

Notice is hereby given that an extraordinary meeting of the Te Awahou Foxton Community Board will be held on:

Date: Tuesday 4 June 2024
Time: 6.00pm
Meeting Room: Te Awahou Nieuwe Stroom
Venue: 92 Main Street
Foxton

Te Awahou Foxton Community Board OPEN AGENDA

MEMBERSHIP

Chairperson	Mr John Girling
Deputy Chairperson	Mr Trevor Chambers
Members	Mrs Nola Fox
	Mr David Roache
	Mr Brett Russell
	Deputy Mayor David Allan

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www.horowhenua.govt.nz

Full Agendas are also available to be collected from:
Te Awahou Nieuwe Stroom, Foxton,

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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.
Tīhei mauri ora!	

1 Apologies

2 Public Participation

Notification to speak is required by 12 noon on the day before the meeting. Further information is available on www.horowhenua.govt.nz or by phoning 06 366 0999.

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 Declaration of interest

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

File No.: 24/360

5.1 Paranui Marae - Request for Funding from Foxton Beach Endowment Fund

1. Purpose

- 1.1 This report was laid on the table at the 27 May 2024 meeting of the Board, and is now re-presented as a request for funding from the Foxton Beach Endowment Fund for a contribution kitchen upgrades at Paranui Marae.

2. Executive Summary

- 2.1 The Board has received a request by Ngati Turanga hapu for \$100,000 from the Foxton Beach Endowment Fund as a contribution to the cost of the kitchen upgrade at the Marae.
- 2.2 The request for the funds meets the broad criteria of the fund.

3. Recommendation

- 3.1 That Report 24/360 Paranui Marae - Request for Funding from Foxton Beach Endowment Fund 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 Board recommend that Council [approve/not approve] funding \$100,000 from the Foxton Beach Endowment Fund as a grant towards the purchase refurbishment of the kitchen at Paranui Pa .

4. Background / Previous Council Decisions

- 4.1 The Foxton Beach Endowment Fund (“the Fund”) was established by the Reserves and Other Lands Disposal Act 1968 (“the Act”). The Act transferred lands that were previously set aside for the Foxton Harbour Board, but were no longer required for that purpose, to the Manawatu County Council. The Horowhenua District Council has superseded the County Council as the corporation administering and controlling the land.
- 4.2 The conditions of the Fund are set out in section 13(14) of the Act. These are;
The council shall from time to time spend the net proceeds from the sale or lease of any of the endowment land on the provision of services and public amenities for the benefit of the inhabitants of Foxton Beach Township, or on the improvement, maintenance, or repair of any such services and amenities, or on the improvement, maintenance, or repair of any existing services or public amenities. For the purposes of this subsection, the term services includes roads, road lighting, water supply, drainage, sewerage, and other public works.
- 4.3 The Horowhenua District Council subsequently adopted its Foxton Beach Freeholding Account Strategy and Policy (“the Policy”) on 7 November 2009. The Policy sets out, among

other things a spending policy, maximum level of contributing and prioritisation for the use of the funds.

- 4.4 The Policy is currently under review.
- 4.5 The forecast value of the fund at the end of this financial year, after commitments is \$5.182m; the current policy sets the minimum fund balance at \$5,000,000.

5. Discussion

- 5.1 An application has been received by the Ngati Turanga for funding from the Foxton Beach Endowment Fund.
- 5.2 The request is for \$100,000 to contribute towards the refurbishment of the kitchen in the Wharekai Hinewaha at Paranui Pa.
- 5.3 The Foxton Beach Endowment Fund may only be used for the funding of public amenities, which benefit of the residents of the Foxton Beach community.
- 5.4 The Wharekai at Paranui Marae caters to the community in several ways including catering tangi, hui, and celebrations for tangata whenua of Te Awahou and others. Further, marae are often now called upon to assist in providing shelter and catering in the event of civil defence emergencies. Therefore, this request does meet the purpose of the fund.
- 5.5 The Policy sets a number of other criteria. One of these is the level of funding available.
- 5.6 The Policy sets a maximum contribution of 50% of the project cost. The total project cost is \$452,286.95; this request is for \$100,000 or approximately 22% of the total project cost which is well within the policy limit. A quote for the kitchen equipment and refurbishment is attached.
- 5.7 Another consideration is the minimum value of the fund. Council has set a minimum value of the fund of \$5 million. The current value of the fund is approximately \$5.7 million, forecast to be \$5.182 million after commitments by the end of the financial year. Approving this grant would not see the value of the reducing below the policy floor.
- 5.8 A decision by Council to distribute funds is a decision to which Part 6 of the LGA 2002 applies. Pursuant to those provisions, Council is not obliged to consult in respect of every decision it makes. However, in making a decision, Council must consider community views under section 78 of the LGA02. There are many ways in which Council can take community views into account without needing to carry out a formal consultative process. For example:
 - a. It could consult and receive feedback from the Foxton Beach Community Board; or
 - b. It could be informed by prior consultation, for example via the Long Term Plan or Annual Plan processes, or if relatively recent, consultation on the Policy itself.
- 5.9 This application fits within the current criteria of the Foxton Beach Endowment Fund policy, so consultation beyond the Te Awahou Foxton Community Board would not be necessary.
- 5.10 An upgraded kitchen at Paranui Pa clearly does provide benefit for the residents of Foxton Beach/Te Awahou.
- 5.11 For the reasons set out above this application meets the criteria.

6. Options

- 6.1 The Board may recommend that Council approve funding \$100,000 from the Foxton Beach Endowment Fund as a grant towards the refurbishment of the kitchen in Wharekai Hinewaha at Paranui Pā.

- 6.2 Alternatively, the Board may make a recommendation that Council refuse the request for funding.
- 6.3 Officers recommend 6.1 to the Board as the application meets the requirements of the policy

Cost

- 6.4 The cost associated with this proposal, if agreed by Council, is \$100,000.

Rate Impact

- 6.5 There is no impact on rates. Funding is sourced from the Foxton Beach Endowment Fund

Community Wellbeing

- 6.6 There are no negative impacts on Community Wellbeing arising.

Consenting Issues

- 6.7 There are no consents required.

LTP Integration

- 6.8 There is no LTP programme related to the options in this report. There is no Special Consultative Process required.

7. Consultation

- 7.1 This report to the Board satisfies the minimum requirement for consultation in relation to this request for funding. The Board may request further consultation be undertaken.

8. Legal Considerations

- 8.1 The use of funds is governed by the Reserves and Other Lands Disposal Act 1968, and the proposal within this report are compliant with that Act.

9. Financial Considerations

- 9.1 Any funding required will be sourced from the Foxton Beach Endowment Fund.

10. Iwi Considerations

- 10.1 This application is made by representatives from Ngati Turanga, who have historical and contemporary links to the whenua which makes up some of the endowment land that underpins the Foxton Beach Freeholding Fund.
- 10.2 To date there has been no contributions from the Fund to any Marae or hapū who have or had links to the land underpinning the Foxton Beach Freeholding Fund.

11. Climate Change Considerations

- 11.1 There is no climate change impact.

12. Environmental Considerations

- 12.1 There are no environmental considerations.

13. Health & Safety Considerations

- 13.1 There is no health and safety impact.

14. Other Considerations

- 14.1 There is currently a review of the Foxton Beach Freeholding Fund policy, upon which the Board and hapū owners have agreed to work together. As part of that work a desire by

hapū owners had been expressed that no disbursement be made from the Fund until the review is complete.

- 14.2 There has been no agreement on that point so the Board has continued to consider applications and can continue to do so.
- 14.3 Should there be a change to this position, the Board should formally request any change, such as moratorium on future applications until the policy review is complete, be agreed by Council.
- 14.4 Officers urge the Board to ensure any proposed changes are discussed with hapū owners openly and such a change form a joint request from the Board and hapū owners.

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.

15. Attachments

No.	Title	Page
A	Paranui Marae Kitchen Upgrade - April 2024 Pricing - CONFIDENTIAL	

Author(s)	Grayson Rowse Principal Advisor - Democracy	
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Approved by	Ashley Huria Business Performance Manager	
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	Monique Davidson Chief Executive Officer	
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Exclusion of the Public : Local Government Official Information and Meetings Act 1987

The following motion is submitted for consideration:

That the public be excluded from the following part(s) of the proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution follows.

5.1 Paranui Marae - Request for Funding from Foxton Beach Endowment Fund - Attachment A - Paranui Marae Kitchen Upgrade - April 2024 Pricing

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information. This quote is provided via a third party in support of an application for funding. It is not in the public interest for the individual line items and their negotiated costs to be made public..	s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.