



Minutes of the Nineteenth meeting of the seventh triennium of Horizons Regional Council held at 10.00am on Tuesday, 28 April 2009, at Pukaha Mount Bruce, SH2 RD1, Masterton.

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

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

ALSO PRESENT Mr G Carlyon (Group Manager Regional Planning and Regulatory), Mr G Shirley (Group Manager Regional Services and Information), Dr J Roygard (Manager Science), Ms H Marr (One Plan Manager).

The Chairman welcomed the Council to Pukaha Mount Bruce.

APOLOGIES

09-375 *Moved* **Murfitt/Walker**

that an apology be received from Cr Plowman.

CARRIED

PUBLIC SPEAKING RIGHTS

No requests for public speaking rights had been notified.

LATE ITEMS

There were no Late Items advised.

MEMBERS' CONFLICTS OF INTEREST

There were no Conflicts of Interest.

CONFIRMATION OF MINUTES

Cr Rieger asked that his apology for the meeting held on 25 March 2009 be noted in the minutes.

09-376 *Moved* **Murfitt/Guy**

that an apology be received from Cr Rieger (Leave of Absence) for the Council meeting held on 25 March 2009.

CARRIED

MEMBERS' REPORTS

Cr Bailey attended the usual Council / Committee meetings, One Plan Hearings – Coast on 26 March, the Lower Manawatu Scheme Annual Meeting on 9 April, the Manawatu Drainage Scheme Annual Meeting, the TeKawau Drainage Scheme Annual Meeting, and the Ballance Farm Environmental Awards on 24 April, the ANZAC Day dawn parade in Levin on 25 April, the Moutoa Drainage Scheme Annual Meeting, and the Koputaroa Drainage Scheme Annual Meeting on 27 April.

Cr Burnell attended the usual Council / Committee meetings.

Cr Chettleburgh attended the usual Council / Committee meetings, the Mayor's State of the City function, and the Ballance Farm Environmental Awards.

Cr Gordon attended a meeting at Duddings Lake and noted there was little support shown for it to become a Regional Park, commented on a meeting he attended with the Ministry of Transport in Wellington, and attended the Dairy Industry Forum on 26 March chaired by Cr Meads.

Cr Guy attended the Dairy Industry Forum on 26 March, the Mayor's State of the City function, the Annual Scheme Liaison Committee Chairs' meeting, One Plan – Land Deliberations, two Code of Conduct meetings, the Annual Meeting for the Lower Manawatu Scheme, a SLUI Advisory Meeting, the Ballance Farm Environmental Awards, and the usual Council / Committee meetings.

Cr Main attended the Whanganui River Management Working Party Meeting, the SLUI Advisory Group meeting, attended the Resource Management Act Certification Course, One Plan – Coast, Biodiversity and Heritage, and Land. She noted she had been invited to speak to groups in Wanganui in regard to the role of the Regional Council, and thanked Cr White for chairing the Environment Committee meeting in her absence on 15 April.

Cr Meads attended the usual Council / Committee meetings, One Plan – Land Deliberations, chaired the Dairy Industry Forum and the SLUI Advisory Group, attended the Federated Farmers Local Executive meeting, the Scheme Liaison Committee Chairs' meeting, the Scheme Liaison Annual meetings, and the Ballance Farm Environmental Awards.

Cr Rieger attended the normal Council / Committee meetings. He suggested that thought be given to making available to the public some of the Public Excluded decisions out of Audit, Risk & Investment Committee meetings, eg. the Financial Report for the Eight Months to 28 February 2009. He made comment on the Internal Audit Report.

Cr Walker attended the Whanganui River Management Working Party meeting, and the Ballance Farm Environmental Awards.

Cr White advised that deliberations continued with the One Plan – Coast, Land and Biodiversity. Preparation was underway for the next round of Hearings commencing in just over five weeks. She attended the Mayor's State of the City function. A thank you was extended to Ged Shirley and Jeff Watson for an excellent presentation given to her on Iris. She also thanked Craig Grant and staff for contact details of Suzanne Craig. She commented on an excellent study of Biodiversity on a recent visit to the Queen Charlotte Track.

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 25 March 2009	As disclosure would not be in the public interest because of the need to protect the privacy of natural persons.	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 Audit, Risk & Investment Committee resolutions and recommendations of 9 April 2009	As disclosure would not be in the public interest because of the greater need to enable Council to carry on without prejudice or disadvantage commercial negotiations.	That the exclusion of the public from that part of the meeting is necessary to prevent the disclosure of information for which good reasons for withholding exist.
PX3 Endorsement and Adoption of Strategy & Policy Committee resolutions and recommendations of 14 April 2009	As disclosure would not be in the public interest because of the greater need to enable Council to carry on without prejudice or disadvantage commercial negotiations.	That the exclusion of the public from that part of the meeting is necessary to prevent the disclosure of information for which good reasons for withholding exist.
PX4 Confirmation of Minutes of Extraordinary Council Meeting of 14 April 2009	As disclosure would not be in the public interest because of the need to protect the privacy of natural persons.	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.

CARRIED

The meeting adjourned to the Public Excluded part of the meeting at 11.35am and resumed at 12.10pm.

CODE OF CONDUCT INVESTIGATIONS COMMITTEE

Report No. 09-58

This report was to bring to the attention of Council the ramifications of our decision to continue to hold Public Excluded status on the resolutions from the minutes of the Extraordinary Council Meeting, 10 March 2009.

It was agreed by the Code of Conduct Investigations Committee (CCIC) that the Chairman of Council (Garrick Murfitt) should remain as a member of the CCIC. Members agreed that recommendation (b) – **recommends** that the Code of Conduct Investigations Committee be made up of Crs Paul Rieger (Chairman), Murray Guy, and Annette Main - be withdrawn.

Members fully discussed the matter and Cr Gordon suggested that all information pertaining to the matter be released from Public Excluded. It was noted that any transcripts relating to the matter would need to be sought through the Official Information Act.

Moved

Gordon/Main

that all information pertaining to the issue that was currently in Public Excluded be moved into the public domain.

Councillors were unsure on what *all matters pertaining to the issue* included, and were therefore uncomfortable with the recommendation.

Cr Chettleburgh expressed concern that comments made on the matter were made in confidence and he was not comfortable with the process to now move the matter out of Public Excluded.

After further discussion Members returned to the the original resolution and it was amended to include *minutes and resolutions* of the Extraordinary Council meeting held on 10 March 2009.

09-382

Moved

Walker/Burnell

that the Council:

- a. **removes** the Public Excluded status from the minutes and resolutions of the Extraordinary Council meeting held on 10 March 2009.

Against: Crs Chettleburgh, Guy
CARRIED

The meeting adjourned at 12.40pm
The meeting reconvened at 2.00pm

ONE PLAN UPDATE

Report No. 09-60

This report was to update Councillors on the One Plan progress and to provide opportunity for discussion on process issues that may help guide the future management of the One Plan process.

The Chief Executive suggested that the meeting be adjourned to allow Councillors to have an open discussion on the One Plan process going forward, provide feedback, and provide guidance to the Hearing Committee of any suggested improvements.

09-383

Moved

Murfitt/Bailey

*that the Council **adjourns** the meeting to allow Members to have an open discussion on Item 13, Report No. 09-60, One Plan Update.*

CARRIED

The meeting adjourned at 2.05pm
The meeting reconvened at 3.00pm

Members fully discussed the One Plan Update and asked questions of clarification around expected completion timeframe for deliberations, allowable extension period for One Plan hearings under the Resource Management Act, the risks involved in releasing preliminary thoughts, ie tracked changes at the conclusion of deliberations, and completion of the One Plan within allocated budgets.

Cr White commented on the discussion to release tracked changes and noted there was considerable difference between tracked changes and the final decision. She asked that Council acknowledge and accept there was an element of risk involved in releasing tracked changes.

Councillors agreed there was a strong preference that all possible measures were taken in order that the One Plan process be concluded by June 2010, and acknowledged that the work load in order to adhere to that timeframe would be considerable.

It was intended that the Chief Executive and Chairman would meet with permanent members of the One Plan panel to discuss and clarify matters, and report back to Council.

The recommendations were altered to reflect the discussion.

09-384

Moved

Meads/Guy

that the Council:

- a. **receives** the confidence of the staff that the One Plan activities for 2009-10 and 2010-11 can be completed within the One Plan budgets, apart from the Appeal process costs;
- b. **encourages** the release of preliminary thinking, ie. tracked changes, wherever possible based on One Plan topics; namely Te Ao Maori, Land, Biodiversity, and Coast by end June 2009 or earlier if possible; and
- c. **expresses** a preference that best endeavours are used to try and have the One Plan process completed by end July 2010, and Council encourages the Hearing Committee to advise the Council of any resourcing expectations that might be required to complete the process.

CARRIED

There was insufficient time for Report No. 09-59, Water Science Programme to be presented. The Chairman apologised to Dr Roygard, and advised his report would be carried forward to a future meeting.

DELEGATIONS FOR HEARING OF THE PROPOSED ONE PLAN

Report No. 09-61

This report was to gain members agreement as to the membership and delegations of the hearing panels to hear submissions on the remaining One Plan hearings.

09-385

Moved

White/Walker

that the Council:

- a. **supports and approves** the representation on the General Hearing Panel as outlined below:
 - *Hearing Committee to be chaired by Deputy Committee Chair for the One Plan Hearings – Jill White*
 - *Independent Commissioner – Rob van Voorthuysen*
 - *Crs Main and Burnell;*
- b. **delegates** to the General Hearing Panel the power to hear and make decisions on submissions for the Administration & Finance, Air, Hazards, Infrastructure Energy & Waste and Landscapes & Natural Character topics of the Proposed One Plan under the first schedule of the Resource Management Act 1991 (RMA) clauses 8B, 8C and 10;
- c. **supports and approves** the representation on the Water Hearing Panel as outlined below:
 - *Hearing Committee to be chaired by One Plan Hearing Committee Chair – Joan Allin*
 - *Deputy Chair – Jill White*
 - *Independent Commissioners – Rob van Voorthuysen and Che Wilson*
 - *Crs Main, Meads, and Guy*

- d. **delegates** to the Water Hearing Panel the power to hear and make decisions on submissions for the Water Quality, Water Allocation, Groundwater and Beds of Rivers and Lakes topics of the Proposed One Plan under the first schedule of the Resource Management Act 1991 (RMA) clauses 8B, 8C and 10; and
- e. **notes** that the previously approved delegations to the Chairperson, and in her absence to the Deputy Chairperson, and general delegations to the hearings panels remain unchanged.

CARRIED

MEMBERS' QUESTIONS

There were no Members' questions.

The Chairman thanked the Committee Secretary for organising the Council meeting held at Pukaha Mount Bruce.

The meeting closed at 3.55pm.

Confirmed.

CHIEF EXECUTIVE

CHAIRMAN