



AGENDA

HORIZONS REGIONAL COUNCIL

REGIONAL COUNCIL

Tuesday, 25 May 2010 at 10.30am

Notice is given of a meeting of Horizons Regional Council to be held on
Tuesday 25 May, 2010 at 10.30am at the
Te Hotu Manawa O Rangitaane O Manawatu Marae,
140-148 Maxwells Line, Palmerston North.

Business to be discussed includes:

- Triennial Election Issues for Civil Defence Emergency Management Groups
- Delegations – Resource Consents
- Foxton River Loop Enhancement
- Status of the Linklater Memorial Bursary
- Incentivising and Supporting Regulatory Activity
- MWRC Holdings Limited Directors' Fees Recommendation
(Public Excluded)
- Corporate Property Review – Interim Report
(Public Excluded)
- MW LASS Ltd – Exempted Organisation
(Public Excluded)

Presentations:

- Tanenuiarangi Manawatu Incorporated
(approx. 11.00am)

COUNCIL MEMBERS

Cr GP Murfitt MNZM JP (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

CONTACTS	24 hr Freephone : 0508 800 800	help@horizons.govt.nz		www.horizons.govt.nz
SERVICE CENTRES	Kairanga Cnr Rongotea & Kairanga-Bunnythorpe Rds, Palmerston North	Marton Hammond Street	Taumarunui 34 Maata Street	Woodville Cnr Vogel (SH2) & Tay Sts
REGIONAL HOUSES	Palmerston North 11-15 Victoria Avenue	Wanganui 181 Guyton Street		
DEPOTS	Levin 11 Bruce Road	Taihape Torere Road Ohotu		
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AGENDA

25 May 2010
10.30am

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 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 - 4 May 2010 1 - 16

MATTERS FOR CONSIDERATION

7. Triennial Election Issues for Civil Defence Emergency Management Groups 17 - 20
Report No: 10-71 (Incl. Annex A)
File No: PEM 2 01
8. Delegations – Resource Consents 21 - 26
Report No: 10-74 (Incl. Annex A)
File No: ERM 4 01

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| 9. | Foxtton River Loop Enhancement
<i>Report No: 10-72 (Incl. Annex A)</i>
<i>File No: RCR 4 03</i> | 27 - 30 |
| 10. | Status of the Linklater Memorial Bursary
<i>Report No: 10-62</i>
<i>File No: RCR 5 01</i> | 31 - 32 |
| 11. | Incentivising and Supporting Regulatory Activity
<i>Report No: 10-76</i>
<i>File No: ELM 4 01</i> | 33 - 38 |
| 12. | Presentation: Tanenuiarangi Manawatu Incorporated (approx. 11.00am) | |

COMMITTEE REPORTS

13. Endorsement and Adoption of Committee and Advisory Group Resolutions and Recommendations:

Environment Committee – 12 May 2010
(to be tabled at the meeting)

COUNCILLOR AND CHIEF EXECUTIVE REPORTS

14. Chairman's Report
15. Chief Executive's Report
16. 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:

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 Pgs 39 - 42	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 (to be tabled at the meeting)	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>PX3 MWRC Holdings Limited Directors' Fees Recommendation <i>Report No. 10-75</i> Pgs 43 - 48</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>PX4 Corporate Property Review – Interim Report <i>Report No. 10-73</i> Pgs 49 - 56</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>PX5 MW LASS Ltd – Exempted Organisation <i>Report No. 10-70</i> Pgs 57 - 58</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>		

M J McCartney
CHIEF EXECUTIVE



Minutes of the thirtieth meeting of the seventh triennium of Horizons Regional Council held at 10.02am on Tuesday, 4 May 2010, in the Tararua Room, 11-15 Victoria Avenue, Palmerston North.

PRESENT Crs G P Murfitt MNZM JP (Chair), L Bailey (from 10.15am), L R Burnell, V J F Chettleburgh QSM ED, 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

Chief Executive	Mr M McCartney (to 12 noon)
Group Manager Corporate and Governance	Mr C Grant
Committee Secretary	Mrs J Kennedy

ALSO PRESENT Mr G Carlyon (Group Manager Regional Planning and Regulatory, at various times throughout the meeting), Mr C Mitchell (Group Manager Environmental Management, to 1.32pm), Mr G Shirley (Group Manager Regional Services and Information, from 10.32am to 12 noon), Mr A Cook (Group Manager Operations, from 11.13am to 12 noon and from 1.09pm to 2.24pm), Ms K Booth (Governance Coordinator, from 11.50am to 12 noon), Ms F Maseyk (Senior Scientist – Ecology, to 10.57am), Mr A Beveridge (Environmental Manager – Biodiversity, to 10.57am), Ms C Rowe (Communications Manager, from 1.30pm to 1.53pm), Ms A Redgrave (Manager Transport Services, from 10.54am to 11.06am), Ms K Lowe (Transport Planner, from 10.54am to 11.06am), Ms C Webb (ratepayer, from 1.51pm to 2.15pm).

APOLOGIES

An apology was received from Cr Bailey (for lateness).

10-535 Moved Murfitt/White

that an apology be received from Cr Bailey (for lateness).

CARRIED

PUBLIC SPEAKING RIGHTS

No requests for public speaking rights had been notified.

LATE ITEMS

Two late items were notified for Members' consideration. A preliminary discussion in public excluded on the process and implications of Wanganui District Council and Ruapehu District Council proposal to secede from Horizons and form a unitary authority, and a brief discussion on any submissions made by Horizons to territorial authorities' Draft Annual Plans, on the grounds that the information had only just been received and submissions were due to close before the next meeting of Council.

10-538 **Moved** **Burnell/White**

that the Council:

- b. **receives** the programme of work undertaken in relation to the iwi initiatives programme.

CARRIED

BUSH REMNANT PRIORITISATION SITE SELECTION

Report No. 10-50

The purpose of this item was to provide detail on the process by which high priority bush remnants were selected to receive Horizons' funded protection works.

Ms Maseyk, Senior Scientist – Ecology referred to the tabled Annex A which replaced Annex A contained in the agenda.

Ms Maseyk highlighted the three stages outlined for the application of the prioritisation / site selection process. The site selection process was designed so that sites could be assessed for ecological value and prioritised for selection as data became available, or sites became known. This ensured that the process remained dynamic and that resources continued to be appropriately spent.

Cr Plowman believed that biodiversity was unaffordable for the regional council and suggested that it was a function for territorial authorities to provide. He referred to Section 31 of the Resource Management Act, and Section 10 of the Local Government Act. There was discussion around his comments and Cr White said it was an important function for the regional council to provide, and commented on the level of expertise provided by Horizons' staff.

Ms Maseyk was available to answer questions of clarification. She was thanked for her informative report.

10-539 **Moved** **Guy/Main**

that the Council:

- a. **receives** the information contained in Report No. 10-50, and Annex.

CARRIED

LOCAL GOVERNMENT NEW ZEALAND CONFERENCE 2010

Report No. 10-49

This report was to determine Members' attendance at the 2010 Local Government New Zealand (LGNZ) Conference.

Cr Walker explained his view that only the Chief Executive and Chairman should attend the Conference.

Members discussed the attendance of Councillors at the Conference and ultimately it was agreed for the recommendation to reflect that Crs Main and Plowman would give consideration to attending, along with the Chief Executive and Chairman of Council.

- *Deed of Agreement – Horizons Regional Council and Beckford Partnership*
- *Grazing Lease between Horizons Regional Council and M J Young*

CARRIED

ENDORSEMENT AND ADOPTION OF COMMITTEE AND ADVISORY GROUP RESOLUTIONS AND RECOMMENDATIONS

CATCHMENT OPERATIONS COMMITTEE

10-543 **Moved** **Meads/Guy**

*that the Council **endorses** and **adopts** the resolutions and recommendations of the Catchment Operations Committee meeting, held on 12 April 2010.*

CARRIED

CHAIRMAN'S REPORT

The Chairman advised his time had been spent attending to other Council business and as such he apologised for not providing Members with a written report.

He advised Members of a visit by the Hon David Carter on Tuesday 11 May and invited Members to attend if they wished to do so. He expressed his personal thanks to the staff and Councillors for their involvement with the One Plan, and thanked them for their time and effort on behalf of the people of the Region.

The Chairman advised that at the conclusion of the Environment Committee meeting on 12 May, a discussion would be held with available Councillors around issues in regard to the Manawatu River.

In regard to the Councillor Strategy Forum set down for 5-6 July the Chairman suggested that it be brought forward and combined with a consents/compliance field trip set down for 15 June and continue with the Forum on 16 June.

The Chairman clarified Members' questions in regard to the Regional Territorial Authorities' Forum held on 22-23 April.

10-544 **Moved** **Murfitt/Rieger**

that the Chairman's report be received.

CARRIED

CHIEF EXECUTIVE'S REPORT

The Chief Executive (CE) introduced his report and elaborated on points of interest. Members sought clarification about matters in his report around the National Policy Statement on flood management, and issues in regard to Environment Canterbury.

He thanked the staff involved in the arrangements of the recent Regional Territorial Authorities' Forum and expressed his appreciation for a positive and well received event.

The CE concluded his report by advising that Horizons Regional Council was a finalist in the Institute of Public Administration New Zealand Excellence Awards in the 'Working together for Better Services' category. The Awards would be presented in Wellington on 18 June 2010.

Cr Plowman questioned the non-payment of mileage allowance for attending the Ballance Farm Awards. Mr Grant, Group Manager Corporate and Governance read out the policy in regard to the payment of mileage allowance, and confirmed that mileage for travel to attend the Ballance Farm awards was not payable under the policy, unless payment was endorsed through a resolution of Council or by the Council chairperson / relevant Committee. Members discussed and expressed their views around the payment/non-payment of mileage allowance for the Ballance Farm Awards. Ultimately the following recommendation was suggested.

10-547

Moved

Rieger/Walker

that the Council:

- a. **acknowledges** that mileage allowance for Councillors attending the Ballance Farm Awards can be claimed for the 2010 year only.

Against: Cr Meads, Guy, Gordon, White, Murfitt, Main

Abstain: Cr Bailey

LOST

Cr Meads attended the usual Council and Committee meetings. He found the joint meeting with Tararua District Council very useful, attended a Manawatu District Council meeting, 11 Annual Scheme Ratepayer Meetings, a tour of the Lower Manawatu Scheme work sites, and chaired several Emission Trading Scheme Seminars.

Cr Main attended a meeting in Wanganui where a report on the Navigation and Safety Assessment was presented, Matarawa, Whangaehu-Mangawhero Annual Scheme Ratepayer meetings, a Whanganui River Working Party meeting, and the Ballance Farm awards. She enjoyed the Regional Territorial Authorities' Forum, chaired a couple of informative carbon trading workshops, and found the joint meeting with the Tararua District Council very valuable.

Cr Guy attended a Planning and Policy Committee meeting at Palmerston North City Council, the Whangaehu-Mangawhero, and Ohau-Manakau Annual Scheme Ratepayer meetings, enjoyed the Territorial Authorities' Forum, enjoyed the joint meeting with the Tararua District Council, attended the Catchment Operations Committee meeting and the tour of the Lower Manawatu Scheme work sites, chaired a meeting of the Chairs of drainage schemes, gave a presentation to the Manawatu District Council around the Sustainable Land Use Initiative programme and possum control, attended a National Noise Standards update on windfarms at the Palmerston North City Council, and an Emissions Trading Scheme Seminar in Feilding.

Cr Gordon spoke of his recent trip away and thanked Members for accepting his apology during his absence. He attended the joint meeting at the Tararua District Council and the Regional Territorial Authorities' Forum, a Regional Advisory Group meeting on 7 April, a Roads of National Significance meeting on 19 April, and attended several Annual Scheme Ratepayer meetings.

Cr Chettleburgh met with the New Zealand Transport Association Board, attended a National Noise Standards update on windfarms at the Palmerston North City Council, a Windfarm Conference trade display on 30 March, the Green Hub opening in Palmerston North, the bus terminus working party on 14 April, chaired a meeting in regard to the Capital Connection service, attended an Animal Health Board meeting in Palmerston North with Crs Murfitt and Rieger, attended the Territorial Authorities' Forum on 22-23 April, an Audit, Risk and Investment meeting on 26 April, the Annual Manawatu Garden Show in Feilding on 1 May, and would be attending the Commencement Ceremony at the International Pacific College on 4 May.

Cr Burnell attended the usual Council and Committee meetings.

Cr Bailey attended the Ohau Scheme Liaison Committee meeting on 24 March, a Lower Manawatu Scheme Liaison Committee meeting on 29 March, the Horowhenua District Council Transport and Health Sub-Committee meeting on 1 April, Catchment Operations Committee meeting on 12 April, an informal gathering called by the Chairman on 14 April, a joint meeting with Tararua District Council which she found very valuable, the Manawatu Drainage Annual Scheme Ratepayer meeting and the Lower Manawatu Annual Scheme Ratepayer meeting on 15 April, the Territorial Authorities' Forum on 22-23 April, a civic ceremony for the re-dedication of the Levin Cenotaph on 24 April, the Anzac day dawn service in Levin on 25 April, Audit, Risk and Investment Meeting followed by a Councillors' workshop on 26 April, the Ohau-Manakau Annual Scheme Ratepayer meeting on 30 April, the Moutoa Drainage Annual Scheme Ratepayer meeting on 3 May, the Koputaroa Drainage Annual Scheme Ratepayer meeting on 3 May, and the Council meeting on 4 May.

Cr Bailey asked if a date had been set for a pre-strategy session workshop. The Chairman undertook to followup on that.

Mr Carlyon, Group Manager Regional Planning and Regulatory provided background on a presentation that was to be made to the Horowhenua District Council meeting on 5 May in respect to the Shannon Wastewater Treatment Plant.

Cr Bailey asked for clarity on a proposal from Local Government New Zealand for a national television advertising campaign to promote voter turn-out for the upcoming local elections. Mr Grant, Group Manager Corporate and Governance advised that an offer of \$5,000 had been made in support of the campaign, provided all parties participated. A decision on the future of the campaign would be made by Local Government New Zealand in around two weeks.

10-548

Moved

Murfit/Plowman

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 23 March 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 (Tender) resolutions and recommendations of 12 April 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 Endorsement and adoption of the Audit, Risk and Investment Committee resolutions and recommendations of 26 April 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.
PX4 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.		

CARRIED

The meeting adjourned to the Public Excluded part of the meeting at 2.16pm and resumed at 2.24pm.

LATE ITEM – Submissions by Horizons to Territorial Authorities' Draft Annual Plan

There was discussion and suggestions made around the content of submissions by Horizons to territorial authorities' Draft Annual Plans. Mr Carlyon, Group Manager Regional Planning and Regulatory provided clarification to Members' questions. He undertook to arrange for Penny Tucker, Consents Planner to liaise with Councillors for their suggestions on the content of submissions.

Mr Carlyon provided clarification around the extension of an expired consent in regard to the Longburn wastewater discharge.

10-549 Moved Murfitt/Main

that the public is to be excluded from this portion of the Council meeting to enable Councillors to have a discussion and offer opinions on the proposal by Wanganui District Council and Ruapehu District Council to secede from Horizons, and decide on what information, if any, to provide to the public.

Against: Cr Plowman
CARRIED

The meeting adjourned to the Public Excluded part of the meeting at 2.46pm and resumed at 3.30pm.

In the public excluded part of the meeting Council considered and decided that the following information be made available to the public.

- *At the public excluded part of the Council meeting held on 4 May 2010, the Council recommended that the Public Excluded minutes of the Council meeting held on 23 March 2010, excluding Significant Debtors, be moved to the public part of the meeting. These are detailed below:*

PX 10-156 Moved Rieger/Meads

that the Public Excluded minutes of 23 March 2010 be moved to the public part of the meeting, excluding Significant Debtors.

CARRIED

CONFIDENTIAL



Minutes of that part of the Horizons Regional Council meeting held on Tuesday, 23 March 2010, from 3.10pm to 3.27pm, in the Tararua Room, Regional House, 11-15 Victoria Avenue, Palmerston North, to which the public were excluded, pursuant to the provisions of the Local Government Official Information and Meetings Act 1987, the specific grounds under Section 48(1) LGOIMA are 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 23 February 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 (Tender) of 26 February 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 Endorsement and adoption of the Environment Committee resolutions and recommendations of 8 March 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.
PX4 Endorsement and adoption of the Strategy and Policy Committee resolutions and recommendations of 9 March 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.
PX5 Endorsement and adoption of the Audit, Risk and Investment Committee resolutions and recommendations (Tender) of 9 March 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.
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.		

PRESENT

Crs GP Murfitt (Chair), L Bailey, VJF Chettleburgh, MC Guy, AK Main, DB Meads, MW Plowman, PW Rieger QSO, RG Walker JP, and JJ White.

IN ATTENDANCE

Group Manager Corporate and Governance Mr C Grant
Committee Secretary Mrs J Kennedy

APOLOGIES

An apology for Cr Gordon was noted in the public part of the meeting.

CONFIRMATION OF MINUTES

PX 10-148

Moved

Meads/Rieger

that the minutes of the confidential part of the meeting held on 23 February 2010, be confirmed as a correct record.

CARRIED

PX ARI 10-77**Moved****Chettleburgh/Meads***The Audit, Risk and Investment Committee:*

- b. **approves** the awarding of a contract to Higgins Contractors Ltd, in the sum of \$592,717 for the raising of a section of SH3 in the vicinity of Napier Road Drain; and
- c. **moves** the decision to award the contract to Higgins Contractors Ltd out of public excluded.

CARRIED

- *At the public excluded part of the Council meeting held on 4 May 2010, the Council recommended that resolution PX 10-162 in the public excluded part of the meeting, be released to the public part of the meeting. This is detailed below:*

PX 10-162**Moved****White/Main**

*that Horizons **continues** to regard the Wanganui and Ruapehu districts as important parts of the Manawatu-Wanganui Region, and restates its willingness to work alongside the Wanganui District Council and Ruapehu District Council with all available information to assist them in their decisionmaking in respect of forming a unitary authority.*

CARRIED Unanimously**PX 10-163****Moved****Bailey/Burnell**

that resolution PX 10-162 be released to the public part of the meeting.

CARRIED

The meeting closed at 3.31pm.

Confirmed

 CHIEF EXECUTIVE

 CHAIRMAN

APRIL 2010 Chief Executive Report

To Council 04.05.2010

Planning and Policy

- The submission period to the Annual Plan closes at 5pm 7th May. To date we have received 43 submissions. This contrasts with 120 we received last year. At the time of writing this report I have not viewed the submission in detail so am unaware of what key issues have been raised via submission.
- Last Friday marked a major milestone with the One Plan namely the conclusion of the public hearing part of the process. The hearing panel has now adjourned to deliberate on what they have listened to over the past 18 months.
- I want to take this opportunity to express my appreciation to those involved in One Plan. The project was a massive undertaking and its success relied on dedication and sheer hard work on all those involved. I would like to make special mention of the small team of staff lead by the Group Manager Regional Planning and Regulation and the One Plan Manager as well as our Science Manager. Without doubt the One Plan process has prompted a high degree of public interest. It has raised public debate on key issues facing our region and has been the platform for robust debate and information gathering. I have admired the professionalism of the team as well as the commitment by the Hearing panel. We now await the decisions.
- Staff are, in the process of compiling submissions to the regions TLA Annual Plans. As agreed draft submission documents are being sent to local Regional council members for their comment. Given there are 7 Plans to submit to with overlapping deadlines this process is very time constrained.

Regulatory

- Recently council took part in a workshop on Consent processing delegations. The interactive approach to the workshop was useful in helping with the understanding of how the mechanics of the consent process works. Management will be bringing an item to Council to align to the outcomes of that workshop.
- The consent team continues to make excellent inroads into the outstaying consents. Over the past year the team have, more than halved the number of consents on hold. Also pleasingly the team has lifted its consent timeframe compliance from the high 80% to 100% over the past 10 months.
- The compliance team remains very busy. We anticipate a meeting of the PAC within the next month or so.
- The Group Manager is also scoping out a workshop with the Council to give you a better understanding of how the Compliance activity functions.

Transport

- RLTS. The strategy is nearing final draft prior to being work shopped by the RTC on 1 Jul and then approved for public consultation at the RTCs 30 June meeting. Its final form will be reliant on the outcomes of the Joint Transportation Study for the Manawatu / PN areas.
- Joint Transportation Study. The Steering Group meet to sign off phase 1 report on 10 May and consider the Draft phase 2 Report for release to key stakeholders for their second opportunity to comment. The final report is due for consideration by the Steering Group at its meeting on 11 June.

Emergency Management

- Good progress is being made with the Navigation Safety assessment for the lower Whanganui. A draft final report was considered by the reference group last week, and a final draft is expected by end of May. It is expected to bring a final version and recommendations to Council in August.
- An Oil Spill exercise is planned for 13 - 14 May at Akitio.

Catchment Operations

- The MAF review of the SLUI programme is now complete. Management will be assessing the findings of the report and presenting an item to a future Council or Strategy and Policy Meeting.
- In the meantime, SLUI work continues to progress well with solid uptake of the Farm Plans and related implementation. To date we have about 3500 hectares under management. We are slightly behind on farm Plans with about 40 of 100 complete. Staff will be putting a concerted effort into meeting the target of 100 Farm Plans for the current year. Traditionally the bulk of the Plans get signed off in the final quarter.
- The Minister of Agriculture has rescheduled his visit to 11 May. We will have his company for a full day and intend running a full programme on our business ranging from Flood protection through to water management. He will be meeting some SLUI farmers to see works first hand. The visit concludes with an opportunity for all councilors to meet informally with the Minister over afternoon tea.
- The settled weather has meant that flood upgrade works have continued to make good progress although we do not expect this to continue. The lower Whanganui works are advancing well however there have been some logistical challenges thrown up due to the nature of the site.
- The annual round of scheme meetings, are all but complete. The attendance at these meetings has been down a bit and this is indicative of an absence of major events and a general satisfaction in the activity.
- The Commissioners have formally accepted the deferral of the Taonui upgrade resource consents.
- The upgrade works for the Tokomaru/Linton main Drain have been predictably challenging. Members may recall the under design event failure a couple of years ago when the integrity of the banks was exposed. As predicted we are able to use little if any of the current bank material. To date we have completed less than 1 km of upgrade.

- We are expecting mediation to be set down within the next couple of months in relation to the longstanding compensation claim by landowners case related to the 2004 breach at Whirikino.

National/ Sector issues

- Last week the democratic model for ECan was replaced by a set of commissioners. This has prompted local and national interest, and has raised questions about the place of local democracy. Public opinion is divided about the merits of the new arrangement. The commissioners of note will be provided with additional statutory powers that other Council are not privy to. These powers are designed to help speed up decision making.
- Last week I met with the Minister for the Environment along with the Chair of RAC. The purpose of the meeting was to query what progress staff had with respect to the NPS of Flood Management. The Minister had some reservations about the value of the NPS but did offer an invite to RAC to formally present a submission to him on where value would be added.
- The finding from the Board of Inquiry in relation to the NPS of Fresh water has been released. A quick look suggests that the board has taken a protectionist biased. If adopted this could lead to a greater lock up of resource and that could have economic ramifications to NZ. The findings are now with the Land and Water Forum.
- The Forum is due to report back to the Minister in July.
- I wish to extend my thanks to staff that helped with the recent TLA Forum. This event was very positive and well received. I was particularly pleased with the support and enthusiasm shown by the associate Minister for Local Govt toward the Forum and the working together philosophy shown by this region's Local Govt agencies.

Staff

I am pleased to report that our Finance Manager (Thomas Cole) and Communications/Media Manager (Caroline Rowe) have started with us.

A Significant decision? If Yes	No
Do recommendations meet Significance Policy and LGA requirements?	

Item No: 7
Date: 25/05/2010
Report No: 10-71
File No: PEM 2 01

TRIENNIAL ELECTION ISSUES FOR CIVIL DEFENCE EMERGENCY MANAGEMENT GROUPS

PURPOSE

1. This report is to inform 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.

FINANCIAL IMPACT

2. There is no financial impact.

COMMENT

3. The Civil Defence and Emergency Management Act 2002 (CDEM Act) treats CDEM Groups as if they are permanent bodies and always able to respond to emergencies. However, the Local Government Act 2002 (clause 30(7) of Schedule 7), attached at Annex A, deems local authority committees and subordinate bodies to be discharged on the coming into office of members elected after the triennial election, unless the local authority resolves otherwise or expressly provided otherwise in an Act.
4. The Ministry of Civil Defence and Emergency Management requires that CDEM Groups have to exist in order for their members to exercise functions under section 17 of the CDEM Act 2002. If a CDEM Group is allowed to go out of existence, no activity will be able to be taken by it, until it is reconstituted. This includes the ability of its local authority members to exercise CDEM functions. As difficulties would be created if an emergency arose during the time the Group was not in existence, it would therefore be prudent for local authorities to pass a resolution to keep the Group in existence. Section 12(2) of the Civil Defence Emergency Management Act 2002 states that:

'Clause 30(5) of Schedule 7 of the Local Government Act 2002 must not be read as permitting, during a term of local government or as a consequence of a local government election, the discharge or re-constitution of a Civil Defence Emergency Management Group established for the purposes of this Act.'

5. Another issue is that the current Chair of the CDEM Group is the Chairman of Horizons Regional Council, and is normally the person who would declare a state of local emergency. However, there is a period between when the new elected members come into office and when they can act as a member of the local authority. It is during this period of transition that the Minister of Civil Defence will be asked to declare a state of local emergency should the need arise (refer CDEM Act s69).

RECOMMENDATIONS

6. It is recommended 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.

C A Grant

GROUP MANAGER CORPORATE & GOVERNANCE

ANNEXES

- A Sections from the Local Government Act 2002 Schedule 7, and the Civil Defence Emergency Management Act 2002

Schedule 7 of Local Government Act 2002

- 30 Power to appoint committees, subcommittees, other subordinate decision-making bodies, and joint committees
- (5) Unless expressly provided otherwise in an Act,—
- (a) a local authority may discharge or reconstitute a committee or subcommittee or other subordinate decision-making body; and
- (b) a committee may discharge or reconstitute a subcommittee.
- (7) A committee, subcommittee, or other subordinate decision-making body is, unless the local authority resolves otherwise, deemed to be discharged on the coming into office of the members of the local authority elected or appointed at, or following, the triennial general election of members next after the appointment of the committee, subcommittee, or other subordinate decision-making body.

Civil Defence Emergency Management Act 2002

- 12 Local authorities to establish Civil Defence Emergency Management Groups
- (2) [Clause 30(5) of Schedule 7 of the Local Government Act 2002] must not be read as permitting, during a term of local government or as a consequence of a local government election, the discharge or reconstitution of a Civil Defence Emergency Management Group established for the purposes of this Act.

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

Item No: 8
Date: 25/05/2010
Report No: 10-74
File No: ERM 4 01

DELEGATIONS – RESOURCE CONSENTS

PURPOSE

1. This report follows 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.

FINANCIAL IMPACT

2. None.

BACKGROUND

3. The Consents Team is responsible for the administration and processing of resource consents pursuant to Part VI of the Resource Management Act 1991.
4. The Resource Management (Simplifying and Streamlining) Amendment Act 2009 has introduced a number of new functions and duties as well as changed a number of the sections relating to resource consent processing. As a result there are now a number of functions and duties that either have incorrect delegations or none at all.
5. Delegations are required to allow matters to be actioned in a timely fashion, ensure certainty and accountability, and to protect staff and the Council from challenge. For a decision or action to be valid it must be made within functional delegation where these are specified. Sections 34 and 34A of the Resource Management Act provide for a local authority to delegate its functions, powers and duties under the Act to any Committee, Hearings Commissioner, or employee.
6. Many delegations cascade down through the layers of management to the position holder. Therefore, although the principle is that decisions should be made at the lowest competent level, any decision can be made at the higher level if this is needed because of the nature of the issue or the absence of the staff member with the direct delegation.

COMMENT

7. The delegations list has been split into two parts. The first set of delegations deal with the minor day-to-day processing functions for resource consents. These are low level low risk functions undertaken by the Consents Team such as; rejecting deficient applications, requesting further information, extending time limits, setting down hearings, and making decisions on non-notified applications. These delegations sit at the lowest level as they enable the Consents Team to undertake its duties in a timely manner with minimal delays. This is especially critical given the upcoming discount regulations for applications processed outside timeframes due in July 2010.

8. The second set of delegations deal with less common functions typically involving notified consent applications and appeals. The most significant change in the Resource Management (Simplifying and Streamlining) Amendment Act 2009 is the new referral process of applications to the Environmental Protection Agency and Environment Court. Currently the Council has no delegation to deal with these newly acquired duties.
9. This in itself is not necessarily inappropriate as such a decision and the decisions that are open to the Council subsequently are potentially significant. However, the timeframes that have been imposed on the council in terms of making a decision, or responding to a call-in are tight, and would not be able to be accommodated in an ordinary meeting cycle.
10. Accordingly, it would be prudent to establish a delegation that enables a timely response.
11. The list of delegations is appended as Annex A.

RECOMMENDATIONS

12. It is recommended that the Council:
 - a. **receives** the information in Report No. 10-74; and
 - b. **approves** the schedule of delegations contained in Annex A.

G Carlyon

GROUP MANAGER REGIONAL PLANNING AND REGULATORY

ANNEX

- A List of Delegations

LIST OF DELEGATIONS TO COUNCIL OFFICERS**Staff Hierarchy of Council Officers with Abbreviations:**

CE	Chief Executive
GM	Group Manager Regional Planning & Regulatory
CM	Consents Manager
SCP	Senior Consents Planner
CP	Consents Planner
CA	Consents Administrator

Schedule A: Minor delegations for day to day administration and processing of consents

Section	Description of function, power, or duty	Proposed Delegations from Councillors Workshop¹
s36(3)	Power to charge additional costs on resource consent applications.	CM
s36(3A)	Provide an estimate of any additional charges likely to be imposed on resource consents under section 36(3).	CM
s36(5)	Power to remit the whole or any part of a charge referred to in s36.	CM
s37	Power to waiver and to extend time limits.	CM
s88(3)	Determination that resource consent application is incomplete.	SCP
s91	Deferral of processing an application pending applications for additional consents.	SCP
s92(1)	Request to applicant for further information.	CP
s92(2)	To commission a report to fulfill a further information request.	CP
s95A	Determine whether an application should be non-notified or notified.	SCP
s95E	Determine adversely affected parties of an application.	SCP
s95F	Determine whether holder of customary right is affected by an application.	SCP
s99	Determine that a pre-hearing meeting is required.	SCP
s99(8)	Decline an application or strike out a submission if the party does not attend a pre-hearing meeting.	CM
s100	Determine that a hearing is necessary.	SCP
s102	Establish whether a joint hearing is required.	SCP
s103	Establish whether a combined hearing is required.	SCP
s104A s104B s104C s104D	To grant any consent application where a hearing is not required.	CM
s124	Permit an applicant to continue to operate pending determination of a replacement application.	CM
s125	Extend lapse date on a consent (on application).	CM

¹ This officer, including the officers above that position in accordance with the staff hierarchy, is authorised to undertake this function.

Section	Description of function, power, or duty	Proposed Delegations from Councillors Workshop¹
s126	Cancel consent if not exercised for a period of more than 5 years.	CM
s127	Notification decision and affected parties decision on application to change consent conditions.	SCP
s128	Initiate a review of a resource consent.	CM
s130	Determine notification requirements and affected parties for a review of a consent.	CM
s132	Make decision on a non-notified review of consent conditions.	CM
s133A	Make minor corrections to a resource consent.	CA
s136(2)	Approve the transfer of a water permit to another site.	CM
s138	Accept or refuse the surrender of part of a resource consent.	CM
s139	Grant Certificates of Compliance.	CM
s139A	Grant Existing Use Certificate.	CM
s268	Sign-off Memorandum of Counsel and Consent Orders at mediation.	SCP
s357	Make decision on cost or consent objection which has no hearing.	CM
s330(A)	Determine whether activity is classed as emergency works under s330.	CM

Schedule B: Delegations for more significant matters and the EPA Call-in process

Section	Description of function, power, or duty	Delegated to²
s87E(6)	Decision on applicant's request for application to be referred to Environment Court.	CE
s142	Request call-in decision.	Council
s147(4)	Provide views to Minister on application to be called in.	CE
s149E	Make a submission to the EPA on a resource consent application that has been called in and publicly notified.	CE
s149K	Provide suggestions to the Minister for members of a Board of Inquiry.	CE
s149Q	Provide comments to a Board of Inquiry on a draft report.	CE
s149T	Joint matter referred to Environment Court as a s274 party.	CE
s149V	Appeal to the High Court (on points of law) against a decision made by a Board of Inquiry or Environment Court.	Council
s149ZD	Recover from an applicant the costs incurred complying with Part 6AA.	CM
s299	Appeal Environment Court Decision to High Court on point of law.	Council
s308	Appeal High Court decision to Court of Appeal on point of law.	Council

² This officer, including the officers above that position in accordance with the staff hierarchy, is authorised to undertake this function.

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

Item No: 9
Date: 25/05/2010
Report No: 10-72
File No: RCR 4 03

FOXTON RIVER LOOP ENHANCEMENT

PURPOSE

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

FINANCIAL IMPACT

2. Funding provision for activities proposed in 2010-11 (including the Hydraulic Modelling transferred from 2011-12) are included within existing budgets. Activities proposed for subsequent years will be subject to future Annual Plan processes.

BACKGROUND

3. Over the past few years there have been a number of submissions and presentations to Council regarding support for enhancement initiatives in the Foxton Loop area. These have primarily been made by a local community action group called SORT (Save Our River Trust). During the Annual Planning process last year Council agreed to undertake hydraulic modelling of the upper Loop - planned for the 2011-12 Financial Year.
4. More recently over the past 12 months the Horowhenua District Council (HDC) has initiated a high level planning initiative to design and develop a major upgrade for the wider Foxton Township, including its links to the river, which takes the form of three overlapping projects being:
 - a. Town Plan improvements,
 - b. Te Awahou Plan (Museum type facility); and
 - c. A River Loop Plan.
5. The overarching aims of the projects are to attract people into the town, recognise the opportunities of the surroundings, consolidate activities together, and join the town back to the river and to celebrate heritage and bring new initiatives. HDC has engaged Boffa Miskell as their design / planning consultants for the projects.
6. To date Horizons Regional Council (Horizons) has provided support to SORT for several small projects including wetland and walkway development. Councillors were given a briefing and tour of the area in late March 2010 and viewed these projects. Since then Horizons staff have been working closely with HDC and SORT members to determine what, if any, activities could be undertaken in the short to mid-term to support the initiatives that are consistent with our strategic priorities and core outputs - particularly the River Loop Enhancement.
7. It is clear that there are some very real synergies and opportunities for Horizons to support what is a vigorous and enthusiastic local community group in an area that has some significance - especially when considering it is the lower reach of one of our major river systems, and the close proximity of the estuarine area which has RAMSAR Site status.

8. It should be noted that in addition to SORT and more recently the HDC proposals, that Horizons provides ongoing advisory support to the Estuary Trust. The activities proposed later in this item are intended to be consistent with those undertaken by this group. In essence though there is real opportunity to provide measured longer term support to the efforts of these groups - in a way that enhances both the environment and the community's access to and use of it.
9. The aim of recent planning has been to critically assess the various proposals and prepare a more integrated and structured longer term proposal for consideration by Council. It is important that this is done in order to effectively manage the various expectations in the community plus the already stretched resources at the disposal of Horizons.

COMMENT

10. The activities proposed at Annex A are generally based on the areas of hydraulic modelling, stock exclusion, planting / wetland development, and walkways. The majority of the proposal is able to be met within existing budgets, particularly for 2010-11. Where this is not possible these items have been earmarked for further planning and future consideration in following years.

Channel investigations – hydraulic modelling

11. A report presented to Council in May 2009 provided an indication of the scope of investigation and design work involved in assessing options for increasing permanent river flow around the Foxtan Loop. The report discussed the risks and uncertainties associated with the partial opening of the Loop and the practicability and affordability of then maintaining a channel to design dimensions. The report concluded that the risks and uncertainties could only be properly assessed through a detailed engineering study comprising channel survey and hydraulic modeling work.
12. The study would be best undertaken by Horizons design team however, the May 2009 report noted that other high priority design commitments were such that there would be no capacity to undertake the study until May 2011.
13. More recent discussions with the various interested parties have confirmed that increasing permanent flow in the Loop is fundamental to Foxtan township development aspirations, and only comprehensive investigations will determine once and for all whether or not the establishment and long term maintenance of increased flows is feasible. Until that study is completed we can only speculate on impacts and costs.
14. As a result of provision made in the 2010-11 Draft Annual Plan (DAP) for an additional design engineering staff resource, it is anticipated that there will be capacity to commence the study earlier than previously indicated – possibly by late 2010. A study is expected to involve three to four months full time work and to cost between \$60k and \$80k.
15. It is proposed that funding for the study would be through the Non-Schemes Investigations activity, and a staff submission has been made to the 2010-11 DAP requesting that the proposed study be specifically identified as a priority under the Non-Schemes investigation programme. There is no requirement for funding in addition to that already provided for in the DAP.
16. The ultimate outcome of the study will significantly influence the viability of other proposed activities in the vicinity of the Loop channel. Accordingly the sooner the study is completed, the better.

Stock Exclusion

17. An area of land that abuts the river Loop is lease land administered by Horizons. Work is currently progressing to ascertain the fencing requirements for this land to ensure that stock is excluded from the Loop. That work is overseen by the Operations Group and is seen as relatively simple to address through our legal / lease arrangements.
18. For those areas of land not administered by Horizons there is an existing programme and budget to incentivise stock exclusion (ie. fence off waterways). Any fencing required in the area surrounding the Loop can be achieved using our existing EGrant programme. Staff time to negotiate and manage any fencing projects and the subsidisation of the fence itself (via an EGrant), sits within current budgets.

Planting / Wetland Development

19. In addition to the support that Horizons has provided to SORT in regard to planting and wetland development, a number of longer term options for enhancement in the Loop area have been identified. These projects are identified in Annex A as projects one through thirteen. It is believed these options fit within Horizons mandate and sphere of expertise and would compliment the wider HDC Foxton Loop development. A proportion of the estimated costs are not currently budgeted (approximately \$154,000 over two years) and would be subject to future consideration by this Council. Approximately \$110,000 of the proposed works are currently within existing budgets, including the all important hydraulic modeling (Project 13) of the Loop.
20. In addition to the minor assistance that has already been provided to SORT in relation to walkways in the area it has been identified that assistance could also be provided for more specific type walkways for the wider area, such as through / along side the natural wetland areas and linking to the RAMSAR site.
21. Such support would be conditional upon a more detailed analysis being carried out in regard to alignment / access arrangements and costings (Annex A).

RECOMMENDATIONS

22. It is recommended that the Council:
 - a. **approves** the programme of works proposed for the Foxton River Loop Enhancement, noting that funding for the 2011-12 and 2013-14 years will be subject to confirmation via the next Annual Plan process.

G Shirley

GROUP MANAGER REGIONAL SERVICES AND INFORMATION

C C Mitchell

GROUP MANAGER ENVIRONMENTAL MANAGEMENT

A D Cook

GROUP MANAGER OPERATIONS

ANNEX

- A Proposed Activities for Foxton Loop Enhancement

Proposed activities for Foxton Loop Enhancement

Action	Within Budget [*]		Addn to Budget ^{**2}	Foxton	Landowner	Other	Total	FY Spread (HRC costs)				
	* ₁	HRC						2010/11 ^{*1}	2011/12 ^{*2}	2012/13 ^{*2}		
1: Aquatic Weed Control												
Significant weed issue south of Foxton, control, consent, replant as necessary	\$2,000	HRC	\$10,000	\$5,000	\$0	\$0	\$17,000	\$2,000	\$5,000	\$5,000		
1a: Aquatic weed trial												
Trial aquatic weed control, consents, mechanical methods, chemical control		HRC		External Contribution tbc				2010/11	2011/12	2012/13		
2: Wetland Development												
Develop a second wetland south of 'boardwalk', design, build and plant	\$1,000	HRC	\$11,500	\$6,000	\$0	\$0	\$18,500	\$1,000		\$11,500		
3: Stock Exclusion												
Grant programme and support costs for stock fencing	\$12,000	HRC	\$0	\$0	\$10,000	\$0	\$22,000	\$12,000				
4-4a-4b Dredge, trial & Wetland development												
Dredge and dredge trial in front of 'boardwalk' to remove silt build-up. Use silt to develop wetland on island	\$1,000	HRC	\$11,000	\$5,000	\$0	\$36,000	\$53,000	\$1,000	\$2,000	\$9,000		
5: Boardwalk Cleanup												
Tidy up, clean and replant as necessary grassed 'boardwalk' and river beach frontage	\$500	HRC	\$0	\$5,000	\$0	\$43,000	\$48,500	\$500				
6: Loop Walkway												
Low level support for loop walk, amenity plants?	\$0	HRC	\$5,000	\$0	\$0	\$0	\$5,000			\$5,000		
7: Ladies Mile weed control												
Weed control and replanting as required on riparian strip in front of Ladies Mile.	\$500	HRC	\$22,000	\$6,000	\$0	\$0	\$28,500	\$500	\$11,000	\$11,000		
8: Main loop walkway												
Develop main loop with planting and amenity support from HRC	\$0	HRC	\$26,000	\$5,000	\$0	\$97,000	\$128,000		\$13,000	\$13,000		
8a: Wetland walkway												
Develop walkways, replant local species, vista points etc on main loop walkway	\$10,000	HRC	\$12,000	\$5,000	\$0	\$0	\$27,000	\$10,000		\$12,000		
9: Wetland Enhancement												
Weed control and replanting	\$0	HRC	\$26,000	\$0	\$0	\$0	\$26,000		\$13,000	\$13,000		
10: RAMSAR												
Additional weed and pest support	\$10,000	HRC	\$12,000	\$0	\$0	\$0	\$22,000	\$10,000	\$6,000	\$6,000		
11: Willow Control												
HRC control, SORT drop and limb pest willows	\$3,500	HRC	\$11,500	\$7,000	\$0	\$0	\$22,000	\$3,500	\$5,000	\$6,500		
12: Walkway enhancement												
Support to enhance existing walkway	\$10,000	HRC	\$5,000	\$14,000	\$0	\$0	\$41,000	\$10,000	\$5,000	\$5,000		
13: Hydraulic modelling												
HRC bring forward budget for upper loop modelling	\$60,000	HRC			\$0	\$0	\$60,000	\$60,000				
Grand Total	\$110,500		\$154,000	\$59,000	\$10,000	\$176,000	\$524,500	\$110,500	\$62,000	\$92,000		

Note 1: Proposed expenditure in current budget

Note 2: Unbudgeted proposed expenditure (year 2.3) subject to Council approval

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

Item No: 10
Date: 25/05/2010
Report No: 10-62
File No: RCR 5 01

STATUS OF THE LINKLATER MEMORIAL BURSARY

PURPOSE

1. This report is to inform Members of the status of the Linklater Memorial Bursary.

FINANCIAL IMPACT

2. At the end of the current financial year (2009-10) \$12,000 budgeted for will remain unspent.

BACKGROUND

3. In 2009 the decision to cancel the Linklater Bursary was made due to the financial climate.
4. Current students on the programme, Alana Standish, Philip Goulter and Lucy Forgie, were each informed of final payment of \$2000 each which they received in August 2009. No further payments have been made since.
5. \$18,000 was budgeted for during the 2009-10 financial year, leaving \$12,000 unspent after the above recipients were paid.

COMMENT

6. It appears the budget for the Linklater Memorial Bursary has not been adjusted to reflect the decision to discontinue this programme.
7. Bursaries can be effective ways to demonstrate community involvement and should the Council see value in continuing to support education, then the Linklater Memorial Bursary project could be reviewed and reinstated, or remodelled.

RECOMMENDATIONS

8. It is recommended that the Council:
 - a. **receives** Report No. 10-62; and
 - b. **agrees** that \$12,000 is carried over from 2009-10 budget to 2010-11 for reinvestment into a programme supporting education.

Caroline Rowe

MEDIA AND COMMUNICATIONS MANAGER

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

Item No: 11
Date: 25/05/2010
Report No: 10-76
File No: ELM 4 01

INCENTIVISING AND SUPPORTING REGULATORY ACTIVITY

PURPOSE

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

FINANCIAL IMPACT

2. All activities underway and proposed will be funded within existing budgets for the outputs in question.

BACKGROUND

3. Horizons Regional Council has a statutory responsibility under the Resource Management Act 1991 in relation to sustainable management of the environment.
4. This principle is translated through plans and policy prepared by the Council. In relation to our regulatory activity, this is reflected in the way we operate our consents and compliance activities.
5. These activities are fully reported every two months via the Environment Committee. It will be evident from reading those full reports that there has been a solid improvement in the way these services are delivered. For the Consents Team, the focus has been on resolving historic consent matters and developing a strong customer service approach. For the Compliance Team, the focus has been on delivering the Council's direction for the development of a compliance culture, and the development of disciplined, consistent approaches to that work.
6. It will be evident to Councillors that the Council's regulatory work has the potential to generate stress and animosity across the community. This occurs for reasons that are often diametrically opposed. There is a very strong and reasonable expectation in our community that Horizons ensures consent holders are accountable and deliver on commitments in resource consents, and there is also a very strong expectation from consent holders that we will do this in a consistent and fair manner.

COMMENT

7. Horizons management are acutely aware that we need to look for opportunities to support our regulatory activity through positive support of industry. To that end, this item identifies a number of proposals either currently in play or recommended to Council for adoption as part of our regulatory practice.
8. It is important that incentives are used as part of the toolbox for our regulatory activity. As a rule, these approaches make a significant impact on consent holder behaviour. They remove barriers, bring about buy-in from both consent holders and the broader community, and critically, we are aware that parties who are properly supported in their

proactive behaviour will take significant steps in management of the impacts on the environment.

9. The most important outcome of this programme is the environmental result achieved, as that is the focus of our regulatory activity. It is clear that incentivised behaviour goes a significant way towards achieving land and water objectives held in our current suite of plans, and across the community.
10. The schedule below sets out the current status of various incentives and their benefits for Councillors' consideration.

Current initiatives Horizons either leads or participates in:

- Environmental Grants – Horizons provides funding assistance to landowners to undertake habitat (wetland and bush) protection, stream fencing and planting, and erosion control.
- SLUI (Sustainable Land Use Initiative) – an expanded Environmental Grant scheme where funding is directed by Whole Farm Plans for the purposes of reducing erosion.
- Project management assistance – the Environmental Management team provides a free project management service to landowners who want to carry out environmental works, eg. fence a stream, but do not have time to organise the works themselves.
- Advisory services – a large number of Council departments are involved in the provision of advice and information to landowners when making on-farm decisions and/or preparing resource consent applications. These include Consents, Compliance, Rural Advisory, Science, Catchment Data and Information, and Environmental Management teams.
- Regional Dairy Forum – a forum involving representatives of Horizons, Fonterra, DairyNZ, Federated Farmers and the wider dairy community that discusses issues affecting the dairy sector and/or proposals to provide assistance.
- Pond size calculator – a tool developed in collaboration with Massey University to allow dairy farmers to calculate how much dairy shed effluent storage is required given their unique set of climate, soil, land use, and farm management variables.
- WaterMatters and WaterQualityMatters – these tools were developed by Horizons to enable consent holders to monitor their compliance in regard to water takes or discharges. They also allow the public to view catchment-scale performance.
- Ballance Farm Environment Awards – Horizons supports these awards as they are a nationally recognised system for identifying farming and environmental excellence.
- Dairy Link – a forum involving representatives of Horizons, Fonterra and DairyNZ where specific on-farm issues and initiatives are discussed and agreed.
- In-field consents – trialled for the first time in 2009-10 when they were issued for scrub clearance activities. In-field consents reduce the actual and perceived bureaucracy associated with consent processing. The system has also produced better on-farm/environmental results.
- Transfer and rebate of infringements and non-compliance costs – in exceptional circumstances, at the judgement of a senior staff member, fines and non-compliance costs are being rebated with a view to acknowledging Horizons' focus on a compliance culture. These judgements are made to reflect elements including: an acknowledgement that the activity is rare or one-off for the consent holder, that the consent holder does not have a consent for an otherwise straightforward activity that would obtain consent, or that the expenditure of funds is better directed to a broader programme of restoration or mitigation being undertaken by the landowner. This activity will be reported publically via the Environment Committee on a six-monthly basis.

Proposed programmes for further incentivising responsible behaviour:

- Consent condition variations at no cost – where consent holders are proposing variations to consents that result in a net environmental benefit (eg. cows out of a stream as a consequence of modification of a culvert), it is proposed that the consents be provided at no cost to applicants. It is recommended that a 12-month trial be implemented and that the offer be confined to consents capable of being amended on a non-notified basis.
- Extension of the free consent programme – at present time Horizons offers free consents for vegetation clearance. This programme has been extremely successful with large numbers of consents being applied for and many conversations occurring over appropriate land clearance that would not have occurred via any other approach. It is proposed that for the next 12 months, culvert and bridge consents, along with earthwork maintenance activities, be consented at no cost. This offer would be confined to individual landowners for the time being.
- Rates remission – at the present time, this activity is not funded. Council may wish to consider once again supporting incentivising water quality outcomes via this approach. This activity would be subject to a further agenda item and funding process.
- Review of compliance – Horizons has committed to a review of its compliance function to be led by a senior staff member from Taranaki Regional Council alongside one independent person and a Horizons representative. The focus of this exercise is a benchmark of performance and assessment of the compliance operation over the past three years. The review is expected to produce recommendations for practice improvement which will be brought to Council as appropriate.
- Complaints procedure – a more formal process will be instituted for dealing with complaints regarding the consent or compliance processes. This will ensure complaints are formally logged, tracked and dealt with at the appropriate level within the Council. This exercise will be reported on annually to Council in the public domain.
- Bulk purchasing – opportunity exists to pass on savings to landowners carrying out environmental works (eg. fencing) by negotiating bulk purchasing of materials or contractor services. This already happens for plants supplied by Horizons.
- Water quality sampling – an offer will be made to all landowners in the Region to carry out, free of charge, analysis of water collected from their streams, lakes, wetlands, or ponds. This offer will be made for one sample each year and will require a commitment from the landowner to undertake sample collection and be available to discuss the water quality outcomes with staff. In addition, a selected number of farmers will be given the opportunity to have analysed, at no cost, four samples within a season of their farm dairy effluent at the point of irrigation. These initiatives provide a significant opportunity to obtain landowner engagement and raise awareness of water quality issues where they may have a direct effect, or obtain a real benefit from increased understanding.
- FARMS for volunteers – the FARM Strategy is very similar to the SLUI Whole Farm Plan in that it identifies strengths and weaknesses on-farm, and what actions can be taken to overcome issues. Farmers who have received a trial FARM Strategy have praised the information it contains and the advice provided. Horizons will continue to provide FARMS free of charge to willing landowners. This initiative is dependent upon the One Plan deliberations and will be reviewed following the Commissioners' decisions, where a FARMS (or similar plan) may become compulsory.
- On-farm Compliance Checklist – where consent holders request a compliance inspection, staff will visit the consent holder at a time and in a way that suits them for the purpose of examining current compliance. This inspection regime will sit alongside our existing compliance programme and will be undertaken on a without prejudice basis

- Fixed charges for consents – Horizons has assessed its current charging regime and has promoted a range of fixed maximum charges through the staff submission to the Annual Plan. This recommendation to Council comes from experience gained over the past two years of processing consents under this regime.
- Free consents for on-farm culverts and bridges – under this proposal, when landowners provide a signed-off assessment from an engineer/bridge designer regarding the crossing structure, Horizons will waive the consent fee. This recognises the net environmental benefit of having stock excluded from water bodies. Equally, it reflects the work done by the landowner in preparing for the activity, and the low risk of an unacceptable environmental consequence as a result of failure.
- Sharemilkers focus groups – establish a forum where sharemilkers are provided with the opportunity to discuss issues of relevance to them, and more importantly Horizons can provide information on the roles and responsibilities of sharemilkers in relation to compliance issues. Sharemilkers do not play an active role in current dairy groups associated with Horizons and there is a significant opportunity for enhanced communication with the next generation of dairy farmers.
- Establish industry workshops to be held once or twice yearly. These workshops would target two audiences: first, company fertiliser representatives, farm consultants, and rural valuers; and second, industry suppliers of farm irrigation equipment, pond construction and liners, bridges, and culverts. It is important to familiarise these groups with regulatory requirements and on-farm best practice and obtain feedback from them on issues of concern.
- Communication tools – a review of our current communication methods and channels will be carried out to ensure we are meeting our intended audiences, and are making best use of traditional communication channels as well as new tools, eg. social networking websites such as Facebook and Twitter. It is the intention of the Communications Team to meet with key stakeholder groups across the Region, with executive support, to explore communications systems that work for them. There is a very strong desire from the community for more and improved communication. This is a difficult area which Horizons is managing as a priority over the next few years.

Recognising and acknowledging high performance:

- Chairman's communication – when Compliance staff come across excellent performance in the field, a letter from the Chairman will be sent to the landowner thanking them for their efforts and acknowledging the specific leadership of the enterprise involved.
- Remission of inspection fees – the top 10% of consent holders, in terms of resource consent compliance, will have their compliance charges credited for the year following the inspection. This regime would continue with future clean inspections. Horizons would publically acknowledge those top 10% operations through Environment Committee reports.
- Peer recognition – a celebration of high performance for those landowners receiving acknowledgement from the Council and their peers. These people will be invited to six-monthly forums with the Chair and Councillors in order to recognise their high performance and provide an opportunity for that practice and experience to be shared and reflected back to the broader community.
- Horizons Heroes – Management recommends that a new recognition system be introduced to allow Councillors, staff and members of the public to nominate individuals/groups that are doing outstanding work in relation to Horizons' core functions within the community. Opportunities would be taken on a regular basis, via Council meetings and public media, to publically acknowledge the behaviours and practice which put individuals or businesses at the leading edge. This could

also lead to increased opportunities to “tell our story” in the media by writing up stories using nominated individuals.

11. The initiatives above identify an extensive programme of work to support industry within the Region. This programme is the result of a significant commitment made by Council and staff with the support of a number of industry bodies over this past few years. The proposed additions to the programme will further enhance Council’s existing approach.
12. It is the management view that the existing and proposed programmes can be achieved within the existing organisational project budgets and that they will deliver significant benefits against the Regional Council’s stated objectives for its environmental management activity.

RECOMMENDATIONS

13. It is recommended that the Council:
 - a. **acknowledges** the existing work programme set out in Report No. 10-76; and
 - b. **approves** and **supports** the additional programme of work set out in Report No. 10-76.

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