan 013, particularly in respect of Secondary Structure Plan Features (local roads/laneways and secondary reserves).
- (ii) The design and layout of the subdivision, including the size, shape and position of any lot, including the future land use and development of each lot. In addition, the location of building sites, separation distances, orientation of buildings, and screening/landscape treatment.
- (iii) The amalgamation of any proposed allotments or balance areas to existing titles of land.

15A RULES: TARA-IKA MULTI-ZONE PRECINCT

- (iv) The provision of access, any new roads, cycleways, footpaths, provision of linkages to existing roads.
 - (v) The provision of servicing, including water supply, wastewater systems, stormwater management and disposal, street lighting, telecommunications and electricity and, where applicable gas.
 - (vi) Provision of reserves, esplanade reserves, esplanade strips and access strips, including connections to existing and future reserves.
 - (vii) Effects on significant sites and features, including natural, ecological, cultural, archaeological and historical sites.
 - (viii) Site contamination remediation measures and works.
 - (ix) Avoidance or mitigation of natural hazards.
 - (x) Management of construction effects, including traffic movements, hours of operation, noise, earthworks and erosion and sediment control. This may require cut and fill plans and erosion and sediment control plans to be submitted with applications for subdivision.
 - (xi) Whether tikanga and cultural protocols will be followed during the construction phase, particularly when undertaking earthworks.
 - (xii) Staging of the subdivision.
 - (xiii) Compliance with the Councils Subdivision and Development Principles and Requirements (Version: July 2014).
 - (xiv) Those matters described in Sections 108 and 220 of the RMA.
- (b) Conditions
- (i) All lots shall demonstrate compliance with the relevant permitted activity conditions, except no minimum lot area requirement applies.
 - (ii) Structure Plan
 - A condition will be imposed on the resource consent of any subdivision that creates additional allotments and involves a site/part of a site that contains an infrastructure asset as indicated by Structure Plan 013 requiring the infrastructure asset to be constructed and vested with Council as indicated on the Structure Plan or as otherwise approved by resource consent.
 - A condition will be imposed on the resource consent of any subdivision that creates additional allotments and involves a site/part of a site containing a park or reserve as shown on Structure Plan 013, requiring the site/part of the site containing the reserve to be vested within Council or as otherwise approved by resource consent.

15A RULES: TARA-IKA MULTI-ZONE PRECINCT

(iii) Water Supply, Wastewater and Other Services

All subdivisions shall comply with the requirements as specified set out in Chapter 24.

(iv) Roads and Access

All subdivisions shall comply with the requirements as specified in Chapter 21.

(v) Network Utilities

There shall be no minimum site area requirements for lots for network utility purposes.

(c) Non-Notification

- (i) Under section 77D of the RMA, an activity requiring resource consent under Rule 15A.8.4.1 shall not be publicly notified or limited notified.

15A.8.5 Greenbelt Residential

15A.8.5.1 Subdivision (Refer to Rule 15A.3.1(a))

(a) Matters of Discretion

- (i) Whether the proposal will deliver the outcomes sought by Structure Plan 013, particularly in respect of Secondary Structure Plan Features (local roads/laneways and secondary reserves).
- (ii) The design and layout of the subdivision, including the size, shape and position of any lot, as well as the future land use and development of each lot. In addition, connectivity and linkages (both within and beyond the subdivision), energy efficiency and conservation, and access to solar energy.
- (iii) Provision of land for publicly accessibly open space and recreation that is appropriately located and of a practicable size and shape to support management of stormwater during heavy rain events, in general accordance with Structure Plan 013.
- (iv) Whether the proposal includes the provision of practicable street plantings.
- (v) The provision of access, any new roads, cycleways, footpaths, provision of linkages to existing roads-
- (vi) The management of traffic generated and potential adverse effects on the safety and efficiency of the transport network (including existing and proposed state highways).

15A RULES: TARA-IKA MULTI-ZONE PRECINCT

- (vii) Minimise use of cul-de-sacs, particularly cul-de-sacs that are long or have poor visibility.
- (viii) Consideration of Crime Prevention through Environmental Design Principles.
- (ix) The provision of servicing, including water supply, wastewater systems, stormwater management and disposal, telecommunications, gas and electricity.
- (x) Effects on significant sites and features, including natural/ecological, cultural, archaeological and historical sites.
- (xi) The protection and enhancement of any natural habitat of indigenous species within the subdivision
- (xii) Avoidance or mitigation of natural hazards.
- (xiii) Management of construction effects, including traffic movements, hours of operation, noise, earthworks and erosion and sediment control. This may require cut and fill plans and erosion and sediment control plans to be submitted with applications for subdivision.
- (xiv) Whether tikanga and cultural protocols will be following during the construction phase, particularly when undertaking earthworks.
- (xv) The staging of development and timing of works
- (xvi) Compliance with the Council's Subdivision and Development Principles and Requirements (Version: July 2014).
- (xvii) The potential effects of the development on the safe and efficient operation, upgrading, maintenance and replacement of existing lawfully established network utilities.
- (xviii) Those matters described in Sections 108 and 220 of the RMA.
- (b) Conditions
 - (i) Minimum Allotment Area and Shape
 - Each allotment shall comply with the following site area and shape factor standards in Table 15A-5

Table 15A-5: Standards Applying to Subdivision and Residential Dwelling Units

Type of Allotment, or Subdivision	Minimum Area Per Allotment/Site	Minimum Shape Factor
Greenbelt Residential General Serviced	2000 square metres	20 metres diameter

15A RULES: TARA-IKA MULTI-ZONE PRECINCT

Greenbelt Residential General Unserved	5000 square metres	20 metres diameter
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(ii) Structure Plan

- A condition will be imposed on the resource consent of any subdivision that creates additional allotments and involves a site/part of a site that contains a roading asset as indicated by Structure Plan 013 requiring the roading asset to be constructed and vested with Council as indicated on the Structure Plan or as otherwise approved by resource consent.
- A condition will be imposed on the resource consent of any subdivision that creates additional allotments and involves a site/part of a site containing a park or reserve as shown on Structure Plan 013, requiring the site/part of the site containing the reserve to be vested within Council or as otherwise approved by resource consent.

(iii) Water Supply, Wastewater and Other Services

All subdivisions shall comply with the requirements as specified set out in Chapter 24.

(iv) Roads and Access











All subdivisions shall comply with the requirements as specified in Chapter 21.

(v) Network Utilities






There shall be no minimum site area requirements for lots for network utility purposes.

(c) Non-Notification



- (i) Under section 77D of the RMA, an activity requiring resource consent under Rule 15A.8.5.1 shall not be publicly notified or limited notified.

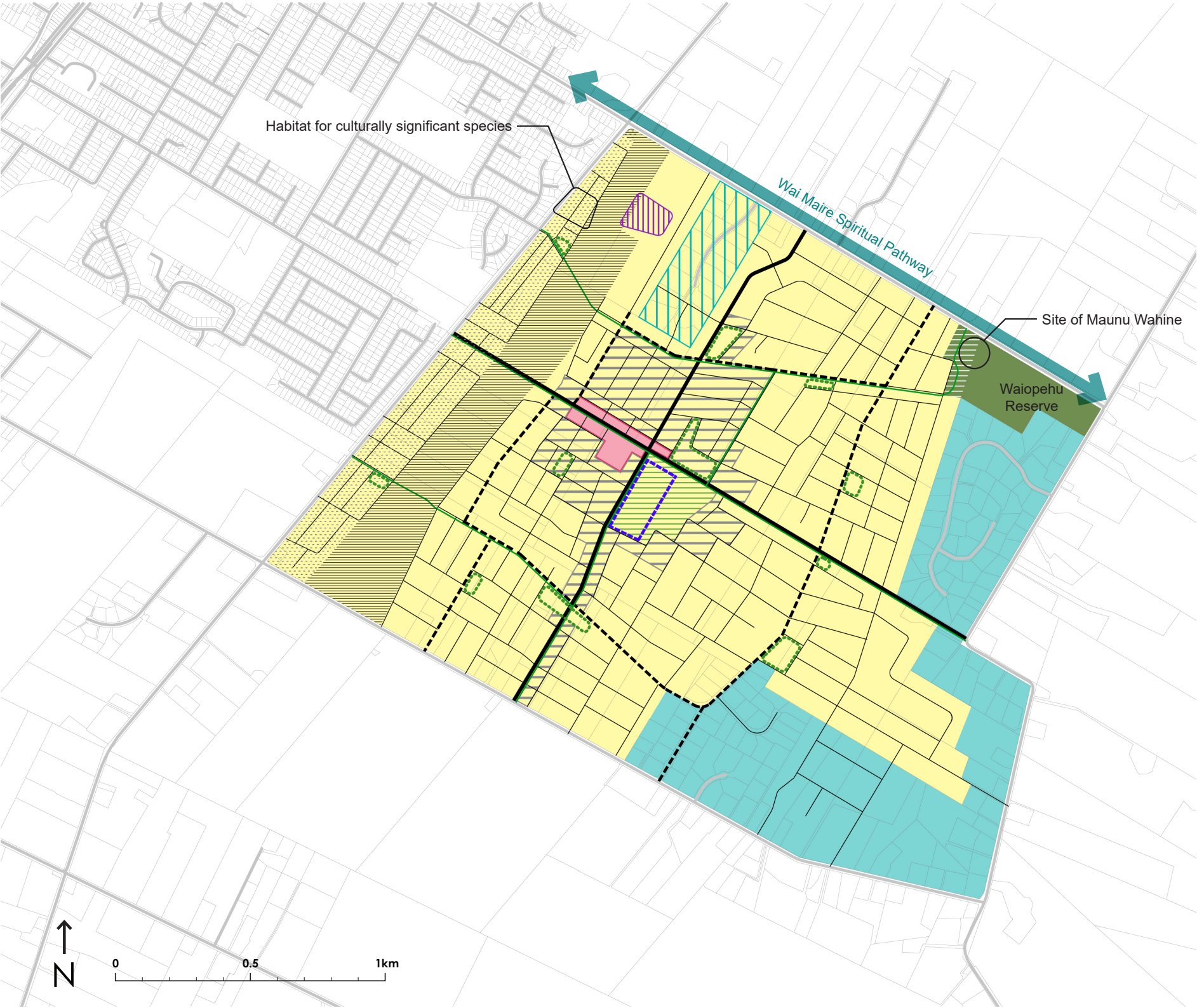
-  Otaki to North Levin Corridor
Shown for information purposes only, current as of October 2020. Location subject to change.
-  Commercial Zone
-  Education Overlay
-  Arapaepae Rd Special Treatment Overlay
-  Medium Density Residential Overlay
-  Residential Zone
-  Low Density Residential Overlay
-  Greenbelt Residential Zone
-  Open Space Zone
-  Culturally Significant Species -
assessment required under 15A.8.2.2(a)(xii)

Primary Features

-  Arterial road connections
-  Collector road connections
-  Strategic Cycleways
-  Central Open Space
-  Maunu Wahine

Secondary Features

-  Local roads and laneways
-  Secondary Reserves



File No.: 24/73

6.4 Horowhenua District Draft Speed Management Plan: Changes to Speed Management Planning Process

1. Purpose

- 1.1 To discuss the information received from the Minister of Transport around the process to set speed limits under the Land Transport Rule: Setting of Speed Limits 2022 and recommend actions relating to the Horowhenua District Draft Speed Management Plan 2024-2034 (SMP).

This report directly aligns with Council's top 10 priority "Get the basics right and support the customer focused delivery of core services".

2. Executive Summary

- 2.1 Council previously adopted the Horowhenua District Draft Speed Management Plan (SMP), and authorised the Chief Executive Officer to finalise the Draft SMP 2024-2034 and submit to Horizons Regional Council for inclusion in the Regional SMP.
- 2.2 Since this decision was made a new government has been elected. The Hon Simeon Brown, Minister of Transport has subsequently been in contact with all Regional Transport Committees and Road Controlling Authorities advising that the Government intends to replace the current Rule as part of the Government's 100-day commitments and revoked the deadlines and targets previously set by NZTA.
- 2.3 Horizons Regional Council Officers have advised that they are going to wait for the new Rule to be released before making a decision as to whether a Regional SMP is going to be completed. However, at this point in time Council Officers are still able to submit the Horowhenua Draft SMP directly to the Director of Land Transport for certification.
- 2.4 One of the key drivers for the development of the SMP was that it was required under the Land Transport Rule: Setting of Speed Limits 2022. However, the SMP also rectified a number of legal anomalies between posted and legal speed limits. It is important that the legal speed limits are rectified in the National Speed Limit Register to reduce the risk of non-compliance to Council. Therefore, Council will be required to complete a SMP to address this either now with the current SMP or in the near future with a SMP that complies with the new Rule.
- 2.5 The option Council chooses may require it to revoke a previous resolution; a 75% majority vote in support of the revocation would be required.

3. Recommendation

- 3.1 That Report 24/73 Horowhenua District Draft Speed Management Plan: Changes to Speed Management Planning Process be received.
- 3.2 That this matter or decision is recognised as not significant in terms of S76 of the Local Government Act.

- 3.3 That Council revoke resolution CO/2023/231, submitting the Horowhenua District Draft Speed Management Plan 2024-2034 to Horizons Regional Council for inclusion in the Regional Speed Management Plan.
- 3.4 That Council authorise the Chief Executive to submit the previously endorsed Horowhenua District Draft Speed Management Plan 2024-2034 to NZTA for certification. (Option A)

OR

- 3.5 That Council continue to include the Horowhenua District Draft Speed Management Plan 2024-2034 in the Regional Speed Management Plan. (Option B)

OR

- 3.6 That Council revoke resolution CO/2023/231, submitting the Horowhenua District Draft Speed Management Plan 2024-2034 to Horizons Regional Council for inclusion in the Regional Speed Management Plan.
- 3.7 That Council authorise the Chief Executive to rescind the Horowhenua District Draft Speed Management Plan that has already been submitted to Horizons Regional Council for inclusion in the Regional Speed Management Plan. (Option C)

4. Background / Previous Council Decisions

- 4.1 At a Council Meeting on 30 August 2023, Council adopted the Horowhenua District Draft SMP, and authorised the Chief Executive Officer to finalise the Draft SMP 2024-2034 and submit to Horizons Regional Council for inclusion in the Regional SMP (CO/2023/231).
- 4.2 The Horowhenua District Draft SMP was completed in line with the Land Transport Rule: Setting of Speed Limits 2022 including engaging with the community on the plan. A total of 97 feedback forms/submissions were received. Further details are available through the following links:
- Council Meeting Agenda 30 August 2023:
https://horowhenua.infocouncil.biz/Open/2023/08/CO_30082023_AGN_AT.PDF
 - Council Agenda Attachments 30 August 2023:
https://horowhenua.infocouncil.biz/Open/2023/08/CO_30082023_ATT_EXCLUDED.PDF
 - Meeting Minutes 30 August 2023
https://horowhenua.infocouncil.biz/Open/2023/08/CO_30082023_MIN_AT.PDF
- 4.3 In line with the Council decision on 30 August 2023, Council Officers submitted the draft SMP to Horizons Regional Council for inclusion in the Regional SMP.
- 4.4 Since this decision was made, a new Government has been elected. The Hon Simeon Brown, Minister of Transport, has subsequently been in contact with all Regional Transport Committees and Road Controlling Authorities advising that the Government intends to replace the current Land Transport Rule: Setting of Speed Limits 2022 (the Rule) as part of the Government's 100-day commitments. It is unknown when the new Rule will be published.
- 4.5 The amendments to the current rule include:
- All deadlines for submitting draft Speed Management Plans to NZTA have been revoked.
 - Targets for SMPs (including around schools) have been revoked.
 - SMPs are no longer a requirement.
 - This also included revoking the deadlines and targets previously set by NZTA.

- 4.6 The letter from the Minister of Transport also encouraged Road Controlling Authorities, such as Horowhenua District Council, to not proceed with Speed Management Planning until the Rule is replaced. A copy of the letter from the Minister of Transport to Mayor Wanden is attached in Appendix A.
- 4.7 Officers have also received a letter from NZTA's Director of Land Transport, who is in charge of certifying SMPs and having them take effect in the National Speed Limit Register. This letter explains how the Director has interpreted the Minister's direction. The Director's letter outlines that Road Controlling Authorities can still submit SMPs for certification prior to the new Rule coming into effect. It is therefore possible for the Horowhenua District Draft SMP to be submitted to NZTA at the moment. A copy of the letter from the Director of Land Transport is attached in Appendix B.
- 4.8 Council's resolution CO/2023/231:

Resolution Number CO/2023/231

MOVED by Cr Grimstone, seconded Cr Young:

- 3.9 *That Council authorise the Chief Executive to finalise the Draft Speed Management Plan 2024-2034 and submit to Horizons Regional Council for inclusion in the Regional Speed Management Plan.*

CARRIED

can no longer practicably be carried out because of the changes in direction by central government and the regional council's decision not to proceed with Regional Speed Management Plan at this time. This resolution will need to be revoked and be replaced by one of the options outlined in this report. A 75% majority vote of Council is required to revoke resolution CO/2023/231

5. Discussion

- 5.1 As the new Rule has not been released it is unknown what changes would need to be made to the current SMP to meet the requirements of the new Rule. It is likely that speed management planning and the submission of SMPs for certification will continue to be the mechanism for changing speed limits in the National Speed Limit Register. Even though the Horowhenua District SMP proposed a comparatively small number of changes to speed limits compared to what was proposed by other Road Controlling Authorities in their SMPs it is likely that the current SMP will be non-compliant and will require rework and re-consultation to meet the new requirements. It is likely that the costs of any additional work will need to be met by Council within existing budgets.
- 5.2 One of the key drivers for the development of a SMP was that it was required under the Rule. This requirement has already been rescinded. However, the SMP also rectified a number of legal anomalies between posted and legal speed limits. There are currently a number of speed limits in Horowhenua where the legal speed limit is higher than the sign posted speed limit. It is important that the legal speed limits are rectified in the National Speed Limit Register to reduce the risk of non-compliance to Council. Therefore, Council will be required to complete a SMP either now with the current SMP or in the near future with a SMP that complies with the new Rule to address these anomalies.
- 5.3 Horizons Regional Council Officers have advised that they are going to wait for the new Rule to be published before making a decision as to whether a Regional SMP will be completed. This decision will be made in conjunction with the Road Controlling Authorities within the Horizons Region. It is unknown when Horizons Regional Council will confirm the outcome of this decision.

6. Options

- 6.1 There are three options outlined for Council to consider:

Option A (Recommended Option) - Council authorise the Chief Executive to submit the previously endorsed Draft Speed Management Plan 2024-2034 to NZTA for certification.

- 6.2 This option would ensure that the speed limit changes that were consulted on with the community and endorsed by Council will be made. It will also ensure that the legal anomalies between the legal and sign posted speed limits are addressed in a timely manner. Given that NZTA have advised that the certification process takes less than one month once they have received all required documentation, this will reduce the risk to Council that the incorrect sign posted speed limits poses.
- 6.3 During community consultation those who provided feedback/submissions predominantly supported the proposed speed limit changes. This option would enable Council to continue to act based on the community feedback received.
- 6.4 Submitting the previously completed Draft SMP is also likely to reduce future potential costs for the speed management planning process. This is because it will be unlikely that Council will be required to complete additional SMPs and it is significantly less likely that rework or additional community consultation will need to occur.
- 6.5 This option requires Council to first revoke its previous resolution CO/2023/231.

Option B - Council continue to include the draft Speed Management Plan 2024-2034 in the Regional Speed Management Plan.

- 6.6 If this option is endorsed it is unknown if or when a Regional Speed Management Plan will be completed or submitted to NZTA for certification.
- 6.7 It is also possible that the Horowhenua SMP component will not comply with the new Rule and may need to be restarted from scratch including re-consulting with the community. It is unlikely that additional funding will be available from NZTA to complete this work, and it will therefore need to be completed within existing budgets.

Option C - Council authorise the Chief Executive to rescind the Draft Speed Management Plan that has already been submitted to Horizons Regional Council for inclusion in the Regional Speed Management Plan.

- 6.8 Once the new Rule has been set, Council Officers would then review and determine the impacts and what steps need to be done to ensure compliance.
- 6.9 This option does not address the requirement to ensure that the legal anomalies between the legal and sign posted speed limits are addressed. These will still be required to be addressed.
- 6.10 It is possible that the Horowhenua SMP will not comply with the new Rule and may need to be restarted from scratch including re-consulting with the community. It is unlikely that additional funding will be available from NZTA to complete this work, and it will therefore need to be completed within existing budgets.
- 6.11 This option requires Council revoke its previous resolution CO/2024/231.

7. Next Steps

Option A

- 7.1 If Council endorse option A, Council Officers will finalise the Horowhenua District Draft Speed Management Plan 2024-2034 and submit it with the required certifying documentation to NZTA.
- 7.2 Once received by NZTA the draft plan is then reviewed by the Speed Management Committee who provide a recommendation to the Director of Land Transport about whether the plan should be certified or any other feedback.
- 7.3 Once the plan is certified, speed limits are able to be updated in the National Speed Limit Register in line with the three year implementation programme.
- 7.4 Council Officers will continue to advocate for road safety education programmes including those that will support how their behaviour will need to change once any speed limits are implemented and to support children to act safety around roads.

Option B

- 7.5 If Council endorse option B, Council Officers will continue to wait for the new Rule to be set and will continue to work with Horizons Regional Council Officers to determine if any changes are required.
- 7.6 If Horizons Regional Council confirms that a Regional SMP is going to be completed, this will be submitted to NZTA for review in line with the process outlined in Option A.
- 7.7 If Horizons Regional Council decided that a Regional SMP will not be completed, Council Officers will need to submit a SMP directly to NZTA for certification as the legal anomalies between the sign posted and legal speed limits are still required to be addressed.

Option C

- 7.8 If Council endorse Option C, Council Officers will continue to wait for the new Rule to be set before considering whether the current SMP meets the new requirements or will require re-work. Submission of a SMP is highly likely to be required in the near future to address, at a minimum, the legal anomalies between the legal and sign posted speed limits within the District.

8. Supporting Information

Risk Area	Risk Identified	Consequence	Likelihood	Risk Assessment (Low to Extreme)	Managed how
Strategic					
Financial	Council may need to rework the SMP already completed and may need to re-consult with the community.	Council is likely to need to cover this expense out of current budgets, which has the potential to reduce the service provided in other areas of	Possible	Moderate	

		Land Transport.			
Legal	Difference between legal and sign posted speed limits.	Council may be legally responsible for any consequences arising from the difference between the legal (predominantly higher) and sign posted (predominantly lower) speed limits.	Unlikely	Moderate	Council is required to update the legal speed limits in the National Speed Limit Register to match the sign posted speed limits. The sign posted speed limits were put in place from previous Speed Limit Bylaws but were not included in the 2017 Land Transport Bylaw.
Reputational	Council previously made a decision to endorse a SMP lowering speed limits around schools, in the Manakau township and on selected roads to improve safety and support the intended use of the roads.	If Council does not continue to support these changes the community may feel they have not been listened to and had their views taken into account. In addition, if someone is hurt or killed on a road where it was recommended that the speed limit be reduced but this is delayed/does not happen, it is possible that	Moderate	Moderate	

		Council may be implicated.			
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Confirmation of statutory compliance



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

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

9. Attachments

No.	Title	Page
A	Appendix A: Minister of Transport Update on Land Transport Rule Setting of Speed Limits - December 2023	206
B	Appendix B: Director of Land Transport Update - 13 December 2023	208

Author(s)	Justine Moore Principal Advisor - Infrastructure	
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Approved by	Daniel Haigh Group Manager Community Infrastructure	
	Monique Davidson Chief Executive Officer	

Hon Simeon Brown

MP for Pakuranga

Minister for Energy
Minister of Local Government
Minister of Transport

Minister for Auckland
Deputy Leader of the House



Bernie Wanden
Horowhenua District Council
mayor@horowhenua.govt.nz

Dear Bernie,

As you will be aware, a new Government has taken office with a comprehensive transport programme that will see Kiwis get to where they want to go, quickly and safely. The Government is writing a new Government Policy Statement on Land Transport to focus on reducing travel times and to create a more productive and resilient transport network that drives economic growth to boost incomes and unlock land for houses.

I am writing to inform you of recent changes made to the Land Transport Rule: Setting of Speed Limits 2022 (the Rule).

I am aware Regional Transport Committees (RTCs) and Road Controlling Authorities (RCAs) are currently developing, or have developed, speed management plans in line with the Rule and deadlines set by the New Zealand Transport Agency Waka Kotahi (NZTA).

The Rule has been amended to revoke the deadlines set by the NZTA, including the 29 March 2024 deadline for submitting the final draft speed management plans for certification. The deadlines and targets for reviewing speed limits, including around schools, have also been revoked. The Rule no longer requires RTCs and RCAs to develop speed management plans, and instead allows them to choose to do so.

As part of the Government's 100-day commitments, I intend to replace the current Rule.

This new Rule will ensure that when speed limits are set, economic impacts – including travel times – and the views of road users and local communities are taken into account, alongside safety.

The new Rule will also implement requirements for variable speed limits on roads approaching schools during pick up and drop off times, rather than permanent reductions, to keep young New Zealanders safe when they are arriving at, or leaving, school.

I consider it is undesirable for RTCs and RCAs to apply public money and resources in developing speed management plans only to have to revisit the plans when the new Rule takes effect. Given this, if you have not already finalised your speed management plan, I encourage you to consider the new Rule before making final decisions.

I also note the policies within the previous Government's so-called 'Road to Zero' strategy, in relation to speed limits, are no longer the Government road safety strategy for the purpose of the Rule. The Government is committed to road safety and will be publishing new objectives for road safety along with the new Rule next year.

Private Bag 18041, Parliament Buildings, Wellington 6160 New Zealand
+64 4 817 6804 | s.brown@ministers.govt.nz | www.beehive.govt.nz

I am working with officials on the timeline for replacing the current Rule and I expect them to keep you updated on progress.

In addition, I understand that some local authorities have been developing programmes with NZTA and other stakeholders to reduce vehicle kilometres travelled (VKT) by the light vehicle fleet, using funding from the Climate Emergency Response Fund. I have given notice to NZTA to end its work on these programmes, and to not commit any further funding to local authorities (beyond existing contractual obligations) to develop these programmes.

Thank you for your understanding as we work through these changes.

Yours sincerely



Hon Simeon Brown
Minister of Transport

Copy to: Monique Davidson, moniqued@horowhenua.govt.nz



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13 December 2023

Kia ora koutou,

Re: Amendments to the Land Transport Rule: Setting of Speed Limits 2022

I am writing about changes made by the Minister of Transport to the Land Transport Rule: Setting of Speed Limits 2022 (The Rule) announced on Tuesday 12 December.

The changes to the Rule progress the Coalition Government's 100-day plan in relation to speed management.

I understand the Minister has provided a written update outlining the intent of the changes, which are as follows:

- The requirement to develop speed management plans is now discretionary rather than mandatory
- The Minister of Transport, rather than the NZ Transport Agency Waka Kotahi (NZTA), now has the authority to set a deadline for any of the steps involved in developing, varying or replacing Speed Management Plans (SMPs)
- Any previous deadlines for RCAs to prepare SMPs are revoked
- Regional Transport Committees (RTCs) and Road Controlling Authorities (RCAs) no longer need to meet the previous deadlines associated with setting speed limits outside schools as set out in the Rule.

These amendments to the Rule do not change the function of the Director of Land Transport to certify Speed Management Plans which RCAs choose to submit, however RTCs and RCAs should note the intention from the Minister to develop a new Rule. The Minister has encouraged RCAs to wait for this new Rule before developing or completing SMPs.

I acknowledge the implications of these changes may raise some questions around the progression of speed management plans, including those already submitted for certification. I have provided key information on how these changes may affect you and will provide more details as they become available.

This information along with any further updates will also be made available on the NZTA and Ministry of Transport websites.

Key information

- The Minister intends to replace the Rule and has encouraged RTCs and RCAs to wait until the new Rule is in place before developing or submitting SMPs;
- An RCA can choose to submit a SMP to the Director of Land Transport for certification.
- If a SMP has been submitted, but not yet certified, the RCA can withdraw the SMP prior to certification.
- Implementation of certified SMPs can continue.

- Speed limits which have migrated into the National Speed Limit Register remain valid.
- RTCs and RCAs retain the ability to target harm reduction through safety management responses including SMPs and infrastructure improvements;
- Work on the new Rule has commenced. The expectation is that further information on the scope and process for the new Rule will be available in early 2024.

If you have any concerns, please get in touch with your NZTA Area Programme Manager or Director of Regional Relationships for guidance and support.

Ngā mihi nui,



Brent Alderton
Director of Land Transport

File No.: 24/57

6.5 Water Meter Rollout - Leak Remission

1. Purpose

- 1.1 This report seeks Council approval of remissions for newly discovered leaks during the rollout of new meters. A modification to the percentage of remission could be considered from the date of installation for all properties that receive a new meter or have one replaced. This report does not consider a review of or change to the current targeted rate for water connections or the volumetric water use charges.

2. Executive Summary

- 2.1 Due to the high level of public interest around water charging, a decision has been made to come back to Council for a further resolution directly related to the implementation of the existing Water Remission policy for leaks.
- 2.2 This could be used to provide additional relief for up to 3 months for all commercial, rural and residential properties that receive a new meter or have one replaced and experience a leak. This amnesty would relate to newly discovered leaks on the property and would not cover excessive water use or historic failure to repair water leaks on private property. The 3-month option as set out would be triggered from date of identified leak invoice, so in theory someone could get almost 6 months if meter installed at start of the current 3-month billing cycle.

3. Recommendation

- 3.1 That Report 24/57 Water Meter Rollout - Leak Remission be received.
- 3.2 That this matter or decision is recognised as not significant in terms of S76 of the Local Government Act.
- 3.3 That Council approve Option 1. (Status Quo) - Implement existing policy for billing from the date of installation.

OR

- 3.4 That Council approve Option 2. (Additional remission) - Provide 3-month amnesty for education and proactive repairs.

4. Background / Previous Council Decisions

- 4.1 At the 13 December 2023 Council Meeting, Council approved the programme for delivery of the district wide water metering project and approved bringing budget forward from 2024/25 for the project to commence this year in 2023/24. This report was informed by a procurement plan that set out the basis for water billing in line with the existing 40% of households that are already metered.
- 4.2 A Council briefing on the water metering options and justification for the urgency of the project was done on 23 August 2023. At this briefing, council determined that a report was

needed to inform a decision on the option and programme for delivery of the district wide water metering project.

- 4.3 The Districtwide Water Metering project was included in consultation for the Long Term Plan 2021-2041 Amendment (LTPA), which was adopted by Council on 28 June 2023.

5. Discussion

- 5.1 Part 4 of the existing Rates Remission and Postponement Policy: Remission of Excessive Water Charges allows for a 50% remission of the excessive water charges due to a leak.
- 5.2 This report outlines the options for Council consideration for an additional 50% remission (100% in total) for newly discovered leaks following the installation for all rural, commercial and residential properties that receive a new meter or have one replaced as part of the districtwide water metering project.
- 5.3 The changes proposed apply to Part 4 of the existing Rates Remission and Postponement Policy: Remission of Excessive Water Charges. The changes agreed in this paper if Option 2 is adopted will be implemented under the existing policy.
- 5.4 This report does not consider the resourcing and management of a targeted rate and charge back to residents for private leak repairs. Direction could be provided to investigate this and report back to Council once the early phases of rollout and implementation are underway. Officers intend to investigate this in Q4 of 2024.
- 5.5 It is proposed that the current funding model status quo be retained and that a review and consultation be conducted in the 2024-2025 financial year to inform the 2025/26 Annual Plan.
- 5.6 This report does not consider a review of or change to the current targeted rate for water connections or the volumetric water use charges outlined below. This report is focused on the mechanism we use to respond to leaks.

Water by Meter

In all schemes (except Foxton Beach), the additional fees for metered supplies are subject to an allowance of 91 cubic metres (m³) per quarter. A charge per m³ will be made for water consumed in excess of 91m³ per quarter on any rating unit connected to any water supply; except Foxton Beach where a meter is used to measure consumption on the network.

The charge per m³ of water consumed in excess of 91m³ per quarter on any rating unit connected to the Shannon untreated bore water supply, where a meter is used to measure consumption on the network during the period, will be half that charged for treated water.

Foxton Beach water supply will be charged by cubic metre (in addition to the fixed charge described above) using a three-step system:

Step 1 - *A charge per m³ for the first 50m³ of water consumed per quarter on any rating unit or SUIP of a rating unit connected to the Foxton Beach water supply network during the period.*

Step 2 - *A charge per m³ for the second 50m³ of water consumed per quarter in excess of 50m³ on any rating unit or SUIP of a rating unit connected to the Foxton Beach water supply network. This will be set at 200% of the rate set in step 1.*

Step 3 - *A charge per m³ for the balance of water consumed per quarter in excess of 100m³ on any rating unit or SUIP of a rating unit connected to the Foxton Beach water supply network. This will be set at 300% of the rate set in step 1.*

6. Options

- 6.1 There are two options outlined for Council to consider:

Option 1 (Status Quo) - Implement existing policy for billing from the date of installation.

- 6.2 This option means that residents would be billed in the quarter following installation. If excessive water has been lost as a result of a leak the resident is eligible for a 50% remission upon proof of repair (plumbers invoice etc.)

Option 2 (Additional remission) - Provide 3-month amnesty for education and proactive repairs.

- 6.3 This option provides the opportunity for residents to apply within 3 months of meter installation for up to a 100% remission as a result of a leak and upon proof of repair (plumbers invoice etc.) in accordance with the existing Rates Remission policy.

Cost and Rate Impact

- 6.4 As the Council has not budgeted for any additional increases in water meter revenue resulting from the water meter rollout as part of the 2023/24 and 2024/25 financial year, we will be able to offset any remissions with any additional income that we receive from meters.
- 6.5 It would be expected that any additional water meter income, net of remissions would be ring-fenced and used to offset the future water rates.
- 6.6 There will be a requirement for more resourcing to manage the additional workload during the implementation phase of the project, which was budgeted for. In the interim we are working to share the impact across existing resources.

Community Wellbeing

- 6.7 Considerations regarding community wellbeing relating to affordability of water supply will be addressed during the proposed future review of the targeted water rate, volumetric water use charges and policy on remission of excessive water use charges.

Consenting Issues

- 6.8 There are no Consents required or consenting issues arising.

LTP Integration

- 6.9 The expenditure for this project is included in the LTP under 9825 - Districtwide Water Demand Management - Universal water metering. Council approved bringing forward the budget from 2024/25 for the project to commence this year in 2023/24, at the 13 December 2023 Council meeting. The approved change to the programme is indicated in the table below.

Year	Approved change to programme
23/24	\$ 2,100,000
24/25	\$ 3,600,000
25/26	\$ 760,000
26/27	
	\$ 6,460,000

7. Consultation

- 7.1 Consultation on the changes to the Rates Remission Policy will occur in the 2024-2025 financial year to inform the 2025/26 Annual Plan.
- 7.2 Future changes and reviews of the targeted water rate, volumetric water use charge and remission of excessive water use charges will require consultation.

8. Legal Considerations

- 8.1 This project is an existing LTP programme and there are no further Legal Requirements or Statutory Obligations affecting the proposed options.

9. Financial Considerations

- 9.1 This project is in the existing LTP programme.

10. Iwi Considerations

- 10.1 There are no Iwi considerations.

11. Climate Change Considerations

- 11.1 District-wide water metering is one of the interventions required to enable the implementation of water conservation measures which will ensure the efficient use of a valuable natural resource.

12. Environmental Considerations

- 12.1 The implementation of this project will include a waste minimisation plan for the re-use and recycling of all water meters that are being replaced.

13. Health & Safety Considerations

- 13.1 A Risk Management Plan will be drafted to manage Health & Safety considerations during the implementation of the project.

14. Other Considerations

- 14.1 This project forms part of the wider infrastructure strategy for a risk-based approach to match investment with demand.
- 14.2 This project will likely elicit strong community views relating to the ownership and affordability of water supplies. This will be managed through a robust, timely and thorough communications plan.

15. Next Steps

Option 1

- 15.1 If Council endorse option 1, no changes are required and the existing policy and procedures for a 50% remission of the excessive water charges due to a leak will be followed.

Option 2

- 15.2 If Council endorse option 2, the changes proposed will be applied by updating Part 4 of the existing Rates Remission and Postponement Policy: Remission of Excessive Water Charges with the additional 50% remission.

Both Option 1 and 2

- 15.3 It is proposed that the current funding model status quo be retained and that a review of the remission policy be included in the consultation conducted in the 2024-2025 financial year to inform the 2025/26 Annual Plan.
- 15.4 The customer awareness campaign will be updated to reflect Council's decision and would include public notices, updates to the website and public displays of the water meter boxes at Council facilities and Council office.
- 15.5 Meter installation will begin in Shannon, Foxton and some areas of Levin.

16. Supporting Information

Risk Area	Risk Identified	Consequence	Likelihood	Risk Assessment (Low to Extreme)	Managed how
Strategic	Water metering project does not conform to Council's strategic goals for Enabling Infrastructure	Medium	Low	Low	The proposed option will ensure infrastructure meets current and future needs, promote water conservation and be reliable and resilient
Financial					
Service Delivery					
Legal					
Reputational	Community views	Low	High	Low	Communications plan for customer education & engagement




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 advantages and disadvantages, 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.

17. Attachments

No.	Title	Page
A	Council Report Implementation of Districtwide Water Metering 13 December 2023 Confidential - CONFIDENTIAL	
B	HDC - LTP-2021-41-Rates-Remissions-Policy	

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	Monique Davidson Chief Executive Officer	

Rates Remission Policy

Kaupapahere mō te
Whakatārewa Reiti



Rates Remissions Policy

Introduction

This policy is adopted pursuant to section 85 of the Local Government (Rating) Act 2002 and section 109 of the Local Government Act 2002.

The general objectives sought to be achieved by this policy are:

- (1) The vision and goals of the Community Outcomes, particularly those supporting community development, voluntary initiatives and the protection of the natural environment, and
- (2) Equity and efficiency in the administration of the rating system.

Applications meeting the conditions and criteria laid out in the policy will be considered, each on its merits, and the outcome is a matter for Council's discretion.

The policy provides for the following classes of rate remissions:

- Part 1 Community groups
- Part 2 Voluntarily protected land
- Part 3 Penalties on rates
- Part 4 Excessive water charges
- Part 5 Remnant land
- Part 6 Rating units in industrial and commercial areas used for residential purposes
- Part 7 Land Used for Primary Industry and Rural Residential purposes in areas that have been rezoned as Residential and Business Zones
- Part 8 Small rate balances
- Part 9 Targeted rates on non-rateable land
- Part 10 Properties affected by disasters
- Part 11 Subdivisions which are in Common Ownership but do not meet the criteria of a Contiguous Property

- Part 12 On Bare Land
- Part 13 Council Owned Utilities
- Part 14 Contiguous rating units not in common ownership.

Part 1: Remission of Rates on Community Groups

(a) Objective

To facilitate the ongoing provision of non-governmental, not-for-profit community support services to the residents of the District.

(b) Conditions and Criteria

To qualify for remission under this part of the policy a rating unit must:

- be owned and occupied by a community support organisation;
- used primarily for the provision of community support services to the general public; and
- (except as provided in the next paragraph) not receiving any other form of rating relief.

Rating units that are 50% non-rateable under Part 2 of Schedule 1 of the Act, except for that area where a liquor license is in force, shall have 100% remission of rates other than water and sewer rates over that part of the land. Where an owner has a liquor license they are ineligible for a remission.

Other matters taken into account in determining whether a rating unit qualifies for remission will include:

- the level of rates assessed on the rating unit;
- the extent to which the primary purpose of the ratepayer is to provide services to disadvantaged groups (including children, youth, young families, aged people and economically-disadvantaged people);
- the impact of the ratepayer's activities on the social, cultural, economic or environmental well-being of the District;

- the number of members and/or clients;
- history of service to the residents of the District; and
- the rating status of similar groups.

Applications must be in writing, supported by:

- statement of objectives;
- description of governance structure;
- financial accounts;
- information on activities and programmes; and
- information on membership or clients.

Applications must be received prior to the commencement of the rating year. Applications received during a rating year will be considered from the commencement of the following rating year commencing the next 1st July. Applications will not be backdated.

(c) Process

Applications will be determined by the Group Manager – Finance or Finance Manger (or equivalent positions within the Finance Department) to a value of \$2,500. Any requested remissions above \$2,500 or if there is any doubt or dispute arising, the application is to be referred to the Chief Executive and a member of the Finance Subcommittee for a decision.

Each application will be considered on its merits, and if approved the value of the remission will be 100% of all general and targeted rates generally applied across the District except water and waste water. The ratepayer will be informed of the outcome of the application in writing.

Part 2: Remission of Rates on Voluntarily Protected Land

(a) Objective

To encourage and promote the conservation and protection of significant natural features.

(b) Conditions and Criteria

To qualify for remission under this part of the policy a rating unit or part thereof must:

- be the subject of a QEII Open Space or similar DOC covenant (in which case 100% remission of all rates will apply), or the likes of a DOC Management Agreement under the Reserves Act or Conservation Act (in which case 50% remission of some or all rates may apply), and
- not be receiving any other form of rating relief.

Other matters taken into account in determining whether a rating unit qualifies for remission will include:

- the degree to which significant natural features worthy of conservation and protection are present on the land;
- the degree to which such significant natural features inhibit the economic utilisation of the land;
- the extent to which the conservation and protection of such significant natural features would be promoted by the remission of rates; and
- the ability or potential of the public to enjoy the significant natural features.

Applications must be in writing, supported by documentary evidence of the protected status.

Applications must be received prior to the commencement of the rating year.

Applications received during a rating year will be considered from the commencement of the following rating year commencing the next 1st July. Applications will not be backdated.

(c) Process

Applications will be determined by the Group Manager – Finance or Finance Manger (or equivalent positions within the Finance Department) to a value of \$2,500. Any requested remissions above \$2,500 or if there is any doubt or dispute arising, the application is to be referred to the Chief Executive and a member of the Finance Subcommittee for a decision.

Each application will be considered on its merits and if approved the value of the remission will be 100% if General and Targeted rates generally applied across the District except Water and Wastewater (QEII covenants only) and 50% of General and Targeted rates generally applied across the District except Water and Wastewater on others.

The Council will arrange a two-way apportionment of the rating value of the rating unit between the area covered by the application and the balance for this purpose. The ratepayer will be informed of the outcome of the application in writing.

Part 3: Remission of Penalties on Rates

(a) Objective

The objective of the Remission of Penalties is to enable the Council to act fairly and reasonably in its consideration of rates which have not been received by the Council by the penalty date, primarily due to circumstances outside the ratepayer's control.

(b) Conditions and Criteria

Remission of penalties on late payment of rates may be made when it is considered just and equitable to do so. In determining justice and equity, one or more of the following criteria shall be applied.

- a) Where there exists a history of regular, punctual payment over the last five years (or back to purchase date if the rating unit has been owned for less than five years) and payment is made within a 10 days following the ratepayer being made aware of the non-payment, a one-off reduction of instalment penalties may be made.
- b) Where an agreed payment plan is in place, penalties may be suppressed or reduced, where the ratepayer complies with the terms of the agreed payment plan which include payment by direct debit. In the event that the agreement is not maintained, Council reserves the right to levy future penalties.

- c) Where the rates instalment was issued in the name of a previous property owner. The rating unit has a new owner who has been given insufficient notice of invoice due date.
- d) Where a ratepayer has been ill or in hospital or suffered a family bereavement or tragedy of some type and has been unable to attend to payment, on compassionate grounds.
- e) Where an error has been made on the part of the Council staff or arising through error in the general processing or incorrect rates being applied which has subsequently resulted in a penalty charge being imposed.

(c) Process

- a) A ratepayer may request in writing that the penalty applied for late payment be remitted.
- b) Each application will be considered on its merits, and if approved, the value of the remission may be all or part of any penalties incurred.
- c) Applications may also be at the initiative of the Group Manager – Finance or Finance Manger (or equivalent positions within the Finance Department).
- d) Applications will be determined by the Group Manager – Finance or Finance Manger (or equivalent positions within the Finance Department) to a value of \$2,500. Any requested remissions above \$2,500 or if there is any doubt or dispute arising, the application is to be referred to the Chief Executive and a member of the Finance Subcommittee for a decision.

Part 4: Remission of Excessive Water Charges

(a) Objective

To enable Council to act fairly, reasonably and consistently in its assisting ratepayers who have excessively high water rates due to a fault in the internal reticulation serving their rating unit.

(b) Conditions and Criteria

To qualify for remission under this part of the policy a rating unit must have incurred excessive water charges attributable to a fault in the internal reticulation serving the rating unit.

Applications must be made in writing, with verification that the fault has been rectified (e.g. a plumber's bill).

(c) Process

Applications will be determined by the Group Manager – Finance or Finance Manger (or equivalent positions within the Finance Department) to a value of \$2,500. Any requested remissions above \$2,500 or if there is any doubt or dispute arising, the application is to be referred to the Chief Executive and a member of the Finance Subcommittee for a decision.

Assessment of the excessive water charge will take into account:

- the charges for normal levels of water consumption; and
- the time taken to have the fault repaired.

Each application will be considered on its merits, and if approved the value of the remission will be half of the value of the excessive consumption.

The ratepayer will be informed of the outcome of the application in writing.

Part 5: Remission of Rates on Remnants of Land

(a) Objective

To enable Council to act fairly and equitably in the assessment of rates on what are determined for these purposes to be remnants of land.

(b) Conditions and Criteria

To qualify for remission under this part of the policy a rating unit must:

- comprise a piece of land that does not warrant the assessment or invoicing of rates
- not be the subject of any other form of rating relief.

Matters taken into account in determining whether a rating unit qualifies for remission, and a guide as to what may be expected to qualify as a remnant, will include:

Matter taken into account	Example for guidance
Area	Only a few square metres
Location	Remote, landlocked
History	Unintended remnant of subdivision
Ownership	Indeterminate
Rateable Value	Nominal
Potential Uses	Nil

Applications must be received prior to the commencement of the rating year. Applications received during a rating year will be considered from the commencement of the following rating year commencing the next 1st July.

Applications will not be backdated.

Applications may be at the initiative of the Group Manager – Finance, Finance Manager, or Rates Officer or in writing from the ratepayer.

(c) Process

Applications will be considered and determined by the Group Manager – Finance or Finance Manger (or equivalent positions within the Finance Department) to a value of \$2,500. Any requested remissions above \$2,500 or if there is any doubt or dispute arising, the application is to be referred to the Chief Executive and a member of the Finance Subcommittee for a decision.

Each application will be considered on its merits, and if approved the value of the remission will be the whole of the rates that would otherwise be assessed on the rating unit. The ratepayer will be informed of the outcome of the application in writing.

Part 6: Remission of Rates on Rating Units in Industrial and Commercial Areas Used for Residential Purposes

(a) Objective

To ensure that owners of rating units situated in commercial or industrial areas used for residential purposes are not duly penalised by the zoning restrictions of this Council and previous local authorities.

(b) Conditions and Criteria

To qualify for consideration for remission under this part of the policy the rating unit must:

- be situated within an area of land that has been zoned for commercial or industrial use. (Ratepayers can determine the zoning of their property by inspecting the District Plan, copies of which are available from the Levin office, Te Takeretanga o Kura-hau-pō and the Shannon and Foxton libraries. Alternatively the District Plan is available for viewing on the Council website www.horowhenua.govt.nz.)
- be rated the same as an equivalent urban rating unit;
- have an excessive rateable value in comparison to similar residential rating units in the vicinity; and
- not be the subject of any other form of rating relief.

Applications must be received prior to the commencement of the rating year. Applications received during a rating year will be considered from the commencement of the following rating year commencing the next 1st July.

Applications will not be backdated. Applications must be made in writing.

(c) Process

Applications will be determined by the Group Manager – Finance or Finance Manger (or equivalent positions within the Finance Department) to a value of \$2,500. Any requested remissions above \$2,500 or if there is any doubt or dispute arising, the application is to be referred to the Chief Executive and a member of the Finance Subcommittee for a decision.

Each application will be considered on its merits, and if approved the value of the remission will be given effect by the determination by Council of a special rateable value.

The ratepayer will be informed of the outcome of the application in writing.

Part 7: Rates Remission on Land Used for Primary Industry and Rural Lifestyle purposes in areas that have been rezoned as Residential and Business Zones

(a) Objectives of the policy

The objectives of the policy are:

1. To provide rates relief in respect of land used for primary industry and rural lifestyle purposes where rating units greater than 659m² (or rating units, including residential use rating units, that are able to be subdivided under the operative District Plan) where the Council is satisfied that the rating valuation of the land is in some measure attributable to the potential use to which the land may be put for residential, commercial or industrial development.

2. To preserve uniformity and equitable relativity with comparable parcels of land used for primary production and rural lifestyle purpose land, that is able to be subdivided, in the district where the valuations do not contain any “potential value”.

(b) Conditions and criteria

The Council will remit value based rates on land used for primary industry and rural lifestyle rating units greater than 659m² and rating units, including residential use rating units, that are able to be subdivided creating saleable lots under the operative District Plan as a Controlled Activity in the Residential, Greenbelt Residential, Commercial and Industrial zones or in the case of the Greenbelt Residential (Foxton Beach North Overlay) Zone as a Limited Discretionary Activity, where it is satisfied that the rating valuation of the land is in some measure attributable to the potential use to which the land may be put for residential, commercial or industrial development.

1. For the purposes of this policy, “land used for primary industry” means land that is classified by the Office of the Valuer General as being used for primary industry under Clause C.3.4 primary Level use code 1 in Appendix C of the Rating Valuation Rules 2008, is used exclusively or principally for agricultural, horticultural, or other pastoral purposes or for the keeping of bees or poultry or other livestock; and “farming purposes” has a corresponding meaning. This may include land used for dairy farming, stock fattening, arable farming, storage of livestock, market gardens and orchards, specialist livestock, forestry, mineral extraction and vacant/idle land.
2. For the purposes of this policy, “land used for Rural Lifestyle purposes” means land that is classified by the Office of the Valuer General as being used for lifestyle use under Clause C.3.4 primary Level use code 2 in Appendix C of the Rating Valuation Rules 2008. This does not include residential properties in rural areas or rural lifestyle properties that are too small in area to be subdivided under the operative District Plan as a Controlled Activity.
3. For the purposes of this policy, “land used for Residential purposes” means land that is classified by the Office of the Valuer General as being used for residential use under Clause C.3.4 primary Level use

code 9 in Appendix C of the Rating Valuation Rules 2008. This does not include residential properties formerly zoned as rural or lifestyle properties that are too small in area to be subdivided under the operative District Plan as a Controlled Activity.

4. Rating units for which a subdivision consent has been approved or lodged and under consideration by the Council shall not be eligible for rates remission under this policy.

(c) Process

The process for seeking rates remission is as follows:

1. On written application from the ratepayer of any rating unit that is:
 - a) located in a zone in the District Plan other than the Rural zone, and is
 - b) land used for primary industry, or
 - c) land used for rural lifestyle purposes, or
 - d) land used for residential purposes that are able to be subdivided.

The Council will request its Valuation Service Provider to issue a special “rates remission value” for that rating unit.

2. The rates remission value will be determined so as to:
 - a) exclude any potential value that, at the date of valuation, the land may have for residential purposes, or for commercial or industrial use; and
 - b) preserve uniformity and equitable relativity with comparable parcels of land used for primary industry, rural lifestyle and residential purposes the valuations of which do not contain any such potential value.
3. Rates remission special values allocated under this policy are final and there is no right of objection against the level of valuation. (The owner still has the right to object to the rating valuation of the property where those values have been determined under the Rating Valuations Act 1998).

4. Where a rates remission value has been determined, the payment of rates will be remitted to the extent specified in clause (5) of this policy.
5. The amount of rates remitted in any year shall be an amount equal to the difference between the amount of the rates for that period calculated according to the rateable value of the property and the amount of the rates that would be payable for that period if the rates remission value of the property were its rateable value.
6. Notice of the amount of rates remitted shall be expensed and entered as a credit to the rates owing in the rating records and will be notified with the rates assessment issued in respect of that rating unit.
7. Subject to the rates remission value remaining in force, rates will be remitted from the commencement of the rating period in respect of which they were made and levied.
8. Rates remission will apply from the beginning of the rating year following the period in which the rates remission application is approved and will not be backdated to prior years. However, in the event that an application is approved prior to 1 August, rates remission may apply from the beginning of the financial year in which the application is approved.

The following delegations apply in respect of:

- *Group Manager - Finance or Finance Manager, - to approve remissions which meet the requirements of this policy.*
- *Chief Executive and/or the Chairperson of the Finance Sub-committee, – to hear and make a final decision on any appeal on an application for remission that has been declined.*

Part 8: Remission of Small Rates Balances

(a) Objective

To save Council the costs of processing rates of uneconomic value.

(b) Conditions and Criteria

To qualify for remission under this part of the policy the rating unit must have a balance of less than \$5 owing on a general or targeted rate as at 30 June in any year.

Applications may be at the initiative of the Group Manager – Finance or Finance Manager, or Rates Officer or in writing from the ratepayer.

(c) Process

Applications will be determined by the Group Manager – Finance or Finance Manager acting under delegated authority.

Each application will be considered on its merits, and if approved the value of the remission will be the whole of any outstanding rate of \$5 or less at year end.

Part 9: Remission of Targeted Rates on Non-rateable Land

(a) Objective

To balance user-pays, equity and community interest in the assessment of targeted rates on non-rateable rating units.

(b) Conditions and Criteria

To qualify for consideration for remission under this part of the policy the rating unit must be:

- *non-rateable*
- *otherwise liable for rates for services described in s.9 of the Local Government (Rating) Act 2002 (i.e. rates for water supply, sewage disposal or waste collection).*

Determinations will not be backdated.

(c) Process

Decisions will be made by way of policy determinations by Council in respect of a type of ratepayer or rating unit. The value of the remission will be the whole or part of any or all of the applicable rates.

Under this policy targeted water rates are levied by way of the normal water rates in the case of non-rateable residences, libraries and halls, but by metered water consumption in all other cases.

Part 10: Properties Affected by Disasters

(a) Objective

To provide rating relief to ratepayers whose property has been affected by a disaster event.

(b) Conditions And Criteria

To qualify for remission under this part of the policy a rating unit or part thereof must be

- *Affected by a disaster event such as a flood, storm, earthquake, subsidence; and*
- *Rendered incapable of normal use by the ratepayer for a certain period.*

Other matters taken into account in determining whether or not the rating unit qualifies for remission, and the extent of such remission, will include

- *The impact(s) of the disaster event on the property, and*
- *The duration of such impact(s)*
- *The extent to which the losses were insurable.*

Applications must be in writing, either from the applicant or at the initiative of an officer of the Council.

(c) Process

Applications will be considered, and decision made, by Council.

No remission will be made before further guidelines specific to the disaster event are established.

Such guidelines will take into account the extent of funding available from which to make any remissions, and may cover such factors as:

- *Special conditions and criteria, including any period for which a property may have been incapable of normal use*
- *Special application forms and information to be provided*
- *Deadlines for applications*
- *The extent of remissions to be made, whether on a fixed sum, percentage, sliding scale or other basis*
- *The appointment of an advisory committee to assist in the consideration of applications, if appropriate.*

Each application will be considered on its merits, and in the context of guidelines established in response to the disaster event.

The ratepayer will be informed of the outcome of the application in writing.

Part 11: Rates Remission for Subdivisions which are in Common Ownership but do not meet the criteria of a Contiguous Property

(a) Background

Developers face significant costs in the early stages of subdivision development, including the payment of development contributions to Council.

Once titles are issued, all properties are rated individually and the holding costs can be quite high until properties are sold.

(b) Objectives

To provide a positive development incentive by supporting the development and holding of subdivision land for residential and rural lots by remitting all rates levied using fixed (uniform) charges on unsold development land where each separate lot or title is treated as a separate Rating Unit.

(c) Conditions and Criteria

This remission applies to unsold subdivided land, where each separate lot or title is treated as a separate Rating Unit, and such land is implied to be not used as a single rating unit under s20 of the Local Government (Rating) Act 2002.

1. The rating units must have been created in accordance with Council's subdivision development requirements and have been granted a subdivision consent.
2. The rating units must be vacant land i.e. the rating unit does not contain any habitable dwelling.
3. The rating units on which remission is applied must be owned by the same ratepayer who must be the original developer
4. Rate remission to the extent of fixed (uniform) charges for unsold subdivided land.
5. Remission shall cease for any allotment if any interest in the land is passed by the developer to another party. Remission ceases from the end of the year in which the change in title occurs.
6. Application must be submitted in writing and submitted to Council prior to the commencement of the rating year (i.e. before 30 June).
7. The ratepayer will remain liable for at least one "set" of fixed (uniform) general and/or targeted rates.
8. Remissions will not apply to Water, Stormwater and Sewerage targeted rates.
9. Each application will be considered in line with the general guidelines; however, individual circumstances may vary and could influence the final decision.

10. From 1 July 2015 any remissions will only apply for a period of five years and then be reviewed. Remissions will not be granted in retrospect for previous years.
11. Decisions on remission under this policy will be delegated to the Group Manager–Finance, Finance Manager (or equivalent positions).

Part 12: Remission of Rates on Bare Land

(a) Objectives:

To reduce the rates burden on bare, uninhabited land, where the owner of the rating unit is not able to use the services funded from targeted rates. Council may remit any rate set using a fixed (uniform) charge in respect of one or more rating units owned by the same ratepayer (as recorded on the certificate of title and recorded in the Rating Information Database) if it considers it reasonable in the circumstances to do so.

(b) Conditions and Criteria

1. Rating units must be owned by the same ratepayer (as recorded on the certificate of title and recorded in the Rating Information Database).
2. Council may remit any rate set using a fixed (uniform) charge on rating units considered to be bare land, provided that the ratepayer pays at least one "set" of the rates set using a fixed (uniform) charges within the District.
3. Bare land is defined as rating units with no habitable improvements. For the purposes of this policy forestry blocks (without habitable buildings) are deemed to be bare land.
4. Decisions on remission under this policy will be delegated to the Group Manager–Finance, Finance Manager (or equivalent positions).

Part 13: Remission Rates for Council Owned Utilities

(a) Objectives

To avoid incurring the rating costs to Council that would be indirectly recovered from other ratepayers.

(b) Conditions and Criteria

Utilities (i.e. water, stormwater and wastewater) owned by the Horowhenua District Council will receive 100% remission of all rates that have been set, which includes any rate set using a fixed (uniform) charge.

Part 14: Remission of any rate set using a fixed (uniform) charge on contiguous properties

(a) Objectives

To enable Council to act fairly and equitably with respect to the imposition of any rate set using a fixed (uniform) charge on two or more separate rating units that are contiguous, but separately owned and used jointly for a single residential, business or farming use.

(b) Background

This policy has been developed to provide for the remission of rates in situations where two or more rates set using a fixed (uniform) charge, are assessed on contiguous, but separately owned rating units which are being used jointly as a single property or business.

The circumstances where an application for a remission of charges will be considered are:

- residential dwelling and associated garden and ancillary buildings where the property occupies a maximum of two rating units and those rating units are used jointly as a single property.
- A farm that consists of a number of separate rating units that are contiguous.
- A commercial, retail or industrial business that operates from more than one rating unit where those rating units are contiguous and are used jointly as a single property.
- However, Council's "Separately Used or Inhabited" (SUIP) definition will still be applied.

(c) Conditions and Criteria

Applications under this policy must be in writing, signed by the ratepayer and must comply with the conditions and criteria set out below.

1. The rating units must be contiguous.
2. The rating units must:
 - a) In the case of a residential property, be owned by the same ratepayer (as recorded on the certificate of title and recorded in the Rating Information Database) who uses the rating units jointly as a single residential property.
 - (i) A vacant section adjoining a residential lot does not comply.
 - (ii) The individual areas of the rating units concerned must not exceed the size of a typical residential lot.
 - b) In the case of a farm, be owned by the same owner (as recorded on the certificate of title and recorded in the Rating Information Database) or be leased, from other owners, for a term of not less than five (5) years, to the same ratepayer who uses the rating units jointly as a single farm. The owners of each of the individual rating units must confirm in writing that their unit/s is being jointly used as a single farming operation.
3. The Council may on written application from a rate payer of such rating units remit any rate set using a fixed (uniform) charge levied on the rating units if it considers it to be reasonable in the circumstances to do so.
4. The applicant must provide sufficient evidence as is necessary to prove that the properties are being jointly used as a single property and Council's decision on the matter is final.
5. The Council reserves the right to determine that any specific targeted charge will be excluded from this policy.
6. Remissions will not apply to Water, Stormwater and Sewerage targeted rates.
7. Each application will be considered in line with the general guidelines; however, individual circumstances may vary and could influence the final decision
8. Decisions on remission under this policy will be delegated to the Group Manager–Finance or Finance Manager (or equivalent positions).

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

That the following item is excluded from the public of the proceedings of this meeting.

The general subject of of the item being excluded, the reason for excluding the item, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the for the exclusion.

6.5 Water Meter Rollout - Leak Remission - Attachment A - Council Report Implementation of Districtwide Water Metering 13 December 2023 Confidential

Reason for excluding this item from the public	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The release of this item would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	s7(2)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.	s48(1)(a)