



Minutes of the fourteenth meeting of the seventh triennium of Horizons Regional Council held at 10.30am on Tuesday, 25 November 2008, in the Missoula Room, Palmerston North City Council, 32 The Square, Palmerston North.

PRESENT Crs GP Murfitt (Chair), L Bailey, LR Burnell, VJF Chettleburgh QSM, EB Gordon, MC Guy, AK Main, DB Meads, MW Plowman, PW Rieger QSO, RG Walker JP, and J White.

IN ATTENDANCE Chief Executive Mr M McCartney
Group Manager Corporate & Governance Mr C Grant (to 12.05pm, from 1.55pm)
Committee Secretary Ms K Booth

ALSO PRESENT Mr G Carlyon (Group Manager Regional Planning and Regulatory, until 12.05pm), Mr A Cook (Group Manager Operations, from 12.45pm to 2.12pm), Dr Jan Wright (Parliamentary Commissioner for the Environment) accompanied by Dr Alex Thompson and Mr Shaun Killerby, from 11.13am until 12.05pm), Mr D Ward (Chief Executive, Horowhenua District Council) accompanied by Mr B Austin and a consultant from 11.24am until 12.05pm), Mr C Mitchell (Group Manager Environmental Management, from 11.35am until 12.56pm), Ms C Webb (Media Liaison Advisor), Mr R Munneke (Manager Policy, from 2.15pm), members of the public and a member of the Press.

APOLOGIES

There were no apologies.

PUBLIC SPEAKING RIGHTS

No public speaking rights were notified.

LATE ITEMS

There were no Late Items, however documentation to support items in the Agenda, was distributed.

MEMBERS' CONFLICTS OF INTEREST

There were no Conflicts of Interest.

08-283

Moved

Murfitt/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 28 October 2008	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 Strategy & Policy Committee resolutions and recommendations of 11 November 2008	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.
PX3 Endorsement and Adoption of Audit, Risk & Investment Committee resolutions and recommendations of 12 November 2008	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 Councillor Remuneration <i>Report No. 08-210</i>	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.

CARRIED

The meeting adjourned to the Public Excluded part of the meeting at 10.35am and resumed at 11.13am.

CONFIRMATION OF MINUTES

Cr White referred to the first paragraph of page 5 (He Tini Awa Charitable Trust, 3rd line), and requested that the words "...as allowed..." be deleted.

In response to Members' questions on resolution 08-281 and the lack of a report on the Proposed Whanganui River Flood Protection works to the meeting, the Chief Executive explained that a response had not yet been received from Wanganui District Council. He advised the item would be brought to the December Council meeting.

08-284

Moved

Main/Walker

*that the Minutes of the meeting held on 28 October 2008, as circulated and with the deletion of the words "...as allowed..." in the first paragraph, 3rd line of page 5, be **confirmed** as a correct record.*

CARRIED

PETITIONS/DEPUTATIONS

There were no Petitions or Deputations.

The Chairman welcomed the Chief Executive and the Engineering Manager from Horowhenua District Council, and the consultant from Montgomery Watson to the meeting.

PRESENTATION FROM DR JAN WRIGHT (Parliamentary Commissioner for the Environment) on the LEVIN LANDFILL REPORT

The Chairman welcomed Dr Jan Wright, who introduced Dr Alex Thompson and Mr Shaun Killerby to the meeting.

Dr Wright said she was invited to present to Horizons, a summary of the “Levin Landfill : Environmental Management Review” which was published and tabled in Parliament in August 2008. It was a review of environmental management within landfills. She thanked Horizons for its positive response to the recommendations that arose from the report. Dr Wright explained her role was that of an independent officer of Parliament and she outlined what that role involved.

Dr Wright spoke to her presentation, outlined what the investigation did and did not cover, explained the six recommendations for Horowhenua District Council (HDC) and the three recommendations for Horizons Regional Council (HRC), and clarified Members’ questions. Mr Ward (Chief Executive of HDC) said he looked forward to working through the issues with Horizons’ staff, and commented on progress with some of the breaches of consent conditions that were mentioned in the report. Dr Wright thanked him for his updates.

08-285 Moved Chettleburgh/Bailey

*that the Council **requests** the Chief Executive to report on the recommendations affecting Horizons Regional Council contained in the Environmental Management Review from the Parliamentary Commissioner for the Environment dated August 2008.*

CARRIED

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

CHAIRMAN’S REPORT

The Chairman referred to his report which had been distributed to Members the previous day. He answered questions of clarification from Members in relation to the items in his report.

08-286 Moved Murfitt/Chettleburgh

that the Chairman’s Report be received.

CARRIED

CHIEF EXECUTIVE’S REPORT

The Chief Executive referred to his report which had also been distributed to Members the previous day. He went through the report, elaborated on items and provided further information where relevant. He invited Members to provide comments on draft documentation that was distributed to them, such as draft National Policy Statements etc. In response to questions, he advised that copies of Memoranda of Understanding between HRC and iwi would be placed in the Councillors’ Lounge, and that he would report back to Members after he had perused the Decision made in respect of Taupo Variation 5.

that the Chief Executive's Report be received.

CARRIED

MEMBERS' REPORTS

Cr Bailey advised she observed at the Hokio Scheme meeting, the Foxton Waste Water Hearing, and the Shannon Waste Water Hearing, she attended the usual Council, Committee and Subcommittee meetings, the Zone 3 meeting, a meeting of the Manawatu Estuary Trust as liaison representative, a pre-Hearing site visit to the Ohau-Manakau area and the Ohau-Manakau Scheme Hearing, and the Moutoa Scheme Liaison Committee meeting.

Cr Burnell said he had attended the normal Council and Committee meetings, the Lower Manawatu Scheme (LMS) Hearings, and commented on the assistance he had received from Crs Meads and Guy at the Hokio Hearing. He also attended the Horowhenua District Council meeting.

Cr Chettleburgh attended the Zone 3 meeting at Caccia Birch, meetings and interviews for the Linklater Bursary, Field Day at Massey University, the local funeral for Mike Higgins, chaired the Passenger Transport Subcommittee and mentioned the free weekend bus services in Palmerston North, Feilding, Ashhurst and Wanganui in the leadup to Christmas.

Cr Gordon said he attended the usual Council and Committee meetings, the Scheme meetings for Tutuenui, Porewa and Rangitikei, the LMS Hearings, a local Lions Club meeting where an HRC staff member spoke about compliance, and he had been invited to Rangitikei District Council to talk about the Haunui-Rakautaua Scheme.

Cr Guy attended the usual Council and Committee and Subcommittee meetings and the Council Tour in the Ruapehu area, chaired the Ohau-Manakau Scheme Hearing with Crs Meads and Bailey, chaired the Foxton and Shannon Waste Water Consents Hearings, and attended the Rangitikei Aggregates Hearing.

Cr Main attended the Rangitikei Aggregates Hearing, the Bushy Park Trust meeting and TamaUpoko meeting as an HRC representative. She also attended the Waitangi Tribunal Hearings in Taumarunui, chaired the Whanganui River Working Party meeting, and attended the usual Council, Committee and Subcommittee meetings, and the start of the Biodiversity and Heritage One Plan (OP) Hearings. She advised that Mr Kevin Ross had been appointed as Chief Executive of Wanganui District Council.

Cr Meads advised he attended the usual Council and Committee meetings, the Council Tour of the Ruapehu area, the Ohau-Manakau Scheme Hearing with Crs Guy and Bailey, met with HRC engineers (eastern area) to discuss the Mangatainoka audit, attended the Whanganui River Working Party meeting, Liaison and Drainage Scheme meetings, and the LMS Hearing.

Cr Plowman attended the Council and Committee meetings and workshops, the Council Tour of the Ruapehu area, three days of the Waitangi Tribunal Hearings with a consequent follow up meeting to be held in December.

Cr Rieger attended the meeting with Mayors and members of two Rescue Helicopter Trusts, and also attended the LMS Hearings.

Cr Walker attended a Whanganui River flood protection meeting, Council meetings and workshops, the Council Tour of Ruapehu, and met with constituents about their house flooding problems.

Cr White explained that although she attended the Council meeting at Taumarunui, she was not able to join other Councillors for the tour of the Ruapehu area as she was attending her final meeting on the Landcare Board. She attended the usual Council and Committee meetings, the Green drinks meeting prior to the general election, took part in the Linklater Bursary meeting and interviews and congratulated the Horizons' staff members for their work on this matter. She attended the Biodiversity and Heritage OP Hearings and advised that the OP Hearings in 2009 would be held offsite at the Te Hotu Manawa O Rangitaane O Manawatu Marae in Maxwells Line.

ENDORSEMENT AND ADOPTION OF COMMITTEE AND ADVISORY GROUP RESOLUTIONS AND RECOMMENDATIONS

STRATEGY & POLICY COMMITTEE

Cr Plowman noted that his name had been recorded as seconder to the resolution that accepted his apology for the meeting. He requested this be amended.

08-288 **Moved** **Murfitt/Burnell**

*that the Council **endorses** and **adopts** the resolutions and recommendations of the Strategy and Policy Committee meeting held on 11 November 2008, with the deletion of 'Plowman' and addition of 'Gordon' as seconder to resolution SP 08-83.*

CARRIED

ENVIRONMENT COMMITTEE

08-289 **Moved** **Main/White**

*that the Council **endorses** and **adopts** the resolutions and recommendations of the Environment Committee meeting held on 12 November 2008.*

CARRIED

HOKIO DRAINAGE SCHEME PROPOSED EXTENSION AND NEW RATING SYSTEM

Report No. 08-208

The report informed Council of the outcome of the Submissions Hearing on the Proposed Extension and New Rating System for the Hokio Drainage Scheme (to be renamed the Hokio Catchment Drainage Scheme) and sought a Council resolution to adopt amendments recommended by the Committee for inclusion in the Draft 2009-2019 Long-term Council Community Plan (LTCCP). The Group Manager Operations (GMO) distributed replacement Rating Plans (pages 67-71 of the Agenda).

The GMO introduced the report and he and Cr Meads provided clarification. The GMO said the work was scheduled to begin in the next financial year, and progress reports would be provided through the Catchment Operations Committee.

Members asked questions of clarification in regard to the clearing of willow in the Hokio Stream, and whether there were resourcing issues that could affect progress.

that the Council:

- a. **notes** the contents of report and additions agreed to;
- b. **endorses** the recommendations of the Hearing Committee meeting held on 10 October 2008, to hear submissions on the Proposed Extension and New Rating System for Hokio Drainage Scheme, as set out below and in the Minutes attached at Annex A;

Hokio Stream

- (a) The Scheme undertakes a comprehensive clearance of willows from the stream mouth to the marae; and
- (b) a report be prepared with cost estimates and a programme of works for consultation with landowners and stakeholders;
- (c) a report is prepared to assess the options (including works and related environmental impacts) for the Scheme to maintain the position of the Hokio Stream mouth.

Proposed Drains

- (d) Extend the Scheme drain network to include those mentioned in paragraph 15. G. 1, 3, 4 and 5 (in Report No. 08-175) subject to further consultation with landowners as required; and
- (e) For the roadside drain along Arapaepae Road, (paragraph 15. G. 2 in Report No. 08-175), investigate the feasibility by survey and relay the request to the Horowhenua District Council for action;
- (f) Further investigate the option to re-establish the natural flow to relieve overloading of McLeavey Road, in consultation with landowners.

Rating System

- (g) Amend the IN area as shown on the amended plan;
- (h) Extend the rating system to include a new category (DH) for the drains servicing 11 properties along Hokio Beach Road; the rate to be applied subject to consultation with the landowners affected; and
- (i) Amend the rates calculation to ensure the Hokio Stream costs are funded from the UH, UL and IN categories without affecting the proportion deducted from the drainage benefit categories, maintaining the Indirect/Contributor rate (IN) at 20%, and achieving a rating for UH and UL that would result in the rates for an average property in Hokio Beach being about double that in Levin.

Scheme Liaison and Consultation

- (j) A catchment forum approach, as proposed in the One Plan, to ensure water quality and drainage issues are actioned in a timely and coordinated manner by the appropriate authority.

Scheme Name Change

- (k) The extended Scheme is called Hokio Catchment Drainage Scheme.

- c. **approves** the revisions to the proposed rating system as set out in the revised Rating Report in Annex B, for inclusion in the Draft Long-term Council Community Plan for 2009-19;
- d. **notes** that all submitters will be advised of the outcome of the consultation process.

CARRIED

The Chairman thanked the Hearing Committee and the staff involved in the process.

AFFIXING OF THE COMMON SEAL

Report No. 08-209

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

08-291

Moved

Guy/Walker

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

- *Funding Agreement for the Afforestation Grant Scheme*
- *Lease Agreement – Horizons Regional Council and Pirie Valley Farm Limited*

CARRIED

WORKSHOP ATTENDANCE

23 October 2008 – 19 November 2008

Members noted the workshop attendances.

MEMBERS' QUESTIONS

Cr Bailey asked how the charging regime for resource consents was applied, and whether it would be timely to review the policy to lessen any risk to Horizons. She referred to the possible use of bonds or interim billing. The Chief Executive advised that the consents charging was based on the funding policy that Council had in place, which was currently 80% recovery. There was an opportunity to use interim billing where the costs were likely to be high. Council had the ability to impose bonds, but these tended to be performance bonds based on complying with the condition, rather than addressing costs of the process. Mr Munneke (Policy Manager) then explained the charging regime, and that interim billing was routinely used when the consent application reached another step in the process, or where there was a time lapse in the process. He clarified that applicants were only charged for work that had been done and there were opportunities for the applicants to object to the bill. There was then discussion over the process if interim bills were not paid, or where the invoice was challenged and the applicant was ultimately unable to pay following resolution of the challenge. Mr Munneke said the process was to resolve objections in an expedient manner to minimise the risk of non-payment.

Cr Plowman asked about progress with the review of the Green RIG. The Chief Executive advised that a report would be included in the December agenda for the Strategy and Policy Committee meeting.

The meeting closed at 2.49pm.

Confirmed.

CHIEF EXECUTIVE

CHAIRMAN