

AGENDA

MANAWATU RIVER USERS' ADVISORY GROUP

**7.30pm
Tuesday
2 JUNE 2009**

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Notice is given of a meeting of the Manawatu River Users' Advisory Group of Horizons Regional Council on Tuesday, 2 June 2009 at 7.30pm in the Tararua Room (Boardroom), Horizons Regional Council offices, 11-15 Victoria Avenue, Palmerston North.

ORDER PAPER

Manawatu River Users' Advisory Group

Agenda Pages

7.30pm Tuesday, 2 June

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

NEWS EMBARGO

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

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COMMITTEE MEMBERS

Crs LR Burnell (Chairman) and L Bailey, and members of the public.

AGENDA

2 June 2009

7.30pm

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Minutes of a meeting of the Manawatu River Users' Advisory Group of Horizons Regional Council held in the Missoula Room of Palmerston North City Council, 32 The Square, Palmerston North, at 7.30pm on Tuesday, 2 December 2008.

PRESENT Crs L Burnell (Chairman), L Bailey, Messrs I Taylor (Manawatu Freshwater Anglers' Club), Mr B Culley (Manawatu Marine Boating Club), Mr M Wheatley (Manawatu Four Wheel Drive Club), Mr J Roxburgh (Department of Conservation), Mr R Christmas (Massey Lake Charitable Trust), Mr A Wakeling (Manawatu Marine Boating Club), Mr R Bailey (member of the public).

IN ATTENDANCE	Area Engineer Harbourmaster Committee Secretary	Mr D McKee Mr E Lloyd Mrs J Kennedy
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The Chairman welcomed everyone to the meeting.

APOLOGIES

Apologies were received from Cr G Murfitt, Cr C Southgate, and Mr AD Cook.

Moved **Culley/Taylor**

that the apologies of Cr Murfitt, Cr Southgate, and Mr Cook be accepted.

CARRIED

CONFIRMATION OF MINUTES

Moved **Bailey/Culley**

that the minutes of the meeting of the Manawatu River Users' Advisory Group held on 3 June 2008, as circulated, be confirmed as a correct record.

CARRIED

MATTERS ARISING

Mr Culley referred to the 3 June 2008 meeting where he asked for permission to erect a sign at both ends of the sailing racecourse on race day. He further requested that the Harbourmaster authorise that by way of a letter addressed to the Manawatu Marine Boating Club.

Moved **Burnell/Bailey**

that the Manawatu Marine Boating Club receives a letter from the Harbourmaster authorising the erection of a 5 knot speed restriction sign during club race days.

CARRIED

In regard to a letter tabled at the 3 June 2008 meeting, which outlined the Water and Environmental Care Association's concerns in regard to two consents that had been granted to discharge treated manufacturing wastewater into the Manawatu River, the Harbourmaster advised that a meeting had been held to work through the Association's concerns.

HARBOURMASTER'S REPORT

Report No: 08-214

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

The Harbourmaster introduced the report, and answered questions of clarification. He noted that in accordance with the Local Government Act 2002 s158, a review of the Bylaws was due no later than 1 August 2009. It was suggested that the June 2009 meeting be brought forward about six weeks, and that a workshop be held at that meeting in order to discuss the review of the Bylaws.

In regard to the Foxton Beach Erosion Hazards Assessment due for release in July 2008, Cr Bailey updated Members on progress of a decision to erect a low stopbank to safeguard residents from flooding.

Mr Roxburgh, Department of Conservation advised that the Department had sought legal advice on who was responsible for the derelict wharf structure at Foxton Beach, and were currently waiting for an opinion on that legal advice, from Crown Law.

Moved

Bailey/Culley

that the Manawatu River Users' Advisory Group

a. ***receives the information contained in Report No. 08-214.***

CARRIED

LOWER MANAWATU RIVER MANAGEMENT ISSUES

Report No: 08-217

The purpose of this item was to inform Members of the Manawatu River Users' Advisory Group (MRUAG) of Lower Manawatu Scheme (LMS) management issues, that may have some impact on the recreational use of the river during the period December 2008 to June 2009.

Mr Derek McKee, Area Engineer answered Members questions of clarification in regard to Lower Manawatu River Management Issues.

Members commented on the 'global' consent issued to the Operations Group of Horizons Regional Council for the extraction of gravel from the 'aggradation reach' of the river between Karere Road and Riverbank Road over a term of 20 years.

Moved

Burnell/Bailey

that the Manawatu River Users' Advisory Group

a. ***receives the information contained in Report No. 08-217.***

CARRIED

CALENDAR OF EVENTS

Report No: 08-215

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

The Harbourmaster outlined the upcoming events by the Manawatu Marine Boating Club Sailing Section, and the Manawatu Power Boat Club Incorporated.

Moved

Bailey/Wakeling

that the Manawatu River Users' Advisory Group

- a. *receives the information contained in Report No. 08-215.*

CARRIED

GENERAL BUSINESS

It was noted that the warrant cards for Honorary Enforcement Officers expired on 1 September 2008.

Moved

Bailey/Burnell

that the Manawatu River Users' Advisory Group

- a. *instructs the Harbourmaster to update the warrant cards for Honorary Enforcement Officers as required.*

CARRIED

Mr Cully requested that the Harbourmaster erect permanent 5 knot speed restriction signs on the left bank of the river. The harbourmaster agreed to procure the signs and liaise with MMBC officials and Coastguard regarding location and placement.

In answer to a question as to what determines when the flood gates were opened, Mr McKee outlined the procedure, and advised that the operating range for that was strictly adhered to.

Mr Taylor asked again, if the turbidity chart displayed on the Horizons Regional Council website could be made clearer for the general public to understand. At the December 2007 meeting, Mr Watson (Manager Catchment Information) was to investigate adding an interpretation panel to the website page.

NEXT MEETING

Members would be advised by the Harbourmaster as to when the next Manawatu River Users' Advisory Group meeting would be held.

The Chairman thanked the Group for their attendance, interest and contribution.

The meeting closed at 8.30pm.

Confirmed.

CHAIRPERSON

HARBOURMASTER

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

Item No: 3
Date: 2/06/2009
Report No: 09-82
File No: PEM 3 04

HARBOURMASTER'S REPORT

PURPOSE

1. The purpose of this report is to provide members of the Manawatu River Users' Advisory Group (MRUAG) with an update on matters relating to the office of the Harbourmaster.

FINANCIAL IMPACT

2. Allowed for in 2008-09 Long-term Council Community Plan (LTCCP).

BACKGROUND

3. This report covers the period 3 December 2008 to 2 June 2009.
4. As requested at the 3 December 2008 meeting, a letter (dated 8 December 2008) has been sent to the Commodore Manawatu Marine Boating Club (MMBC) authorising officials of the club to place five (5) knot speed limit signs on the sailing course as appropriate for the safe management of sailing events.
5. Replacement warrant cards were sent to Honorary Enforcement Officers on 8 December 2008.
6. Permanent five (5) knot speed limit signs have been installed on the true left bank for the MMBC launching ramp speed restricted area. Thank you to the MMBC for providing their labour.
7. The request for interpretative information for the turbidity charts on the Horizons website has not been actioned due to budget constraints. It is technically feasible and expected to be completed in the first half of the new financial year.
8. On the evening of 28 January 2009, a meeting of Honorary Enforcement Officers was held at the MMBC at Foxton Beach. The meeting was also attended by Horizons Emergency Management Duty Officers and members of Coastguard Manawatu. General navigation and safety matters were discussed prior to adjourning for a barbecue dinner. Horizons Regional Council took this opportunity to thank the volunteer Honorary Enforcement Officers and Coastguard for their support.
9. An exemption to the five (5) knot speed restriction on the 'city reach' was granted to Horizons Regional Council Operations Group for the period 9 March 2009 - 6 April 2009 to allow survey work to be conducted on the river.
10. The speed restriction for the period one week either side of the opening day of duck shooting season was notified in the Evening Standard, Tribune and Bush Telegraph on 19, 20 and 21 April 2009 respectively.

11. The review of the Manawatu River and Tributaries Navigation and Safety Bylaws 2004 has begun with a letter sent on 6 May 2009 to members of the Manawatu River Users' Advisory Group (MRUAG). The letter requested comment by 29 May 2009, and collated result will be discussed at the 2 June 2009 meeting of the MRUAG.
12. The Manawatu Power Boat Club requested a temporary reservation at Whirokino for a club event on 17 May 2009. The request was not received in time to allow the requisite public notice to be placed and could not be approved. The event was cancelled due to an inclement weather forecast.

RIVER EVENTS

13. The MMBC Sailing Section carried out their programme during the summer and held closing day on Sunday 26 April 2009.
14. The Manawatu Power Boat Club held their major regatta at Whirokino on Saturday 28 February and Sunday 1 March 2009. The club event scheduled for 17 May 2009 was cancelled.

RECOMMENDATIONS

15. It is recommended that the Advisory Group:
 - a. **receives** the Harbourmaster's Report.

Evan Lloyd
HARBOURMASTER

Ged Shirley
GROUP MANAGER
REGIONAL SERVICES AND INFORMATION

A Significant decision? <i>If Yes</i>	No
Do recommendations meet Significance Policy (contained within the LTCCP)	

Item No: 4
Date: 2/06/2009
Report No: 09-85
File No: PEM 3 04

LOWER MANAWATU RIVER MANAGEMENT ISSUES

PURPOSE

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

FINANCIAL IMPACT

2. There is no direct financial impact arising from matters discussed in this item.

BACKGROUND

3. The capital and maintenance work programmed for completion during the 2008-09 financial year within the Lower Manawatu Scheme have either been completed or are nearing completion.
4. Planning and preparation of consents for capital works for 2009-10 is underway.

COMMENT

5. Major rock lining works have been completed on the right bank upstream and extending downstream of the Fitzherbert Avenue Bridge. Restoration works are well advanced with the reinstatement of sealed walkways in particular being a significant improvement on the walkway prior to construction works. Sections of the walkway closed due to construction works during the summer will be re-opened following the restoration works.
6. Enhancement elements are now part of the City Reach Upgrade programme. A newly completed viewing platform has been recently constructed upstream of the Fitzherbert Avenue Bridge. The new sealed walkway will run adjacent to this structure with a limestone path linking the walkway to the platform. This facility will be open shortly following the completion of the restoration work.
7. Construction is due to commence at the downstream end of the rock lining immediately downstream of the bridge on a substantial structure that will provide improved recreational access and amenity in the river environment. There will be some minor restrictions on pedestrian access through the works area at times, however alternative access will be available where it becomes necessary to close any section of the walkway for construction purposes.
8. River edge vegetation management is proposed on the right bank within Palmerston North City from Fitzroy Bend to Dittmer Drive during August and September. This work will require minor detours on the walkways for pedestrians in some areas. The duration of the works in any one area will be short.

9. River edge vegetation management will continue at various locations in the rural areas commencing in October. This work should have no impact on recreational use of the river.
10. The annual survey of the river by jet boat has been undertaken. The survey serves as an inspection of Scheme assets, for example rock linings, tree plantings, and anchored tree works. The survey also is used to identify any hazards that may have the potential to cause harm to river users. A small amount of protruding steel has surfaced adjacent to the Ashhurst Bridge. This steel, understood to be a remnant from the previous bridge, will be removed in conjunction with the asset owner, New Zealand Transport Authority (NZTA).
11. Under a 'global' consent held by the Operations Group, gravel extraction has been ongoing in the 'aggregation' reach immediately upstream of the Opiki Bridge on the Manawatu River. Some of the extraction has been occurring in the wetted area of the channel. This work will be ongoing and may at times present a temporary obstruction to river navigation.
12. Ongoing river bank rip rap protection work at river distance 53.7 km on the left bank will be taking place at various times during the next few months. Excavators will be undertaking this operation adjacent to, and alongside the waters edge.

RECOMMENDATIONS

13. It is recommended that the Advisory Group:
 - a. **receives** the information contained in Report No. 09-85.

D R McKee
AREA ENGINEER – CENTRAL

A D Cook
GROUP MANAGER OPERATIONS

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

Item No: 5
Date: 2/06/2009
Report No: 09-84
File No: PEM 3 04

REVIEW OF MANAWATU RIVER AND TRIBUTARIES NAVIGATION AND SAFETY BYLAWS 2004

PURPOSE

1. The purpose of this item is to provide members of the Manawatu River Users' Advisory Group (MRUAG) with an overview of review process for the Manawatu River and Tributaries Navigation and Safety Bylaws 2004, and to introduce discussion on comments received to date.

FINANCIAL IMPACT

2. Allowed for in 2008-09 Long-term Community Plan (LTCCP).

BACKGROUND

3. The Manawatu River and Tributaries Navigation and Safety Bylaws 2004 became effective on 1 August 2004, and are required to be reviewed within five years pursuant to Section 158 of the Local Government Act 2004.
4. Attached as Annex A is a time line detailing the complete process. The main points are the informal consultation stage that began on 6 May 2009 with letters to MRUAG members and other interested parties, the independent navigation safety assessment, and the formal consultative period required by the Local Government Act 2004 once Horizons Regional Council has resolved a course of action.
5. In reviewing the Bylaw, we are required to follow the same procedure as if we were making the Bylaw afresh. This means that Council must:
 - a. determine the perceived problem that the Bylaw is addressing;
 - b. determine whether a Bylaw is the most appropriate way of addressing the perceived problem;
 - c. determine whether the proposed Bylaw is the most appropriate form of Bylaw; and
 - d. consider whether the proposed Bylaw gives rise to any implications under the New Zealand Bill of Rights Act 1990.
6. A consultant will carry out a navigation safety assessment on the Manawatu River and its tributaries beginning late August 2009. This will be done in conjunction with a similar assessment on the lower Whanganui River.

INFORMAL CONSULTATION

7. In a letter sent on 6 May 2009, members of the MRUAG, Maritime New Zealand, Water & Safety New Zealand, and other interested parties were invited to provide written comment on the Bylaws by 29 May 2009. These comments will be collated for discussion at the 2 June 2009 meeting.

RECOMMENDATIONS

8. It is recommended that the Advisory Group:
 - a. **discusses** the written comments;
 - b. **provides** guidance to the Harbourmaster on proposed amendments to the Manawatu River and Tributaries Navigation and Safety Bylaws; and
 - c. **requests** the Harbourmaster to draft amendments to Manawatu River and Tributaries Navigation and Safety Bylaws and present at the December meeting of the Manawatu River Users' Advisory Group.

Evan Lloyd
HARBOURMASTER

Ged Shirley
GROUP MANAGER
REGIONAL SERVICES AND INFORMATION

ANNEX

- A Review Process and Timeline

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

Informal consultation period to 31 May	6 May 2009	Letters to MRUAG and other interested parties inviting comment
MRUAG meeting	2 June 2009	Discuss collated submissions and draft amendments as required
Navigation and Safety Assessment	Late August 2009	Separate assessments of Manawatu and Whanganui Rivers (but using the same methodology and processes). Expected to take two months.
	November 2009	Finalise amendments, prepare Statement of Proposal and Summary of Information.
		Obtain legal advice on the proposed bylaws if required
MRUAG meeting	1 December 2009	Discuss proposed bylaws
Council meeting	15 December 2009	Council meeting with resolution approving Statement of Proposal and consultation strategy.
	19 December 2009	Public notices in local papers Letters to MRUAG and other interested parties
Formal consultation	December 2009 /January 2010	Consultation period to 31 January using Special Consultative Procedure (LGA 2002 s. 83)
	Mid-February 2010	Conduct hearing on submissions and fine tuning of bylaws
		Council meeting with resolutions: 1. to adopt bylaws effective from 1 July 2010; 2. approving the offences and fines proposed for the Local Government <i>(Infringement Fees for Offences: Manawatu River and Tributaries Navigation and Safety Bylaws 2009, Regulation 2009)</i>
Council meeting	23 February or 23 March 2010 ?	
	Late February or March 2010	Apply to Department of Internal Affairs for regulations to be made
Infringement regulations	1 July 2010	Infringement regulations in place and bylaws become effective

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

Item No: 6
Date: 2/06/2009
Report No: 09-83
File No: PEM 3 04

CALENDAR OF EVENTS

PURPOSE

1. This report presents the Manawatu River Calendar of Events to the Manawatu River Users' Advisory Group for information.

FINANCIAL IMPACT

2. Allowed for in 2008-09 Long-term Community Plan (LTCCP)

COMMENT

3. No upcoming events have been notified to the Harbourmaster.

RECOMMENDATIONS

4. It is recommended that the Advisory Group:
 - a. **receives** Report No. 09-83; and
 - b. **approves** the inclusion in the Calendar of Events of any fixtures agreed to at the Manawatu River Users' Advisory Group meeting of 2 June 2009.

Evan Lloyd
HARBOURMASTER

Ged Shirley
GROUP MANAGER
REGIONAL SERVICES AND INFORMATION



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