



Minutes of the twenty-fifth meeting of the seventh triennium of Horizons Regional Council held at 10.01am on Tuesday, 27 October 2009, in the Tararua Room, Regional House, 11-15 Victoria Avenue, Palmerston North.

**PRESENT** Crs G P Murfitt (Chair), L Bailey, L R Burnell, V J F Chettleburgh QSM ED, E B Gordon, M C Guy, A K Main (to 1.30pm, from 1.37pm), D B Meads, M W Plowman, P W Rieger QSO, R G Walker JP, and J J White.

**IN ATTENDANCE**

Chief Executive	Mr M McCartney
Group Manager	Mr C Grant
Corporate and Governance	
Committee Secretary	Ms K Booth

**ALSO PRESENT** Mr G Carlyon (Group Manager Regional Planning and Regulatory, at various times throughout the meeting), Mr E Duggan (Acting Chief Financial Officer, to 10.20am, from 12.49pm to 1.20pm), Mr K Kelly (Financial Accountant, to 10.25am, from 12.57pm to 1.20pm), Mr C Mitchell (Group Manager Environmental Management to 12.10pm), Mr G Shirley (Group Manager Regional Services and Information, to 11.15am), Mr A Cook (Group Manager Operations, at various times throughout the meeting), Ms F Maseyk (Senior Environmental Scientist, from 10.25am to 10.43am), Mr D Walker and Ms D Perera (Audit New Zealand, to 10.20am), Mr and Mrs Paton (members of the public to 12 noon).

#### **APOLOGIES**

There were no apologies.

#### **PUBLIC SPEAKING RIGHTS**

No requests for public speaking rights had been notified.

#### **LATE ITEMS**

The Chairman advised that there were three Late Items to be discussed with Members in the public excluded part of the meeting.

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

There were no Conflicts of Interest advised.

#### **PETITIONS / DEPUTATIONS**

There were no petitions or deputations.

#### **ANNUAL REPORT 2008-09**

*Report No. 09-163*

This item presented the 2008-09 Annual Report for adoption by Council. The Chairman welcomed Mr David Walker and Ms Debbie Perera (both from Audit New Zealand) to the meeting. He advised the Summary document had not yet been received from the printers but it was expected shortly. He referred Members to page (iii) of the Annual Report, and it was noted the fourth paragraph would be reworded to reflect that in this financial year the regulatory area had come in on budget.



## **AFFIXING OF THE COMMON SEAL**

*Report No. 09-164*

This paper reported on a document to which Horizons Regional Council's Common Seal had been affixed.

**09-465**

**Moved**

**Bailey/Gordon**

*that the Council **acknowledges** the affixing of the Common Seal to the following document:*

- *Warrant Card: Alison Russell (Compliance).*

**CARRIED**

## **REGIONAL PEST ANIMAL MANAGEMENT STRATEGY**

*Report No. 09-162*

This item informed Members of the changes made to the Proposed Regional Pest Animal Management Strategy (PRPAMS) as a result of the Hearing deliberations, and that the document was ready to be notified as the Regional Pest Animal Management Strategy.

The Group Manager Regional Planning and Regulatory (GMRPR) provided an apology on behalf of Mr James Lambie (Environmental Scientist – Ecology) who was currently overseas. He advised Ms Fleur Maseyk (Senior Environmental Scientist) would speak to the report on his behalf. The GMRPR referred Members to the submissions attached at Annex A, and commented the recommendations were asking Council to adopt the decisions of the Hearing Committee for public notification of the PRPAMS.

Ms Maseyk presented the timeline (at Annex B). She explained the process that had been followed up to notification of the proposed strategy, and the process following public notification. In response to a question about adoption of part of the Strategy should there be appeals following public notification, the GMRPR advised it would be preferable to adopt the whole RPAMS once the appeal process had been completed. In response to Members' comments, Ms Maseyk advised the term 'communicate pests' would be reworded, and that the document had yet to be finally proofed. Cr Main thanked the staff involved with the RPAMS.

Cr Gordon noted his concern that some pest animals such as Paradise duck, deer etc, could only be managed during the relevant hunting season. It was suggested the Chairman raise this issue at a national forum. Following discussion on this issue, Ms Maseyk clarified that should the 'rules' change, either through legislation or a national strategy, the Strategy was worded to allow for any such changes. The GMRPR advised a report on any changes to legislation in the future would be brought back to Council.

**09-466**

**Moved**

**Main/Bailey**

*that the Council:*

- receives** the information contained in Report No. 09-162;*
- receives** the presentation on the Regional Pest Animal Strategy Timeline; and*
- adopts** the decisions of the Hearing Committee for public notification of the Regional Pest Animal Management Strategy.*

**CARRIED**

## **ENDORSEMENT AND ADOPTION OF COMMITTEE AND ADVISORY GROUP RESOLUTIONS AND RECOMMENDATIONS**

### **CATCHMENT OPERATIONS COMMITTEE**

The Chairman mentioned a request from Mr Milton Pedley that he be recorded in the minutes as “ratepayer” and not ‘Member of the public’.

Cr Guy referred to page 31, the Conflict of Interest paragraph and asked that his explanation of a possible conflict of interest be included in the minutes. This was due to his appointment as a Commissioner to hear the Taonui Basin consent.

Cr Rieger apologised that he had not provided an apology to be recorded at the meeting, for his non attendance.

Cr Plowman referred to page 32, Environmental Grants report, second paragraph, last line, and requested the word “priority” be inserted prior to “SLUI catchments’.

Cr White referred to page 34, SLUI item, 3<sup>rd</sup> bullet and asked that ‘effected’ be changed to ‘affected’.

Cr Walker said he had tabled a letter and photo from the Commodore of Sailing Wanganui in Members’ Questions and asked that this be recorded in the minutes.

Cr Chettleburgh referred to the Sustainable Land Use Initiative report and asked that future minutes record the details of any verbal information that differed from written information presented in the report.

Members discussed whether it was appropriate for Council to make amendments to the unconfirmed report of a Committee meeting. There were varying points of view expressed. Comment was made that because of the length of time before the next Committee meeting, it was useful for Council to make suggested amendments when it considered the report.

Consideration of the Report of the Catchment Operations Committee (COC) meeting was then adjourned until the Group Manager Operations (GMO) was able to join the meeting and update on the proposed raising of a section of State Highway 3 in the vicinity of the Napier Road drain.

The Chairman therefore asked Members to consider the report of the Strategy and Policy Committee meeting.

### **STRATEGY AND POLICY COMMITTEE**

Amendments were noted as follows:

- § bottom of page 39, deletion of word ‘of’
- § page 40, Motor Vehicle Policy section, 2<sup>nd</sup> paragraph, correction to spelling of ‘emphasis, and 3<sup>rd</sup> paragraph, the term ‘salary sacrifice’ be better expressed as ‘trade off’
- § page 41, Communications Policy, 4<sup>th</sup> paragraph, amend ‘referendum’ to ‘referenda’

Cr White requested an update on microphones in the Tararua Room. The Group Manager Corporate and Governance (GMC&G) advised trials were about to commence.

The Chairman advised the air conditioning unit in the Tararua Room had regular checkups.

Cr Chettleburgh referred to the Late Item: Submission to Tertiary Education Review, noted there was an item at the Zone 3 meeting on education, and asked whether the letter to the Tertiary Education Commission would be available to table at that meeting. The Councillors were asked to let the GMRPR know their ideas to ensure that the thoughts of all Members were captured in the letter. Cr Chettleburgh encouraged Members to read the Draft Strategy for information.

Following discussion that the minutes should indicate when a Member left the meeting to attend other Council business, it was suggested that Members ask at the meeting for the reason to be included in the minutes. Comment was made that an apology at a Committee meeting should include the reason ‘*attending other Council business*’, only for Members of that Committee.

09-467

**Moved**

**Murfitt/Rieger**

that the Council **endorses and adopts** the resolutions and recommendations of the Strategy and Policy Committee meeting, held on 13 October 2009, with the following amendments:

- § page 39, last sentence, delete the word "of"
- § page 40, Motor Vehicle Policy section, 2<sup>nd</sup> paragraph, correction to spelling of 'emphasis, and 3<sup>d</sup> paragraph, the term 'salary sacrifice' would be better expressed as 'trade off'
- § page 41, Communications Policy, 4<sup>th</sup> paragraph, amend 'referendum' to 'referenda'

**CARRIED**

## **ENVIRONMENT COMMITTEE**

Cr Main advised that Cr White had acted as Chair of the Environment Committee at short notice, as she was continuing with a Hearing, and asked that her reason for her apology be included in the report of the meeting.

Cr Guy advised he was not the seconder for resolution ENV 09-74 as he was not a member of the Committee. Cr White agreed to be named as the seconder.

Throughout the report of the meeting, it was suggested the term "Deputy Chair" be amended to read "Cr White".

Cr Main referred to page 49, Vector Management report, 2<sup>nd</sup> paragraph, and asked the wording be amended to clarify that two infected herds were situated in the Upper Whanganui River catchment.

In response to a question relating to Cr Guy's Member's Question on the Emissions Trading Scheme Bill and any responsibilities for Horizons, the Chief Executive advised a report would be brought back to the next available meeting.

There was some discussion about the change of name from Compliance team to Environment Protection team and whether the new name adequately described the team's business. The Chief Executive undertook to discuss this with the team and report back to the Chair of Council.

09-468

**Moved**

**White/Burnell**

that the Council **endorses and adopts** the resolutions and recommendations of the Environment Committee meeting, held on 14 October 2009, with the following amendments:

- § Resolution ENV 09-74, delete 'Guy' and replace with 'White';
- § Amend the words 'Deputy Chair' to Cr White throughout the document;
- § page 49, Vector Management report, 2<sup>nd</sup> paragraph to read, "...situated in the Upper Whanganui River Catchment...".

**CARRIED**

## **CATCHMENT OPERATIONS COMMITTEE cont.**

The GMO joined the meeting and discussion on the Catchment Operations Committee report resumed.

The GMO referred to Mr Proude's comment to the COC that he had undertaken some work in regard to channel improvement works. Following an investigation into this the GMO had provided Mr Proude with a costing of that work and invited him to submit an invoice to Horizons for that amount, which then left a small balance outstanding to be paid to Horizons. The GMO advised Mr Proude had submitted a claim for substantially greater than that, and the GMO was working on the issue. Members discussed the matter.

Cr Walker referred to a letter he had tabled to the COC about a safety issue in the vicinity of the Sailing Wanganui boat launching ramp. The GMO advised that staff would be responding to the matter.

The GMO then updated on progress with the approval from the New Zealand Transport Agency to proceed with raising of a section of State Highway 3 in the vicinity of the Napier Road Drain. He advised that he expected to receive written approval shortly, following which he could commence negotiations with affected landowners. Members asked questions of clarification around timing and costs.

**09-469                      Moved    Meads/Walker**

*that the Council **endorses and adopts** the resolutions and recommendations of the Catchment Operations Committee meeting, held on 7 October 2009, with the following amendments:*

- § *page 31, amend reference to Mr Milton Pedley to 'ratepayer'*
- § *page 31, include explanation for Cr Guy's possible conflict of interest due to his appointment as Commissioner to Taonui Basin Hearings*
- § *page 32, insert word "priority" before 'SLUI catchments'*
- § *page 34, SLUI item, 3<sup>rd</sup> bullet, amend 'effected' to 'affected'*
- § *Include reference in Members' Questions to Cr Walker's tabling of a letter and photo from the Commodore of Sailing Wanganui.*

**CARRIED**

*The meeting adjourned at 12 noon.  
The meeting resumed at 12.49pm.*

#### **ANNUAL REPORT 2008-09 cont.**

Mr Duggan distributed the Annual Report Summary document to Members. At the Chairman's suggestion, Members perused the document and identified amendments they wished to be made. The suggestion was made to Mr Duggan that a copy of the Summary be circulated to all stakeholder groups with a covering letter.

**09-470                      Moved    Main/Rieger**

*that the Council:*

- d. **adopts** the Annual Report Summary 2008-09; and
- e. **instructs** the Chief Executive to prepare the Annual Report Summary 2008-09 for publication and distribution (including any minor presentational changes arising from this meeting).

**CARRIED**

#### **CHAIRMAN'S REPORT**

The Chairman advised that the attachment to his report, the 'Regional Affairs Committee report', was confidential and therefore would be presented in the public excluded part of the meeting. The Chairman then presented his report. He drew Members' attention to the joint meeting with Horowhenua District Council, advised he had spoken to a Breakfast meeting about Horizons Regional Council, and clarified Members' questions.

09-471

*Moved*

*Murfitt/Rieger*

*that the Chairman's report be received.*

**CARRIED**

## **CHIEF EXECUTIVE'S REPORT**

The Chief Executive highlighted the points of his report, and clarified Members' questions, relating to: the review of the Regional Land Transport Strategy; the work being undertaken by the Catchment Operations group; the opening of the Upokongaro Landing; funding applications for the Sustainable Land Use Initiative (SLUI) work, prosecutions and legal costs; co-management under the Resource Management Act (RMA); and emergency management. The Chief Executive updated Members on the recent tsunami alerts, and clarified questions on warnings, advice, texts, twitter, etc.

There was discussion about the consent process for the Taonui Basin and the hearing scheduled for November 2009.

***Cr Main left the meeting while Members were discussing the hearing for which she was a commissioner, and rejoined the meeting once that discussion had concluded.***

Members asked to be kept updated about regulatory matters.

09-472

*Moved*

*Murfitt/Bailey*

*that the Chief Executive's report be received.*

**CARRIED**

## **MEMBERS' REPORTS AND QUESTIONS**

**Cr White** updated Members on progress with the One Plan. She attended a procedures meeting for the One Plan, attended the normal Council activities, attended the RMA seminar about recent amendments, attended the opening of the Upokongaro Landing which she found very impressive and acknowledged the contribution of Cr Main to that event.

Cr White referred to a comment on the radio about cuts to EnviroSchools and asked for more information. The Chairman said there had been cuts and an update would be provided when possible.

The Chief Executive clarified Cr White's question, that the Linklater Bursary had been cut in this financial year for budgetary reasons.

Cr White asked about allocations of ground water and whether there were penalties. The Chief Executive clarified, and Cr White summarised by saying, 'make sure you ask for what you need'.

**Cr Walker** attended the Catchment Operations Committee meeting, the Strategy and Policy Committee meeting, the opening of the Upokongaro Landing and spoke favourably of the event, and spoke of a recent personal trip to Australia and his discussions with members of the Bush Fire Recovery and Reconstruction Authority.

**Cr Rieger** had nothing to report.

**Cr Plowman** attended the usual Council and Committee meetings, attended the RMA seminar, attended two Waitangi Tribunal proceedings (Taumarunui and Ohakune).

Cr Plowman asked whether 'co-management' would only recognise the exercise of guardianship by the tangata whenua and the implementation of maoridom's values and practices. The Chief Executive advised it was a difficult question to answer as the principles of co-governance or joint governance or shared power were based on what each of those parties brought to the table. He believed what Cr Plowman had mentioned was covered but he also believed the economic aspirations of iwi or Maori should also be included, and those would no doubt be different for every iwi. It was agreed it would be discussed further in the public excluded part of the meeting.

**Cr Meads** advised he had attended the usual Council and Committee meetings, attended the Lower Manawatu Scheme Liaison meeting, attended the City Reach Working Party meeting to which the Palmerston North City councillors were invited to update them on the overall project. He visited the Moutoa Scheme with Mr Foxall (Engineer), attended several Liaison Committee meetings, and met with landowners in the Taonui Basin. He also attended the dinner and discussion at Horowhenua District Council.

**Cr Main** said she had been involved with the Te Rere Hau extension hearing over the past few weeks, attended the opening of the Upokongaro Landing and complimented staff for their work on the event, and attended the RMA Seminar. She chaired a meeting about Adult Education cuts in Wanganui. She also mentioned the very important archeological material and sites that had been discovered during riverbank works being undertaken by the NZTA in Wanganui.

Cr Main asked about progress in meeting with the Waitangi Tribunal representatives. The Chief Executive advised that it was hoped to hold a meeting by the end of the year, and the Chairman said Members would be kept updated.

**Cr Guy** said he attended the International River Symposium in Brisbane. He attended meetings of the Audit, Risk and Investment Committee, the Catchment Operations Committee, Strategy and Policy Committee and the Environment Committee. Cr Guy attended the opening of the Upokongaro Landing and commented positively on the event, visited the works at Balgownie, attended the meeting and dinner at Horowhenua District Council, and the City Reach Working Party meeting with Palmerston North City councillors.

**Cr Gordon** attended the normal Council and Committee meetings.

Cr Gordon asked when Members would discuss the Chief Executive Review. The Chairman advised it would be discussed in the public excluded part of the meeting.

**Cr Chettleburgh** attended the normal Council and Committee meetings, and the meeting and dinner at Horowhenua District Council. He attended the Massey Blues Awards, the RMA seminar, and mentioned emailed invitations received from Federated Farmers. Cr Chettleburgh referred to the Ballance Awards and the Linklater Bursary, and asked if the Council could consider the way it provided community funding.

**Cr Burnell** attended the normal Council and Committee meetings. He thanked the Chairman and the Chief Executive for arranging the meeting at Horowhenua District Council.

**Cr Bailey** attended meetings of the Audit, Risk and Investment Committee, Catchment Operations Committee, Strategy and Policy Committee and Environment Committee. She attended the RMA seminar, a presentation of Water Quality results to Horowhenua District Council with the Chairman, Chief Executive and GMRPR. She advised she left the Strategy and Policy Committee early to travel to the Lake Domain with the Chairman and Chief Executive for a TV3 interview. She also attended the dinner and meeting with Horowhenua District Council.

Cr Bailey referred to the late items to be discussed in the public excluded part of the meeting that the Chairman had mentioned at the beginning of the meeting. She asked that the process for accepting late items be followed: stating what the items were and the reason why they were to be considered in public excluded. Her comments were endorsed by Cr 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:*

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 22 September 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 of 25 September 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.
PX3 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 2.35pm and resumed at 3.34pm.

The meeting closed at 3.35pm.

Confirmed

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CHIEF EXECUTIVE

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CHAIRMAN