

AGENDA

CATCHMENT OPERATIONS COMMITTEE

**Wednesday
11 MARCH 2009**

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Notice is given that a meeting of Horizons Regional Council will be held at 10.00am on Wednesday, 11 March 2009 in the Tararua Room, Regional House, 11-15 Victoria Avenue, Palmerston North.

ORDER PAPER

Catchment Operations Committee

Agenda Pages

10.00am - Wednesday, 11 March

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**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.



CATCHMENT OPERATIONS COMMITTEE

COMMITTEE MEMBERS

Cr DB Meads (Chair)
Cr EB Gordon
Cr GP Murfitt (ex officio)

Cr MC Guy (Deputy Chair)
Cr PW Rieger QSO
Cr RG Walker JP

AGENDA

11 March 2009
10.00am

Pages

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 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. Confirmation of Minutes – 10 December 2008 1 - 6
6. River and Drainage Engineering Report 7 - 30
Report No: 09-38
File No: PRD 5 00
7. Lower Manawatu Scheme Upgrad 31 - 36
Update for Taonui Basin Impacts and Kopane Bridge Consents
Report No: 09-40
File No: PRD 6 04

- | | | |
|-----|--|---------|
| 8. | Annual River and Drainage Scheme Meetings
<i>Report No: 09-36 (Incl. Annex A)</i>
<i>File No: PRD 1 02</i> | 37 - 38 |
| 9. | Issues Arising from Annual Scheme Ratepayer Meetings April/May 2008
<i>Report No: 09-39 (Incl. Annex A)</i>
<i>File No: PRD 1 02</i> | 39 - 48 |
| 10. | Sustainable Land Use Initiative (SLUI)
<i>Report No: 09-37 (Incl. Annex A)</i>
<i>File No: ELM 6 00</i> | 49 - 50 |
| 11. | Members' Questions | |

M J McCartney
CHIEF EXECUTIVE



Minutes of the seventh meeting, seventh triennium, of the Catchment Operations Committee of Horizons Regional Council held in the Council Chambers, Palmerston North City Council, 32 The Square, Palmerston North at 10.01am on Wednesday 10 December 2008.

PRESENT Crs D B Meads (Chairman), M C Guy, P W Rieger QSO, and G P Murfitt (ex officio).

IN ATTENDANCE Crs Bailey, Chettleburgh, Main, White, Plowman (from 10.05pm), and Burnell (from 10.45am)
 Chief Executive Mr M McCartney (from 10.05am to 11.25am)
 Group Manager Operations Mr A D Cook (until 1.30pm)
 Committee Secretaries Ms K Booth / Mrs J Kennedy

ALSO PRESENT Mr C Mitchell (Group Manager Environmental Management),
 Mr P Joseph (Assets Engineer from 11.05am to 11.50am).

APOLOGIES

RD 08-54 *Moved* **Meads/Murfitt**

Apologies were received from Crs Gordon and Walker.

CARRIED

An apology for lateness was noted from Cr Burnell.

PUBLIC SPEAKING RIGHTS

No requests had been received.

LATE ITEMS

There were no Late Items.

CONFLICT OF INTEREST

Cr Guy advised a conflict of interest in regard to proposed stopbank alignment work which was proposed on his property (Refer Report No. 08-228, paragraph 79).

Cr Plowman and the Chief Executive joined the meeting at 10.05am.

CONFIRMATION OF MINUTES

Cr Main referred to page 3 of the minutes (Sustainable Land Use Initiative, last paragraph) and asked for further clarity in the 15 October minutes about the amendment she had requested. The minutes were therefore to be amended as follows:

“Cr Main did not believe the wording of the second sentence in paragraph 9 of the Sustainable Land Use Initiative Report No. 08-176 reflected the reality and suggested alternative wording. Paragraph 9 was amended to read: “A *SLUI Advisory Group meeting was held on 23 September. The group reaffirmed its wish to continue and to be seen as an advisory group providing advice to Council.*”

RD 08-55

Moved

Meads/Murfitt

that the Minutes of the meeting of the Catchment Operations Committee meeting held on Wednesday, 15 October 2008, with the inclusion of a fuller explanation to page 3, Sustainable Land Use Initiative item, last paragraph, be confirmed as a correct record.

CARRIED

RIVER AND DRAINAGE ENGINEERING REPORT

Report No. 08-228

The purpose of this item was to report on progress with river and drainage activities for the two month period 1 October to 30 November 2008.

- The Group Manager Operations (GMO) introduced his report and elaborated on items of interest, and answered Members' questions of clarification on the reasons for 'unavoidable delays' referred to in paragraph 6; the ongoing execution of agreements in regard to the Taonui Basin – mitigation works; gravel stockpiles and arrangements for dealing with placement of them; the consent process and why consents are required for river management and maintenance; and reported that another four applications, in addition to those listed in the report, had been received for Environmental Grants Works for the current year.

The GMO further clarified:

- The impact on staff and financial resources of significant errors in surveying and hydraulic modelling work undertaken by Opus Consultants.
- Wording of paragraph 28 should read “Subject to confirmation of majority support **from ratepayers** for the modified proposal...”.
- Progress of the Lower Manawatu Scheme Flood Protection upgrade and rating proposals and likely timing for presentation to Council.
- Channel survey information and what it was used for.
- Planting and maintenance of willow poles.
- The process and timing for submitting an application to the New Zealand Transport Agency to secure funding for the Kopane Bridge replacement.
- The opposition from a property owner over legal agreements related to the detention dam located on his property in the Tutaenui Flood Control Scheme.

RD 08-56**Moved****Guy/Rieger**

that the Committee recommends that Council:

- a. **receives** and acknowledges the information contained in Report No. 08-228;
- b. **acknowledges** that a Schedule of Works Completed is available for inspection.

CARRIED**INFRASTRUCTURAL ASSETS MANAGEMENT PLANS***Report No. 08-229*

The purpose of this item was to present for consideration and adoption a series of 27 Asset Management Plans (Plans) relating to river and drainage Scheme infrastructural assets.

Mr Cook, Group Manager Operations (GMO) introduced Mr Joseph, Assets Engineer to Members. In answer to a Members query, Mr Joseph demonstrated by way of a graph how a flood loss curve estimated damage that could be expected as a result of different flood magnitudes.

Members asked questions of clarification.

In regard to whether trees could be insured, the GMO advised that in the Lower Manawatu Scheme (LMS) the trees were planted as part of the flood protection asset, as opposed to the protection of land, and could be insured. The choice was made not to insure the trees in the LMS as the premiums were very steep. Where trees were for the protection of land only, they could not be insured.

The GMO noted that it was vital to have Asset Management Plans and emphasised the importance of explaining the reasons for that to Liaison Committee Members.

RD 08-57**Moved****Rieger/Murfitt**

that the Committee recommends that Council:

- a. **receives** the information contained in Report No. 08-229;
- b. **adopts** the Asset Management Plans (effective 1 July 2008) for 27 river and drainage Schemes, tabled at the Committee meeting;
- c. **approves** the inclusion of the Plans, including 10-year financial forecasts, in the Draft 2009-19 LTCCP;
- d. **acknowledges** that copies of the Plans will be available to Councillors and other interested persons on request; and
- e. **instructs** the Group Manager Operations to distribute copies of the Plans to Scheme Liaison Committee Members.

CARRIED

RANGITIKEI RIVER SCHEME REVIEW NO. 4 CHANNEL MANAGEMENT SCOPING REPORT

Report No. 08-226

The purpose of this report was to inform Members of the commencement of a review into the channel management of the Rangitikei River Scheme.

Mr Cook, Group Manager Operations (GMO) introduced the report and outlined that as a result of the recent flood damage of 30 July 2008, there was a need for a review before further expenditure was committed.

There were concerns expressed that certain Schemes were becoming unaffordable. The GMO advised that it was up to the Community to decide whether or not it was affordable, once they had been presented with all relevant information and costs.

Members asked questions of clarification.

The GMO advised that preparatory work would continue under the present budget and current staff resources, however the more substantive work would not be undertaken until budgets were approved in the new financial year.

RD 08-58

Moved

Guy/Meads

that the Committee recommends that Council:

- a. **receives** the information contained in Report No. 08-226 and Annex; and
- b. **instructs** the Group Manager Operations to proceed with the review as quickly as staff and financial resources will allow.

CARRIED

*The meeting adjourned at 12.05pm.
The meeting reconvened at 12.45pm.*

ISSUES ARISING FROM ANNUAL SCHEME RATEPAYER MEETINGS – APRIL/MAY 2008

Report No. 08-227

The purpose of this item was to update the Committee on progress in addressing the various issues raised at the 19 annual Scheme meetings held in April/May 2008.

Mr Cook, Group Manager Operations (GMO) spoke to the report and answered Members' questions of clarification.

The GMO agreed to in future include in the table significant issues that were raised throughout the year, outside of the Annual Scheme ratepayer meetings.

RD 08-59

Moved

Meads/Guy

that the Committee recommends that Council:

- a. **receives** and the information contained in Report No. 08-227 and Annex A.

CARRIED

SUSTAINABLE LAND USE INITIATIVE FINANCIAL SUMMARY

Report No. 08-223

This report was to update Members on the financial performance of the Sustainable Land Use Initiative (SLUI).

Mr Mitchell, Group Manager Environmental Management introduced the report and commented on the figures included in the table at Annex A. Members agreed that the financial summary should be included as a bi-monthly report and offered various suggested improvements for future reports.

RD 08-60**Moved****Murfitt/Rieger**

that the Committee recommends that Council:

- a. **receives** the information in Report No. 08-223.

CARRIED**SUSTAINABLE LAND USE INITIATIVE (SLUI)***Report No. 08-224*

This report was to update Members on progress on its Sustainable Land Use Initiative (SLUI).

Mr Mitchell, Group Manager Environmental Management spoke to the report and advised that to date, 27 individual implementation projects, spread over 18 whole farm plans, had been completed. He spoke of the 19 afforestation projects that have been approved by the Ministry of Agriculture and Forestry's recently launched Afforestation Grant Scheme, and outlined how the funds would be allocated and administered.

~~Members~~ **Members** asked questions of clarification and there was some discussion around the ownership of the carbon credits.

In regard to the discussions held with Landcorp on the possibility of all their farms having a SLUI farm plan, it was noted that they willing to fully pay for any farm plans outside of the SLUI area.

Members discussed the SLUI Overview map and offered suggestions for improvement.

RD 08-61**Moved****Rieger/Guy**

that the Committee recommends that Council:

- a. **receives** the information contained in Report No. 08-224.

CARRIED**MEMBERS' QUESTIONS**

There were no Members' questions.

The meeting closed at 1.38pm.

Confirmed

 GROUP MANAGER OPERATIONS

 CHAIRMAN

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

Item No: 6
Date: 11/03/2009
Report No: 09-38
File No: PRD 5 00

RIVER AND DRAINAGE ENGINEERING REPORT

PURPOSE

1. The purpose of this item is to report on progress with river and drainage activities for the three month period 1 December 2008 to 28 February 2009.

FINANCIAL IMPACT

2. Funding provision for all activities reported on in this item is included in the 2008-09 Annual Plan under the River and Drainage Schemes Activity.

BACKGROUND

3. A meeting of Rangitikei Scheme ratepayers in the Tangimoana Urban category was held on 26 January 2009. The purpose of the meeting was to explain the nature and extent of flood protection upgrade works proposed to commence in the township in March 2009, and also to give notice of the intention to initiate the capital works rate in 2009-10. The application of that rate will result in an increase of approximately \$150 in Scheme rates alone for the average property in Tangimoana. That information had previously been made available to ratepayers in June 2007. Those present at the meeting were generally pleased that Stage 1 of the work was about to commence, expressed a desire that the second stage be completed as quickly as possible, and seemed resigned to the impending rate increase.
4. A meeting of owners of properties on which Tutaenui Flood Control Scheme detention dams are located was held on 15 December 2008. The meeting was called in response to concerns expressed in relation to lease agreements that the Council was endeavouring to execute with the property owners. The ownership of a number of the properties concerned has changed in recent years and the meeting provided an opportunity to provide some background to the Scheme's inception and the legal status of the dams.
5. The dams were all lawfully constructed by way of agreement with the then property owners and the presence of the dams and their impact on farm management was known to subsequent purchasers through their designation for soil conservation and river control purposes in the Rangitikei District Scheme, and the reference to that designation in the Land Information Memorandum (LIM) for each property. The dams are further protected in perpetuity under the Soil Conservation and Rivers Control Act 1941.
6. The explanations provided at the meeting dispelled some of the misinformation that had been circulating and were generally accepted by those present. It was accepted that agreements should be executed with each dam owner and that they should encompass dam and property-specific terms and conditions. Our legal advice is that agreements should in effect be Licences to Occupy, which imply periodic use of the land, rather than lease arrangements which imply exclusive use.
7. Changes are presently being made to the form of agreement and the new agreements will be presented to landowners shortly.

8. Other issues arose at the meeting that were possibly of greater concern to property owners than the proposed agreements. Those issues related to the scope and standard of maintenance that should be undertaken by the Scheme and general nature of communication between staff and property owners. It has been agreed that the former issue should be addressed in the dam-specific agreements and that a greater effort be made to regularly communicate with owners. In the latter regard an effort is being made to have representation of dam owners on the Scheme Liaison Committee.
9. A contract has been awarded to Riley Consultants Limited in the sum of \$20,000 to classify all 53 detention dams owned by the Council. The classification must be completed by October 2010 in order to comply with the recently introduced Building (Dam) Safety Regulations 2008. All dams will be classified as either low, medium or high impact structures and Dam Classification Certificates will be issued accordingly.
10. Any dam accorded a medium or high impact category will require a Dam Safety Assurance Programme (DSAP) to be developed by October 2011 (high impact) or October 2012 (medium impact). The purpose of completing the classifications at an early date is to allow sufficient time to budget for the significant costs that will be involved in preparing DSAPs.
11. Arrangements are well advanced for the official commissioning of the Makino Flood Protection Project at Feilding. A number of guests, including Horizons and Manawatu District Councillors and staff, land owners, Feilding lobby group members, contractors and media have been invited to attend the formal commissioning at 10 am on Saturday 21 March 2009. Following the commissioning, an open day has been arranged for the public to inspect the works and receive presentations from staff on the floodway operation.
12. Staff have participated in meetings held at Kakahi in December and February in relation to the ongoing channel instability and erosion problem affecting Maori trust land at Pukehou. The meetings have been called by Waitangi Tribunal Judge Carrie Wainwright, chair of the Whanganui Tribunal, with the objective of finding a solution to the longstanding problems that have been referred to at length in evidence presented to the Waitangi Tribunal Whanganui lands enquiry hearings at Taumarunui.
13. Following the December meeting, tangata whenua have agreed to desist with their unrealistic demands for major river realignment works and to work as one with other interested parties to develop a proposal for low intervention/low cost works designed to at least retard the erosion of the Pukehou terrace land and thereby reduce the risk of river encroachment on a very important urupa.
14. At the February meeting, Horizons confirmed our offer made at the earlier meeting to prepare river management proposals and obtain the necessary consents, at our cost. We will undertake some work and prepare a draft consent application within the next month, and present that at a meeting scheduled for early April. Subject to receiving formal agreement from all principal parties (tangata whenua, Ruapehu District Council and Te Iti a Motai Trust) to support the consent application, we would then finalise the proposals and lodge the application.
15. The matter of funding for any capital and ongoing maintenance works is yet to be considered in detail. However, in the interim, Ruapehu District Council is to seek clarification from the Trustees of the Whanganui River Enhancement Trust as to whether the work proposed would qualify for funding from that source. At this stage Horizons has only committed to a contribution of up to \$10,000 towards initial works from the Environmental Grant – Rivers Fund.

16. Council has received a well documented and well presented request from a group of Opiki Basin landowners for assistance in resolving a long-standing issue of restricted drainage from their properties, as a consequence of a downstream neighbour not allowing drainage improvements on his property. The issue has been the subject of on-going correspondence and attempts at resolution since the inception of the Regional Council, and indeed for some years previously. The drains concerned are not designated as Scheme drains, however they clearly fall within the Makerua Drainage District.
17. Council staff have endeavoured on a number of occasions to facilitate some compromise between the parties, and while they appear at times to have been close to achieving that, most recently in 2003, either intransigence of the parties concerned has prevailed or momentum has been lost, and agreed actions have not been carried out by one party or another.
18. Under the Land Drainage Act 1908, Council has the power to order removal of obstructions from watercourses; indeed ratepayers are able in some circumstances to compel Council to order such removal. It is the latter provision that the group of aggrieved landowners point to in requesting Council's intervention on this occasion.
19. Because Council appears to have accepted some responsibility in this matter in the past and because Council staff have not always seen the issues through to one conclusion or another, it is considered that a concerted effort should now be made to do just that. The preferred course of action is to seek the parties' agreement to enter into formal mediation with an independent and well qualified mediator and an offer has been made in that regard. A major problem in the past has been that staff are required to work regularly with all the parties concerned in the effective management of the Makerua Scheme and are therefore placed in a difficult position when they are required to bring pressure to bear on one individual. To date one party has agreed to enter into mediation and a decision is expected from the other party shortly.
20. In the event that mediation is unsuccessful, then Council should be seen to have made every reasonable effort to resolve the issue and could then expect an aggrieved party to take civil action on his own account if he so desired.

INVESTIGATIONS AND DESIGNS

Whanganui flood risk and mitigation options

21. The hearing for the proposed Balgownie stopbank resource consent application was held in Wanganui on 29 January 2009. Negotiations with the majority of submitters were concluded to suitable outcomes for both parties. The hearing proceeded to a seemingly satisfactory conclusion and the consent is expected to have been granted early in March 2009.
22. Q-West kindly allowed a demonstration of portable flood barriers at their premises on 27 January 2009. These barriers appear to give a good solution to a difficult problem – that of maintaining the ongoing operations of a key industry to Wanganui, yet enabling flood protection when needed.
23. An investigations brief has been confirmed for investigation of ground conditions and stresses on the Vector gas line. Once a cost estimate is confirmed and evaluated this work can proceed – works in this vicinity are programmed for next construction season 2009-10.

Taonui Basin

24. Considerable time has been applied to investigate apparent inconsistencies with in-channel and flood-plain modelling work undertaken since 2005 with respect to the Oroua River and Taonui Basin. A separate agenda item addresses these issues and flow-on effects.

Kopane Bridge

25. The design team is providing requisite inputs to this project. The design is being undertaken under contract by GHD consultants and is proceeding very satisfactorily. Further comment is included in the Projects section of this report.

Oroua Stopbank upgrade

26. Design advice has been provided in respect of a specific foundation problem encountered during contract works on the left bank of the Oroua River, upstream of Kopane.

Rangitikei River: Channel Management

27. In December 2008 Council approved a review of the channel management aspects of the Rangitikei River Scheme. Preparatory work has commenced with a review of the flood hydrology and documentation of current works. The project will gain momentum at the commencement of the new financial year in July 2009. Designs were completed on the Cummings Groynes at Rewa and new rock gradings were prepared for various sites.

Lower Manawatu Scheme

28. The design of the Fitzherbert Bridge area rock lining was completed. This job is now well underway. Considerable assessment has been given to solving the design of the Napier Road stopbank upgrade – this is a complex matter with several landowners to appease.

Ashhurst Stream stopbanking

29. Hydraulic modelling work has been undertaken on the Ashhurst Stream with regard to proposed flood protection capital works. The detailed design phase has identified some complex issues associated with construction constrictions, a number of small culverts and bridge's and the difficulty of constraining flood flows at road crossings. Nevertheless, design flood levels have been completed and some stopbank siting options have been developed. There is some concern that 'rough order of cost' estimates prepared at the time of promoting the Scheme may be low and an assessment is currently being made of options for minimising any additional cost impact.

Turakina River investigation

30. Work has commenced on this project with a familiarisation inspection of the full length of the river, discussions with staff involved in the clearing work completed in the lower reach since the 2004 flood, and study of recent River Management Plans for the Whangaehu-Mangawhero and Eastern Manawatu.
31. Consultation will commence shortly on a one-to-one basis with key stakeholders.
32. It is proposed to have a draft report, which will include funding implications, available for the Committee's consideration at its May meeting. A meeting of all affected parties would immediately follow.

33. Assuming there is community support for some form of ongoing river management, then a proposal will be included in the 2010-11 Draft Annual Plan.

Makino Diversion – Reid Line Floodway

34. Design staff have assisted with commissioning the diversion gates and prepared an Operating Procedures Manual that includes detailed advice for Emergency Operations Centre (EOC) staff, the team operating the diversion gates, the gates decision maker and other Operations staff managing the floodway.

Regulatory advice

35. The section has continued to provide a large amount of specialist advice on flood risks to rezonings and subdivisions. This included writing the evidence for the Hearings Panel on the Hazards chapter of the One Plan. This has been a significant task. Technical reports have also been provided to the Consents Department regarding large earthworks requiring Erosion and Sediment Control Plans.

Design advice

36. Design advice has been given on several minor projects, including assessment of flood damage on the Kahuterawa and Turitea Streams.

SCHEME REVIEWS AND RATING SYSTEMS

Ohau-Manakau Scheme partial review and proposed rating system

37. In accordance with the recommendation of Council on 16 December 2008, flood protection upgrade and associated rating proposals for the Ohau-Manakau Scheme have been included in the Draft 2009-19 Long-term Council Community Plan (LTCCP).
38. A letter has been sent to all submitters advising them of the outcomes of the non-statutory consultation process and advising them of the opportunity to submit further through the LTCCP process.
39. A few survey responses from Scheme ratepayers significantly affected by the proposals were received following the Council meeting on 16 December 2008. The final results showed that 14 of 16 respondents supported the upgrade work as proposed. Weighting the responses to reflect the imposition of rates that would become payable in respect of flood protection capital works indicated 53% support, 17% opposition and 30% nil response.

Hokio Drainage Scheme – review and new rating system

40. A Final Review Report has been completed and is available to interested parties.

Makerua Drainage Scheme

41. A review of the rating system was completed and a draft consultation document prepared. At its meeting on 24 February 2009 Council recognised some issues of concern with progressing the review at this time and recommended that the process be deferred. The draft consultation document will now be referred to the Catchment Operations Committee in May 2009 for approval for the purpose of stakeholder consultation. The objective is now to implement any changes to the present rating system through the 2010-11 Annual Plan.

