

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

Date: **Wednesday 20 March 2024**
Time: **1:00 pm**
Meeting Room: **Council Chambers**
Venue: **126-148 Oxford St
Levin**

Council

ADDEDNDUM TO OPEN LATE AGENDA

MEMBERSHIP

Mayor	His Worship The Mayor Bernie Wanden
Deputy Mayor	Councillor David Allan
Councillors	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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www.horowhenua.govt.nz

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Horowhenua District Council Service Centre, 126 Oxford Street, Levin
Te Awahou Nieuwe Stroom, Foxton,
Shannon Service Centre/Library, Plimmer Terrace, Shannon
and Te Takeretanga o Kura-hau-pō, Bath Street, Levin

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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File No.: 24/164

7.5 Addendum to item 7.3 Waikawa Beach Vehicle Accessway

1. Purpose

- 1.1 The purpose of this report is to provide additional guidance and advice to Council as it considers Item 7.3, related to the Waikawa Beach Vehicle Accessway.

2. Recommendation

- 2.1 That Report 24/164 Addendum to item 7.3 Waikawa Beach Vehicle Accessway be received.
- 2.2 That this matter or decision is recognised as significant in terms of S76 of the Local Government Act.
- 2.3 That Council formally receive the submitters made to the Waikawa Beach Vehicle Accessway consultation, and in doing so note its comprehensive engagement process which has met the requirements of s77 – s82 of the Local Government Act.
- 2.4 That Council note that Options 1 and 2 as they were consulted are not viable options at this time.
- 2.5 That Council lay this matter on the table and consider a decision on Option 3 at its next Council meeting, which will allow for further analysis and advice on the impacts of only now considering one option. OR
- 2.6 That after hearing submissions on Options 1, 2, 3, and given the general level of support for the provision of a vehicle accessway, that Council pauses the current process and requests the Chief Executive to report back to Council on alternative options to provide vehicle accessway at Waikawa Beach.

3. Additional Advice

- 3.1 Council Officers had completed the Draft Report, on the basis of the information we had, the submissions received and had prepared advice to Council so that Council could consider options 1, 2 or 3.
- 3.2 Prior to the Council Agenda being released, Officers learnt that Options 1 or 2 were no longer viable options. Council does not own the land in order to facilitate access over for options 1 or 2, and while officers have been working closely with the landowners we are not at a point where we can recommend Options 1 or 2 to Council. Officers will continue working with the private landowners to maintain their rights over their land, in a capacity that supports their ambitions as they have graciously provided this service to the community for many years.
- 3.3 Given the change in circumstances, we have sought advice as the best course of action from here. That advice was sought following the release of the Council agenda, and while

the Council report was amended to reflect the change in circumstances, the additional advice has provided us an additional layer of assurance on the way forward.

- 3.4 The advice is that the best course of action would be to formally receive and hear submissions. The hearing of submissions is the anticipated and natural conclusion to that part of the process, despite information having changed during the close of submissions.
- 3.5 It is however important that we take the time to advise submitters of the change of circumstances. Submitters were advised on Tuesday 19th March of the change in circumstances. We have encouraged those who are having their submissions heard today, to speak to their submission but in the context of Option 1 or 2 not being viable at this time we have encouraged them to provide more general views on whether vehicle access on to the beach should be provided or not. It is important we take the time to hear the views from those submitters both for and against, including those who have taken the time to submit on Option 3, which provides for no vehicle access.
- 3.6 After having formally received and heard the submissions, Council must then make a decision on the way forward.
- 3.7 The advice is that given Options 1 and 2 are not reasonably practicable (at this time), Council could decide to adopt Option 3 in any case, after having heard from submitters (note that this option is set out in the in the Council report, at 3.3.
- 3.8 However given the change in circumstances, and particularly given the short time that both Elected Members and submitters have had to understand the impact of Options 1 and 2 no longer being available, it is recommended that Council consider the following recommendations as set out below. Please note these recommendations replace the Officers recommendations as set out on page 1 of the report (3.1 – 3.5).
- 3.9 The revised recommendations are (these are set out above in :
 - 2.1 That Report 24/164 Addendum to item 7.3 Waikawa Beach Vehicle Accessway be received.
 - 2.2 That this matter or decision is recognised as significant in terms of S76 of the Local Government Act.
 - 2.3 That Council formally receive the submitters made to the Waikawa Beach Vehicle Access-Way consultation, and in doing so note its comprehensive engagement process which has met the requirements of s77 – s82 of the Local Government Act.
 - 2.4 That Council note that Options 1 and 2 as they were consulted are not viable options at this time.
 - 2.5 That Council lay this matter on the table and consider a decision on Option 3 at its next Council meeting, which will allow for further analysis and advice on the impacts of only now considering one option. OR
 - 2.6 That after hearing submissions on Options 1, 2, 3, and given the general level of support for the provision of a vehicle accessway, that Council pauses the current process and requests the Chief Executive to report back to Council on alternative options to provide vehicle accessway at Waikawa Beach.

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.

4. Attachments

There are no appendices for this report

Author(s)	Monique Davidson Chief Executive Officer	
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Approved by	Monique Davidson Chief Executive Officer	
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