



# AGENDA

## HORIZONS REGIONAL COUNCIL

### REGIONAL COUNCIL

**Tuesday, 15 December 2009 at 10.00am**

Notice is given of a meeting of Horizons Regional Council to be held on Tuesday 15 December, 2009 at 10.00am in the Tararua Room, Horizons Regional Council offices, 11-15 Victoria Avenue, Palmerston North.

Business to be discussed includes:

- Emergency Management Office Update
- Statement of Proposal – Review of Manawatu River and Tributaries Navigation and Safety Bylaws 2004
- Appointment of Bylaws Enforcement Officers
- Regional Pest Animal Management Strategy
- Update on Opportunity to sell Port of Napier Shares **(Public Excluded)**

Presentations to this Meeting:

- Update on Cawthron Report and Manawatu River Assessment
- Chief Executive Review **(Public Excluded)**

## COUNCIL MEMBERS

Cr GP Murfitt (Chairman)  
Cr L Bailey  
Cr LR Burnell  
Cr VJF Chettleburgh QSM ED  
Cr EB Gordon  
Cr MC Guy

Cr AK Main  
Cr DB Meads  
Cr MW Plowman  
Cr PW Rieger QSO  
Cr RG Walker JP  
Cr J White

### RECOMMENDATIONS IN REPORTS ARE NOT COUNCIL POLICY UNTIL ADOPTED BY COUNCIL

#### NEWS EMBARGO

Items in this agenda may be subject to amendment or withdrawal at the meeting. Items are embargoed until two days before the date of the meeting.

Reporters who do not attend the meetings should seek confirmation of the agenda material or proceedings from the Chief Executive prior to any media reports.

for further information regarding this agenda, please contact:  
Julie Kennedy, 06 9522 800

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<b>SERVICE CENTRES</b>	<b>Kairanga</b> Cnr Rongotea & Kairanga-Bunnythorpe Rds, Palmerston North	<b>Marton</b> Hammond Street	<b>Taumarunui</b> 34 Maata Street	<b>Woodville</b> Cnr Vogel (SH2) & Tay Sts
<b>REGIONAL HOUSES</b>	<b>Palmerston North</b> 11-15 Victoria Avenue	<b>Wanganui</b> 181 Guyton Street		
<b>DEPOTS</b>	<b>Levin</b> 11 Bruce Road	<b>Taihape</b> Torere Road Ohotu		
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## MATTERS FOR CONSIDERATION

- |     |   |         |
|-----|---|---------|
| 7.  | Emergency Management Office Update<br><i>Report No: 09-170</i><br><i>File No: PEM 3 01</i>  | 9 - 12  |
| 8.  | Statement of Proposal Review of Manawatu River and Tributaries<br>Navigation and Safety Bylaws 2004<br><i>Report No: 09-201 (Incl. Annexes A and B)</i><br><i>File No: PEM 3 04</i> | 13 - 44 |
| 9.  | Appointment of Bylaws Enforcement Officers<br><i>Report No: 09-202</i><br><i>File No: PEM 3 04</i>  | 45 - 46 |
| 10. | Regional Pest Animal Management Strategy<br><i>Report No: 09-200</i><br><i>File No: OMS 10 09</i>   | 47 - 48 |
| 11. | Affixing of the Common Seal<br><i>Report No: 09-204</i><br><i>File No: OMS 5 00</i>   | 49 -50  |

## COMMITTEE REPORTS

- |     |  |                 |
|-----|--|-----------------|
| 12. | Endorsement and Adoption of Committee and Advisory Group<br>Resolutions and Recommendations: |                 |
|     | Regional Transport Committee   | 1 December 2009 |
|     | Manawatu River Users' Advisory Group   | 1 December 2009 |
|     | Catchment Operations Committee<br>(to be tabled on the day)                                  | 8 December 2009 |
|     | Environment Committee<br>(to be tabled on the day)   | 9 December 2009 |

## COUNCILLOR AND CHIEF EXECUTIVE REPORTS

13. Chairman's Report
14. Chief Executive's Report
15. Members' Reports and Questions

## PART TWO - PUBLIC EXCLUDED SECTION

The public is to be excluded from the remainder of the Council meeting as the general subject 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 is as follows:



## AGENDA

15 December 2009

10.00am

### PRESENTATIONS:

- Update on Cawthron Report and Manawatu River Assessment (time to be advised)
- Chief Executive Review (Public Excluded – time to be advised)

### PART ONE

Pages

### PROCEDURAL ITEMS

1. Apologies
2. Public Speaking Rights  
Notification to speak is required by 4pm on the working day prior to the meeting. Further information is available on [www.horizons.govt.nz](http://www.horizons.govt.nz) or by phoning 0508 800 800
3. Late Items:  
To consider, and if thought fit, to pass a resolution to permit the Committee to consider any further items relating to items following below which do not appear on the Order Paper 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 Order Paper, and
  - (ii) The reason why the discussion of this item cannot be delayed until a subsequent meeting.
4. Members' Conflict 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. Petitions/Deputations
6. Confirmation of Minutes - 24 November 2009

1 - 8

General subject of each matter to be considered	Reason for passing this resolution	Grounds under section 48 (1) for passing this resolution
PX1 Confirmation of Minutes of 24 November 2009  <b>Pgs 63 - 66</b>	As disclosure would not be in the public interest because of the greater need to enable Council to carry on without prejudice or disadvantage commercial negotiations.	That the exclusion of the public from that part of the meeting is necessary to prevent the disclosure of information for which good reasons for withholding exist.
PX2 Confirmation of Minutes of Extraordinary Council Meeting – 30 November 2009  <b>Pgs 67 - 70</b>	As disclosure would not be in the public interest because of the greater need to enable Council to carry on without prejudice or disadvantage commercial negotiations.	That the exclusion of the public from that part of the meeting is necessary to prevent the disclosure of information for which good reasons for withholding exist.
PX3 Endorsement and adoption of the Audit, Risk and Investment Committee of 27 and 30 November 2009  <b>Pgs 71 - 78</b>	As disclosure would not be in the public interest because of the greater need to enable Council to carry on without prejudice or disadvantage commercial negotiations.	That the exclusion of the public from that part of the meeting is necessary to prevent the disclosure of information for which good reasons for withholding exist.
PX4 Update on Opportunity to sell Port of Napier Shares <i>(Report No. 09-203)</i>  <b>Pgs 79 – 80</b>	As disclosure would not be in the public interest because of the greater need to enable Council to carry on without prejudice or disadvantage commercial negotiations.	That the exclusion of the public from that part of the meeting is necessary to prevent the disclosure of information for which good reasons for withholding exist.
PX5 Council to <b>consider</b> whether any item in the Public Excluded minutes can be moved into the public domain, and <b>define</b> the extent of the release.		

M J McCartney  
**CHIEF EXECUTIVE**





Minutes of the twenty-sixth meeting of the seventh triennium of Horizons Regional Council held at 10.02am on Tuesday, 24 November 2009, in the Council Chambers, Palmerston North City Council, 32 The Square, Palmerston North.

**PRESENT** Crs G P Murfitt (Chair), L Bailey, L R Burnell, E B Gordon, M C Guy, A K Main, D B Meads, M W Plowman, P W Rieger QSO, R G Walker JP, and J J White.

**IN ATTENDANCE**

Acting Chief Executive	Mr G Carlyon
Group Manager	Mr C Grant
Corporate and Governance	
Committee Secretary	Mrs J Kennedy

**ALSO PRESENT** Mr C Mitchell (Group Manager Environmental Management, to 10.55pm), Mr G Shirley (Group Manager Regional Services and Information, from 2.00pm), Mr A Cook (Group Manager Operations, from 1.00pm), Dr J Roygard (Manager Science, to 11.50am and from 1.00pm to 1.20pm), Mr J Watson (Manager Catchment Information, from 10.37am to 11.50am), Mrs C Atkinson (Manager Communications, from 10.42am to 11.50am), Mr J Scotland Chairman and Mr G Cowie Chief Executive (Port of Napier, from 11.40am to 12.20pm), and Ms C Webb (ratepayer, to 10.07am).

The Chairman advised that Item 7, Emergency Management Office Update, Report No. 09-170 would be considered at 1.00pm, time allowing.

#### **APOLOGIES**

**09-474** *Moved* **Murfitt/Main**

*that an apology be received from Cr Chettleburgh.*

**CARRIED**

An apology was noted from the Chief Executive.

#### **PUBLIC SPEAKING RIGHTS**

No requests for public speaking rights had been notified.

#### **LATE ITEMS**

There were no late items advised.

#### **MEMBERS' CONFLICTS OF INTEREST**

There were no Conflicts of Interest advised.

#### **PETITIONS / DEPUTATIONS**

There were no petitions or deputations.

**CONFIRMATION OF MINUTES****09-475****Moved****Murfitt/Meads**

*that the minutes of the meeting held on 27 October 2009, as circulated, be confirmed as a correct record.*

**CARRIED****REGIONAL PEST MANAGEMENT STRATEGIES – OPERATIONAL PLANS 2009-10***Report No. 09-171*

This item presented to Members, the Regional Pest Plant Management Strategy (RPPMS) Operations Plan 2009-10, and the Regional Animal Pest Management Strategy (RAPMS) Operational Plan 2009-10, both covering the financial year beginning 1 July 2009.

**Regional Pest Plant Management Strategy (RPPMS):**

Mr Mitchell, Group Manager Regional Services and Information (GMRS&I) spoke to the report and referred to the reprioritising of Pest Plant programmes to reduce council expenditure, which resulted in a forecast budget of some \$300,000 less than originally anticipated. He also referred to the implementation of Biosecurity Liaison Committees aimed at addressing issues by incorporating key stakeholders in a formal review and feedback process.

Members considered the RPPMS and asked questions of clarification around the budget for Site-led Plants and Community pest control projects, the Rangitikei Environment Group pest control project, the inclusion of relevant historical budget detail, and clarity on the representation, expectations, and role of the Biosecurity Liaison Committees (BLC). A request from Cr Chettleburgh (through Cr Guy) was made to consider the inclusion of tramping clubs when forming the BLC.

Cr White noted a concern at the reduction in total Pest Plant expenditure in the 2009-10 Annual Plan, and believed extra care would be required when setting the budget for the next Annual Plan. The Chairman advised that any concerns in regard to Pest Plant funding could be raised at an upcoming workshop.

Cr Guy asked that a publication on colour photographs of the zero-density plants, containment plants, and surveillance plants be made available for councillors and members of the public.

Members asked that the suggestions identified for inclusion in the RPPMS be noted in the recommendations. The GMRS&I clarified that the Rangitikei Environment Group was already included in the Biodiversity report but was happy to also include it in the RPPMS.

Members agreed that the resolutions be separated.

09-476

**Moved****Gordon/White***That the Council:*

a. **receives** the Regional Pest Plant Management Strategy – Operational Plan 2009-10, including the various recommendations made by Councillors as follows:

- *Include an explanation and funding summary on Site-led Plants and Community pest control projects;*
- *Include as a footnote an explanation on the Rangitikei Environment Group (REG) pest control project;*
- *Include discussion on Biosecurity Liaison Committees in both strategy documents;*
- *Modify funding tables to include more relevant historical budget details.*

**CARRIED****Regional Animal Pest Management Strategy (RAPMS):**

The GMRS&I noted that some information on Inputs Based Performance was included for the first time in the Strategy.

Cr Plowman said he was disappointed that trout was not included in the Strategy, and made comment on the decrease in funding to the Animal Health Board.

Congratulations were extended to the GMRS&I for a well written report. Cr Meads noted he was pleased to see a section included on Inputs Based Performance, and suggested the addition of a section relating to the introduction of Biosecurity Liaison Committees.

Members considered the RAPMS and questions of clarification were asked around staff roles in the implementation of pest control programmes, an explanation on collection of waxtag data, and an update on the rook control programme.

Cr Plowman said he had some strong concerns about the Strategy and would therefore be voting against it.

09-477

**Moved****Meads/White**

b. **receives** the Regional Animal Pest Management Strategy – Operational Plan 2009-10, with the addition of a section on Biosecurity Liaison Committees.

**Against: Plowman**  
**CARRIED**

**EMERGENCY MANAGEMENT OFFICE UPDATE***Report No. 09-170*

The Chairman advised that due to lack of time, Report No. 09-170 would be withdrawn and represented at an appropriate time.

**PRESENTATION – OVERVIEW OF KEY INFORMATION**

Mr Jeff Watson, Manager Catchment Information gave a presentation outlining the progress to transform Horizons Regional Council data and information into an accessible form, and make it available to external parties.

Members asked various questions of clarification. There was discussion around the availability of key information, and whether or not a policy should be introduced to charge commercial users for that information. It was suggested that the issue be flagged for discussion at a future workshop.

### **Resignation – Mrs Colleen Atkinson, Communications Manager**

Mrs Colleen Atkinson, Communications Manager, said farewell to Council and said she had thoroughly enjoyed the last five years in her role as Communications Manager. Mrs Atkinson had resigned from her role at Horizons Regional Council and would be moving with her family to live in Australia.

**09-478**

**Moved**

**Walker/Meads**

*that the public is to be excluded from this portion of the Council meeting as the general subject matter to be considered while the public is excluded, the reason for passing this resolution in relation to the matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for passing of this resolution is as follows:*

General subject of each matter to be considered	Reason for passing this resolution	Grounds under section 48 (1) for passing this resolution
PX3 Presentation: Port of Napier	As disclosure would not be in the public interest because of the greater need to enable Council to carry on without prejudice or disadvantage commercial negotiations.	That the exclusion of the public from that part of the meeting is necessary to prevent the disclosure of information for which good reasons for withholding exist.

**CARRIED**

The meeting adjourned to the Public Excluded part of the meeting at 11.50pm and resumed at 12.20pm.

*The meeting adjourned at 12.20pm.  
The meeting resumed at 1.00pm.*

### **PRESENTATION – WATERQUALITYMATTERS WEBSITE**

Dr Roygard, Manager Science demonstrated how to use the WaterQualityMatters Website which was developed as to tool to automatically process water quality data, and present the information to the public and key stakeholders, through the Horizons website.

The Chairman thanked Dr Roygard for his demonstration of the Website.

### **CHAIRMAN'S REPORT**

The Chairman drew Members attention to the attachment to his report, a letter from Hon Christopher Finlayson, Minister for Treaty of Waitangi Negotiations, in regard to the Whanganui River Negotiations, and answered Members' questions around his meeting with Tanenuiarangi Manawatu Incorporated, outlined issues discussed at a meeting held with Mayors of Palmerston North City Council, Manawatu City Council, and Horowhenua District Council, and a further meeting with the Mayor and Chief Executive of Horowhenua District Council.



09-480

**Moved****Murfitt/Main**

*that the Emergency Management Office Update, Report No. 09-170 be represented at an appropriate time.*

**CARRIED**

**Cr Guy** attended the tour of Old Man's Beard in Rangitikei which he found informative, the Burkes Taonui Pump presentation to the Manawatu Drainage Scheme, and an Audit, Risk & Investment Financial Briefing.

Cr Guy asked about progress in regard to a replacement Maori Commissioner on the Water Hearing. Mr Carlyon advised they had been unsuccessful in finding a suitable replacement commissioner. A formal agenda item to confirm that would be presented to Council, and the Hearing Committee Chair.

Cr Guy asked for an update on the Taonui Basin Resource Consent Hearings. Mr Cook, Group Manager Operations advised that the Hearing was adjourned on the basis that the panel did not have sufficient information to reach a confident determination. A more detailed report would be presented to the Catchment Operations Committee meeting on Tuesday 8 December, 2009.

**Cr Gordon** thanked those who attended the tour of Old Man's Beard in Rangitikei, attended the Porewa and Tutaenui Scheme meetings, the Passenger Transport Subcommittee meeting on 17 November, and the Transport Regional Advisory Group Meeting on 12 November.

**Cr Burnell** thanked Crs White, Main and Mr Rob van Voorthuysen for their tremendous efforts with the One Plan Hearings. He advised he would be attending a farewell function for Cr Colling, Horowhenua District Council on 24 November.

**Cr Bailey** attended the Manawatu Estuary Trust monthly meeting on 27 October, the Te Kawau Liaison Committee meeting on 28 October, the Manawatu Drainage Liaison Committee Meeting-Taonui Basin update on 29 October, the Zone 3 meeting in Hawera on 3-4 November, the Passenger Transport Subcommittee meeting on 17 November, the Council meeting on 24 November, and would be attending a farewell function for Cr Colling, Howowhenua District Council on 24 November.

Mr Carlyon, Group Manager Regional Planning and Regulatory gave a brief update on the ability for Council to prosecute under the Resource Management Act.

09-481

**Moved****Murfitt/White**

*that the public is to be excluded from this portion of the Council meeting as the general subject matter to be considered while the public is excluded, the reason for passing this resolution in relation to the matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for passing of this resolution is as follows:*

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PX1 Confirmation of Minutes of 27 October 2009	As disclosure would not be in the public interest because of the greater need to enable Council to carry on without prejudice or disadvantage commercial negotiations.	That the exclusion of the public from that part of the meeting is necessary to prevent the disclosure of information for which good reasons for withholding exist.
PX2 Endorsement and adoption of the Audit, Risk and Investment Committee (Tender) 17 November 2009	As disclosure would not be in the public interest because of the greater need to enable Council to carry on without prejudice or disadvantage commercial negotiations.	That the exclusion of the public from that part of the meeting is necessary to prevent the disclosure of information for which good reasons for withholding exist.
PX4 Council to <b>consider</b> whether any item in the Public Excluded minutes can be moved into the public domain, and <b>define</b> the extent of the release.		

**CARRIED**

The meeting adjourned to the Public Excluded part of the meeting at 2.08pm and resumed at 2.09pm.

The meeting closed at 2.10pm.

Confirmed

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CHIEF EXECUTIVE

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CHAIRMAN

# **NOVEMBER 2009 CHAIRMANS REPORT**

Council Meeting Date: 24 November 2009

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- Pukaha Mt Bruce board meeting – Mt Bruce
- Tararua District Council meeting – Dannevirke
- Audit & Risk – briefing
- Local Government NZ – Zone 3 Meeting – Hawera
- Meeting with Hawkes Bay Regional Council – Port Company Napier
- Totara Reserve discussion with DOC & Rangitaane – Palmerston North
- Horowhenua District Council Chiefs Meeting – Palmerston North
- Ruapehu District Council presentation – Taumarunui
- Electra Business Awards – Southward Museum Paraparaumu
- Port of Napier – opening of new wharf – Napier
- Lunch meeting with Mayors PNCC/HDC/MDC.
- Audit & Risk – Tenders meeting
- Passenger transport meeting
- Meeting with Greater Wellington & Centre Port – Wellington
- TB Free committee – Wanganui
- TB Free new office opening – Palmerston North
- Pukah Mt Bruce launch of stage 2 redevelopment and board meeting – Mt Bruce
- Council Meeting

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Up and coming date:

End of year Council Meeting – Tuesday 15 December 2009

Council Christmas Dinner – Tuesday 15 December 2009

Attached:

Copy of letter dated 16.11.09 - from Office of Hon Christopher Finlayson – Minister for Treaty of Waitangi Negotiations, Whanganui River Negotiations.

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A Significant decision? <b>If Yes</b>	N
Do recommendations meet Significance Policy (contained within the LTCCP)	

**Item No: 7**  
**Date: 15/12/2009**  
**Report No: 09-170**  
**File No: PEM 3 01**

## **EMERGENCY MANAGEMENT OFFICE UPDATE**

### **PURPOSE**

1. The purpose of this memorandum is to provide an update to members on the activities of Horizon's Emergency Management Office.

### **BACKGROUND**

2. The Emergency Management Office is an integral part of the Council's ability to prepare for, respond to, and recover from emergencies. The team takes a holistic approach to emergency management and has grown from strength to strength to accommodate increasing demand for the services of the team over the past few years.
3. The team's activities are divided into four main groups:
  - Civil Defence Emergency Management (CDEM) Group;
  - Horizons Emergency Management (HorizonsEM);
  - Contracted services, and
  - Health and Safety.

### **CDEM GROUP ACTIVITIES**

4. The Council has a statutory obligation to provide administrative and related services to the CDEM Group. The Joint Standing Committee (Mayors) and Co-ordinating Executive Group (Executive Managers) are the principal reporting and management mechanisms for the Group. Routine reports are provided and the Horizons activities for the benefit of the Group are described in an Annual Business Plan prepared by the Emergency Management Office.
5. In addition to administrative services, the Emergency Management Office undertakes projects and activities as agreed by the Council and Group. These include the co-ordination of regional level training, exercises, awareness activities, maintenance of the Group's Emergency Co-ordination Centre, documentation and planning as well as providing for co-ordination across the Group's Emergency Management Officers.
6. Recent activities for the Group include:
  - Re-drafting of the CDEM Group Plan that now sits with the Minister of Civil Defence for comment. The Plan describes the arrangements of the Group for emergency management and how these arrangements build on the national framework for CDEM in New Zealand. An extensive consultation process was undertaken in re-drafting the Plan.
  - Disaster Awareness Week was an opportunity to focus on community preparedness and a display circulated the region based on our current theme of storms. Further opportunities to promote this theme will be sought and the Central Districts Field Days will also provide us with a promotional opportunity.

- The recent round of Group-level training in conjunction with the Emergency Management Academy of New Zealand has just been completed. The courses include personal preparedness, stress management, communications, cordon and triage and incident reporting. Additional training included Ministry courses for Controllers, Public Information Managers and Recovery Managers. Horizons also had three staff graduate Emergency Management Academy New Zealand (EMANZ) recently with a level two Certificate of Emergency Management and the National Certificate in Civil Defence Response.
- The Group's Emergency Co-ordination Centre (ECC) is co-located with Horizons Emergency Operations Centre (EOC) and focuses on co-ordination of a multi-agency response (as opposed to management of the Horizons response). The ECC was activated on three occasions recently in response to the tsunami warning from Samoa, the tsunami watch for Vanuatu and the Central North Island snow storm.
- A Triennial Business Plan is currently in development to align member council's annual activities with the direction being sought from the new CDEM Group Plan. The Triennial Business Plan will not influence budgets or Long-term Community Council Plan (LTCCP) outcomes but endeavours to improve consistency and accountability across partner agencies.

## **HORIZONSEM**

7. HorizonsEM is the colloquial name for Horizons Emergency Management and is starting to become known across the sector as our on-line identity. Within this project, the Office considers a variety of activities including:
  - Emergency response and recovery capability, including the Emergency Operations Centre and Duty Officers
  - Business continuity planning
  - Flood plain mapping, modelling and flood forecasting
  - Manawatu River bylaws enforcement
8. We have been fortunate with recent severe weather events that the EOC has not needed to be activated. The EOC however has remained in a state of readiness and recent equipment upgrades were beneficial during ECC activities. Between 5 July and 29 October, 174 IVR alarms were activated. The IVR is the automated river level notification system operated by the Council. Anyone can subscribe to receive the notifications at no charge and whenever an alarm level is reached, the system will make up to three attempts to contact the subscriber.
9. A review of the Manawatu River Bylaws is underway in consultation with river users. It is our hope that a general consensus can be reached between river users and an amended bylaw can be released for submissions. At this stage however we are still working through the different opinions of users in an attempt to gain consensus. The review will be completed in the New Year.
10. A navigation safety assessment of the lower Whanganui River is also being prepared and consultation with iwi, river users and interested parties will be conducted in the New Year. The project is described as 'an assessment of risks to navigation safety on the lower Whanganui River and options for addressing this risk'.

11. Flood plain mapping and flood forecasting projects continue to be a significant output for the budget of the Emergency Management Office with the leader for these projects being the Manager Catchment Information. The following activities are currently underway for these projects:
- Request for Proposal (RFP) documents are being prepared for Flood Plain Mapping of Taumarunui, Ohakune and Pahiatua. Significant time has been spent on locating and compiling key information from external sources.
  - Flood forecasting models have been installed for the Whangaehu, Turakina and Rangitikei Rivers.
  - Work has commenced on the Flood Decision Support Tools for the Whangaehu and Pohangina catchments
  - The additional LiDAR coverage of Woodville has been commissioned.

### **CONTRACTED SERVICES**

12. One of the larger areas of activity for the staff of the Office is the provision of contracted services. These services fall into two categories: marine oil spill response and emergency management services.
13. Marine oil spill response is provided on behalf of Maritime New Zealand (MNZ) and is a standing arrangement by MNZ with regional councils across New Zealand. The service is provided based on an annual plan and budget approved by MNZ that is fully cost recoverable. A small team of Council staff remain trained and in a position to respond to a spill within the region. Equipment for this response is provided by MNZ with a small cache held at Kairanga and Wanganui. A communications exercise and spill response exercise will be conducted at Akitio during this year.
14. Emergency management services are provided to Rangitikei, Manawatu and Horowhenua District Councils. These services include Civil Defence Emergency Management and rural fire. The Council employs three staff to deliver services against an agreed annual work programme. The officers maintain close ties with district council staff and work as if they were employed by the district councils. Routine reporting to managers within the councils ensures continued commitment to Civil Defence Emergency Management (CDEM) and rural fire. These services are provided on an annual fixed price contract basis. A copy of the annual reports for Rangitikei and Manawatu were provided to the Co-ordinating Executive Group for information and feedback from the Council's has been very positive.
15. It is important to note that although the day-to-day management of the CDEM and rural fire functions is undertaken by Horizons staff, the district councils remain statutorily responsible for the functions. The appointment of statutory positions, e.g. Principal Rural Fire Officer, is undertaken in the name of the district council concerned.
16. The benefits of a team approach to local emergency management means that there is greater flexibility within the team to support each other, improves consistency of approach, and cost sharing can be achieved with minimal negotiation.

## HEALTH AND SAFETY

17. The Emergency Management Office has assumed responsibility for the co-ordination of Council's health and safety activities. This function has been absorbed into the current capacity of the team and has required some focus in this early period to ensure continuity of service.
18. Human Resources (formerly responsible for health and safety) had recently purchased a software package called 'Vault' for integrating health and safety records and documentation that assist with comprehensive health and safety management. Data has now been entered into Vault and this positions the team well for the future.
19. A recent internal audit for 'Work Safe Management Practices' has been completed to ensure that we are on track to retain ACC accreditation. Additional activities will be undertaken to implement opportunities for improvement from the recent audit.
20. The Health and Safety Committee continues to meet on a bi-monthly basis.

## RECOMMENDATIONS

21. It is recommended that the Council:
  - a. **receives** the information in Report No. 09-170.

Shane Bayley  
**MANAGER**  
**EMERGENCY MANAGEMENT OFFICE**

A Significant decision? <b>If Yes</b>	N
Do recommendations meet Significance Policy (contained within the LTCCP)	

**Item No: 8**  
**Date: 15/12/2009**  
**Report No: 09-201**  
**File No: PEM 3 04**

## **STATEMENT OF PROPOSAL REVIEW OF MANAWATU RIVER AND TRIBUTARIES NAVIGATION AND SAFETY BYLAWS 2004**

### **PURPOSE**

1. To present the Statement of Proposal for the review of the Manawatu River and Tributaries Navigation and Safety Bylaws 2004.

### **FINANCIAL IMPACT**

2. Allowed for in 2009-10 Long-term Council Community Plan (LTCCP).

### **BACKGROUND**

3. Under the Local Government Act 2002 Horizons Regional Council is required to review the *Manawatu River and Tributaries Navigation and Safety Bylaws 2004* by 1 August 2009, being 5 years since it became operative.
4. The *Manawatu River and Tributaries Navigation and Safety Bylaws 2004* will be revoked if the review is not completed within 2 years from 1 August 2009.
5. Navigation safety bylaws introduced by a local authority must not be inconsistent with maritime rules. Maritime rules are delegated legislation made by the Minister of Transport under the Maritime Transport Act 1994. Maritime Rules Part 91 (Navigation Safety Rules) is the default rule for all New Zealand waters not covered by a bylaw introduced by a local authority.

### **CONSULTATION**

6. On 6 May 2009 members of the Manawatu River Users' Advisory Group (MRUAG) of Horizons Regional Council were advised of the review process by letter and invited to comment informally on issues relating to the Bylaw. Members are supportive of the Bylaw but a number of amendments have being proposed. The review process, timeline and proposed amendments were discussed in detail at the MRUAG meeting on 2 June 2009.
7. The Statement of Proposal, proposed Review Process and Timeline, and draft 2010 Bylaw were presented to the MRUAG meeting on 1 December 2009 and endorsed following some minor amendments.

### **ISSUES TO ADDRESSED THROUGH THE BYLAWS REVIEW**

8. Part 91 has had minor amendments in 2007 and 2008, primarily to amend certain definitions. Where applicable, these definitions will need to be reflected in the Bylaws.

9. Maritime NZ is currently consulting on a number of proposed amendments to Part 91 (deadline 18 December 2009). The proposal that affects our bylaw is around the requirement to wear personal flotation devices (PFDs). The default requirement, as the rule, as it is currently written, is to not wear a PFD, with mandatory wearing only required in situations of heightened risk. The proposed rule change is:

*For recreational craft of 6 m or less in length the default requirement is to wear a PFD, unless:*

- *there is no significant increase in the risk to safety to any person caused by not wearing a PFD;**and***
- *the skipper gives permission for PFDs not to be worn.*

*For recreational craft over 6 m in length, the current situation or status quo will continue to apply.*

10. A number of regional councils have already included the thrust of the above proposed amendment into their navigation and safety bylaw during recent reviews. Taranaki Regional Council considers it more appropriate that Maritime NZ takes the lead in public consultation on this issue and did not include it in its review. The proposal has received strong support through the informal consultation process and is expected to be approved. It has therefore been included in the draft 2010 Bylaw.
11. A number of submitters felt that the 'Foxton River Loop' should be included in the Bylaw. While the Loop is not specifically excluded in the Bylaw, it is not included in the list of rivers and tributaries covered by its jurisdiction. It is clear that the Loop is a navigable waterway, and subject to on-going development by community groups. The requirement for a 5-knot speed limit in the Loop from 'Speirs Corner' past Foxton township has also been identified. The MRUAG discussed the submission and agreed that the Foxton Loop should be included and provision made for a 5-knot speed restriction. Both have been included in the draft 2010 Bylaw.
12. A submission was made to extend the water ski priority area to include jet skiing activity. This was also discussed and agreed at the June MRUAG meeting, and has been included in the draft 2010 Bylaw.
13. A submission was made to allowing speeds greater than 5 knots from the Foxton Beach ramp to the sea during the week either side of duck shooting opening day (as it is at other times of the year). This has been accommodated through an exemption statement added to subclause 3.2.5 (b).
14. A submission was made requesting that the 5 knot speed restriction from Ashhurst to Jackeytown Road (i.e. City Reach) be permanently lifted over the period 1-22 April and 23 May – 30 September each year, primarily to facilitate jet boating activities. Agreement was not reached at the June MRUAG meeting and it has not been reflected in the draft 2010 Bylaw. Original submitters are invited to resubmit during the formal consultation period.
15. The Review Process and Timeline is attached at Annex A and draft *Manawatu River and Tributaries Navigation and Safety Bylaw 2010* is attached at Annex B.

**RECOMMENDATIONS**

16. It is recommended that the Council:
- a. **approves** the Statement of Proposal as presented;
  - b. **approves** the Review Process and Timeline as presented; and
  - c. **approves** the draft Manawatu River and Tributaries Navigation and Safety Bylaw 2010 as presented.

Evan Lloyd  
**HARBOURMASTER**

Ged Shirley  
**GROUP MANAGER**  
**REGIONAL SERVICES AND INFORMATION**

**ANNEX**

- A The Review Process and Timeline
- B Manawatu River and Tributaries Navigation and Safety Bylaw 2010

## Review Process and Timeline - Manawatu and Tributaries Navigation and Safety Bylaws 2004

Informal consultation period to 31 May	6 May	Letters to MRUAG and other interested parties inviting comment
MRUAG meeting	2 June	Discuss collated submissions and draft amendments as required
	November	Draft 2010 Bylaw and prepare Statement of Proposal
		Obtain legal advice on the proposed bylaws if required
MRUAG meeting	1 December	Discuss proposed 2010 Bylaw
Council meeting	15 Dec 09	Council meeting with resolution approving Statement of Proposal and consultation strategy.
	Week begin 25 January 2010	Public notice in local papers
Formal consultation	February	Consultation period to 1-28 February using Special Consultative Procedure (LGA 2002 s. 83)
	Mid-March	Conduct hearing on submissions and fine tuning of 2010 Bylaw
		Council meeting with resolutions:
Council meeting	23 March (TBC)	<ol style="list-style-type: none"> <li>1. to adopt 2010 Bylaw effective from 1 July 2010</li> <li>2. approving the offences and fines proposed for the Local Government (<i>Infringement Fees for Offences: Manawatu River and Tributaries Navigation and Safety Bylaw 2010</i>) Regulation 2010</li> </ol>
Infringement regulations	Late March	Apply to Department of Internal Affairs for regulations to be made
	1 July 2010	Infringement regulations in place and bylaws become effective

# Manawatu River and Tributaries Navigation and Safety Bylaw 2010



**July 2010**

**DRAFT**

**ISBN: 978-1-877516-89-4**  
**Report No: 2009/EXT/1061**

# MANAWATU RIVER AND TRIBUTARIES NAVIGATION AND SAFETY BYLAW 2010

The Manawatu River and Tributaries Navigation and Safety Bylaw 2010 were prepared under the Local Government Act 1974.

The Manawatu-Wanganui Regional Council adopted the Manawatu River and Tributaries Navigation and Safety Bylaw 2010 on this <sup>th</sup> day of **July** 2010.

Signed by the Manawatu-Wanganui Regional Council by the affixing of its Common Seal in the presence of

Michael McCartney  
**CHIEF EXECUTIVE**

The Manawatu River and Tributaries Navigation and Safety Bylaw 2010 became operative on **Thursday, 1 July 2010**.

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## FOREWORD

This Bylaw provides for matters of navigation and safety on the Manawatu River and its tributaries. The Bylaw supersedes the 2004 Bylaw following review in 2009-10, and has been prepared in consultation with the organisations that make up the Manawatu River Users' Advisory Group.

This Bylaw has been made in accordance with the Local Government Act 1974 and is consistent with and must be read in conjunction with Maritime Rule Part 91 - Navigation Safety Rules.

Michael McCartney  
**CHIEF EXECUTIVE**

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## 1. Preliminary Provisions

### 1.1 Title and commencement

1.1.1 This Bylaw is the Manawatu-Wanganui Regional Council Manawatu River and Tributaries Navigation and Safety Bylaw 2010.

1.1.2 The Bylaw comes into force on 1 July 2010.

### 1.2 Areas within which this Bylaw apply

1.2.1 The Bylaw shall have effect in the Manawatu River and its tributaries as defined in Subclause 1.2.2.

1.2.2 The area defined comprises the Manawatu River and its tributaries as published in the New Zealand Gazette No. 158 on 6 November 1997, pages 3717 and 3718.

River/Tributary	Description
<b>Tidal Waters</b>	All tidal waters enclosed by the seaward arc of a circle of 1.25 nautical miles centred at position 40° 28'. 8 S, 175° 12'. 8 E
<b>Manawatu River</b>	The waters of the Manawatu River from its point of entry into the Coastal Marine Area to the upstream point where Weber Road from Makirikiri to Waitahora crosses the Manawatu River.
<b>Foxton River Loop</b>	All the waters of the Foxton River Loop.
<b>Oroua River</b>	The waters of the Oroua River from where it flows into the Manawatu River, upstream to where the Oroua Valley Road Bridge crosses the Oroua River.
<b>Pohangina River</b>	The waters of the Pohangina River from where it flows into the Manawatu River, upstream to the confluence with the Makiekie Creek.
<b>Tiraumea River</b>	The waters of the Tiraumea River where it flows into the Manawatu River, upstream to the confluence with the Makuri River.
<b>Makuri River</b>	The waters of the Makuri River where it flows into the Tiraumea River, upstream to the confluence with the Makuri Stream.
<b>Mangaore Stream</b>	The waters of the Mangaore Stream from where it flows into the Manawatu River, upstream to the Mangahao Power Station.
<b>Mangahao River</b>	The waters of the Mangahao River where it flows into the Manawatu River, upstream to Mangahao No. 2 Dam.
<b>Mangatainoka River</b>	The waters of the Mangatainoka River where it flows into the Tiraumea River, upstream to the confluence with the Mangaroa Stream.
<b>Makakahi River</b>	The waters of the Makakahi River where it flows into the Mangatainoka River, upstream to the confluence with the Mangaoranga Stream.

### 1.3 Definition of terms

In this Bylaw, unless the context otherwise requires:

<b>Anchorage</b>	in relation to vessels, means a place used for the anchoring of vessels to the bed of waters, whether the place is reserved for such purposes by the Council or not.
<b>Anchoring</b>	means the securing of a vessel to the bed of waters by means of an anchor, cable or other device that is normally removed with the vessel when it leaves the anchorage.
<b>Buoyancy Aid</b>	means any serviceable buoyancy aid that is certified by a recognised authority as meeting: <ol style="list-style-type: none"> <li>a. a standard in NZ Standard 5823:2001 applicable to the buoyancy aid; or</li> <li>b. a national or international standard that the Director of Maritime Safety is satisfied substantially complies with a standard in NZ Standard 5823: 2001 applicable to the buoyancy aid.</li> </ol>
<b>Council</b>	means the Manawatu-Wanganui Regional Council as constituted under the Act.
<b>Director</b>	means the person who is for the time being the Director of Maritime New Zealand under Section 439 of the Maritime Transport Act 1994.
<b>Enforcement Officer</b>	means a person appointed under Clause 4.4 of this Bylaw.
<b>Flag A</b>	means Flag A of the International Code of Signals (the Divers Flag), a burgee (swallow-tailed) flag covered in white and blue with white to the mast, or a rigid equivalent, not less than 600 x 600mm.
<b>Harbourmaster</b>	means a person appointed as Harbourmaster under Clause 4.4 of this Bylaw.
<b>Honorary Enforcement Officer</b>	means a person appointed under Clause 4.4 of this Bylaw.
<b>Internal Waters</b>	means the internal waters of New Zealand as defined by Section 4 of the Territorial Sea, Contiguous Zone and Exclusive Economic Zone Act 1977.
<b>Lifejacket</b>	refer to definition of personal flotation device.
<b>Maritime Rules</b>	means maritime rules made under the Maritime Transport Act 1994.
<b>Master</b>	means any person (except a pilot) having command or charge of a vessel.

- Mooring** means any weight or article placed in or on the bed of waters for the purpose of securing a vessel or floating structure; and
- a. includes any wire, rope, buoy, or other device attached or connected to the weight; but
  - b. does not include an anchor that is removed with the vessel or floating structure when it leaves the anchorage.
- New Zealand Waters** means:
- a. the territorial sea of New Zealand; and
  - b. the internal waters of New Zealand; and
  - c. all rivers and other inland waters of New Zealand.
- Navigate** means the act or process of managing or directing the course of a vessel on, through, over, or under the water.
- Oil** has the same meaning as in Section 222 of the Maritime Transport Act 1994.
- Oil Transfer Site  
Marine Oil Spill  
Contingency Plan** means a plan as required under Marine Protection Rules Part 130B.
- Owner** includes:
- a. in relation to a vessel, the agent of the owner and also a charterer; and
  - b. in relation to any dock, wharf, quay, or slipway, includes a lessee of the dock, wharf, quay, or slipway; and
  - c. as further defined in Maritime Rule Part 91.
- Person in Charge of  
the Vessel** means the master.
- Personal Flotation  
Device** means any serviceable buoyancy aid that is designed to be worn on the body and that is certified by a recognised authority as meeting:
- a. a standard in NZ Standard 5823:2001 applicable to the buoyancy aid; or
  - b. a national or international standard that the Director of Maritime Safety is satisfied substantially complies with a standard in NZ Standard 5823:2001 applicable to the buoyancy aid.
- Pleasure Craft** means a vessel that is used exclusively for the owner's pleasure or as the owner's residence, and is not offered or used for hire or reward; but does not include:
- a. a vessel that is provided for transport or sport or recreation by or on behalf of any institution, hotel, motel, place of entertainment, or other establishment of business;

- b. a vessel that is used on any voyage for pleasure if it is normally used or intended to be normally used as a fishing vessel or for the carriage of passengers or cargo for hire or reward;
- c. a vessel that is operated or provided by any club, incorporated society, trust, or business.

<b>Powered Vessel</b>	means any vessel propelled by machinery.
<b>Proper Speed</b>	means speed through the water.
<b>Public Notice</b>	means a notice published in a newspaper circulating generally in the territorial authority district adjacent to the waters to which the subject matter of the notice relates.
<b>Recognised Authority</b>	means an authority that the Director considers competent to certify a personal flotation device's compliance with a standard.
<b>Recreational Craft</b>	means a vessel that is: <ul style="list-style-type: none"> <li>a. a pleasure craft; or</li> <li>b. solely powered manually; or</li> <li>c. solely powered by sail.</li> </ul>
<b>Regional Council</b>	has the same meaning as in the Local Government Act 2002.
<b>Reserved Area</b>	means those areas defined in Subclauses 3.2.5, 3.4.1 and the maps in Schedule 1 in this Bylaw.
<b>River</b>	includes a stream and any modified or artificial watercourse; but does not include any part of a river within the ebb and flow of the tide at ordinary spring tides.
<b>Sailboard</b>	means any type of board that is propelled by detachable sail apparatus and operated by a person or persons standing on the board.
<b>Structure</b>	means any building, equipment, device, or other facility made by people and which is fixed to land.
<b>Sunrise/Sunset</b>	has the meaning as stated in the New Zealand Nautical Almanac, NZ204.
<b>Surfriding</b>	means a water activity of a single person using a vessel propelled manually or with a paddle and designed for surfriding, to plane down or across the slope of a wave.
<b>Territorial Sea</b>	means the territorial sea of New Zealand as defined by Section 3 of the Territorial Sea, Contiguous Zone, and Exclusive Economic Zone Act 1977.
<b>The Act</b>	means the Local Government Act 1974.
<b>Vessel</b>	means every description of boat or craft used in navigation, whether or not it has any means of propulsion; and includes:

- a. a barge, lighter, or other like vessel;
- b. a hovercraft or other thing deriving full or partial support in the atmosphere from the reaction of air against the surface of the water over which it operates:
- c. a submarine or other submersible;
- d. a seaplane when operating on the water.

**Waterway**

has the same meaning as New Zealand Waters.

**Windsurfer**

has the same meaning as Sailboard.

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## 2. General Matters

### 2.1 Personal flotation devices / buoyancy aids

2.1.1 No person in charge of a recreational craft may use it unless there are on board at the time of use, and **either worn or** in a readily accessible location, sufficient personal flotation devices of an appropriate size for each person on board.

2.1.2 Subclause 2.1.1 shall not apply to:

- a. any surfboard or similar un-powered craft; and
- b. any sailboard or windsurfer, if a wetsuit is worn at all times; and
- c. a diver on a boat of 6 metres or less in length overall that is used for recreational diving within 5 miles of shore, if a full body dive suit is worn at all times; and
- d. a person training for or participating in a sporting event, if the training or event is supervised in accordance with the safety system of a national sporting organisation approved by the Director.

2.1.3 Subclause 2.1.1 shall not apply in respect of any sporting event, training activity or ceremonial event if a support vessel that is capable of providing adequate assistance in the event of an emergency remains in the immediate vicinity of the recreational craft and the recreational craft or support vessel or both carry personal flotation devices or buoyancy aids of an appropriate size for each person on board the recreational craft.

2.1.4 Subclause 2.1.1 shall not apply in respect of any sporting event, training activity, ceremonial event or other organised recreational activity if the Harbourmaster with jurisdiction for the applicable area has granted an exemption in writing **for the craft to be operated in contrary to subclause 2.1.1 and 2.1.5.** The Harbourmaster may grant an exemption for a specified time if the Harbourmaster is satisfied that adequate safety precautions are made for rescuing any person participating in the event or activity.

2.1.5 (a) **Every person on board a recreational craft that is less than 6 metres in length must wear a properly secured personal flotation device unless the person in charge of that recreational craft has expressly given permission for personal flotation devices not to be worn; and**

(b) **the person who is in charge of a recreational craft that is less than 6 metres in length must not give permission for personal flotation devices not to be worn, unless conditions are such that there is no significant increase in risk to safety to any person caused by not wearing a personal flotation device; and**

(c) **the person in charge of a recreational craft that is 6 metres or more in length must not use that craft where conditions are such that there is significant increase in the risk to safety to any person caused by not wearing a personal flotation device, unless every person on board is wearing a properly secured personal flotation device.**

**Note: Wording for this clause is as per Maritime Rules Part 91 – Navigation Safety Rules**

## **2.2 Use of vessel engines around wharves**

- 2.2.1 No person may operate the propulsion system of a vessel while it is lying at any wharf, jetty, pier or ramp, in such a way that it may damage any property, scour the bed of the waters, or injure any person. However, this Subclause does not preclude the use of the propulsion system for the safe berthing or unberthing of any vessel at a wharf, jetty, pier or ramp.

## **2.3 Persons to avoid swimming or diving around wharves**

- 2.3.1 No person may dive, swim or undertake other related activities from any wharf, jetty, pier, or ramp which is in regular use for the berthing or unberthing of vessels, or from any other such areas in the waterway as the Harbourmaster may from time to time determine, unless the person does so in accordance with the prior written consent of the Harbourmaster.
- 2.3.2 The Harbourmaster may consent subject to such conditions as the Harbourmaster considers appropriate in the interests of navigation safety.

## **2.4 Vessels to be adequately moored or secured**

- 2.4.1 No person may anchor a vessel so as to obstruct the passage of other vessels or obstruct the approach to any wharf, pier, jetty or ramp.
- 2.4.2 Except in an emergency involving danger to life or property, no person may cut, break, destroy or unlawfully detach the mooring or the fastening securing any vessel.
- 2.4.3 When a vessel is moored alongside a wharf or other landing place, the owner or Master must ensure that adequate and safe means of access to the vessel is provided, properly installed, secured, and adjusted to suit all tidal conditions.

## **2.5 Obstructions**

- 2.5.1 Except in an emergency involving danger to life or property, no person may obstruct the access by waters to any wharf, landing place, boat ramp or mooring.
- 2.5.2 No person may place any obstruction, including any fishing apparatus, in any waters that is liable to:
- a. restrict navigation; or
  - b. cause loss of life or injury to any person; or
  - c. cause damage to any vessel or any property.

## **2.6 Refueling operations**

- 2.6.1 Any vessel undertaking any refueling operation must ensure that no oil products enter any waterway.
- 2.6.2 Any spill of any oil product that enters a waterway must be reported to the Council.
- 2.6.3 Commercial Vessels carrying out refueling operations must have an Oil Transfer Site Marine Oil Spill Contingency Plan.

### 3. Operating Requirements

#### 3.1 Minimum age for operating powered vessels

- 3.1.1 No person under the age of 15 years shall be in charge of or propel or navigate a power driven vessel that is capable of a proper speed exceeding 10 knots unless they are under the direct supervision of a person over the age of 15 years who is in immediate reach of the controls.
- 3.1.2 The owner of a power driven vessel that is capable of a proper speed exceeding 10 knots must not allow any person who is under the age of 15 years to be in charge of or propel or navigate that vessel unless he or she is under the direct supervision of a person over the age of 15 years who is in immediate reach of the controls.
- 3.1.3 Subclause 3.1.1 and 3.1.2 do not apply to any person who has written exemption from the Director or Harbourmaster who may issue an exemption, subject to such conditions as the Director or Harbourmaster considers necessary in the interests of maritime safety, that is valid for any specified place or places to a person under the age of 15 years for training, competitions or other sporting events, if the Director or Harbourmaster considers that the person:
- a. is competent to propel or navigate a power driven vessel at a proper speed exceeding 10 knots; and
  - b. is aware of the relevant navigation safety rules and Bylaws; and
  - c. will be under adequate supervision during the proposed activity or activities.

#### 3.2 Speed of vessels

- 3.2.1 No person may, without reasonable excuse, propel or navigate a vessel (including a vessel towing a person or an object) at a proper speed exceeding 5 knots:
- a. within 50 metres of any other vessel, raft, or person in the water; or
  - b. within 200 metres of the shore or of any structure; subject to Subclause 3.2.5; or
  - c. within 200 metres of any vessel or raft that is flying Flag A (underwater diving operations).
- 3.2.2 No person may propel or navigate a powered vessel at a proper speed exceeding 5 knots while any person has any portion of his or her body extending over the fore part, bow or side of that vessel.
- 3.2.3 No person may cause or allow himself or herself to be towed by a vessel (whether or not on a water ski, aquaplane or other similar object) at a proper speed exceeding 5 knots in any circumstances in paragraphs (a) and (c) of Subclause 3.2.1.
- 3.2.4 Subject to Subclauses 3.2.1 to 3.2.3, in the areas described in Schedule 2, vessels may exceed a proper speed of 5 knots at all other times during the year in these areas unless directed not to by the Harbourmaster or an Enforcement Officer.
- 3.2.5 Subclause 3.2.4 is subject to the following restrictions:

- a. No person shall propel or navigate a vessel at a proper speed exceeding 5 knots during the period one week prior to and one week following the opening of the Duck shooting season (being the first Saturday in May each year). Vessels may continue to operate at a proper speed exceeding 5 knots downstream from the point 200 metres below the Manawatu Marine Boating Club launching ramp while transiting to and from the open sea for the purposes of maintaining safe navigation.
  - b. No person shall propel or navigate a vessel at a proper speed exceeding 5 knots at any time within 200 metres upstream and 200 metres downstream of the Manawatu Marine Boating Club launching ramp.
  - c. No person shall propel or navigate a vessel at a proper speed exceeding 5 knots during the period 1 November and 28 February each year between the State Highway 3 Bridge (Ashhurst) and below the Pohangina River junction (Ashhurst Domain Recreational site).
  - d. No person shall propel or navigate a vessel at a proper speed exceeding 15 knots in the Foxton River Loop between its downstream confluence with the Manawatu River ('The Cut') and 'Speir's Corner'.
  - e. No person shall propel or navigate a vessel at a proper speed exceeding 5 knots in the Foxton River Loop between 'Speir's Corner and the end of the eastern section of the Loop.
- 3.2.6 No person in charge of a vessel may permit the vessel to continue onwards, after any person being towed by that vessel has dropped (whether accidentally or otherwise) any water ski or similar object which may cause danger to any other person or vessel, without first taking appropriate action to immediately recover that water ski or similar object, unless the person has taken measures adequate to ensure that the dropped ski or similar object is clearly visible to other water users.
- 3.3 Wake**
- 3.3.1 Subject to Clause 3.2, every person who propels or navigates a recreational craft must ensure that its wake does not cause unnecessary danger or risk of damage to other vessels or structures, or of harm to other persons.
- 3.4 Water skiing and jet skiing priority areas**
- 3.4.1 Without excluding other uses, water skiing and jet skiing is recognised as the priority use in the following areas as sign posted (note Subclause 3.7.1):
- a. On the Manawatu River between 2 kilometres upstream of the Whirokino Bridge down to the Whirokino boat launching ramp;
  - b. On the Manawatu River upstream of the Whirokino Bridge, from the Te Pehu Trig Station to another point 1.6 kilometres upstream where Cooks Drain enters;
  - c. On the Manawatu River below the Foxton-Shannon Bridge, between points 1 and 4 kilometres downstream of that bridge; and
  - d. On the Manawatu River from a point 200 metres upstream of the Manawatu Marine Boating Club launching ramp to the downstream end of the Foxton Loop.

### **3.5 Lookouts on vessel used for water skiing and towing any other person**

- 3.5.1 No person in charge of a vessel may use it to tow any person at a speed exceeding 5 knots unless at least one additional person is on board who is responsible for immediately notifying the person in charge of every mishap that occurs to the person being towed.
- 3.5.2 No person may cause or allow himself or herself to be towed by or from any vessel at a speed exceeding 5 knots unless at least one additional person is on board who is responsible for immediately notifying the person in charge of every mishap that occurs to the person who is being towed.
- 3.5.3 No person who is under the age of 10 years is permitted to act as the additional person required by Subclauses 3.5.1 and 3.5.2.

### **3.6 Water skiing or towing between sunset and sunrise**

- 3.6.1 No person may operate, between sunset and sunrise, a vessel that is towing any person, whether or not that person is on a water ski, aquaplane, or other towed object or is barefoot skiing.
- 3.6.2 No person may allow himself or herself to be towed by a vessel between sunset and sunrise.

**Note:** The times for sunset and sunrise can be found in the current edition of the New Zealand Nautical Almanac.

### **3.7 Reserved areas**

- 3.7.1 No person may obstruct any other person whilst that other person is using a Reserved Area for the purpose for which it has been reserved under this Bylaw as prescribed in Subclauses 3.2.5, 3.4.1 and Schedule 1.
- 3.7.2 Adequate signage must be provided in the vicinity of the reserved area that defines the area and declares the purpose for which the area has been reserved.

### **3.8 Damage to navigation aids**

- 3.8.1 No person may damage, remove, deface or otherwise interfere with an aid to navigation.

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## 4. Administrative Matters

### 4.1 Suspensions and exemptions under this Bylaw

- 4.1.1 The Council may, of its own accord or on application by any person, suspend any provisions of this Bylaw or exempt any activities from any provisions of this Bylaw. The suspension or exemption may be subject to conditions and shall have effect for the period of time that the Council considers appropriate. Any suspension or exemption made under this Subclause must be publicly notified.

### 4.2 Temporary events

- 4.2.1 Any person intending to conduct a race, speed trial, competition or other organised water activity in any area to which this Bylaw apply may apply to the Harbourmaster to:
- a. temporarily suspend the application of Clause 3.2 of this Bylaw in that area during the conduct of the race, speed trial, competition or other organised water activity; and
  - b. temporarily reserve the area for the purpose of that activity.
- 4.2.2 Where the Harbourmaster is satisfied, on considering an application under this Bylaw, that the application may be granted without endangering the public, he or she may grant the application accordingly, for a period not exceeding 10 days, and on such conditions (if any) as he or she may specify.
- 4.2.3 Every grant of an application under this Bylaw shall, subject to Subclause 4.2.4 of this Bylaw, have effect according to its tenor.
- 4.2.4 No grant of an application under this Bylaw shall have effect unless, not less than 7 days or no more than 14 days before the commencement of the activity, a public notice is given specifying the period of the activity and details of the suspension or reserved area.
- 4.2.5 The applicant is to attend to the public notice under Subclause 4.2.4 in a form acceptable to the Harbourmaster.

### 4.3 Permanent speed upliftings

- 4.3.1 Any application to have any speed limit as prescribed in this Bylaw permanently uplifted must be made in writing to the Council.

### 4.4 Appointment of harbourmaster and enforcement officers

- 4.4.1 The Council may, by resolution, appoint a Harbourmaster for the purposes of this Bylaw.
- 4.4.2 The Council may, by resolution, appoint Enforcement Officers for the purposes of this Bylaw.
- 4.4.3 The Council may, by resolution, appoint Honorary Enforcement Officers for the purposes of this Bylaw.

- 4.4.4 A Harbourmaster, Enforcement Officer, or Honorary Enforcement Officer may require the master of any vessel or any other person who is committing an offence in contravention of this Bylaw, to stop their vessel, and supply their name and address.

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## 5. Offences

### 5.1 Offences against Bylaws

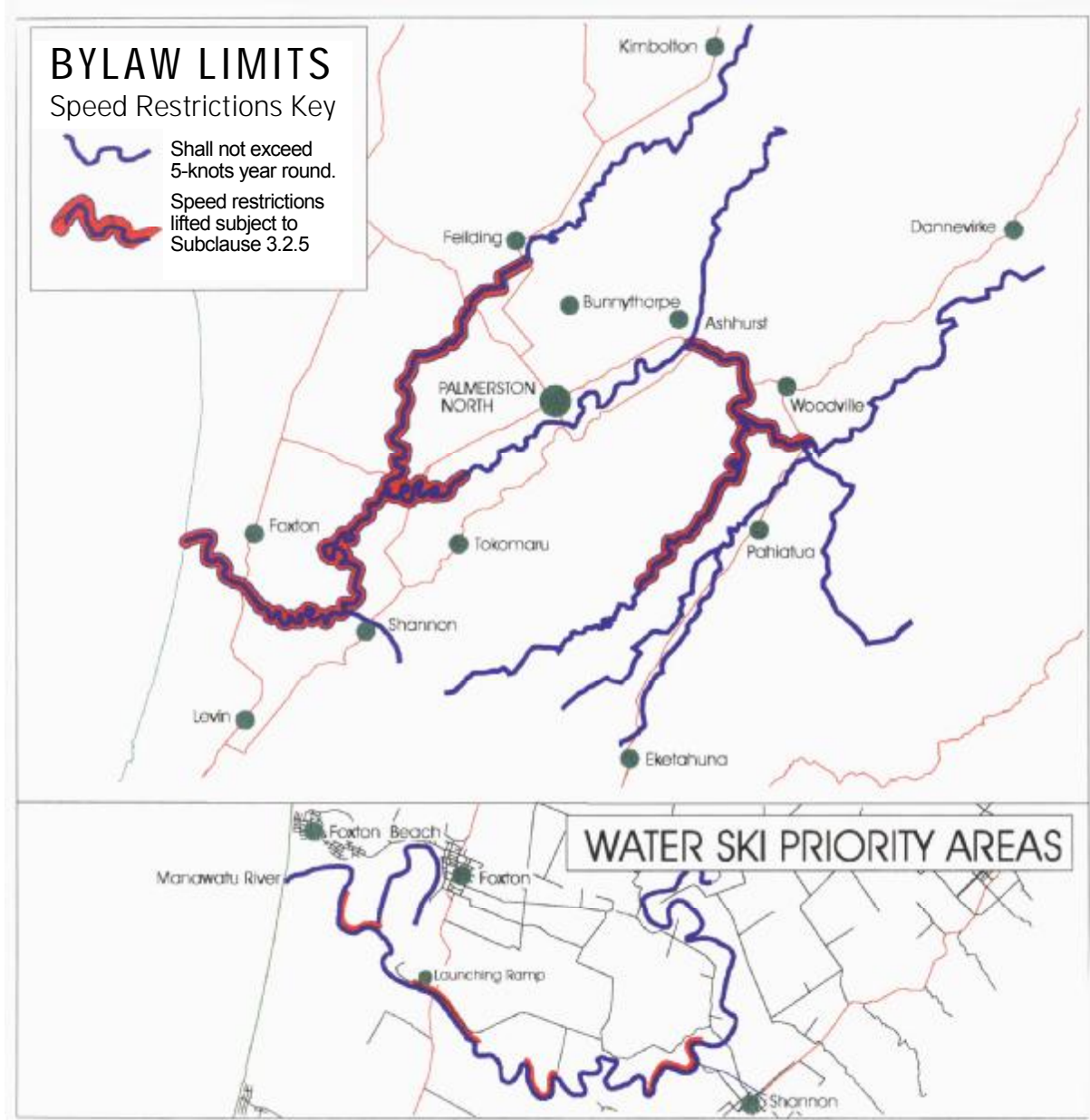
- 5.1.1 Every person who fails to comply with any provisions of this Bylaw commits an offence against this Bylaw.

DRAFT

DRAFT

**SCHEDULE 1**

**BYLAW LIMITS**



DRAFT

**SCHEDULE 2****SPEED UPLIFTED AREAS****River/Tributary**

Vessels may exceed a proper speed of 5 knots in the following areas subject to Clause 3.2

1. Oroua River below the Aorangi Bridge
2. Manawatu River below Jackeytown Road
3. Mangahao River downstream of Marima Domain
4. Manawatu River from the Tiraumea River confluence to the State Highway 3 Bridge, immediately below the Pohangina River confluence



A Significant decision? <b>If Yes</b>	N
Do recommendations meet Significance Policy (contained within the LTCCP)	

**Item No: 9**  
**Date: 15/12/2009**  
**Report No: 09-202**  
**File No: PEM 3 04**

## APPOINTMENT OF BYLAWS ENFORCEMENT OFFICERS

### PURPOSE

1. This item presents for approval the appointment of additional Enforcement Officers pursuant to the Manawatu River and Tributaries Navigation and Safety Bylaws 2004.

### FINANCIAL IMPACT

2. Allowed for in 2009-10 Long-term Community Council Plan (LTCCP).

### BACKGROUND

3. Section 650B of the Local Government Act 1974 provides for regional councils to appoint Enforcement Officers to administer navigation and safety bylaws.
4. The appointment of additional Enforcement Officers is required to replace staff that have left the employment of Horizons Regional Council.

### COMMENT

5. In order to effectively administer and enforce the Bylaws it is important that the Harbourmaster has the support of formally appointed Enforcement Officers. There are currently eight warranted Enforcement Officers. It is recommended that the following Horizons Regional Council staff be appointed Enforcement Officers:

Ross Brannigan	Emergency Manager Officer
Fran Harrison	Compliance Officer
Rebecca Fryett	Compliance Officer
Jeff Cooke	Compliance Officer
Leigh Christensen	Compliance Officer
Juliet Hurley	Compliance Officer
Pita Kinaston	Compliance Officer

### RECOMMENDATIONS

6. It is recommended that the Council:
  - a. **approves** the appointment of the staff listed above as Enforcement Officers.

Evan Lloyd  
**HARBOURMASTER**

G P Shirley  
**GROUP MANAGER REGIONAL SERVICES**



A Significant decision? <b>If Yes</b>	N
Do recommendations meet Significance Policy (contained within the LTCCP)	

**Item No: 10**  
**Date: 15/12/2009**  
**Report No: 09-200**  
**File No: OMS 10 09**

## **REGIONAL PEST ANIMAL MANAGEMENT STRATEGY**

### **PURPOSE**

1. The purpose of this item is to inform Members that:
  - a. There were no appeals to the Regional Pest Animal Management Strategy notified on 6 November 2009; and
  - b. The new Regional Pest Animal Management Strategy will become operational on 10 January 2010, replacing the current Animal Pest Management Strategy at this time.

### **FINANCIAL IMPACT**

2. None. The changes take into consideration pre-set Animal Pest Management budgets.

### **BACKGROUND**

3. The current Regional Animal Pest Management Strategy was reviewed in accordance with the Biosecurity Act 1993. Over the past two years, a series of consultation workshops and a Hearing were held to help shape a new Regional Pest Animal Management Strategy (the new Strategy). The new Strategy was notified on 6 November 2009. No appeals were lodged and the new Strategy can now become operative.

### **COMMENT**

4. The Common Seal was formally attached to the document 1 December 2009, but due to the time it takes for printing and the Christmas break, the Strategy will become operative on the 10 January 2010. At this time the current Strategy will be replaced by the new (now operative) Strategy.
5. A copy of the Strategy will be delivered to Members as soon as it returns from the printers.

### **RECOMMENDATIONS**

6. It is recommended that the Council:
  - a. receives the information contained in Report No. 09-200.

G J Carlyon  
**GROUP MANAGER REGIONAL PLANNING  
 AND REGULATORY**

J S Lambie  
**ENVIRONMENTAL SCIENTIST – ECOLOGY**



A Significant decision? <b>If Yes</b>	No
Do recommendations meet Significance Policy and LGA requirements?	

**Item No: 11**  
**Date: 15/12/2009**  
**Report No: 09-204**  
**File No: OMS 5 00**

## AFFIXING OF THE COMMON SEAL

### PURPOSE

1. This paper reports on a documents to which Horizons Regional Council's Common Seal has been affixed.

### FINANCIAL IMPACT

2. There is no additional financial impact.

### COMMENT

3. The Common Seal has been affixed to the following documents:
  - a. **Under Chief Executive's Delegated Authority:**
    - Forestry Agreement – Craig Mitchell  
Sustainable Land Use Initiative – TJ Seddon and others  
Term Loan Agreement
    - Consents Team – Warrant Card for new staff – Juliet Hurley
    - Alison Russell – Consents Team  
Te Pono O Matapihi Trust – Encumbrance to Manawatu Wanganui  
Regional Council
    - Craig Mitchell – Regional Pest Animal Management Strategy  
(effective 10 January 2010)
  - b. **Under Urgency:**  
Nil
  - c. **To be Approved:**  
Nil

### RECOMMENDATION

4. It is recommended that the Council:
  - a. **acknowledges** the affixing of the Common Seal to the abovementioned documents.





Report of the ninth meeting, seventh triennium, of the Regional Transport Committee held at 10.04pm on Tuesday 1 December 2009, in the Council Chambers, Palmerston North City Council, 32 The Square, Palmerston North.

**PRESENT** Crs EB Gordon (Chair), VJF Chettleburgh, GP Murfitt (from 10.15am), Mayor B Duffy (Horowhenua District Council from 10.30am), Mayor M Reynolds (Tararua District Council), Mayor S Morris (Ruapehu District Council), Cr G Cruden (Palmerston North City Council), Cr M Bell (Manawatu District Council), Cr D Brown (Rangitikei District Council), Cr A Anderson (Wanganui District Council), Mr RW Smith (Access & Mobility), Dr C Cheyne (Environmental Sustainability), Mr R Forgie (Economic Development), Ms J Chetwynd (New Zealand Transport Agency).

**IN ATTENDANCE** Group Manager Regional Services and Information Mr GP Shirley (from 10.15am)  
 Manager Transport Services Ms A Redgrave  
 Committee Secretary Mrs JA Kennedy

**ALSO PRESENT** Crs P Rieger, M Plowman (from 10.12am), Ms K Lowe (Transport Planner), Mr W Wallace (Transport Planner), Mr R Hayward (KiwiRail), Mr W Furner (Ruapehu District Council), and various other interested groups.

**APOLOGIES** Apologies were received from Mr N Wynne, Ms L Tamehana, and Mayor B Duffy (late).

**LT 09-84**

**Moved**

**Forgie/Chettleburgh**

*that the Committee **accepts** the apologies of Mr Wynne, Ms Tamehana, and Mayor Duffy (late).*

**CARRIED**

Apologies were noted as being received from Ms D Elers, Ms E Shaw, and Mr E Christiansen.

**PUBLIC SPEAKING RIGHTS**

No requests for public speaking rights had been notified.

**LATE ITEMS**

There were no Late Items notified.

**MEMBERS' CONFLICTS OF INTEREST**

There were no conflicts of interest noted.

**CONFIRMATION OF MINUTES****LT 09-85****Moved****Anderson/Smith**

*that the minutes of the Regional Transport Committee held on 1 September 2009, as circulated, be received and confirmed as a correct record, with the addition of Cr Anderson as present.*

**CARRIED**

There was comment in regard to resolution LT 09-80 (b) around the Committee's frustration at the implications of the change in policy to now consider Regional (R) funds as a priority over N (National) funds. Members were of the view that their time and effort spent in preparing the Regional Land Transport Programme was now of little value. The Chairman noted that a letter had been sent to the New Zealand Transport Agency clearly stating the Committee's position.

**ENDORSEMENT AND ADOPTION OF MINUTES****Passenger Transport Subcommittee Meeting – 17 November 2009****LT 09-86****Moved****Chettleburgh/Gordon**

*that the Minutes of the Passenger Transport Subcommittee meeting held on 17 November 2009, as circulated, be received and confirmed as a correct record.*

**CARRIED****PRESENTATION: MR ROSS HAYWARD, GENERAL MANAGER PASSENGER SERVICES – KIWIRAIL**

Mr Hayward outlined the history of the Capital Connection service between Wellington and Palmerston North. He advised that with electrification of the line from Wellington to Waikanae almost completed, which would result in a significantly improved service to Waikanae, there was a need to review the Capital Connection service. The Capital Connection would continue to operate for the next 12 months. Mr Hayward presented five options for the Committee's consideration: Continue existing service, Reduce existing service, Remove existing service, Replace service using Silver Fern Railcars, and Improve Services. Members considered the presentation and asked questions of clarification. The following recommendation was included to reflect the discussion.

**LT 09-87****Moved****Chettleburgh/Duffy**

*that the Regional Transport Committee enter into negotiations with KiwiRail over the future of the Capital Connection rail service between Palmerston North and Wellington.*

**CARRIED**

## **ANNUAL REPORT ON THE IMPLEMENTATION OF THE REGIONAL LAND TRANSPORT STRATEGY 2008-09**

*Report No: 09-177*

This report presented the Annual Report on the Implementation of the Regional Land Transport Strategy for 2008-09.

The Transport Planner (TP) spoke to the item and highlighted the key points.

Members considered the report and commented on points of interest.

**LT 09-88**

**Moved**

**Brown/Smith**

*that the Committee recommends that Council:*

- a. **receives** the Annual Report on the Implementation of the Regional Land Transport Strategy for 2008-09.

**CARRIED**

## **NEW ZEALAND TRANSPORT AGENCY (NZTA) – WELLINGTON CORRIDOR STATE HIGHWAY 1 KAPITI COAST OPTIONS AND CONSULTATION PROCESS – JENNY CHETWYND**

Ms Chetwynd advised of an invitation to attend a briefing / presentation from NZTA on Monday 21 December 2009 at Porirua, in regard to the timing and progress for the Wellington Corridor State Highway 1 Kapiti Coast options and consultation process.

## **ROAD SAFETY REPORT**

*Report No. 09-178*

This report informed Members of recent road safety education activities in the Region.

The Transport Planner (TP) spoke to the report and updated the latest road safety statistics for the Manawatu-Wanganui Region.

Members commented on the table representing fatalities for each region and suggested improvements around providing road fatality data for each region by population and per kilometres of road in the area, and precise data to clearly identify locations where the accidents occurred.

Mayor Reynolds noted a vote of appreciation in recognition of the tremendous work carried out by the road safety co-ordinators.

**LT 09-89**

**Moved**

**Duffy/Bell**

*that the Committee recommends that Council:*

- a. **receives** the report on road safety education activities.

**CARRIED**

**SAFER JOURNEYS 2020 SUMMARY OF SUBMISSIONS***Report No: 09-181*

This report informed Members of the results of submissions on the Ministry of Transport's discussion document on a new national road safety strategy, *2020 Safer Journeys*.

The Transport Planner (TP) commented on the highlights and key points of the submissions.

**LT 09-90****Moved****Duffy/Reynolds**

*that the Committee recommends that Council:*

- a. **receives** the report into the summary of submissions from the "2020 Safer Journey" discussion document on road safety.

**CARRIED****LAND TRANSPORT MANAGEMENT ACT AND PUBLIC TRANSPORT MANAGEMENT ACT REVIEWS***Report No. 09-179*

This report informed Members of reviews to the Land Transport Management Act and the Public Transport Management Act.

The Transport Planner (TP) outlined the amendments proposed by the Minister of Transport to the Acts, and the suggested recommendations to regional councils on how to progress.

Ms Chetwynd, on behalf of Elizabeth Shaw, (Ministry of Transport), outlined the objectives and timeframes for the consultation period of the review.

Members considered it important for the Committee to be involved in some way with Local Government New Zealand staff in order to have input into the review. Recommendation (b) was therefore included to reflect the discussion.

**LT 09-91****Moved****Murfitt/Duffy**

*that the Committee recommends that Council:*

- a. **receives** the report on the reviews of the Land Transport Management Act and the Public Transport Management Act;
- b. **recommends** that the Chairperson of the Regional Transport Committee work with Local Government New Zealand, prior to any Cabinet decisions being made.

**CARRIED**

## REGIONAL LAND TRANSPORT STRATEGY REVIEW

Report No. 09-180

This report was to:

- a. update Members on progress with:
  - i. the review of the Regional Land Transport Strategy (RLTS); and
  - ii. the Palmerston North Manawatu Joint Strategic Study;
- b. decide on the vision and objectives for the RLTS; and
- c. discuss a revision to the timeline for the RLTS review.

The Manager Transport Services spoke to the report and drew Members attention to the revised timeline for the RLTS review, now due for completion in mid Sept 2010

Several Members complimented staff on the clarity and simplicity of the draft Background and Issues Chapters for the RLTS. Members considered the draft and made the following suggestions:

- 2.4.7 Industry Clusters – correct location of the Bio-Commerce Centre: Fitzherbert Science Centre;
- Allow more time to consider and address the contents of the vision statement and objectives for the draft RLTS;
- 3.2.3 Safety and Level of Service Issues on Secondary Strategic Links - safety issues around a lack of passing lanes associated with Saddle Road;
- 2.2 Population - clarification on the population graphs;
- Include risk analysis of the transport network.

Mayor Morris and the Asset Manager, Ruapehu District Council updated Members on progress with the Ruapehu Cycleway Project. Members asked questions of clarification.

Recommendation (b) was altered to reflect the discussion.

**LT 09-92**

**Moved**

**Cruden/Murfitt**

*that the Committee recommends that Council:*

- a. **receives** the report on progress with the RLTS review and the Palmerston North Manawatu Joint Strategic Transport Study Transport issues in the Manawatu Wanganui region;
- b. **notes** and **defers** the vision statement and objectives for the revised Regional Land Transport Strategy to the next Regional Transport Committee meeting;
- c. **agrees** to the revised timeline for the review of the Regional Land Transport Strategy.

**CARRIED**

## NATIONAL LAND TRANSPORT PROGRAMME 2009-12 UPDATE

Report No. 09-182

This report was to further inform Members about the process used to develop the National Land Transport Programme 2009-12.

The Transport Planner (TP) spoke to the report and was available to answer questions of clarification.

There was discussion around the budget reallocations for maintenance and renewals. Mr Leitao, Wanganui District Council and Cr Anderson raised concerns at the funding allocated to WDC, and expressed their opinion that WDC would be unable to achieve the required maintenance of the road infrastructure in its region with the current allocation. Cr Anderson suggested a new recommendation (b) to request that the New Zealand Transport Agency gave consideration to reassessing its decision around the reallocation of maintenance funds for WDC. Several Members indicated it was not the Committee's role and would therefore not support the recommendation. Cr Anderson appealed to the Committee to give consideration to his recommendation.

Ms Chetwynd, NZTA indicated she would be happy to receive such a letter but did not wish to raise any expectations around the reallocation of maintenance. She advised she would abstain from voting on the recommendation.

The Chair suggested that the recommendations be put separately.

**LT 09-93**

**Moved**

**Duffy/Murfitt**

*that the Committee recommends that Council:*

- a. **receives** the update on the National Land Transport Programme 2009-12;

**CARRIED**

**LT 09-94**

**Moved**

**Anderson/Brown**

*that the Committee recommends that Council:*

- b. **requests** that the Regional Transport Committee writes to the New Zealand Transport Agency with a view to reconsider its decision on the reallocation of maintenance funds.

**Abstain:** Chetwynd

**For:** Anderson, Bell, Brown

**Against:** Gordon, Chettleburgh, Murfitt, Duffy, Reynolds, Morris, Cruden, Smith, Cheyne, Forgie

**LOST**

## STATUS OF THE IDENTIFICATION OF KEY FREIGHT AND TOURISM ROUTES FOR NATIONAL AND TRANSPORT PROGRAMME FUNDING PURPOSES

This item informed the Committee of the approach the New Zealand Transport Agency (NZTA) was likely to take in regard to engagement with the sector for the development of the draft national Freight Plan, inclusive of freight and tourism guidelines.

Ms Chetwynd, Regional Director, Central Region, New Zealand Transport Agency spoke to the item and said that a draft national Freight Plan was being developed and would be released in the new year. A report on the nature of freight transport within the Central Region (Taranaki, Manawatu, Hawkes Bay and Gisborne), had been commissioned and would be available by end of 2009.

Ms Chetwynd answered Members questions of clarification.

**LT 09-95**

**Moved**

**Duffy/Murfitt**

*that the Committee recommends that Council:*

- a. **receives** the report entitled "Status on the identification of Key Freight and Tourism Routes for National Land Transport Programme Funding Purposes".

**CARRIED**

## ENDORSEMENT AND ADOPTION OF THE PASSENGER TRANSPORT SUBCOMMITTEE RESOLUTIONS AND RECOMMENDATIONS OF 17 NOVEMBER 2009

The Chair advised that at the Passenger Transport Subcommittee minutes of 17 November 2009 could be endorsed in the public part of the meeting.

Ms Redgrave, Manager Transport Services was pleased to inform the Committee that Horizons Regional Council had been successful in being funded for some bus service improvements in Palmerston North which would give a significant increase in frequency at peak times. It was hoped that the improved frequency would be in place for the start of the 2010 academic year.

Cr Chettleburgh expressed his thanks to Transport staff for their efforts to gain the funding.

**LT 09-96**

**Moved**

**Duffy/Chettleburgh**

*that the minutes of the confidential part of the meeting held on 17 November 2009 be confirmed as a correct record, and be moved into the public part of the meeting.*

**CARRIED**

## MEMBERS' QUESTIONS

There were no Members' Questions.

The meeting closed at 12.30pm.

Confirmed.





Report of a meeting of the Manawatu River Users' Advisory Group of Horizons Regional Council held at Regional House, 11-15 Victoria Avenue, Palmerston North, at 7.30pm on Tuesday, 1 December 2009.

**PRESENT** Crs L Burnell (Chairman), L Bailey, Messrs B Culley (Manawatu Marine Boating Club), G Hyde, (Jet Boating New Zealand), M Wheatley (Manawatu Four Wheel Drive Club), I Taylor (Manawatu Fresh Water Anglers Club), W Mudford (Fishing Farming).

**IN ATTENDANCE** Area Engineer Mr D McKee (to 8.30pm)  
 Harbourmaster Mr E Lloyd  
 Committee Secretary Mrs J Kennedy

The Chairman welcomed everyone to the meeting.

#### **APOLOGIES**

Apologies were received from Messrs P Teal, S Pilkington (Fish and Game), K Lane, (Water and Environment Care Association), and R Anderson (Jet Boating New Zealand).

**Moved**

**Burnell/Culley**

*that the apologies of, Messrs Teal, Pilkington, Lane, and Anderson, be accepted.*

**CARRIED**

#### **CONFIRMATION OF MINUTES**

**Moved**

**Bailey/Culley**

*that the minutes of the meeting of the Manawatu River Users' Advisory Group held on 2 June 2008, as circulated, be confirmed as a correct record.*

**CARRIED**

#### **HARBOURMASTER'S REPORT**

*Report No: 09-185*

The purpose of this item was to provide Members of the Manawatu River Users' Advisory Group (MRUAG) with an update on matters relating to the Office of the Harbourmaster.

The Harbourmaster outlined the key points in the report and was available to answer questions on points raised. He advised that the Statement of Proposal for the review of the Manawatu River and Tributaries Navigation and Safety Bylaws 2004 would be presented to Council on 15 December 2009, along with an item to approve the appointment of additional Enforcement Officers.

There was discussion around the activities of jetskis on the river, and comment around events in regard to the derelict wharf structure adjoining the Manawatu Marine Boating Club Wharf at Foxton beach.

**Moved**

**Burnell/Bailey**

*that the Manawatu River Users' Advisory Group*

a. **receives** the information contained in Report No. 09-185.

**CARRIED**

## **LOWER MANAWATU RIVER MANAGEMENT ISSUES**

*Report No: 09-187*

The purpose of this item was to inform Members of the Manawatu River Users' Advisory Group (MRUAG) of Lower Manawatu Scheme (LMS) management issues that may have some impact on the recreational use of the river during the period June to December 2009.

Mr Derek McKee, Area Engineer spoke to the report and answered Members questions of clarification in regard to the maintenance of trees at a location near Opiki, developments and discussions with landowners in regard to Anzac Cliffs, and the confusion over the way some radio stations reported river levels.

The Chairman congratulated Mr McKee on the impressive work undertaken in regard to the enhancement works located at Fitzherbert Avenue.

A Member commented on the turbidity charts on the Horizons website and noted they were difficult to understand.

**Moved**

**Hyde/Culley**

*that the Manawatu River Users' Advisory Group*

a. **receives** the information contained in Report No. 09-187.

**CARRIED**

## **DRAFT STATEMENT OF PROPOSAL REVIEW OF MANAWATU RIVER AND TRIBUTARIES NAVIGATION AND SAFETY BYLAWS 2004**

*Report No 09-186*

The purpose of this item was to present the Statement of Proposal for the review of the Manawatu River and Tributaries Navigation and Safety Bylaws 2004.

The Harbourmaster advised that the Statement of Proposal would be presented to Council on 15 December 2009.

The Harbourmaster drew Members attention to the draft Bylaw and Members considered and discussed the proposed changes and additions as follows:

- After discussion it was agreed that the revised Bylaw should be known as the ...Navigation and Safety Bylaw 2010 (as opposed to 2004).
- Foxton River Loop – include a statement on speed restriction.
- Regional Council – insert definition from Local Government Act.
- 2.1.5 - Personal floatation devices / buoyancy aids – add a footnote to indicate “direct translation from proposed Maritime Rule 91”.

- 3.8.1- Harbourmaster to check definition of navigation aids in Maritime Law, and make a decision as to whether signs should be included.

There was discussion and clarification on the updated timeline including the process for the submissions hearing.

**Moved**

**Burnell/Bailey**

*that the Manawatu River Users' Advisory Group*

- ensdorses** the Statement of Proposal as presented;
- endorses** the updated Review Process and Timeline as presented; and
- endorses** the draft Manawatu River and Tributaries Navigation and Safety Bylaw 2010 with the amendments as outlined above.

**CARRIED**

## CALENDAR OF EVENTS

Report No: 09-184

The purpose of this report was to present the Manawatu River Calendar of Events to the Manawatu River Users' Advisory Group for information.

**Moved**

**Burnell/Bailey**

*that the Manawatu River Users' Advisory Group*

- receives** the information contained in Report No. 09-184, and **notes** that no upcoming events have been notified to the Harbourmaster.

**CARRIED**

## GENERAL BUSINESS

There was discussion around the Calendar of Events and it was suggested that more emphasis be placed on contacting groups, in order to be aware of any upcoming events organised on the Manawatu River.

## NEXT MEETING

The next meeting of the Advisory Group was provisionally scheduled for 1 June 2010.

The Chairman thanked the Group for their attendance and input.

The meeting closed at 8.55pm.  
Confirmed.

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**CHAIRPERSON**

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**HARBOURMASTER**







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