



Minutes of the thirty-first meeting of the seventh triennium of Horizons Regional Council held at 10.30am on Tuesday, 25 May 2010, in the ~~Tararua Room, 11-15 Victoria Avenue,~~ at the Te Hotu Manawa O Rangitaane O Manawatu Marae, 140-148 Maxwells Line, Palmerston North.

PRESENT Crs G P Murfitt MNZM JP (Chair), L Bailey, L R Burnell (from 11.30am), V J F Chettleburgh QSM ED, E B Gordon, M C Guy, A K Main, D B Meads, P W Rieger QSO, and J J White.

IN ATTENDANCE Chief Executive Mr M McCartney
Group Manager Corporate and Governance Mr C Grant
Committee Secretary Mrs J Kennedy

ALSO PRESENT Mr G Carlyon (Group Manager Regional Planning and Regulatory), Mr C Mitchell (Group Manager Environmental Management, to 2.20pm), Mr G Shirley (Group Manager Regional Services and Information), Mr A Cook (Group Manager Operations), Ms C Rowe (Media and Communications Manager), Mr R Munneke (Manager Policy, from 11.30am to 12.30am), Mr G Neilson (Corporate Asset and Project Management from 1.14pm to 2.40pm), Mr T Colle (Finance Manager from 1.14pm to 2.40pm), Mr E Duggan (Strategic Financial Planner, from 1.28pm to 2.40pm), and representatives from Tanenuiarangi Manawatu Incorporated, Morris Takarangi-President, Danielle Harris-Chief Executive, and Dr John Proctor.

APOLOGIES

Apologies were received from Crs Walker (another commitment), Plowman (bad weather), and Burnell (lateness).

10-550 *Moved* **White/Guy**

that apologies be received from Crs Walker and Plowman, and Cr Burnell (lateness).

CARRIED

PUBLIC SPEAKING RIGHTS

No requests for public speaking rights had been notified.

LATE ITEMS

Three public excluded late items were notified for Members' consideration.

- Letter forwarded from Ministry of Agriculture and Forestry – information item for Members to read and assist the Chairman in that area.
- CentrePort Limited Board of Directors – nominations required by CentrePort and Greater Wellington.
- Significant Debtors – required for Members' consideration.

The Chairman said it had been brought to his attention by several Members that there was no relevant reason for Item PX5, MW LASS Ltd – Exempted Organisation to be included for consideration under public excluded. Accordingly it was moved for consideration in the public part of the meeting as Item 13 (a).

10-551

Moved

Bailey/Chettleburgh

that item PX5, MW LASS LTD – Exempted Organisation be considered in the public part of the meeting as Item 13 (a).

CARRIED

MEMBERS' CONFLICTS OF INTEREST

In regard to the public excluded item for Members information around CentrePort Limited Board of Directors, Cr Guy advised he would be guided by the Chairman as to what part of that item he should be excluded from.

PETITIONS / DEPUTATIONS

There were no petitions or deputations.

CONFIRMATION OF MINUTES

10-552

Moved

Gordon/Main

that the minutes of the meeting held on 4 May 2010, as circulated, be confirmed as a correct record.

CARRIED

The Chairman confirmed that Crs Main and Plowman would be attending the Local Government New Zealand Conference 2010 (Report No. 10-49 of Council Meeting 4 May 2010).

The Chairman advised of a request in writing received from Lyn Neeson, President, Ruapheu Federated Farmers for the release of a public excluded report around Hill Country Spraying. Mr Carlyon advised he had no concerns around releasing the report to the public domain. The Chairman advised the request would be considered under public excluded.

Cr Guy commented on resolution *PX 10-162* which had been released from public excluded into the public domain at the Council Meeting held on 4 May 2010. He believed it was a significant decision, and would like to see it highlighted in the press as a unanimous decision from Council.

Cr Main advised she had offered to cover her own expenses in regard to her attendance at the Local Government New Zealand Conference. The Chairman ruled that Cr Main's expenses would be covered by Horizons Regional Council, in line with Council policy, for her attendance at the Conference.

TRIENNIAL ELECTION ISSUES FOR CIVIL DEFENCE EMERGENCY MANAGEMENT GROUPS

Report No. 10-71

This report informed Members about triennial election issues for the Manawatu-Wanganui Civil Defence Emergency Management (CDEM) Group. These issues relate to the continuation of the CDEM Group through the election period, and the provisions available to declare a state of local emergency should the need arise over that period.

Mr Grant, Group Manager Corporate and Governance introduced the item.

10-553

Moved

Main/Meads

that the Council:

- a. **resolves** that the Manawatu-Wanganui Civil Defence Emergency Management Group, and any subcommittee constituted by that Group, shall not be deemed to be discharged, pursuant to clause 30(5) of Schedule 7 to the Local Government Act 2002 and section 12(2) of the Civil Defence Emergency Management Act 2002; and
- b. **notes** that during the period following the election and until the new Chairman has made a declaration in accordance with the Local Government Act 2002, Schedule 7, section 14, the Minister of Civil Defence will declare a state of local emergency should the need arise.

CARRIED

DELEGATIONS – RESOURCE CONSENTS

Report No. 10-74

This report followed on from the workshop between Councillors and the Consents Team held on 26 April 2010. The purpose of the workshop was to outline and discuss the Consents Team's day-to-day functions and tasks, and to determine the appropriate level that these functions and tasks should sit at. General agreement was reached on all delegations with the exception of the Hearings Commissioner appointment process.

Mr Carlyon, Group Manager Regional Planning and Regulatory spoke to the item. He clarified that the role of decision-making in regard to Council elected Commissioners would be covered as a separate item to Council.

10-554

Moved

White/Bailey

that the Council:

- a. **receives** the information contained in Report No. 10-74, and
- b. **approves** the schedule of delegations contained in Annex A.

CARRIED

FOXTON RIVER LOOP ENHANCEMENT

Report No. 10-72

This report sought Council approval for a programme of works in support of enhancement of the Foxton River Loop and surrounding areas.

Mr Shirley, Group Manager Regional Services and Information provided a map of the Proposed Foxton Loop Development. He outlined that the majority of the proposed activities would be able to be met within existing budgets, including the hydraulic modelling work. Mr Cook, Group Manager Catchment Operations commented on the importance of the channel investigations and hydraulic modelling work required in order to determine any risks and uncertainties that could be associated with the partial opening of the Loop. Ultimately the outcome of the study would influence the viability of other proposed activities in the vicinity of the Loop channel. Mr Mitchell, Group Manager Environmental Management identified the projects that were aligned to Horizons core business that could be completed within current budgets. He noted there was a proportion of estimated costs not currently budgeted for that would be subject to future consideration by Council.

Members asked questions of clarification around support for the programme of works and whether future development work of the Loop would fit within Horizons' core business. There was discussion around whether approval for funding and assigning of resources to the current programme would generate an expectation for future funding for any further proposed development of the Loop. Members believed it was important for those thoughts to be indicated to the community by way of a press release. Cr Bailey expressed concern in regard to the RAMSAR Site. She said there was already an estuary management plan in place around the RAMSAR Site and she did not want to see competition raised between the assistance already provided, and any further specific assistance.

Concerns were raised around the discharge of treated effluent by Horowhenua District Council (HDC) into the Loop. The Chief Executive advised that a short-term consent had been granted to HDC to continue discharge to the Loop. It was envisaged that alternative options for discharge would be considered for the future. Cr Bailey believed it was important to indicate by way of a press release that concerns had been expressed by Council around the discharge of effluent into the Loop.

The Foxton Loop River Enhancement item was adjourned for a presentation from Tanenuiarangi Manawatu Incorporated.

PRESENTATION: TANENUIARANGI MANAWATU INCORPORATED (TMI)

The presentation from TMI contained an introduction to Rangitaane and outlined their scope of operation – ~~Morris~~ **Maurice** Takarangi, President, Danielle Harris, Chief Executive, and Dr ~~John~~ **Jonathan Procter**.

At the conclusion of the presentation Members asked questions of clarification. The Chairman thanked TMI for their informative presentation and for hosting the Council meeting at the Te Hoto O Rangitaane O Manawatu Marae.

10-555

Moved

Main/Rieger

that the Council:

- a. **receives** the presentation from Tanenuiarangi Manawatu Incorporated.

CARRIED Unanimously

The meeting adjourned at 12.30pm

The meeting reconvened at 1.00pm

FOXTON RIVER LOOP ENHANCEMENT (Continued)

Report No. 10-72

Ultimately, after further discussion around possible expectations that Council would provide further funding in the future for any further development of the Loop, recommendation (a) was altered, and a new recommendation (b) was included to reflect the discussion.

Cr Bailey asked that a presentation of the item be made to the Foxton Community Board.

10-556 **Moved** **Rieger/White**

that the Council:

- a. **approves** *the programme of works proposed for the Foxton River Loop Enhancement, noting that the activities in the programme are aligned to Horizons' core business and funding for the 2011-12 and 2013-14 years will be subject to confirmation via the next Annual Plan process; and*
- b. *in approving the programme in (a) there should be no inference taken that Council would provide funding in the future for any further development of the Loop.*

CARRIED

STATUS OF THE LINKLATER MEMORIAL BURSARY

Report No. 62

This report informed Members of the status of the Linklater Memorial Bursary.

The Media and Communications Manager introduced the item. Members expressed concern around the current status of the Bursary. As it was unclear what the current obligations to existing recipients were, it was agreed that the Linklater Bursary Committee be reconvened to ascertain what, if any, were the ongoing obligations to existing recipients, and report back to Council with recommendations as to how the funds should be used going forward. Accordingly, recommendation (b) was modified to reflect the discussion.

10-557 **Moved** **White/Burnell**

that the Council:

- a. **receives** *Report No. 10-62; and*
- b. **instructs** *the Linklater Bursary Committee to ascertain whether there are any ongoing obligations to existing recipients and report back to Council with recommendations as to how the funds should be used going forward.*

CARRIED

INCENTIVISING AND SUPPORTING REGULATORY ACTIVITY

Report No. 10-76

This report was two-fold. It sought to advise Councillors of current activities in relation to Council's objectives for the regulatory activity, and sought Council support and endorsement for a number of new proposals to achieve these objectives.

Mr Carlyon, Group Manager Regional Planning and Regulatory guided Members through the item. He highlighted that it was based around a Council focus on obtaining compliance with consents, and undertaking that in a constructive way.

Cr Chettleburgh asked that consideration be given to improving and extending communication and knowledge to councillors and territorial authorities around significant projects which affected a large number of ratepayers.

Members discussed the contents of the report and congratulated Mr Carlyon on bringing it forward for information purposes. As Members required more time to fully discuss some aspects of the report it was ultimately agreed that the item be presented at a workshop, to be followed by an item to the Strategy and Policy Committee.

Accordingly, recommendation (b) was altered to reflect the discussion.

10-558 **Moved** **Murfitt/White**

that the Council:

- a. **acknowledges** the existing work programme set out in Report No. 10-76; and
- b. **refers** the additional programme of work set out in Report No. 10-76 to a workshop followed by an item to the Strategy and Policy Committee.

CARRIED

MW LASS LTD – EXEMPTED ORGANISATION

Report No. 10-70

This report sought Council's endorsement to make Manawatu-Wanganui Local Authority Shared Services Ltd ('MW LASS') an 'Exempted Organisation' under the provisions of section 7 of the Local Government Act 2002.

10-559 **Moved** **Murfitt/Bailey**

- a. **receives** Report No. 10-70 and notes the 'Exempted Organisation' provisions under section 7 of the Local Government Act 2002;
- b. **approves** that, subject to confirmation by all LASS member councils, Manawatu-Wanganui Local Authority Shared Services Ltd be exempt for the purposes of section 6(4)(i) of the Local Government Act 2002 and thus not be a council-controlled organisation under that Act; and
- c. **approves** that this exemption applies for the period ending 30 June 2013 or until member councils determine an earlier date when this exemption should no longer apply.

CARRIED

ENDORSEMENT AND ADOPTION OF COMMITTEE AND ADVISORY GROUP RESOLUTIONS AND RECOMMENDATIONS

ENVIRONMENT COMMITTEE

10-560 **Moved** **Main/White**

*that the Council **endorses** and **adopts** the resolutions and recommendations of the Environment Committee meeting, held on 12 May 2010.*

CARRIED

Cr Main attended the Environment Committee meeting on 12 May followed by a Rural Community Board meeting in Wanganui, spent time talking to various groups and people on the different roles of council and how unitary authorities affect the Region, and enjoyed the visit on 11 May by the Minister of Agriculture and Forestry and the Minister of Internal Affairs.

Cr Meads attended One Plan Deliberations, the Upper Whanganui Scheme Annual Ratepayer meeting, the Environment Committee meeting, a workshop in regard to the Manawatu River Leaders' Summit, the visit by the Minister of Agriculture and Forestry and Minister of Internal Affairs on 11 May, the Dairy Forum, and a stakeholders' meeting in regard to pumping options at Burkes floodgates.

Cr Rieger attended the visit by the Minister of Agriculture and Forestry on 11 May, a farewell for Ian Warrington, deputised for Cr Murfitt at a workshop at the Palmerston North City Council, and attended the usual council business.

Cr White attended the Massey Graduation Business Link function, a farewell for Ian Warrington, and gave an update on progress with the One Plan Deliberations.

10-563

Moved

Murfitt/Gordon

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
PX1 Confirmation of Minutes of 4 May 2010	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 resolutions and recommendations of 17 May 2010	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 MWRC Holdings Limited Directors' Fees Recommendation <i>Report No. 10-75</i>	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 Corporate Property Review – Interim Report <i>Report No. 10-73</i>	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.

<p>PX5 MW LASS Ltd – Exempted Organisation <i>This item was discussed in the public part of the meeting – (See Resolution 10-551)</i> Report No. 10-70</p>	<p>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.</p>	<p>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.</p>
<p>PX6 Council to consider whether any item in the Public Excluded minutes can be moved into the public domain, and define the extent of the release.</p>		

CARRIED

The meeting adjourned to the Public Excluded part of the meeting at 2.00pm and resumed at 2.49pm.

The meeting closed at 2.50pm.

Confirmed

CHIEF EXECUTIVE

CHAIRMAN