

NORTHLAND REGIONAL COUNCIL Agenda

For an Ordinary Meeting of the Council to be held in the
Council Chambers, 36 Water Street, Whangarei,
on Wednesday, 10 December 2008 commencing at 1 pm

File 105.2

**Recommendations contained in the Council agenda are NOT Council decisions.
Please refer to Council minutes for resolutions.**

Opening Prayer

Apologies

Declaration of Conflicts of Interests

OPEN MEETING

| Item | Page |
|----------------------------------------------------------------------------------------------------------|------------|
| 1. Confirmation of Minutes of Ordinary Meeting held on 19 November 2008 | 1 |
| 2. Confirmation of Minutes of Audit and Finance Committee held on 26 November 2008 | 12 |
| Council and Strategic | |
| 3. Chairman's Report | 15 |
| 4. Chief Executive Officer's Report to Council | 17 |
| 5. Meetings Calendar for 2009 | 36 |
| 6. Kauri Coast Community Trust Pool | 37 |
| 7. Broadband Update | 38 |
| 8. Northland Regional Council Delegation Manual | 39 |
| Finance | |
| 9. Financial Reports and Information for November 2008 | 42 |
| 10. Lease Transactions and Documents Sealed | 43 |
| Planning | |
| 11. Proposed National Policy Statement for Freshwater Management | 44 |
| 12. Adoption of Plan Change 3 to the Regional Coastal Plan for Northland | 67 |
| 13. Resolving Appeals for Plan change 4 (Aquaculture) | 68 |
| Consents | |
| 14. Consents Decisions and Applications in Process | 69 |
| 15. Appointment of Hearings Committees | 74 |
| Monitoring | |
| 16. Environmental Monitoring Report for the Period 1-24 November 2008 | 75 |
| Business with the Public Excluded | 101 |
| IN COMMITTEE | |
| 17. Confirmation of Confidential Minutes of Meeting held on 19 November 2008 | 102 |
| 18. Confirmation of Confidential Minutes of Audit and Finance Committee Meeting held on 26 November 2008 | 105 |
| 19. Outstanding Debt Collection | 107 |
| 20. Audit New Zealand Draft Management Letter | 108 |

NORTHLAND REGIONAL COUNCIL

Minutes of the Ordinary Meeting of the Council, held at the Northland Regional Council, 36 Water Street, Whangarei, on Wednesday, 19 November 2008 commencing at 1 pm

File 105.2

PRESENT: Crs Mark Farnsworth, Ian Walker, John Bain, Craig Brown, Joe Carr, Peter Jensen, Lorraine Hill and Bill Rossiter.

In Attendance

Full Meeting

Chief Executive Officer
Strategy and Planning Director
Projects and Information Manager
Finance and IT Manager
Council Administration Programme Manager

Part Meeting

Deputy CEO/Operations Director
Community Relations Manager
Local Government Project Manager
Senior Project Accountant
Monitoring Senior Programme Manager
Policy Specialist

OPENING PRAYER

The Council Administration Programme Manager read the opening prayer.

DECLARATION OF CONFLICT OF INTEREST

File 100.1.2

The Chairman gave members the opportunity to declare an interest on any item of business on the agenda for the meeting. Crs Rossiter and Hill declared an interest in the item on "Broadband Update" and took no part in discussions and voting.

ITEMS OF NEW BUSINESS

Resolved: That the Council agrees to consider the following items of new business for the reasons shown:

OPEN MEETING

1. NORTHLAND REGIONAL COUNCIL COMMUNITY TRUST UPDATE

This item updates Item 7 on page 43 in the agenda and includes additional information provided subsequent to the agenda being produced.

2. VEHICLES ON BEACHES**Additional to Item 21, page 90 –**

This is an ongoing issue that is already contained in item 10 of the minutes of the Regional Transport Committee and as a matter of urgency needs to be actioned as soon as possible

3. HOKIANGA HARBOUR CONSERVATION WORKING PARTY

The reason for urgency in respect to this item is to enable an appointment to be made prior to the next meeting of the Hokianga Harbour Conservation Working Party to be held on 4 December 2008.

5. DELEGATED AUTHORITY

A resolution is required to change Delegated Authority to ensure that Council staff have appropriate powers and functions to conduct Council business.

CONFIDENTIAL MEETING**4. NORTHLAND PORT CORPORATION (NZ) LIMITED - PROPOSAL**

The report expands on an issue covered in item 29 on page 145 of the agenda.

Cr Jensen : Cr Walker

1. CONFIRMATION OF MINUTES OF EXTRAORDINARY COUNCIL MEETING HELD ON 8 OCTOBER 2008

File 105.2

Resolved: That the minutes of the Extraordinary Meeting of the Council held on 8 October 2008 be confirmed.

Cr Rossiter : Cr Bain

2. CONFIRMATION OF MINUTES OF ORDINARY COUNCIL MEETING HELD ON 15 OCTOBER 2008

File 105.2

Resolved: That the minutes of the Ordinary Meeting of the Council held on 15 October 2008 be confirmed, subject to the correction of the resolution of item 6 to read 30 September 2008.

Cr Brown : Cr Bain

3. CONFIRMATION OF MINUTES OF EXTRAORDINARY COUNCIL MEETING HELD ON 22 OCTOBER 2008

File 105.2

Resolved: That the minutes of the Extraordinary Meeting of the Council held on 22 October 2008 be confirmed.

Cr Jensen : Cr Brown

DEPUTATION – RECREATION FACILITIES FUNDING

Mr Paul McDonald, Whangarei District Council made a presentation on the application by the BMX Club for funding of an eight metre start ramp that would meet international standards. The information provided was not available at the time the application was lodged. The Chief Executive Officer agreed to make a copy of the sports strategy available to Mr McDonald.

4. NEW ZEALAND FIRE SERVICE – BACKYARD BURNING

File 990.6

Report from Chairman Mark Farnsworth dated 11 November 2008.

This item was withdrawn from the Agenda at the request of the New Zealand Fire Service.

5. CHAIRMAN'S REPORT

File 105.4

Report from Chairman Mark Farnsworth dated 6 November 2008.

Resolved: That the Chairman's report dated 6 November 2008 be received.

Cr Farnsworth : Cr Rossiter

Further

Resolved: That the Chairman write to the successful Northland MPs congratulating them on their election success and also to the outgoing Prime Minister and appropriate MPs for their work over the past term of government.

Cr Bain : Cr Walker

COMPLIANCE WITH DECISION MAKING PROCESS

The activities detailed in this report are provided for in the Council's 2006-2016 LTCCP, and as such are in accordance with the Council's decision making process and sections 76 to 82 of the Local Government Act 2002.

6. CHIEF EXECUTIVE OFFICER'S REPORT

File 105.3

Report from Chief Executive Officer Ken Paterson dated 5 November 2008.

Resolved: That the Chief Executive Officer's report dated 5 November 2008, be received.

Cr Walker : Cr Brown

Further

Resolved: That the Chairman and Chief Executive Officer be authorised to make a submission on the proposed Kaipara District Council Liquor Bylaw emphasising the jurisdictional gap between MHWS and MLWS and the policing implications.

Cr Bain : Cr Walker

COMPLIANCE WITH DECISION MAKING PROCESS

The activities detailed in this report are provided for in the Council's 2006-2016 LTCCP, and as such are in accordance with the Council's decision making process and sections 76 to 82 of the Local Government Act 2002.

7. NORTHLAND REGIONAL COUNCIL COMMUNITY TRUST UPDATE

FILE 150.1

Reports from Projects and Information Manager Linda Stansfield and Local Government Administration Senior Programme Manager Kathryn Ross dated 3 and 17 November 2008.

- Resolved:**
1. That the reports from the Projects and Information Manager and the Local Government Administration Senior Programme Manager dated 3 and 17 November 2008 (respectively) be received.
 2. That in accordance with Clauses 12.1 and 13 of the Trust Deed, the Council amend the Trust Deed of the Northland Regional Council Community Trust as agreed at this meeting.
 3. That the approach outlined in this report in conjunction with the requirements of the Trust Deed and the Local Government Act 2002, be followed to seek new Trustees for appointment.
 4. That a sub-committee of Crs Farnsworth, Walker, Jensen, Bain, Brown and Hill be formed to review applications and recommend the appointment of new Trustees to a future meeting of the Northland Regional Council in accordance with the requirements of the Trust Deed, the Local Government Act 2002 and past custom and practice.

Cr Farnsworth : Cr Carr

COMPLIANCE WITH DECISION MAKING PROCESS

The activities detailed in this report are provided for in the Council's 2006 to 2016 Long Term Council Community Plan and the Trust Deed of the Northland Regional Council Community Trust, and as such are in accordance with the Council's decision making process and sections 76-82 of the Local Government Act 2002.

8. EVENTS CENTRE UPDATE

File 160.13.1

Report from Local Government Administration Senior Programme Manager Kathryn Ross dated 6 November 2008.

- Resolved:**
- That the Chief Executive Officer be authorised to continue discussions with the Working Party and, subject to agreement from Whangarei District Council, Argon Construction to finalise a proposal for the construction of the Northland Events Centre and to bring that finalised proposal back to a future Council meeting for approval.

Cr Brown : Cr Bain

COMPLIANCE WITH DECISION MAKING

The receiving of this report is provided for in the Council's 2006-2016 Long Term Council Community Plan, and as such is in accordance with the Council's decision making process and sections 76-82 of the LGA 2002.

9. RECREATION FACILITIES RATE FUNDING RECOMMENDATION

File 160.15

Report from Local Government Project Manager Deborah Ryder dated 5 November 2008.

Resolved: That the application from the Far North District Council to allocate \$500,000 (excluding GST) from the Regional Recreational Facilities Rate towards the establishment of a multi-purpose building to be located at the Kerikeri Sports Complex, be approved in principle subject to further details of the proposal being provided and to the Far North District Council entering into an acceptable funding agreement.

Cr Bain : Cr Carr

COMPLIANCE WITH DECISION MAKING PROCESS

The activities detailed in this report are provided for in the Council's 2006-2016 Long Term Community Plan, and as such is in accordance with the Council's decision making process and sections 76-82 of the LGA 2002.

10. FINANCIAL REPORT – 31 OCTOBER 2008

File 350.4

Report from Finance and Corporate Services Manager Lisa Aubrey dated 10 November 2008.

Resolved: That the financial report to 31 October 2008, be received.

Cr Brown : Cr Jensen

COMPLIANCE WITH DECISION MAKING PROCESS

The activities detailed in this report are provided for in the Council's 2006/2016 Long Term Council Community Plan, as such are in accordance with the Council's decision-making process and sections 76-82 of the Local Government Act 2002.

11. INVESTMENT SCHEDULE AND PERFORMANCE – FINANCIAL REPORT 31 OCTOBER 2008

File 350.4

Report from Financial Systems Administrator Kym Ace dated 10 November 2008.

Resolved: That the Investment Schedule and Performance Report to 31 October 2008 be received.

Cr Jensen : Cr Rossiter

COMPLIANCE WITH DECISION MAKING PROCESS

The activities detailed in this report are provided for in the Council's 2007/2008 Annual Plan, and as such are in accordance with the Council's decision-making process and Sections 76-82 of the Local Government Act 2002.

12. PAID ACCOUNTS FOR APPROVAL**File 350.9****Report from Payments Officer Rachel Hills dated 31 October 2008.**

Resolved: That the payments for October 2008, as detailed in the report from the Payments Officer, Rachel Hills dated 31 October 2008, be approved.

Cr Rossiter : Cr Jensen

COMPLIANCE WITH DECISION MAKING PROCESS

The activities detailed in this report are provided for in the Northland Community Plan 2006-2016, and as such are in accordance with the Council's decision making process and Sections 76-82 of the Local Government Act 2002, and the requirements of the Public Bodies Contracts Act 1959.

13. COUNCIL BANK ACCOUNTS – CHEQUE SIGNATORIES**File 340.1****Report from Finance and IT Manager Lisa Aubrey dated 5 November 2008.**

Resolved: 1. **Manual Signing**
That any two of the following signatories be authorised to countersign cheques for payments drawn on the Council's bank account numbers:

- i. 12-3115-0057000-00 Current Account operated at the ASB Bank Ltd, Walton Street, Whangarei Branch and any other accounts, which the Council may operate from time to time.
- ii. Call and term deposit accounts with the ASB and other registered trading banks in New Zealand.

Approved signatories:

Kenneth Michael Paterson, Chief Executive Officer
Anthony Glenn Phipps, Deputy CEO/Operations Director
Linda Jane Stansfield, Projects and Information Manager
Simon John Crabb, Senior Project Accountant
Lisa Aubrey, Finance and IT Manager
Kathryn Jane Ross, Local Government Admin Programme Manager

2. That any of the following signatories are authorised to operate the BNZ bank account No. 02-0492-00340027-00 at the BNZ Ltd, Bank Street, Whangarei.

Approved signatories:

Kenneth Michael Paterson, Chief Executive Officer
Anthony Glenn Phipps, Deputy CEO/Operations Director
Linda Jane Stansfield, Projects and Information Manager
Simon John Crabb, Senior Project Accountant
Lisa Aubrey, Finance and IT Manager
Kathryn Jane Ross, Local Government Admin Programme Manager

3. That vouchers or documents authorising manual or electronic transactions be authorised by any one of the above personnel.

4. That electronic transactions prepared by finance staff be authorised by any one of the above personnel in accordance with the delegations herein for the respective banks.
5. **Facsimile signing:**
That the Chief Executive Officer is the sole signatory of Council cheques signed by use of the cheque facsimile signing machine.
6. That these delegations, when approved, be notified to the ASB and the BNZ Ltd for implementation.

Cr Hill : Cr Carr

COMPLIANCE WITH DECISION-MAKING PROCESS

The activities detailed in this report are provided for in the Council's 2006-2016 Long Term Council Community Plan, and as such are in accordance with the Council's decision-making process and sections 76-82 of the Local Government Act 2002.

15. DOCUMENTS SEALED

Files: 466 100, 990.6 and 990.6.5

Report from Finance and IT Manager Lisa Aubrey dated 5 November 2008.

Resolved: That the use of the Council seal outlined in the report from the Finance and IT Manager dated 5 November 2008, be approved.

Cr Jensen : Cr Brown

COMPLIANCE WITH DECISION MAKING PROCESS

The documents for sealing contained within this report is in accordance with the Council's Treasury Management Policy which was adopted in compliance with the decision making requirements of Sections 76 to 82 of the Local Government Act 2002 and the execution of the seal is part of the Council's day to day operations and as such is provided in the Council's 2006-2016 Long Term Council Community Plan and is in accordance with the Council's decision making process and sections 76-82 of the Local Government Act 2002.

15. TE ROROA CLAIMS SETTLEMENT ACT 2008

File 900.17.1

Report from Iwi Liaison Officer Rachel Ropiha dated 5 November 2008.

Resolved: That the Iwi Liaison Officer's report dated 5 November 2008 be received.

Cr Farnsworth : Cr Rossiter

COMPLIANCE WITH DECISION MAKING PROCESS

The activities detailed in the report are provided for in the Council's 2006-2016 LTCCP, and as such are in accordance with the Council's decision-making process and Sections 76 to 82 of the Local Government Act 2002.

16. CONSENTS DECISIONS AND APPLICATIONS IN PROCESS

File: 430.1

Report from Consents Senior Programme Manager David Roke dated 5 November 2008.

Resolved: That the information on resource consent decisions and applications in process be received.

Cr Rossiter : Cr Walker

COMPLIANCE WITH DECISION MAKING PROCESS

The activities detailed in this report are provided for in the Council's 2006/2016 LTCCP, and as such are in accordance with the Council's decision-making process and sections 76-82 of the Local Government Act 2002.

17. APPOINTMENT OF HEARINGS COMMITTEES

File 110.8

Report from Consents Senior Programme Manager David Roke dated 2 November 2008.

Resolved: That Cr Hill (Chair) and Cr Carr be appointed to hear and decide **Affco Beef Division Limited**, C/O Affco New Zealand Ltd CON200507358101 – Activities associated with the ongoing operation of a meat processing plant at Moerewa.

Cr Jensen : Cr Hill

COMPLIANCE WITH DECISION MAKING PROCESS

The activities detailed in this report are provided for in the Council's 2006/2016 LTCCP, and in accordance with the Council's statutory delegations approved in July 2004. As such they are in accordance with the Council's decision making process and sections 76-82 of the Local Government Act 2002.

18. APPOINTMENT OF HONORARY ENFORCEMENT OFFICER FOR KAIPARA

File 700.17

Report from Deputy Harbourmaster Jim Lyle dated 29 October 2008.

Resolved:

1. That Mr Ronald Matich be appointed and warranted as an Honorary Enforcement Officer for Kaipara, under Section 650B(1) and (2) of the Local Government Act 1974.
2. That Mr Matich's appointment should commence on 1 December 2008. The appointment will be annually renewable in line with the other honorary enforcement officer warrants.

Cr Jensen : Cr Hill

COMPLIANCE WITH DECISION MAKING PROCESS

The activities detailed in this report are provided for in the Council's 2006-2016 Long Term Council Community Plan, and as such are in accordance with the Council's decision making process and sections 76-82 of the LGA 2002.

19. WARRANTS OF APPOINTMENT**Files 100.2, 220.4.6 and 990.1****Report from Hazardous Substances Programme Manager Jerry Nelson dated 31 October 2008.**

- Resolved:**
1. That the following officer be appointed as an Enforcement Officer under Section 38 of the Resource Management Act 1991 and be delegated powers and authorities under Sections 22, 332 and 333 of the Resource Management Act 1991.

James Mitchell Hazardous Substances officer

2. That this officer be issued with the appropriate Warrant of Appointment under seal of the Council evidencing his appointment.

Cr Carr : Cr Jensen

COMPLIANCE WITH DECISION MAKING PROCESS

The decisions made by this resolution are authorised by Section 38 of the Resource Management Act 2002 and by virtue of Section 76(5) of the Local Government Act 2002 meet the decision making requirements of Sections 76 to 82 of that Act.

20. KAURI CREEK DAM SAFETY EVALUATION**File 505.2, 2835****Report from Water Resources/Hydrology Programme Manager Dale Hansen dated 5 November 2008.**

- Resolved:** That the report on the Kauri Creek water supply dam be received.

Cr Bain : Cr Carr

COMPLIANCE WITH DECISION MAKING PROCESS

The activities detailed in this report are provided for in the Council's 2006-2016 Long Term Council Community Plan, and as such are in accordance with the Council's decision-making process and Sections 76 to 82 of the LGA 2002.

21. CONFIRMATION OF MINUTES - REGIONAL TRANSPORT COMMITTEE MINUTES AND VEHICLES ON BEACHES**File 110.6****Supplementary report from Chairman Mark Farnsworth dated 13 November 2008.**

- Resolved:**
1. That the Chairman's report dated 13 November 2008, proposing an alternative solution to improve the management of vehicles on beaches be received.
 2. That the Chairman and Chair of the Regional Land Transport Committee be delegated the Power to Act to progress the proposed solution outlined in this item.

3. That a further report be presented to the December 2008 Council meeting updating progress.

Cr Bain : Cr Carr

COMPLIANCE WITH DECISION MAKING PROCESS

The activities detailed in this report are part of the implementation of the Regional Coastal Plan for Northland and the Regional Land Transport Strategy for Northland, and as such are in accordance with the Council's decision making process and sections 76-82 of the Local Government Act 2002.

Resolved: That the Minutes of the Regional Land Transport Committee meeting held on 28 October 2008 be received and the Committee's recommendations adopted.

Cr Bain : Cr Carr

22. CONFIRMATION OF MINUTES – ENVIRONMENTAL MANAGEMENT COMMITTEE **File 110.6**

Resolved: That the Minutes of the Environmental Management Committee meeting to be held on 19 November 2008 be received and the Committee's recommendations adopted.

Cr Brown : Cr Rossiter

SUPPLEMENTARY ITEM – HOKIANGA HARBOUR CONSERVATION WORKING PARTY

File 505.11.6

Report from Chairman Mark Farnsworth dated 18 November 2008.

Resolved: That Cr Carr be appointed to represent the Northland Regional Council on the Hokianga Harbour Conservation Working Party.

Cr Brown : Cr Hill

COMPLIANCE WITH DECISION MAKING PROCESS

The activities detailed in this report are part of the Council's day to day operations and as such are provided for in the Council's 2006-2016 Long Term Council Community Plan, and are in accordance with the Council's decision making process and sections 76-82 of the Local Government Act 2002.

BUSINESS WITH THE PUBLIC EXCLUDED

File 105.2

Resolved: That pursuant to the Local Government Official Information and Meetings Act 1987, the public be excluded from the remainder of the meeting to consider:

1. Confirmation of the confidential section of the Minutes of the Extraordinary Council meeting held on 8 October 2008.
2. Confirmation of the confidential section of the Minutes of the Ordinary Council meeting held on 15 October 2008.
3. Confirmation of the Confidential Section of the Minutes of the Special Council meeting held on 22 October 2008.
4. Outstanding Debt Collection
5. Broadband Update
6. Events Centre Update
7. Northland Port Corporation (NZ) Limited.

The reason for excluding the public in relation to items 1, 2 and 3 are as stated in the Minutes of those meetings

In relation to item 4, the reason for excluding the public is to protect the privacy of natural persons as protected by section 7(2)(a).

In relation to items 5, 6 and 7 public conduct of the proceedings would be likely to result in the disclosure of information, the withholding of which is necessary to allow the Council to conduct without prejudice or disadvantage commercial activities pursuant to Section 7(2)(h) and (i) of the said Act

Cr Jensen : Cr Rossiter

OPEN MEETING

Resolved: That the Council resumes in open meeting.

Cr Jensen : Cr Walker

CONCLUSION

The meeting concluded at 3.09 pm.

NORTHLAND REGIONAL COUNCIL
AUDIT AND FINANCE COMMITTEE

**Minutes of a Meeting of the Audit and Finance Committee
held in the Council Chambers, 36 Water Street, Whangarei,
on Wednesday, 26 November 2008 at 9.15am**

File 110.11

PRESENT:

Cr Jensen, Chairman
Cr J Bain
Cr B Rossiter
Cr I Walker
Cr C Brown
Cr M Farnsworth

Also Present

Cr L Hill
Cr J Carr
Mr B Roberts, Enterprise Northland
Ms J Douglas Enterprise Northland
Ms I Durham, Enterprise Northland
Mr C Parkin, Destination Northland
Mr J Jongejans, Destination Northland
Mr S Henderson, Asia Pacific Risk Management

IN ATTENDANCE:

Full Meeting

Chief Executive Officer
Finance and Information Services Manager
Strategy and Planning Manager
Council Administration Programme Manager
Senior Project Accountant

DECLARATION OF CONFLICTS OF INTERESTS:

File 100.1.2

The Chairman gave members the opportunity to declare an interest on any item of business on the agenda for the meeting.

Cr Farnsworth declared a potential conflict of interest in item 4 and took no part in discussion and voting.

1. MINUTES OF EXTRAORDINARY MEETING HELD 22 OCTOBER 2008

File 105.2

The minutes of the extraordinary meeting of the Council held on 22 October 2008 have already been received and confirmed by Council and were tabled for information.

2. DESTINATION NORTHLAND LIMITED – FIRST QUARTERLY REPORT FOR 2008/2009**File 160.11****Report from Projects and Information Manager Linda Stansfield dated 13 November 2008.**

Mr Charles Parkin and Mr Jeron Jongejans gave a brief overall presentation on the work of Destination Northland Ltd.

Resolved: That the Destination Northland first quarterly report for the 2008/09 financial year be received.

Cr Walker : Cr Rossiter

COMPLIANCE WITH DECISION MAKING PROCESS

The receiving of this report is provided for in the Council's 2006-2016 Long Term Council Community Plan, and as such is in accordance with the Council's decision making process and sections 76-82 of the LGA 2002.

3. ENTERPRISE NORTHLAND – FIRST QUARTERLY REPORT FOR 2008/2009**File 150.1****Report from Projects and Information Manager Linda Stansfield dated 13 November 2008.**

Ms J Douglas gave a brief presentation regarding developments in the areas of the marine industry, honey production and the launch of the Northland Sustainable Business Club.

Resolved: That the Enterprise Northland first quarterly report for the 2008/09 financial year be received.

Cr Rossiter : Cr Brown

COMPLIANCE WITH DECISION MAKING PROCESS

The receiving of this report is provided for in the Council's 2006-2016 Long Term Council Community Plan, and as such is in accordance with the Council's decision making process and sections 76-82 of the LGA 2002.

Attendance Note: The teams from Destination Northland and Enterprise Northland left the meeting at 9.45am.

4. FORESTRY HARVEST 2008/2009 FINANCIAL YEAR**File 210.2****Report from Finance and IT Manager Lisa Aubrey dated 17 November 2008.****File 150.1**

Resolved: That the report from the Finance and IT Manager dated 17 November 2008 be received.

Cr Rossiter : Cr Bain

COMPLIANCE WITH DECISION MAKING PROCESS

The activities detailed in this report are provided for in the Council's 2006-2016 LTCCP, and as such are in accordance with the Council's decision-making process and sections 76-82 of the Local Government Act 2002.

5. TREASURY MANAGEMENT POLICY

File 300.5

Report from the Finance and IT Manager, Lisa Aubrey dated 18 November 2008

Mr Stuart Henderson of Asia Pacific Risk Management outlined his review of the Council's Treasury Management Policy.

The Committee recommends to Council

1. That the report by the Finance and IT Manager dated 18 November 2008 be received.
2. That the Treasury Management Policy (as amended at this meeting) be recommended to the Council for inclusion in the draft Long Term Council Community Plan 2009-2019.

Cr Farnsworth : Cr Bain

COMPLIANCE WITH DECISION MAKING PROCESS

The activities detailed in this report are provided for in sections 5 and 90 of the Local Government Act 2002 and the Council's 2006-2016 Long Term Council Community Plan, and as such are in accordance with the Council's decision making process and sections 76-82 of the Local Government Act 2002.

BUSINESS WITH THE PUBLIC EXCLUDED

Resolved: That pursuant to the Local Government Official Information and Meetings Act 1987, (LGOIMA) the public be excluded from the remainder of the meeting to consider:

5. Minutes of Confidential Meeting held 22 October 2008
6. Update on Commercial Property

The reason for excluding the public in relation to item 6 is as stated in the minutes of that meeting. The reason for excluding the public in relation to item 7 is to enable the Council to conduct a commercial activity pursuant to section 7(2)(h) of LGOIMA.

Cr Bain : Cr Rossiter

OPEN MEETING

The meeting resumed in open meeting at 10.25am

CONCLUSION

The meeting closed at 10.25am

Chairman's Report

File 105.4

Report from Chairman Mark Farnsworth dated 1 December 2008.

MEETINGS/EVENTS ATTENDED

During the month I have attended the following meetings/events/functions:

- Meetings attended with the Council's CEO, Ken Paterson:
 - Two meetings with Whangarei District Council Mayor, Stan Semenoff and CEO, Mark Simpson - the New Building.
 - Mike Daniel, Northland Port Corporation Chairman - Port Issues.
 - Cr John Bain, Jonathan Gibbard, Lawrayne Hughes, Jason Dawson, Matt Johnson – Vehicles on Beaches.
 - Together with Cr Ian Walker and Cr Peter Jensen we met with Enterprise Northland Chairman, Mike Simm; CEO Brian Roberts and Trustees Bill Shepherd, Irene Durham, Jane Hindle and Richard Drake.
 - Ports of Auckland CEO, Jens Madsen and Chief Financial Officer, Wayne Thompson – Share Buy Back by NPC.
 - Kaipara District Council Mayor, Neil Tiller and CEO, Jack McKerchar – Growth Strategy.
 - Tony Davies-Colley – Port Update.
 - Regional Affairs Committee meeting, dinner and tour hosted by Tasman District Council.
- Cr Ian Walker and I met with Enterprise Northland's Chairman, Mike Simm and Trustee, Bill Shepherd - Enterprise Northland Issues.
- Brian McLachlan, WDC Councillor – CBD Flooding.
- Pouto 2F Trust – Meeting with Meridian Energy re wind farm on Pouto Peninsula.
- Aquaculture Working Party.
- Michelle and I attended the Kaipara District Sports Awards held at the Lighthouse Function Centre, Dargaville.
- Phil Heatley's Election Night Party.
- Mike Daniel/Phil McDermott – Port Study.
- Site visit with Cr Craig Brown to Whatmough Wetland, Opouwhanga.
- Michael Palmer, APN.

- Jeff Smith, CEO, Northland Chamber of Commerce and Cr Bill Rossiter – Northland Chamber of Commerce moving into Enterprise Northland Building.
- Cr Bill Rossiter and I attended the Zone One Meeting hosted by Northland Regional Council.
- Air New Zealand Update by Managers of Air New Zealand.
- Boat trip down the Hatea River with the Hatea River Channel Working Group.
- Regional Animal Health Committee.
- Joint NZRC Liaison Committee and NRC meeting at Marsden Point Refinery.
- Michelle and I, in conjunction with Ken and Melanie Paterson, attended a charity dinner in the Puhoi Tunnel.
- Radio interviews:
 - Kaitaia's Rongo Bentson in conjunction with Cr Ian Walker.
 - Big River FM, Dargaville.

NETWORKING

- Meetings, as requested, with residents and ratepayers;
- District Council Mayors;
- Councillors;
- Media.

Recommendation

That the Chairman's report dated 1 December 2008 be received.

COMPLIANCE WITH DECISION MAKING PROCESS

The activities detailed in this report are provided for in the Council's 2006-2016 Long Term Council Community Plan and as such are in accordance with the Council's decision making process and sections 76 to 82 of the Local Government Act 2002.

Chief Executive Officer's Report to Council

File 105.3

Report from Chief Executive Officer Ken Paterson dated 1 December 2008.

COUNCIL AND GENERAL MANAGEMENT

STRATEGIC DEVELOPMENT

STAFF MATTERS

Leaving

The two Council Cadets, Alice Chmielowski and Jayden Mitchell finished their employment with the Council on 7 November 2008.

Appointments

Lawrayne Hughes commenced employment as Strategy and Planning Director on 3 December 2008.

Clarry Moffitt commenced employment as Financial Accountant on the basis of a two year fixed term on 3 November 2008.

Desrae Nicholas commenced employment as Finance and IT Team Admin/PA on 3 November 2008.

Vaughan Cooper was appointed to the position of Infrastructure Senior Project Manager with effect from 3 November 2008.

Sophie Tweddle was appointed to the position of Environmental Monitoring Officer – SOE Reporting with effect from 3 November 2008.

Emma Simpson was appointed to the position of Environmental Monitoring Officer – SOE Analysis with effect from 3 November 2008.

Students Stephanie Kane, Brendon Gilberd, Kiri Mason and Megan McGregor all commenced 12 weeks' summer employment on 10 November 2008.

Wayne Teal commenced employment as Land Management Officer on 24 November 2008.

Joseph Camuso was appointed to the position of Rivers Programme Manager with effect from 24 November 2008.

Caitlin McLean, Tharindu Hapugaskumbura, Winnie Drew and Jeremy Corbet, Students all commenced 12 weeks summer employment on 24 November 2008.

Vacancies

The following positions were advertised internally and externally during the month:

- Policy Analyst – applications close on 11 December 2008;
- Hydrology Monitoring Officer – applications close on 4 December 2008; and
- GIS Technician (re-advertisement) – applications close on 4 December 2008.

Interviews with four short listed applicants were held on 22, 24 and 28 October 2008 for the position of Estuary Management Advisor. A decision has been made however, to put this position on hold until 2009/2010.

Five applications were received for the position of Monitoring Programme Manager – Coastal. Interviews with five short listed applications were held on 13 and 28 November 2008.

Additionally, the positions of Biosecurity Officer and Wastewater Management Officer – Engineer are on hold until other appointments are made. In the meantime, temporary and/or consultant staff are being used as required.

STAFF ESTABLISHMENT

| Status | Nov 2008 | Nov 2007 | Oct 2008 |
|----------------------------------|------------|------------|------------|
| Full Time Permanent | 115 | 109 | 113 |
| Part Time (including fixed term) | 15 | 12 | 15 |
| Fixed Term | 5 | 2 | 4 |
| Students/TFG | 8 | 7 | 2 |
| Vacancies | 10 | 10 | 13 |
| TOTAL | 153 | 140 | 147 |

Training

Twelve staff attended a Monitoring Procedures and Equipment Workshop on 18 November 2008.

Health and Safety

There have been no reports of any serious injuries or incidents this month.

ADMINISTRATION

There were two complaints made against the Council/staff during the month of November to date and both complaints remain outstanding.

PUBLIC COMMUNICATIONS

Northland's media was monitored for items of interest to the Council. Media releases were sent to appropriate media concerning the following:

- Dairy waste spills cost farmer, contractor \$67,000
- Far North multi-use facility wins \$500k NRC funding
- Nine recognised at regional Enviroschools Awards
- Annual testing of popular swim spots begins
- Backyard burning harder in Whangarei from Dec

The Chairman's monthly *'From Where I Sit'* column examined recently released government standards highlighting the need for a consistent, localised approach to flood management.

The Chairman's *'Northern Matters'* column looked at plans by the new government for a National Infrastructural Plan. It is intended this will set clear objectives for the identification of high priority areas for infrastructure investment.

EVENTS

NRC staff attended the Northland Boat Show at Marsden Cove on 8-9 November promoting safe boating and coastal issues. Biosecurity staff attended the Waimate North A&P show on 8 November with a weed display and the CoastCare Co-ordinator attended the Ruakaka School Gala with a CoastCare display also on 8 November.

During 2008 NRC was involved in and attended at least 52 events across the Northland region (this figure excludes events attended by staff from the regional offices as these figures are not yet available).

NRC events by type

| | |
|-------------------------------|-----------|
| Awards sponsor | 4 |
| Education | 3 |
| General public | 23 |
| Vehicles on Beaches education | 4 |
| CoastCare days | 6 |
| CoastCare planting days | 11 |
| Internal/Region wide | 1 |
| Total | 52 |

Event by region

| | |
|----------------|-----------|
| Far North | 21 |
| Kaipara | 8 |
| Whangarei | 21 |
| Other/internal | 2 |
| Total | 52 |

WEBSITE

| | Nov 2008 | Oct 2008 | Sept 2008 | August 2008 | July 2008 | June 2008 |
|-------------------------------|---------------------|---------------------|----------------------|------------------------|----------------------|----------------------|
| Visits ¹ | 30,919 | 32,371 | 29,819 | 34,221 | 41,725 | 30,784 |
| Files downloaded ² | 9,071 | 10,804 | 9,767 | 10,438 | 10,292 | 12,820 |

1. The **Visits** report reveals the total number of times that people have visited the website during the month.
2. The **Downloads** report shows the total number of files (e.g. pdf's) that were downloaded during the month.

Most popular pages (November 2008):

- Job vacancies
- Citylink Bus Service
- Notified consents
- River and rainfall data
- Contact us
- Regional plans
- Agendas and minutes

EDUCATION

NRC School Visits

Northland Regional Council's school visit programme has seen staff work with more than 2,300 students around the region this year.

Topics covered this year include biodiversity, bush, coastal sustainability, dune care and beach protection, estuaries, coastal development, marine pests, impact of beach recreational activities on the environment, environmental management careers at NRC, mock resource consent hearings, waste management, mangroves, whole school environmental education programme development, water quality, riparian planting, Council planning and decision making processes and ecosystems.

School visit user satisfaction is consistently high. Visits were rated at an average 90% user satisfaction rating. The visits were with primary, secondary and tertiary students as part of NRC achieving its LTCCP goals. The school visit programme has helped establish a high teacher awareness of NRC as one of the North's major environmental education providers, with a 78% teacher awareness rating.

There were five school visits during November working with 160 students on topics including coastal sustainability, sand dunes and mangrove ecosystems.

Enviroschools Awards

Preparation is underway for the region's third Awards Ceremony. Nine schools are to be presented with awards this year; four from the Far North District, one from Kaipara and four from Whangarei. Northland now has seven schools which have achieved Silver level and 16 which have been awarded Bronze level since the awards were first introduced to Northland in 2005. This event takes place at Hurupaki School in Whangarei on 3 December.

FINANCE AND CORPORATE SERVICES

Due to the early time of the December Council meeting, the November financial results will be tabled at the meeting.

The 2007/2008 Annual Report has now been printed and is available on the Council's website. Copies of the 2007/2008 Annual Report will be sent out to interested parties over the coming week.

The Finance team is working on the budgets and policies to be included in the Long Term Council Community Plan.

OTHER

The Council has, as per Council resolution of 19 November 2008, entered into a Memorandum of Understanding with Kordia New Zealand Ltd, Northpower Ltd and Top Energy Ltd.

PLANNING AND POLICY

RESOURCE MANAGEMENT PLANNING

Regional Coastal Plan Change 1 (Moorings and Marinas) and Regional Coastal Plan Change 2 (Marine 1 Review - Whangarei Harbour)

Council adopted both these Plan Changes at the July Council meeting. The Council's seal has been affixed to each and was forwarded to the Minister of Conservation on 1 September for final sign off to make them fully operative. It is expected the Minister will approve the Plan Changes early next year.

Regional Coastal Plan Change 3 (Mangrove Management)

DoC appealed some decisions of Council on Plan Change 3, requesting various amendments. Following successful negotiations, a consent memorandum was lodged with the Court for consideration in mid May. The Court signed the consent order on 6 November, which concludes all appeals on this Plan Change. The Plan Change is being presented to Council for adoption at the December meeting. Assuming Council adopts the Plan Change, it will then be forwarded to the Minister of Conservation for his approval.

Regional Coastal Plan Change 4 (Aquaculture Management)

The Council decisions on Plan Change 4 were notified on 26 April. Twelve appeals were received. Approximately 23 parties have sought to attach to one or more of the appeals.

A meeting of all parties, with the assistance of a mediator, was held on 15 September and as a result the issues have been refined and main priorities identified.

A further meeting was held on 24 November. Considerable progress was made with agreement in principle reached on a number of key issues, and a series of actions allocated which should result in further progression of the negotiations. The next meeting is scheduled for early February 2009.

Draft Regional Coastal Plan Change 5 (Coastal Occupation Charges)

A meeting with Te Uri O Hau was held on 24 November to discuss the issue of coastal occupation charges and how this is best addressed in Proposed Plan Change 5. Te Uri O Hau is to provide feedback on the draft text prior to 28 November. An agenda item will be presented to the December Council meeting seeking approval to notify Proposed Plan Change 5 and accompanying Section 32 Report, assuming no major changes arise as a result of consultation with Te Uri O Hau. It is anticipated that Proposed Plan Change 5 will be notified in early 2009.

Draft Regional Coastal Plan Change 6 (Miscellaneous)

The most contentious matter arising from the discussion document circulated in August on Plan Change 6 was the potential change to the rules relating to management of sewage discharges from vessels. In response staff organised a series of meetings with various boat clubs/associations to outline the rationale and practical operation of the proposed rule. To date, four such presentations have been held in Auckland, Waitangi, Whangarei and Kerikeri. The meetings were well attended and resulted in robust discussion. Two more meetings are scheduled for One Tree Point and Whangaroa. Feedback from these meetings will be used to finalise the wording of the text.

The other issues covered in the discussion document have been less contentious and cover minor changes to the rules governing the use of heavy machinery, land drainage, mangrove removal and updates to the air discharge and agricultural rules. An agenda item seeking approval to notify Proposed Plan Change 6 and accompanying Section 32 Report is to be presented to the December Council meeting. It is anticipated that Plan Change 6 will be notified in early 2009 in conjunction with Proposed Plan Change 5.

Mooring Management Plans

The draft Mooring Management Plan for the Te Wahapu and Pomare Bay (Bay of Islands) mooring areas has been reviewed in light of feedback from stakeholders and the public with only minor changes made. A legal opinion on the Management Plan is currently being sought to confirm its validity. It is envisaged that this will be presented to both FNDC and NRC for approval in conjunction with the other inner Bay of Islands Mooring Management Plans when these are complete.

Draft Mooring Management Plans are being developed for the Matauwhi Bay and Russell waterfront mooring areas. A meeting is scheduled with the working party on 8 December to review and discuss these drafts. After review by the working party, these drafts will be presented at a public meeting in January 2009 to gain feedback from the public and stakeholders. These will then be reviewed in light of this feedback.

A meeting is tentatively scheduled for 12 December to progress the Mooring Management Plan for Mangawhai Harbour. The meeting will confirm working party membership, which will hopefully include representatives from DOC, KDC, Te Uri O Hau and Mangawhai Harbour Restoration Society among others. This meeting will also provide an opportunity to develop generic management measures for the harbour to address water quality, efficient use of water space and identify land based services required. It is also hoped that at this stage KDC will be able to provide some firm direction regarding plans for the reserves along the harbour's edge.

Regional Water and Soil Plan Change 2 (Animal Effluent Discharges)

The period for receiving submissions has closed and staff are currently preparing an Officer's Report on submissions. An agenda item was presented to the November EM Committee seeking approval for the formation of a Hearings Committee and hearing timetable. The EM Committee resolved that the Hearing Committee will consist of Cr Brown (Chair), Cr Carr and Cr Hill. The hearing will be scheduled for mid to late February following discussions with the Hearing Committee.

Regional Water and Soil Plan Change 3 (Discharges), Plan Change 4 (Disturbance of the Beds of Rivers and Lakes), Plan Change 5 (Land Disturbance) and Plan Change 6 (Coastal Margins)

Staff continue to progress these Draft Plan Changes taking into consideration feedback received from the Councillor workshop held earlier in the year. A number of concerns expressed by Councillors at this workshop were fundamental to the content of the Draft Plan Changes and significant amendments are being progressed. However, due to the significant nature of the issues raised, staff leaving and other workloads, staff will not be in a position to reconvene the Councillor workshop until early in the New Year.

Regional Air Quality Plan Change 1 (Marsden Point Air Quality Strategy) and Regional Air Quality Plan Change 2 (Backyard Burning)

These Plan Changes were formally adopted by Council at the October Council meeting. They were publically notified on 22 November 2008, and become operative on 1 December 2008.

OTHER PLANNING MATTERS

Landuse and Subdivision Applications

So far during November 2008, 26 resource consent applications were received from the Whangarei, Kaipara and Far North District Councils. There were 21 non-notified, and four notified applications. NRC has so far provided comment on five applications, and made two formal submissions.

A variety of comments were made regarding at risk aquifers, visual amenity and mitigation measures in outstanding landscapes, wastewater management, and the requirement for additional NRC consents.

The formal submissions made were as follows:

Northland Property Concepts, Parua Bay – This was an application to subdivide a total of 54.2 ha into 12 lots ranging from 2442m² to 3.1ha. A submission was made opposing the application in its current form. Various rules in the Regional Water and Soil Plan for Northland (RWSP) were advised regarding culvert crossings, dam structures and drainage and river control activities. Proposed covenanting of indigenous vegetation and wetland was supported. The applicant was advised that insufficient information was provided regarding wastewater management. It was requested that the application be placed on hold under section 92 of the RMA pending the receipt and review of this information.

Snow Leopard Developments, Kamo – This was an application to subdivide a total of 5.06ha into 21 residential lots with a minimum lot size of 2000m². A submission was made advising that the proposed development was located on an ‘at risk’ aquifer, and to ensure development does not result in contamination, or a reduction in recharge. Rule 21.1.2 of the RWSP regarding stormwater management was also advised.

Vehicles on Beaches

Significant progress has been made in the Whangarei District with WDC passing bylaws reducing the speed limit to 30kph on the main beaches with vehicle access within the district. In addition, WDC are likely to be progressing LGA bylaws during this summer period. DoC staff continue to progress trial speed restrictions for one access point in the Kaipara District, however this will not be in place for this summer period. While a police officer will be stationed at Baylys Beach for six weeks over the peak summer period, no significant improved management of vehicles on beaches is likely within the Kaipara and Far North District this summer under the current approaches adopted by the District Councils.

As a last resort, the NRC has resolved to request that the Minister of Conservation delegate the road controlling authority (RCA) powers and functions to NRC for beaches within the Kaipara and Far North Districts. A letter has been sent from the Chairman to the Hon John Carter requesting his support and assistance to progress this approach. It is unknown how long this process will take, however every effort is being made to make this an issue of urgency. Providing RCA status is delegated to NRC, temporary speed restrictions will be implemented surrounding high conflict beach access points as soon as possible.

National Policy Statement for Freshwater Management

The proposed National Policy Statement (NPS) for Freshwater Management has recently been publicly notified by MfE for consultation, with submissions closing on 23 January 2009. The development of the proposed NPS is part of the Government’s Sustainable Water Programme of Action package that aims to improve the sustainable management of freshwater, to protect our freshwater resources into the future, and to acknowledge the fundamental importance of water to all New Zealanders.

While staff are still analysing the proposed NPS, initial staff views are that an NRC submission should support the general intent of the proposed NPS however there are a number of key issues that NRC should make a submission on. These key issues include the lack of real guidance and direction provided at a national level, the significant implementation requirements for regional authorities and the general view that it is a hospital pass from central government to regional government. A more detail report is provided in this Agenda.

IWI LIAISON

The Te Roroa Settlement Act 2008 was passed into legislation during October. The area of interest for this Te Roroa extends from Omapere/Opononi to Te Kopuru on the West Coast. Work is under way to provide for the Statutory Acknowledgements contained in the Act.

Te Runanga o Ngati Hine launched their Strategic Document, Website and Iwi Planning Document at a Hui at Kawiti Marae. Councillor Lorraine Hill attended on behalf of Council.

Meetings have been held between Far North District Council and NRC staff to discuss the merits of the Ngati Hine proposal to the Joint Iwi Management Plan and how the two Councils might jointly fund the project.

George Riley, formally from the Ministry of Fisheries has been employed by Te Runanga A Iwi O Ngapuhi to replace Lisa Kanawa. Mr Riley will work on resource management and planning/policy issues on behalf of the Runanga.

OPERATIONS

CONSENTS

Consents in Process

During November 2008, a total of 45 Resource Consents were issued. These comprised:

- 3 Moorings
- 8 Coastal Permits
- 0 Air Discharge Permits
- 10 Discharge Permits
- 10 Land Use Consents
- 8 Water Permits
- 6 Bore Consents

70 Decisions were issued as detailed elsewhere in the Agenda.

92 Applications were received.

Of the 352 applications in progress at the end of November:

- 159 were received more than 12 months ago (most awaiting further information);
- 25 were received between 6 and 12 months ago (most awaiting further information);
- 168 less than 6 months.

MONITORING

HOTLINE – ENVIRONMENTAL INCIDENTS

The number of environmental incidents reported as at 25 November was below average, with 62 incidents being reported compared with a November average of 81. The categories of incidents are outlined in the table below:

| INCIDENTS | NOV | OCT | SEP | AUG | JULY | JUN | YEAR TO DATE | Annual Average 1993-2007 |
|-----------------------------------|-----|-----|-----|-----|------|-----|--------------|--------------------------|
| Air | | | | | | | | |
| Burning & Smoke Nuisance | 11 | 22 | 19 | 12 | 22 | 18 | 204 | 110 |
| Other Air incidents | 10 | 14 | 10 | 9 | 8 | 6 | 135 | 222 |
| Land Use | | | | | | | | |
| Earthworks & Vegetation Clearance | 10 | 5 | 3 | 9 | 2 | 5 | 60 | 73 |
| Other Land Use Incidents | 1 | 3 | 2 | 8 | 3 | 3 | 42 | 33 |

| Water Quality | | | | | | | | |
|-----------------------------------------|-----------|-----------|-----------|-----------|-----------|------------|------------|------------|
| Sewage | 5 | 10 | 12 | 7 | 8 | 10 | 81 | 65 |
| Farm Dairy Effluent | 2 | 4 | 1 | 4 | 1 | 1 | 18 | 25 |
| Other Water Quality Pollution | 12 | 12 | 13 | 18 | 8 | 7 | 131 | 121 |
| Waste Management | | | | | | | | |
| Hazardous Substances, spills and refuse | 3 | 5 | 5 | 12 | 9 | 7 | 66 | 100 |
| Coastal | | | | | | | | |
| Structures in Waterbodies/CMA | 0 | 2 | 0 | 2 | 2 | 48 | 62 | 16 |
| Vehicles on Beaches | 1 | 1 | 0 | 0 | 3 | 0 | 11 | 8 |
| Other Coastal Activities | 3 | 3 | 4 | 3 | 5 | 2 | 45 | 35 |
| Water Quantity | | | | | | | | |
| Water Abstractions | 0 | 0 | 1 | 0 | 0 | 1 | 3 | 7 |
| Other | 4 | 6 | 14 | 9 | 5 | 2 | 58 | 79 |
| TOTAL | 62 | 87 | 84 | 93 | 76 | 110 | 916 | 886 |

AIR QUALITY

Incidents

Twenty-one air quality related environmental incidents were received during the reporting period. The majority of complaints related to burning and smoke nuisance (11 complaints).

WATER QUALITY AND DISCHARGE MONITORING

Nineteen compliance visits for consented discharges have been recorded since the last report. A total of 631 samples were collected, with 1487 NRC laboratory analyses undertaken.

A summary of discharge compliance monitoring is tabulated below.

| Full Compliance | Minor Non-compliance | Significant Non-Compliance | Total |
|-----------------|----------------------|----------------------------|-------|
| 12 | 7 | 0 | 19 |

A final report regarding the sewage spill from Okara Park pump station which occurred on 24 October 2008 has been received from WDC. This is currently being reviewed.

A meeting with FNDC and their contractors was held regarding the upgrade of Paihia wastewater treatment plant. Further discussions are required to negotiate firm targets for required works.

The six-monthly Ngawha Peer Review Panel meeting was held. The panel meets to review monitoring data and includes personnel from NZ Environmental, Top Energy, Dept of Conservation, NRC and specialist advisors. There were no major issues. The monitoring programme is currently being reviewed.

The pre-season meeting between NRC, Northland Health and district councils was held to discuss the summer recreational bathing monitoring programme. It was agreed that some of the cleaner sites that had been dropped from the programme would be added back in this year, but at a lower sampling frequency. Some sites were to be sampled as part of other monitoring runs or by community groups to make more effective use of existing resources. The bathing season monitoring commenced on 24 November 2008.

FDE MONITORING

Consented (MCO) FDE Discharges

To date 87% of consented discharges have been monitored and reported on. The results of FDE consents monitoring for the season to 21 November are tabulated below. The monitoring results are compared with those for the same period last year.

| Full Compliance | | Minor Non-Compliance | | Significant Non-Compliance | |
|-----------------|-----------|----------------------|-----------|----------------------------|-----------|
| This Year | Last Year | This Year | Last Year | This Year | Last Year |
| 255 | 313 | 210 | 203 | 143 | 114 |
| 42% | 50% | 35% | 32% | 23% | 18% |

Non Consented (MNC) FDE Discharges

To date 93% of non-consented farms have been monitored and reported on. The results of non-consented farm dairy effluent inspections for the season to 24 November are tabulated below. The inspection results are compared with those for the same period last year.

| Full Compliance | | Minor Non-Compliance | | Significant Non-Compliance | |
|-----------------|-----------|----------------------|-----------|----------------------------|-----------|
| This Year | Last Year | This Year | Last Year | This Year | Last Year |
| 86 | 86 | 70 | 58 | 80 | 110 |
| 36% | 34% | 30% | 23% | 34% | 43% |

A large number of farmers are requesting visits. NRC staff are prioritising follow-up visits to significant non-compliant farms. The Sustainable Dairying Advisor (jointly sponsored by Fonterra, DairyNZ and NRC) has commenced advisory visits to repeat significant non-compliant farms.

WATER RESOURCES

Hydrology, Telemetry and Maintenance

The telemetry system continued to operate very efficiently, with one major rainfall event monitored during late November. Radio and cellphone communications problems persisted at two telemetry stations, these were eventually resolved. The installation of the Kaeo River water level station at the Kaeo River outlet to the Whangaroa Harbour is now completed. Investigations into establishing an additional water level station at a suitable location in the Kaihu River is scheduled for late November. Thirty river flow measurements were completed during November, all of which were for state of environment monitoring.

Water Resources

Weather patterns were generally settled over Northland during early to mid November with moderate amounts of rain falling at the beginning of the month. On 22 November the MetService issued a severe weather watch for the west and central areas of New Zealand, including Northland, indicating that severe gales and heavy rain could be expected from a strong, very moist northerly flow from the subtropics. As this front moved over Northland on the evening of 24 November, radar images showed extensive heavy rain bands to the west and east of Northland. Towards late evening heavy rain was recorded over the high altitude areas north west and east of the region. Rainfall amounts varied over 26 hours from 60mm to 85mm in western areas to 80mm to 120mm in eastern areas. Maximum rainfall intensities were generally 12 to 16 mm/hr; however greater intensities were recorded at Opua 19 mm/hr, Oakura Bay 30.5 mm/hr and the northern hills of Ngunguru 27 mm/hr. Southern Whangarei and Kaipara districts received far less rain, for example Whangarei recorded 34mm, Dargaville 14mm.

High water alarm levels were triggered in the Kaihu, Waipapa, Kaeo, Kerikeri and Mangakahia Rivers. A flood warning was issued for the low river flats of the Mangakahia River below Titoki and the upper Tangiteroria area. No major flooding resulted from this event.

As a result of this rain event, total rainfall for November was above average in western and eastern areas north of Dargaville and Whangarei and below average elsewhere. River flows for October were average to above average in northern western and eastern areas and below average in southern areas. Groundwater levels were at, or just below their November average and continue to decrease from their winter peaks, which is a natural response to the seasonal change in rainfall.

COASTAL MONITORING

Eight monitoring events were recorded this month. The majority of these were coastal structure visual inspections. The structures were generally either compliant or were in good condition but required the consent number to be displayed to achieve full compliance.

The construction of the NZRC fuel berth is underway. Airlifting is being utilised for piling operations, and initial monitoring indicated this method was compliant with consent conditions. Potential mitigation methods were identified during a site visit with NZRC and GHK Piling in attendance.

The water quality of Opuā marina was tested on five separate occasions this month. Results indicated good water quality at time of sampling.

Estuarine Monitoring

Analysis and draft technical reports for Ruakaka estuary, Whangarei Harbour and Kerikeri Inlet are complete. The next estuaries to be investigated in this prioritized programme are Kaipara Harbour, Ngunguru estuary, and Whangaroa Harbour.

Other work undertaken this month included investigation for sediment core sites/priorities in the Bay of Islands as part of the Oceans 20/20 survey project, and investigating the proposed collaborative study with ARC to assess sediment accumulation rates in the Kaipara Harbour.

LAND USE MONITORING

There were eight compliance visits recorded for land use activities since the last report. A summary of land use compliance monitoring is tabulated below.

| Full Compliance | Minor Non-compliance | Significant Non-Compliance | Total |
|------------------------|-----------------------------|-----------------------------------|--------------|
| 5 | 3 | 0 | 8 |

WASTE MANAGEMENT/HAZARDOUS SUBSTANCES

The collection, storage and transport of waste hazardous substances from throughout the Northland region continued without incident. There were 326 kilograms of hazardous substances repacked and stored prior to transport to Auckland for disposal.

Department of Labour Hazardous Substances Contract

Site visits to conduct compliance inspections continued during the month and included Ohaeawai and Kaikohe Hotels, NZ China Clays at Matauri Bay and a number of dry cleaners.

Hazardous Substances Incidents

Two officers attended a hazardous substances incident at Tokatoka, when a tanker containing sulphuric acid overturned on the State Highway. Emergency Services from Ruawai, Dargaville, Mangawhai and Whangarei also attended the incident. Fortunately the acid was contained and absorbed before it reached the adjacent Northern Wairoa River.

An incident involving asbestos following a fire at the Okaihau Hotel was also investigated. Northland Health protection officers and the Department of Labour are investigating what further action may need to be taken.

ENFORCEMENT

Abatement Notices

Forty-eight abatement notices had been served during the November reporting period. These relate to the following activities:

- Unauthorised discharges to air from boat building activities.
- Unauthorised construction of a seawall in the CMA.
- FDE discharges not in compliance with consent conditions or regional rules.

Infringement Notices

Fifty-eight infringement notices were served during the November reporting period. These relate to the following activities:

- Unauthorised construction of a seawall in the CMA.
- FDE discharges not in compliance with consent conditions or regional rules.

Other Enforcement

Applications have been made to the Environment Court for enforcement orders requiring the owner of a petrol station and the fuel company concerned to undertake works in relation to groundwater contamination as a result of a petrol leak. The required works include investigation to determine the extent of the contamination, remediation of the groundwater resource affected and the supply of clean water to groundwater users affected by the contamination. The Council is currently in mediation with the parties involved to get works under way as it is unlikely that the applications before the Court will be heard before Christmas.

MARITIME

OIL SPILL PREPAREDNESS AND RESPONSE

There were two reported marine oil spill incidents during the month, both of which were minor and were left to disperse naturally. A small diesel slick at Kissing Point was left to disperse naturally.

Four members of the maritime team participated in National Response Team equipment training over two days at Marsden Point and Port Whangarei. Personnel from other regions also participated in the deployment of some large oil deflection, recovery and storage equipment.

A draft oil transfer site contingency plan (Tier 1 plan) for a temporary refuelling site at Opuā Wharf was reviewed and comment returned to Far North Holdings Limited, the plan applicant. The need for the temporary transfer site had arisen subsequent to oil industry withdrawal of the formal refuelling site at the Opuā Marina.

NAVIGATION, SAFETY AND MARITIME OPERATIONS

Port and Harbour Safety

The Hatea River Channel project progressed well during November when the dredging and the aid to navigation upgrade were completed (completion of dredging is subject to hydrographic survey confirmation).

Memorandums of Understanding with Northport Ltd and North Tugz Ltd were developed for pilotage and towage, local navigation advice, aids to navigation and hydrographic surveys and dredging for the commercially operated parts of Whangarei Harbour.

The Regional Harbourmaster participated in an audit of navigation and safety procedures in place for tanker operations at the New Zealand Refining Company facility.

Aids to Navigation

Whangarei Harbour beacon S3 was destroyed by a collision with a barge during a bad weather harbour transit to load cement at Portland. Northport installed a temporary marker until the beacon could be reinstated.

Maritime Incidents

There were 18 maritime incidents reported to Council during the month with most being typical of the minor incidents responded to on a regular basis. Investigation into a reported fatality in the Bay of Islands revealed that two people had been rescued when the twelve foot dinghy they were occupying was swamped by a wave. A third occupant was drowned. It was reported by Police that lifejackets were not being worn.

Bay Of Islands Pilotage

The cruise ships Millennium and Orion were piloted safely into and out of the Bay of Islands. The inaugural visit of both vessels was celebrated with the presentation of plaques.

Hot Work Permits

Council received two applications for hot work during the month, with one permit subsequently issued. A dispensation from the requirement to obtain a Hot Work Permit was given to GHK Piling Limited. The dispensation is for the duration of the construction of the fuel oil transfer jetty at the New Zealand Refining Company, with the work falling under the refinery's comprehensive work permitting system.

TRANSPORT

Total Mobility

Ninety Total Mobility voucher books were issued during August 2007 to the following agencies:

- 50 books to Age Concern
- 40 books to CCS

The expenditure for October 2008 was \$8094, however one of the taxi operators failed to submit their invoice in on time – this will be included in November's expenditure. There are 13 agencies representing clients registered with the scheme as at 31 October 2008.

Passenger Service Registration

There was one Application to Register a Commercial Passenger Service received during November from an operator who is already registered as operating a non-scheduled service in Paihia. Details are still to be sorted through.

Whangarei Urban Bus Service

21,450 passengers were carried during November. This does not include 247 Total Mobility clients using their yellow vouchers for free bus travel at off peak times, more than double the number presented in the past. Fare box revenue collected for the month was \$57,388, which also does not include the Total Mobility revenue.

The SuperGold Card concessionary scheme was made available on the service from 1 November 2008. It appears to have been very popular to date, however exact numbers will not be available until early December.

Requests have been received throughout the month to provide free bus travel to a number of upcoming events, for example the Lions Fireworks event at Okara Park, Christmas in the Park, and the A&P Show - these have been declined due to lack of available funding. Events like these are not budgeted for, and would not be subsidised by the New Zealand Transport Agency at the same financial assistance rate that the CityLink service receives.

Regional Land Transport Programme

This has been prepared and submitted to NZTA. Regional projects are currently being collated and will require the approval of the Regional Transport Committee. Negotiations with NZTA will begin in late December/early January.

Northland Transport Network Study

The draft final report was distributed to Northland Technical Advisory Group (NORTEG) members along with the proposed prioritisation process. Feedback has been requested by 2 December 2008.

Regional Land Transport Strategy Review

A first workshop has been held with the NORTEG focusing on the relevance of the issues and objectives in the current Regional Land Transport Strategy. Feedback on the draft consultation plan was also sought.

Threshold Change for Nationally ("N") and Regionally ("R") Distributed Funding

The NZ Transport Agency released a written statement on 17 November 2008, advising that due to concerns raised by a number of councils and the Regional Transport Committee, and discussions between the NZTA, Local Government NZ and the Ministry of Transport, its board had decided to extend the period for the allocation of "R" funds.

This decision means that the types of projects funded from "N" Funds in the 2007/08 financial year will continue to be funded from this category for the 2008/09 period as long as the projects are consistent with the requirements of the Government Policy Statement.

Regional Road Safety Plan

Good progress is being made by John Williamson collating road safety data as road safety priorities are firming up. The three local District Council Road Safety Action Plans have become a key element of the Regional Road Safety Plan. Further evidence-based data provided by Police, NZTA, ACC and other stakeholders helps confirm the validity of this draft document being assembled.

Once the consultation stage commences early in 2009 the community will be able to offer their feedback on the priorities and goals that have been set.

Northland Road Safety Activity Schedule 2008/2009

This is an on-going project which endeavours to bring all road safety activities together on one document. Previously referred to as the 'Road Safety Events Calendar' the new title better reflects the wider role of partners including: education, engineering, enforcement, meetings, and campaigns. The document is becoming a detailed and informative schedule of activities assisting the RoadSafe Northland partners in their planning, collaboration and resource sharing.

CIVIL DEFENCE EMERGENCY MANAGEMENT

On the weekend of 22 and 23 November the Met service issued a severe weather watch for the Northland region. The watch remained in place for three days, but did not progress to a full weather warning.

The Northland CDEM Group plan completed in December 2004 is due for review, with the new plan scheduled to be finalised by December 2009. The Ministry of CDEM has just released its draft director's guideline; "CDEM Group Plan Review" for consultation. The new guideline recommends a number of changes to group plans. Submissions on the guideline closed on 28 November. The Northland CDEM group made a submission which focused on response arrangements and the roles and responsibilities of the Coordinating Executive Group (CEG). The CEG is developing a draft timeline for the plan review process.

The CEG has also agreed to develop a Mass Evacuation Plan for the Northland region. The requirement for a mass evacuation plan was identified as a result of Exercise Rauamoko earlier in the year. The plan development also coincides with the recent release by the Ministry of a mass evacuation plan guideline. In October the CEG called for expressions of interest for the development of the plan. Three expressions of interest were received, and the preferred consultant has been selected for the project. The plan is due for completion by May 2009.

Earlier in the year the National Tsunami Working Group finalised recommendations for tsunami mapping. The CEG has previously been provided with some draft maps for the region to facilitate community response planning. The plans are produced by the Institute of Geological and Nuclear Sciences, who are currently putting together a proposal and outline of costs to develop a complete set of maps for the entire Northland coast. The maps are for use as tools for CDEM planning and with three distinct evacuation zones marked. These maps will support the development of the mass evacuation plan.

CIMS level four courses have continued as programmed during the year with a total of five courses being held. The fourth course for the year was held in mid October and the fifth course commenced on 2 December. Further CIMS courses will be provided during the 2009 year.

Between 12-14 November the Group Controller Mr Clive Manley attended the Los Angeles International Earthquake Conference in Los Angeles. The invitation to attend this conference was made via the Ministry of CDEM who generously agreed to pay a proportion of the expenses. As part of the conference, Mr Manley also attended the 'Great Southern California Shakeout' exercise on 13 November.

Mr Tony Phipps, one of the appointed Group Controllers, attended a three day Controllers' Course in Christchurch.

The North Island CDEM Conference is being held on 4 and 5 December at Rotorua and a number of representatives from the Northland CDEM sector will be attending the conference.

LAND AND RIVERS MANAGEMENT

RIVER MANAGEMENT

Kaeo

Development of the computer-based river-flood model continued, with the consultants now having completed the model build. The next phase involves model calibration which is scheduled for completion in early 2009. Further works in support of the model development included completion of the installation of a river flow gauge on the lower section of the Kaeo River and an as-built survey of the Green's floodway.

The Kaeo and Whangaroa Rivers works contract is scheduled to be tendered on 27 November 2008. The Kaeo River–Whangaroa Catchment Management Liaison Committee meeting is scheduled for 4 December.

Awanui

The Awanui River Scheme Liaison Committee meeting was held on 18 November 2008. Staff presented the Committee with a range of options for scheme improvement measures and slip maintenance. Committee members agreed to explore options for funding of the slips work bordering the Awanui River and Tarawhataroa Stream, as the next phase of priority maintenance works.

In addition, staff also presented the Committee with a scenario of flooding of the Kaitaia urban area if the Bell's Hill slip blocked the Awanui River. The Committee felt that the Far North District Council and Central Government have a stake in reducing this risk and recommended that a joint approach to the management of the slip should be undertaken. Preliminary discussions with Far North District Council staff regarding Bell's Hill Slip have taken place and a site meeting is scheduled for 28 November.

The tender for the Awanui River Scheme works programme was advertised and is due to close on 28 November. Maintenance works will involve the removal of accumulated sediments and debris from the scheme and stopbank repairs and improvements, and will likely commence in mid December 2008.

Kaihu

The works maintenance contract commenced 10 November and has been progressing well. Works commenced with river bank clearing on the lower reaches of the right bank of the Kaihu River, with other works to date taking place opposite the Te Houhanga Marae.

Dr Hugh MacMurray is on schedule to complete the computer-based river-flood model and will present the findings at the liaison committee meeting on Friday 28 November.

Priority Rivers Project

A request for proposal (RFP) was completed for the Priority Rivers Project and placed on Government Electronic Tenders Services website (www.gets.govt.nz) and distributed to a number of consultancies.

The RFP seeks the services of specialist consultants to assist the Council in the implementation of the Priority Rivers Flood Risk Reduction Project. Services sought

from vendors under the RFP include flood hazard risk assessments and river management plan development for 22 of the priority rivers/groups of streams. The hazard risk assessments and river management plans will produce outcomes that enable prioritisation and implementation of flood risk reduction measures. Proposals are required to be submitted to the Council by 23 January 2008, with a decision on proposals to be reached by 13 February and a contract executed by the end of February 2009.

A joint RFP was prepared with Horizons Regional Council for the acquisition of detailed topographic data (LiDAR) for use in the Priority Rivers Project. This proposal has been distributed to the two contractors who are capable of undertaking this work, and responses are due by 12 December 2008, with delivery of data, pending appointment of a successful contractor, due to commence 1 April 2009.

LAND MANAGEMENT

Environment Fund

Staff are appraising ten of the larger 2008/09 Environment Fund projects with a view to applying to the Biodiversity Condition Fund (Bio Fund). The Bio Fund is a national fund administered by the Department of Conservation. This year most of the potential projects are ongoing, and securing this type of partnership funding will allow the projects to be completed earlier and free up more of the Environment Fund in future years.

Two properties of prospective Environment Fund clients were visited along with a site visit to a Queen Elizabeth II National Trust (QE II) covenanted wetland. A survey was conducted at the wetland and a letter of recommendation passed on to QE II regarding future management. Wetland surveys, primarily from reports produced by DoC's Protected Natural Areas Programme (PNAP) have continued to be entered into the wetland database.

National Grasslands Conference

NRC land management staff members are assisting the planning of NZ Grasslands Association's national conference, which will be held in Northland in November 2009. Particular focus is on delivering two half day field trips on Northland farms. At this stage of planning at least two of the probable focus farms will have previously won Ballance Farm Environment awards or have entered for this year, providing an opportunity to showcase properties with a good focus on the environment. The focus/theme for the conference will be 'Northland – see it here first'. This is fitting, given that we have experience with climate change-type problems such as kikuyu grass management, and pests such as tropical grass webworm.

Northland Biodiversity Database Project

An application by Council biodiversity staff to the national Terrestrial and Freshwater Biodiversity System (TFBIS) fund for \$75,000 has been approved. This funding is for the creation of a biodiversity database on a GIS linked website. The data will be accessible by staff from Northland local authorities, Department of Conservation and other agencies. It is recognised that some of the data, being site-based, may be sensitive so the information will only be available to other groups and the public at appropriate levels.

The project is part of the national One-Land Pilot and is called The Whole of Northland Project Phase 3 and is the next step of a project run through Northland Biodiversity Enhancement Group. The information captured on the website will include natural areas and wetlands survey information, threatened species records, locations of covenants and reserves, and areas covered by landcare groups.

This information will be useful for any staff seeking biodiversity information on particular sites and will be especially useful for Council land management, planning, consents and monitoring staff.

The project will need to be undertaken by private contract and the funding includes provision of software. It will also require support from other sections of the Council, such as GIS and IT staff.

Biodiversity Northland

Northland Biodiversity Enhancement Group (NBEG) has been renamed Biodiversity Northland. It is a forum comprising agencies and groups involved in biodiversity in Northland. Included are Northland Regional Council, district councils, Department of Conservation, NZ Landcare Trust, QE II National Trust, NZ Fish and Game Council and other groups. The Group promotes a coordinated interagency approach and communication between the agencies. Biodiversity Northland was set up several years ago and has recently undergone a change to a more strategic focus. With this change it was decided to rename the group to a simpler, more understandable title.

BIOSECURITY

External audit

Telarc has completed a review of the Council's biosecurity procedures and reconfirmed ISO registration. A significant amount of work has been done by staff to ensure biosecurity policies and procedures meet the ISO registration standards and this work has been acknowledged by external auditors. Special note was also made by the auditor of the improvements which have been made to internal audit reports since the last assessment.

Community Pest Control Areas (CPCA's)

The Rawhiti CPCA contract in the Bay of Islands has been finalised and initial pest control work has commenced. Also the Candy CPCA Management Plan near Puketi forest in the mid north has been finalised with the tender document sent out to prospective contractors.

Pest Plants

The first round of herbicide spraying of Manchurian wild rice on all outlying sites is almost complete. All five Far North African feather grass populations have been inspected, with three plants located and sprayed on two sites with the remainder free of any new infestations. This month's activities have also involved surveying for isolated populations of Nassella tussock, and 11 plants have so far been located and destroyed.

The lantana programme at Ngataki is working efficiently with contract staff locating and treating new populations. No new sightings of lantana have been reported north of Te Kao and staff have carried out recent inspections and liaison with the public in this area to determine outliers.

Inspections for nodding thistle showed a general good level of compliance with control requirements and most properties continuing to have a steady decline of plant numbers either seen or reported. The large scale regrassing and cropping programme on the Kapiro Landcorp farms has included a lot of broadcast spraying which has dramatically reduced all thistle numbers. The ex-Landcorp Stony Creek Station has had a flare-up of nodding thistle numbers due to farm security issues prior to handing back to the iwi owners. A site meeting with the new management identifying infestation areas and thistle species of concern has resulted in a high level of compliance being achieved.

Recommendation

That the Chief Executive Officer's report dated 1 December 2008 be received.

COMPLIANCE WITH DECISION MAKING PROCESS

The activities detailed in this report are provided for in the Council's 2006-2016 LTCCP, and as such are in accordance with the Council's decision making process and sections 76 to 82 of the Local Government Act 2002.

Meetings Calendar for 2009

File 105.2

Report from Council Administration Programme Manager Dean Alderton dated 1 December 2008.

Due to a clash with the Regional Affairs Committee meeting in February 2009, the following dates need to be changed.

- Council meeting delayed one week to 25 February 2009 at 1 pm.
- Audit and Finance Committee to be held at 10 am on 25 February 2009.

Recommendation

1. That the February 2009 Council meeting be delayed by one week to 25 February 2009 at 1 pm.
2. That the Audit and Finance Committee meeting be held at 10 am on 25 February 2009.

COMPLIANCE WITH DECISION MAKING PROCESS

The activities detailed in this report are part of the Council's day to day operations and as such are provided for in the Council's 2006-2016 Long Term Council Community Plan, and as such are in accordance with the Council's decision-making process and sections 76 to 82 of the Local Government Act 2002.

Kauri Coast Community Trust Pool

File 160.13

Report from Local Government Project Manager Deborah Ryder dated 27 November 2008.

On 5 April 2007, Council resolved that the proposal from the Kaipara District Council to allocate \$350,000 from the 2006/2007 and the 2007/2008 Regional Recreational Facilities Rate towards the establishment of a 50 metre swimming pool for Dargaville be approved in principle subject to further details of the proposal being provided and to the Kaipara District Council entering into a sustainable funding and maintenance agreement with Council.

Kaipara District Council is now requesting an unequivocal commitment from Council that the funding of \$700,000 from the Regional Recreational Facilities Rate will be allocated to the establishment of the Community Trust Pool. The current estimate for capital construction of the swimming pool complex is \$6 million and this includes a 50 metre pool with bulkhead, spray park, hydrotherapy pool, 12.5 metre learners' pool, shade sails, sports pavilion and grandstand, merchandise kiosk, plant room, office and changing rooms.

Council recently received a business plan for the swimming pool that included a demand analysis, financial plan (including maintenance details), staffing plan, marketing activities and trading and funding details.

The Council is now requested to consider the following recommendation:

Recommendation

1. That the report from the Local Government Project Manager dated 27 November be received.
2. That the Northland Regional Council receives the Kauri Coast Swimming Pool Business Plan and accepts that the Region's role is not as auditor to that Business Plan, rather that Council satisfies itself that such a plan exists.
3. That Council confirms availability of funding of \$700,000 (excluding GST) subject all other funding being secured.
4. That this offer of funding from the Northland Regional Council has a term of 12 months from the date of this Council meeting.

COMPLIANCE WITH DECISION MAKING PROCESS

The activities detailed in this report are provided for in the Council's 2006-2016 Long Term Council Community Plan, and as such is in accordance with the Council's decision making process and sections 76-82 of the Local Government Act 2002.

Broadband Update

File 160.13.3

Report from Chief Executive Officer Ken Paterson dated 2 December 2008.

The Memorandum of Understanding (MOU) between the Northland Regional Council (NRC), Kordia Group Ltd, Northpower Ltd and Top Energy Ltd has been signed.

The Council is required to contribute a one quarter share of the fee for project management and independent consultancy to co-ordinate Phase 1 of the project. Phase 1 will provide the Project Board with the business case to make an informed decision on whether it is commercially viable to proceed. The unbudgeted share of costs for the Council is \$150,000 (plus GST).

It is proposed that the Council approve funding its share from the Forestry Equalisation Reserve in the 2008/2009 financial year. Any profit from the proposed Joint Venture will be used to repay this money to the Reserve at the earliest opportunity.

Recommendation

1. That the report from the Chief Executive Officer be received.
2. That the Council resolves to provide the \$150,000 from the Forestry Equalisation Reserve in the 2008/2009 financial year.

COMPLIANCE WITH DECISION MAKING PROCESS

The activities detailed in this report are within the Council's decision making process and sections 76-82 of the Local Government Act 2002.

Northland Regional Council Delegations Manual

File 105.2

Report from Kathryn Ross Local Government SPM dated 27 November 2008.

1. INTRODUCTION

As indicated to the Council at its last meeting (dated 19 November 2008, Item 5 of the Supplementary Agenda) a number of amendments to the Delegations Manual are required because of the Northland Regional Council staff restructure. There are also amendments required to bring the hardcopy of the manual up to date with recent warrants of appointment, staff resignations, redundancies and legislative amendments. None of these changes amount to an extension to the powers actually already granted to staff or a committee. This is purely an administrative exercise.

2. OVERVIEW – CHANGES

The proposed changes fall into 6 categories:

1. Changes necessitated by the restructure and changes to job titles.
2. Changes required because positions have been disestablished or created.
3. Changes of a typographical nature.
4. Changes because the law has changed.
5. Changes required to bring the hardcopy of the manual up to date with recent delegations and warrants of appointment already made by Council resolution, staff resignations and redundancies.
6. Changes for financial probity.

There are no substantial changes to the authority already delegated to staff or committees. They continue current practice in light of external changes, eg law, or the restructure. It is proposed that in the New Year Council staff review the entire Delegations Manual to ensure that the Manual is user-friendly (for Councillors, Committees, staff and the public), consistent, comprehensive (including financial delegations and appropriate policy matters), lawful and easily updated, particularly for administrative matters such as this.

3. CHANGES NECESSITATED BY THE RESTRUCTURE

The Manual needs to be updated with new job title changes. For example:

- Operational Managers need to be redefined as a result of the restructure. It is proposed they become “Executive Managers” and defined as the Chief Executive Officer, the Deputy CEO/Operations Director, Strategy and Planning Director, Projects and Information Manager, Finance & IT Manager, Community Relations Manager and Human Resources Manager. They receive the delegated authority currently delegated to Operational Managers.
- However, because not all staff with the authority delegated to Operational Managers have become Executive Managers, specific delegations need to be made to the Senior Programme Manager level, such as Maritime SPM and Deputy Harbourmaster, Monitoring SPM, Consents SPM, and Land/Rivers SPM to ensure they retain their ability to act with delegated authority.

- Similar arrangements should be made for the Team Leader roles (which for example in the consents team is now shared between the Consents SPM, Consents PM Water and Waste and Consents PM Coastal and Groundwater Management Specialists), technical officer roles (Consents Officer, Water Resources Officer, Water and Wastewater Management Officer, River Management Engineer, River Management Technical Officer, River Management Officer, Biodiversity Officer, Land Management Officer, Coast Care Co-ordinator, Pest Management Officer, Biosecurity Officer, Biosecurity Operations Supervisor and Policy Analysts) and the Council Secretary role (shared between the Local Government Senior Programme Manager and the Council Administration Programme Manager.)
- The newly created Regional Policy Senior Programme Manager role should receive delegated authority for the mainly administrative tasks to do with plan and policy changes under the Resource Management Act. This delegation is currently delegated too high up the staff structure, to the Director.

4. TYPOGRAPHICAL ERRORS

Council is asked to approve as an administrative matter now and in the future typographical changes. For example, where the word "section" has been used incorrectly the term "clause" will be substituted.

5. LAW CHANGES

Where amendments to the law have been made, for example to section 34 or sections 92 to 94 of the Resource Management, the appropriate amendment to the Manual, for example section 34A or the substituted section 92 to 94, will be made. (This means that staff will be delegated under the right section and the relevant notification requirements are inserted.)

6. MINOR AMENDMENT FOR ADMINISTRATIVE CONVENIENCE

The Council is asked to delegate to the Hearings Committee and staff (Senior Programme Managers and Executive Management and technical officers, as appropriate) the ability to make administrative decisions on evidence and hearings and consent applications under sections 41, 41A, 41B, 41C, 42, 42A, 93, 94, 94A, 94B, and 94C of the Resource Management Act, in accordance with NRC policies and procedures. Specifically to confirm, as per current practice, and clarify that

- The Hearings Committee may waive/extend any relevant statutory timeframes.
- Staff may ask for further information on behalf of the Hearings committee and make orders for the protection of sensitive information.
- Staff can determine whether particular activities have or are likely to have an adverse effect, which parties may be adversely affected, whether adverse effects are minor, and whether to publicly notify if special circumstances exist.

7. UPDATING

The hard copy version of the Manual needs to be updated to include delegations and warrants of appointment already made by Council resolution and because of staff resignations and redundancy. This is a purely administrative matter. It is unclear whether this can occur without Council resolution therefore Council is asked to resolve to include these administrative changes in the consolidated Manual.

8. FINANCIAL APPROVAL

The Chairman's expenses are currently approved by the Chief Executive. Council is asked to change this arrangement to allow the Deputy Chairman of the Council to approve the Chairman's expenses in line with Audit recommendations.

Recommendation

1. That the Council receives the report from the Local Government SPM dated 27 November 2008.
2. That the Council resolves to make the amendments to the Delegations Manual detailed in the report.
3. That the Local Government SPM consolidates the amendments made today and previously by Council resolution into one Manual.
4. That the Council adopts the consequently amended and consolidated Manual from 10 December 2008.
5. That the Local Government SPM review the delegations process and manual to streamline the process for making administrative changes to the Manual and to make the Manual comprehensive and user friendly.

COMPLIANCE WITH DECISION MAKING PROCESS

The activities detailed in this report are part of the Council's day to day operations. As such they are provided for in the Council's 2006 to 2016 Long Term Council Community Plan and are in accordance with the Council's decision making process and sections 76-82 of the Local Government Act 2002.

Financial Reports and Information for November

File 350.4

Report Finance and IT Manager Lisa Aubrey dated 28 November 2008.

Due to the early agenda deadline, the following financial reports were not available at the time the agenda was prepared and will therefore be tabled at the Council meeting.

Financial Report – 30 November 2008
Investment Schedule and Performance – Financial Report
Paid Accounts for Approval – November 2008

Recommendation

That the following supplementary financial reports be received:

1. Financial Report – 30 November 2008
2. Investment Schedule and Performance – Financial Report
3. Paid Accounts for Approval – November 2008

COMPLIANCE WITH DECISION MAKING PROCESS

The activities detailed in this report are provided for in the Council's 2006-2016 Long Term Council Community Plan, and as such are in accordance with the Council's decision-making process and Sections 76-82 of the Local Government Act 2002.

Lease Transactions and Documents Sealed

Files: 215.126, 466 100, 990.6 & 990.6.5

Report from Finance and IT Manager Lisa Aubrey dated 28 November 2008.

Lease Transactions

The following property transactions were processed and executed under seal of Council during the past month.

File 215.126 Sublease – McQuinn Enterprises Ltd to C & J Frazerhurst Ltd,
146 Lower Dent Street, Whangarei.

Documents Sealed

The following documents were executed under seal of Council during the past month.

File 466 100 Contract 08/421 for Kaihu Flood Management Maintenance
Works 2008-2009

Files 990.6 & 990.6.5 Plan Changes 1 & 2 to the Regional Air Quality Plan for
Northland

- Plan Change 1 (Marsden Point Air Quality Strategy); this Plan Change comprises proposed changes regarding rules for discharges in and around the Marsden Point Airshed.
- Plan Change 2 (Backyard Burning); this Plan Change proposes new rules regarding the outdoor burning of waste in the Northland region.

Recommendation

That the use of the Council seal outlined in the report from the Finance and IT Manager dated 28 November 2008, be approved.

COMPLIANCE WITH DECISION MAKING PROCESS

The documents for sealing contained within this report is in accordance with the Council's Treasury Management Policy which was adopted in compliance with the decision making requirements of Sections 76 to 82 of the Local Government Act 2002 and the execution of the seal is part of the Council's day to day operations and as such is provided in the Council's 2006-2016 Long Term Council Community Plan and is in accordance with the Council's decision making process and sections 76-82 of the Local Government Act 2002.

Proposed National Policy Statement for Freshwater Management

File 990.5.6.3

Report from Policy Specialist Jonathan Gibbard dated 28 November 2008.

PURPOSE

The purpose of this report is to provide a summary of the proposed National Policy Statement for Freshwater Management and explain the key issues that are recommended be raised in an Northland Regional Council (NRC) submission to the Ministry for the Environment (MfE).

BACKGROUND TO NATIONAL POLICY STATEMENT

The proposed National Policy Statement (NPS) for Freshwater Management has recently been publicly notified by MfE for consultation, with submissions closing on 23 January 2009 (refer [Attachment 1](#)).

The incoming National Government, during their pre-election campaign, indicated that they intend to put the proposed NPS on hold pending a review through a collaborative governance process engaging key stakeholders. Regardless of whether the proposed NPS is or is not put on hold and reviewed, NRC should be setting the groundwork towards adopting a more strategic approach and providing greater direction as to how Northland's freshwater resources are managed.

The development of the proposed NPS is part of the Government's Sustainable Water Programme of Action package that aims to improve the sustainable management of freshwater, to protect our freshwater resources into the future, and to acknowledge the fundamental importance of water to all New Zealanders. Water is central to the social, economic and cultural well-being of many aspects of New Zealand's society. New Zealand is now facing real challenges to ensure:

- that there is sufficient water of a suitable quality in our lakes, rivers, and aquifers;
- the protection of freshwater ecosystems;
- the degradation of water quality is limited and remediated; and
- that society gains the greatest benefit from the allocation of available water.

The proposed NPS says the following matters need to be recognised as being of national significance:

- enabling the well-being of people and communities;
- ensuring integrated management of effects on fresh water;
- improving the quality of fresh water, including ensuring appropriate freshwater resources can reach or exceed a swimmable standard;
- recognising and protecting life supporting capacity and ecological values;
- addressing freshwater degradation;
- managing demand for fresh water;
- efficient use of fresh water;
- iwi and hapu roles, and tangata whenua values and interests;
- ensuring effective monitoring and reporting.

In addressing these issues the challenge will be reaching agreement on the balance between social, ecological, economic and cultural goals for the management of

freshwater resources. Policies within the proposed NPS provide some detail on when and how these objectives will be translated in regional policy statements and plans and district plans.

The proposed NPS is a statutory document under the RMA. The proposed NPS will not set rules or standards for managing fresh water. Instead, it should provide objectives and policies to guide councils on how to manage fresh water within regional and district plans, and through the resource consent process. Local authorities will remain responsible for setting local rules and standards for managing fresh water, which will involve public consultation.

LOCAL GOVERNMENT NZ ISSUES AND OPTIONS

Local Government New Zealand (LGNZ) is preparing a submission on the proposed NPS and has circulated an "Issues and Options Paper" detailing the collective concerns with the proposed NPS of local government (refer Attachment 2 summary document). NRC staff have had direct input into this process and are in support of the direction it's taking. In summary, LGNZ considers that a Freshwater NPS needs to accomplish the following:

- Provide stronger policy direction and mandate to local government decision makers in respect to key freshwater management issues;
- Provide for an integrated approach to local government decision making, which takes into account the complex interrelationships between key freshwater management issues and the freshwater systems themselves;
- Provide flexibility for local authorities to address the key freshwater management issues in a manner which is appropriate to the region and district for which they are responsible;
- Provide clarity around whether there are (or are not) any national priorities or targets for freshwater management.

The LGNZ submission will most likely be based around these broad principals and the concerns identified in the attached "Issues and Options" paper.

LGNZ has consulted widely with local authorities seeking feedback and input into the "Issues and Options" paper. NRC staff have, and will continue to, actively contribute to this process and anticipate that the final LGNZ submission will be closely aligned with the NRC position.

RECOMMENDED KEY ISSUES FOR AN NRC SUBMISSION

While staff are still analysing the proposed NPS, initial staff views are that an NRC submission should support the general intent of the proposed NPS while highlighting the following points:

National Guidance

- The objectives of the proposed NPS, stating what aspects of freshwater management should be recognised as matters of national significance should generally be supported. However, the policies for their implementation generally provides little guidance and direction other than to specify the process for local authorities. This is considered by many to be a hospital pass to local authorities. The proposed NPS in its current form will require the majority of guidance and direction for regional and district plans to be provided by regional authorities through their Regional Policy Statements (RPS).

Local authorities have consistently requested that any NPS needs to retain the flexibility for local authorities to develop policies, rules and standards to best meet the needs of their region. However, the proposed NPS has not found the balance between national guidance and local flexibility with the result being significant financial costs to local authorities to interpret and implement the process-heavy policies.

Greater national guidance is required through high level policy direction while retaining local flexibility.

Litigation

- A key objective of the proposed NPS should be to minimise the amount of litigation that local authorities face. However, due to the lack of guidance, direction and certainty provided by the proposed NPS, local authorities will be open to considerable litigation when attempting to interpret and implement the policies. For example, there are a number of significant new terms with no definition which would likely be challenged through the Courts.

Additional guidance on interpretation and provision of definition for new terms would be helpful, alternatively terms should be consistent with the Resource Management Act.

Freshwater Values

- The proposed NPS establishes a process for identifying outstanding and degraded water bodies with notable values. While the proposed NPS sets out a process, it lacks overall direction or mandate to support regional decision making to identify outstanding and degraded water bodies with notable values.

The development of nationally important values in relation to freshwater resources would be useful to guide local authorities in their decision making, reduce the potential for litigation and provides a degree of national guidance while retaining local flexibility to identify which freshwater resources have these values.

Timeframes

- The timeframes proposed in the proposed NPS of 40 days for the notification of proposed regional and district plan changes to give effect to the RPS is unreasonable and unrealistic. Furthermore, the timeframes do not recognise the hierarchy of planning instruments and may result in key freshwater issues being addressed inconsistently between regional and district plans.

Realistic timeframes are required for the implementation of the changes to the RPS and should be identified within each region's RPS.

Water Allocation

- The proposed NPS provides some direction in terms of managing demands for freshwater and setting priorities in terms of water allocation. It provides priority for "reasonable foreseeable domestic water supply" over other takes. However, this could be narrowly interpreted as there is no definition of domestic water supply and may exclude municipal supply.

Freshwater is a limited resource and one that is subject to increasing demand and competition between various sectors of the community. To ensure the most efficient and effective use of this resource it is likely that regional authorities will need to set priorities of use, however the proposed NPS does not provide a clear

mandate for regional authorities to do this. This would leave regional authorities open to litigation when attempting to set such priorities.

The proposed NPS needs to provide clear mandate for regional authorities to set allocation priorities to ensure efficient use of a limited resource and reduce the potential for litigation.

Integrated Management

- Integrated management of land use activities and the effects on freshwater resources is identified as a matter of national significance. However, the proposed NPS provides no clear guidance as to how to give effect to this.

One aspect of integrated management that the NPS should provide greater guidance on is how to address cumulative effects. Clear direction should be provided to regional councils to avoid the impacts of cumulative effects on water quality and provide a strong mandate to local authorities to refuse resource consent applications where the potential cumulative effects of an activity might compromise the minimum water quality standards and minimum flows.

Tangata Whenua Values and Interests

- The proposed NPS seeks to ensure the involvement of both iwi and hapu and that “Tangata Whenua Values and Interests” (a new term) are identified and reflected in the management of freshwater resources. The concern is that the provisions in their current form are unclear and overly onerous on both hapu and local authorities and will be difficult to effectively implement. For example, Northland has nine mandated iwi and hundreds of hapu.

The proposed NPS should identify “Tangata Whenua Values and Interests” at a national level and require local authorities to ensure involvement at iwi and tangata whenua level.

In summary, the proposed NPS is considered an appropriate means of setting national guidance, direction and consistency for freshwater management. However, there are significant implementation implications for local authorities and a distinct lack of national guidance and direction is provided. Changes are required that reduce the potential for litigation, provide greater certainty and national consistency and reduce implementation costs.

NEXT STEPS

While staff are still analysing the proposed NPS and considering the potential implication for Council, staff are also aware that there will not be another Council meeting prior to the closing date for submissions on 23 January 2009. It is therefore proposed that:

1. Staff continue to analyse the proposed NPS and provide input into the LGNZ Issues and Options Paper, with the intention of NRC supporting the LGNZ submission.
2. Further discussions over the final detail of the NRC submission to be discussed with the Water Quality Working Party.

Recommendation

1. That the report on the Proposed National Policy Statement for Freshwater Management, dated 24 November 2008 be received.

2. That the Council supports the general intent of the proposed NPS, with the recommended key issues discussed in this report forming the basis of the NRC submission.
3. That the final content of the NRC submission be discussed with the Water Quality Working Party.

COMPLIANCE WITH DECISION MAKING PROCESS

The activities detailed in this report are part of the Council's day to day operations and as such are provided for in the Council's 2006-2016 Long Term Council Community Plan, and are in accordance with the Council's decision making process and sections 76-82 of the Local Government Act 2002.

Proposed National Policy Statement for Freshwater Management

Preamble

All New Zealanders have a common interest in ensuring that the country's freshwater resources are managed wisely, in order to provide for present and future environmental, cultural, social and economic well-being of New Zealand.

Water is central to the social, economic and cultural well-being of many aspects of New Zealand's society. It has deep cultural meaning to all New Zealanders. It is also highly valued for its recreational aspects. It forms a vital input to many forms of economic activity, and most crucially underpins important parts of New Zealand's biodiversity and natural heritage. Many of New Zealand's freshwater bodies are iconic and well known globally for their natural beauty and intrinsic values. Understanding and managing threats to water with respect to the availability, quality, health and economic value are therefore fundamental to our well-being.

New Zealand now faces real challenges, of varying degrees and causes across regions, in ensuring there is sufficient water in our lakes, rivers, and aquifers; protecting freshwater ecosystems, in limiting and remediating degradation of water quality; and in ensuring that society gains the greatest benefit from the allocation of available water. For example, recent monitoring reported that only 60% of New Zealand's freshwater swimming spots tested met the New Zealand guidelines for water-based (contact) recreation almost all of the time. In addition, there is an incomplete understanding of how much water can be sustainably allocated and where it can best be used, and of how alternative land uses affect water quality and options for managing those effects. Those challenges, including those arising from climate change, are nationally significant. Key issues identified through previous consultation and hui regarding fresh water and freshwater management include water quality, allocation, ongoing engagement, and effective implementation of the RMA.

To respond effectively to these challenges and issues requires agreement on and balancing of cultural, ecological, economic and social goals for management of New Zealand's freshwater resources. Identifying sustainable targets for take and use of water, and achieving a smooth transition to them are not straightforward tasks. This National Policy Statement forms part of a suite of efforts to achieve that balance and deliver those targets.

The Treaty of Waitangi (Te Tiriti o Waitangi) is the underlying foundation of the Crown-Māori relationship with regard to Freshwater Resources. This proposed National Policy Statement is one step in the process of addressing tangata whenua values and interests including the involvement of iwi and hapū in the management fresh water. Additionally, the proposed National Policy Statement is a non-exhaustive step towards progressive strategies at the national and regional level in order to meet shared objectives in respect of the Freshwater Resources of New Zealand.

Given the central importance of Freshwater Resources to New Zealand and New Zealanders and in order to achieve the purpose of the RMA, the Crown recognises that there is a particular need for clear central government policy that directs local government to implement measures necessary to achieve the following goals:

- address existing and future constraints on the availability of Freshwater Resources
- address the effects of existing and future discharges of contaminants to Freshwater Resources
- provide more certainty in respect of competing demands on New Zealand's Freshwater Resources and facilitate opportunities to increase benefits from the use of Freshwater Resources, within the above constraints on availability and effects of discharges
- meet the recreational aspirations of New Zealanders, including that Freshwater Resources are swimmable
- address matters of national significance relating to the sustainable management of Freshwater Resources
- improve the integrated management of Freshwater Resources by territorial authorities, regional councils, and others whose activities affect Freshwater Resources.

In developing and applying measures, local government should aim wherever possible to provide flexibility in how these goals are achieved, so as to encourage and empower innovation and local solutions. It is expected that this National Policy Statement will have an immediate influence on RMA decision-making. It will also call for progressive improvement in the management of New Zealand's Freshwater Resources. Councils will be expected to make publically available information in this regard, which will be monitored and published as required under section 35 of the RMA. Each national state of the environmental report should demonstrate progress in achieving the goals of the NPS and show continuing improvements in the state of New Zealand's Freshwater Resources, including towards meeting contact recreation guidelines. This is in order that by 2035 the quality of these resources meets the aspirations of all New Zealanders. This date has been chosen as an ambitious yet achievable target, setting a balance between the need to make changes in a timely manner and the cost incurred by making those changes.

Purpose

The purpose of this National Policy Statement is to state inter-related and integrated objectives and policies as to the management of Freshwater Resources as a matter of national significance that is relevant to achieving the purpose of the Act.

Objectives

Objective 1 – Enabling well-being of people and communities

To ensure that Freshwater Resources are managed in a way that enables the people and communities of New Zealand to provide for their social, economic and cultural well-being, and their health and safety.

Objective 2 – Ensuring integrated management of effects on fresh water

To ensure effective integrated management (including by the co-ordination and sequencing of Land-use Development with investment in infrastructure for supply, storage and distribution of fresh water) of the effects of Land-use Development and discharges of contaminants on the quality and available quantity of fresh water.

Objective 3 – Improving the quality of fresh water

To ensure the progressive enhancement of the overall quality of Freshwater Resources, including actions to ensure appropriate Freshwater Resources can reach or exceed a swimmable standard.

Objective 4 – Recognising and protecting life supporting capacity and ecological values

To ensure the life supporting capacity and ecological values of Freshwater Resources are recognised and protected from inappropriate –

- (a) taking, use, damming or diverting of fresh water; and
- (b) Land-use Development; and
- (c) discharges of contaminants.

Objective 5 – Addressing freshwater degradation

To control the effects of Land-use Development and discharges of contaminants to avoid further degradation of Freshwater Resources.

Objective 6 – Managing demand for fresh water

To ensure that demands (including social, economic and cultural demands) for fresh water are sustainably managed in a manner that has regard to the following:

- (a) available supply of fresh water:
- (b) the need to provide for resilience against the biophysical effects of climate change (such as through infrastructure for supply, storage and distribution of fresh water):
- (c) the adverse effects that arise from those demands.

Objective 7 – Efficient use of fresh water

To ensure that allocated fresh water is used efficiently particularly in terms of the following:

- (a) avoiding wastage:
- (b) avoiding excessive contamination:
- (c) facilitating opportunities to increase benefits from the use of fresh water.

Objective 8 – Iwi and hapū roles and Tangata Whenua Values and Interests

To ensure that iwi and hapū are involved, and Tangata Whenua Values and Interests are identified and reflected, in the management of Freshwater Resources including the matters specified in Objectives 1–7.

Objective 9 – Ensuring effective monitoring and reporting

To ensure that regional councils and territorial authorities undertake effective monitoring and reporting of the matters specified in Objectives 1–8.

Policies as to regional policy statements

Policy 1

By the second anniversary of the date of commencement of this National Policy Statement, every regional council must notify, in accordance with Schedule 1 of the Act, a proposed regional policy statement or variation to a proposed regional policy statement or change to its operative regional policy statement in order that as soon as practicable thereafter every regional policy statement specifies objectives, policies and methods which –

- (a) Determine and timetable priorities for when regional plans will set Freshwater Quality Standards and Environmental Flows and Levels for all Freshwater Resources of the region; and
- (b) Identify Notable Values (including potential values) of –
 - (i) Any Outstanding Freshwater Resources; and
 - (ii) Any Degraded Freshwater Resources; and
- (c) In accordance with Policy 1(a) and (b), guide and direct the setting in regional plans for all Freshwater Resources of the region of –
 - (i) Freshwater Quality Standards; and
 - (ii) Environmental Flows and Levels;including for the protection of Notable Values of any Outstanding Freshwater Resources and the enhancement or restoration of Notable Values of any Degraded Freshwater Resources; and

- (d) Guide and direct local authorities as to the involvement of iwi and hapū in the management of, and decision-making regarding, all Freshwater Resources of the region, including but not limited to, requiring local authorities to disclose how they are intending to achieve this involvement; and
- (e) Identify Tangata Whenua Values and Interests in respect of all Freshwater Resources of the region; and
- (f) Guide and direct regional and district plans (including considerations for the determination of resource consent applications and notices of requirement) in relation to the recognition of Tangata Whenua Values and Interests in respect of all Freshwater Resources of the region; and
- (g) Guide and direct regional plans (including considerations for the determination of resource consent applications) to restrict existing takes, uses, damming and diversion of fresh water in order to sustain Notable Values and non-consumptive Tangata Whenua Values and Interests in times of low flow; and
- (h) Guide and direct regional and district plans (including considerations for the determination of resource consent applications and notices of requirement) to effectively manage Land-use Development and discharges of contaminants to control the adverse effects of the discharge of contaminants into fresh water or onto or into land in circumstances where contaminants may enter fresh water; and
- (i) Guide and direct regional and district plans (including considerations for the determination of resource consent applications and notices of requirement) to manage demands for fresh water, including demands arising from Land-use Development and discharges of contaminants, in a manner which –
 - (i) Provides certainty to communities and water users (including as appropriate through prioritisation of allocation for takes of fresh water for reasonably foreseeable Consumptive Use); and
 - (ii) Provides priority for reasonably foreseeable domestic water supply, over other competing demands, provided that appropriate demand strategies are established for such supply; and
 - (iii) Promotes efficient Freshwater use (including through the transferability of resource consents, where appropriate); and
 - (iv) Increases resilience to the effects of climate change; and
 - (v) Controls adverse effects; and
- (j) Guide and direct regional and district plans (including considerations for the determination of resource consent applications and notices of requirement) to ensure integrated management of the effects of Land-use Development –
 - (i) by encouraging co-ordination and sequencing of infrastructure for supply, storage and distribution of fresh water; and
 - (ii) by controlling adverse effects (including associated discharges of contaminants) on the quality and available quantity of Freshwater Resources.

Policies as to regional and district plans

Policy 2

Every regional council must –

- (a) By the date or dates specified in the regional policy statement, notify a proposed regional plan, change or variation, to set Freshwater Quality Standards and Environmental Flows and Levels for the Outstanding, Degraded and other Freshwater Resources of the region to give effect to the regional policy statement in relation to the matters in Policies 1(a) to (c); and
- (b) By no later than 40 working days following the date a regional policy statement or change notified pursuant to Policy 1 is made operative, every regional council must notify a proposed regional plan, change or variation to give effect to the regional policy statement in relation to all other matters in Policy 1; and
- (c) By no later than 40 working days following the date a regional policy statement or change notified pursuant to Policy 1 is made operative, every regional council must notify a proposed regional plan, change or variation to include rules to achieve the following:
 - (i) Require that all water permits for the Consumptive Use of fresh water granted after the date of commencement of this National Policy Statement include conditions for the efficient Consumptive Use of fresh water including, as a minimum, providing for the use of industry good practice and technology to achieve efficient use:
 - (ii) Require that all water permits for the Consumptive Use of fresh water granted after the date of commencement of this National Policy Statement include conditions for, where appropriate, the return of fresh water to Freshwater Resources, in order to achieve the requirements of paragraph (a) of this Policy:
 - (iii) Require that all discharge permits affecting Freshwater Resources granted after the date of commencement of this National Policy Statement include conditions for –
 - (A) Protection against degradation of the quality of fresh water of Freshwater Resources (including through the management of activities giving rise to stormwater discharges); and
 - (B) Sustainable management of demands on fresh water in a manner which has regard to available supply of fresh water and adverse effects, both individual and cumulative; and
 - (C) Integrated management of the effects of Land-use Development and discharges of contaminants on the quality and available quantity of Freshwater Resources;to be achieved, as a minimum, by the use of industry good practice:
 - (iv) Require effective monitoring and reporting on matters relating to paragraphs (c)(i), (ii) and (iii) of this Policy.

Policy 3

By no later than 40 working days following the date a regional policy statement or change notified pursuant to Policy 1 is made operative, every territorial authority must notify a proposed district plan, change or variation in order that as soon as practicable thereafter every district plan –

- (a) Gives effect to the regional policy statement; and
- (b) Includes rules to require that all relevant land-use and subdivision consents granted after the commencement of this National Policy Statement include conditions for –
 - (i) Protection against degradation of the quality of fresh water of Freshwater Resources (including through the management of activities giving rise to stormwater discharges); and
 - (ii) Sustainable management of demands on fresh water in a manner which has regard to available supply of fresh water and adverse effects, both individual and cumulative; and
 - (iii) Integrated management of the effects of Land-use Development and discharges of contaminants on the quality and available quantity of Freshwater Resources; and to be achieved, as a minimum, by the use of industry good practice; and
- (c) Includes rules to require that all relevant land-use and subdivision consents granted after the commencement of this National Policy Statement include conditions to require monitoring and reporting on matters relating to paragraph (b).

Policies as to the preparation of policy statements and plans

Policy 4

When preparing a regional policy statement or variation or change to give effect to Policy 1 and when preparing a regional plan or variation or change to give effect to Policy 2, every regional council must consider the following:

- (a) The Notable Values of each Freshwater Resource:
- (b) The sensitivity of each Freshwater Resource and its Notable Values to adverse effects including effects of Land-use Development and the discharge of contaminants:
- (c) The needs of primary and secondary industry and communities for sustainable fresh water supply:
- (d) The contribution of existing and potential uses of Freshwater Resources and of existing economic investment to regional and national social, economic and cultural well-being:
- (e) The importance of avoiding over-allocation of Freshwater for Consumptive Use:
- (f) Tangata Whenua Values and Interests:
- (g) Social and economic transition costs:
- (h) The value of swimmability to the community.

Policy 5

When preparing a district plan or variation or change to give effect to Policy 3, every territorial authority must consider the following:

- (a) The importance of controlling Land-use Development in a way and at a rate that minimises the adverse effects on the quality and available quantity of Freshwater Resources:
- (b) The importance of ensuring that the planning and implementation of Land-use Development applies industry good practice in order to –
 - (i) Minimise the adverse effects on the quality and available quantity of Freshwater Resources; and
 - (ii) Maximise efficiency in the use of Freshwater Resources:
- (c) The importance of ensuring that the planning for and implementation of infrastructure for water supply, wastewater treatment and stormwater are undertaken –
 - (i) In an integrated manner; and
 - (ii) At a rate that, as a minimum, keeps pace with the rate of Land-use Development:
- (d) Tangata Whenua Values and Interests:
- (e) Social and economic transition costs.

Policy as to certain consents and designations

Policy 6

Without limiting Policies 1 to 3, this National Policy Statement will be achieved also through the inclusion, unless inappropriate, of conditions on any relevant resource consents granted and recommendations on designations confirmed in respect of the following:

- (a) Efficient Consumptive Use of fresh water (including where appropriate, the return of fresh water to Freshwater Resources):
- (b) Protection against degradation of the quality of Freshwater Resources (including through the management of activities giving rise to stormwater discharges):
- (c) Sustainable management of demands on fresh water in a manner which has regard to available supply of fresh water and adverse effects, both individual and cumulative:
- (d) Integrated management of the effects of Land-use Development and discharges of contaminants on the quality and available quantity of Freshwater Resources:

to be achieved, as a minimum, by the use of industry good practice:

- (e) Monitoring and reporting on matters relating to paragraphs (a) to (d).

Policy as to non-regulatory methods

Policy 7

In addition to giving effect to Policies 1 to 3 and Policy 6 by regulatory means, regional councils and territorial authorities may give effect to this National Policy Statement through non-regulatory methods (including financial contributions, development contributions under the Local Government Act 2002 and other methods).

Policy as to information

Policy 8

All local authorities will make publicly available (including electronically) a record of the process used to identify the Tangata Whenua Values and Interests in Freshwater Resources of the region as required to give effect to Policy 1(e), including the identification of the relevant iwi and hapū.

All local authorities will assist the Minister for the Environment by making publicly available (including electronically) an up-to-date register of the regulatory and non-regulatory methods to give this National Policy Statement full effect.

Review of this National Policy Statement

Policy 9

The Minister for the Environment will seek an independent review of the implementation and effectiveness of this National Policy Statement at achieving all the objectives and policies of the National Policy Statement no later than 10 years after it comes into force and shall then consider the need to review, change or revoke this statement. Collection of data to inform this review will begin at least two years prior to the review.

Definitions

In this National Policy Statement:

“**Act**” means the Resource Management Act 1991.

“**Consumptive Use**” means any use of fresh water that alters the flows and or levels in a Freshwater Resource on either a temporary or permanent basis, including:

- storage and later release downstream of fresh water:
- permitted activities:
- takes under section 14(3)(b) and (e) of the Act:

but excludes any water that is returned to the same Freshwater Resource at or about the same location and which does not affect the spatial or temporal availability, or the physical, chemical or biological quality, of the fresh water.

“**Degraded Freshwater Resources**” means those Freshwater Resources of a region whose Notable Values have been so degraded by inappropriate Land-use Development, discharges of contaminants and/or the taking, use, damming or diverting of fresh water as to require that priority be given to enhancement or restoration in order to achieve the purpose of the Act.

“**Environmental Flows and Water Levels**” means a regional rule to prevent the allocation for Consumptive Use of Freshwater Resources necessary for the purposes of protecting, maintaining, enhancing or restoring Notable Values of the relevant Freshwater Resource.

“**Freshwater Quality Standard**” means a regional rule on freshwater quality which gives effect to this National Policy Statement.

“**Freshwater Resources**” means the fresh water of New Zealand’s rivers, lakes, wetlands and groundwater systems [but does not include fresh water of any ephemeral stream or artificial watercourse].”

“**Land-use Development**” includes land-use intensification, land-use change, and subdivision of land.

“**Notable Values**” in relation to any Freshwater Resource includes:

- (a) Scientific, ecological and biodiversity values:
- (b) Cultural values:
- (c) Recreational (including contact recreational; eg, swimming) values.

“**Outstanding Freshwater Resources**” means those Freshwater Resources of a region whose Notable Values and/ or Tangata Whenua Values and Interests are such as to require that priority be given to protection in order to achieve the purpose of the Act.



13 November 2008

EN 100-05-05

MEMORANDUM

To: Mayor, Chairs, Chief Executives and Regulatory Managers of Local Government
Cc: RAC Water Sub-committee
From: *Local Government New Zealand*
Subject: The National Policy Statement for Freshwater Management NPS - Issues and Options paper -

Introduction and Background

The purpose of this memo is to provide a summary of the attached, "Issues and Options paper" and the process for the development of the Local Government New Zealand submission on the National Policy Statement for Freshwater Management (NPS).

We would encourage you to read the issues and options as it provides a level of analysis important to understanding of issues and potential solutions that is beyond the scope of this summary paper.

The purpose of the "Issues and Options" paper is to:

1. Outline the key freshwater issues that the LGNZ considers the Freshwater NPS should address;
2. Provide an analysis of how the Proposed Freshwater NPS currently addresses those issues;
3. Suggest options available to address those issues.
4. Ask the Local Government sector for feedback on the freshwater management issues in the paper (or other issues that Local Government wants the NPS to address), and the options for addressing those issues.

The next step will be to develop a submission and identify alternative wording for NPS provisions to give effect to the issues identified by the sector. The timeline for the development of the submission is set out in the table below:

| Key Dates | |
|------------------|--------------------------------------------------------------------------------------------|
| 13 November | Consideration of issues and options paper by RAC Water Management sub-committee |
| 18 November 2008 | Issues and options paper circulated to Local Government sector for comment / consultation. |

| | |
|----------------------------------|-----------------------------------------------------------------------------------------------|
| 18 November – 2 December 2008 | Consultation with Local Government sector |
| 5 December | Sector feedback circulated |
| 8 December 2008 | Draft submission completed. Circulated to RAC Water Management sub-committee |
| 11 December 2008 | Draft submission discussed at Local Government New Zealand National Council Committee meeting |
| 19 December 2008 | Final draft submission completed and circulated to National Council for approval |
| 23 January 2009 | Submission lodged. |

Summary of the “Issues and Options” paper

The paper is seeking sector feedback on two questions:

1. *Have we correctly identified the freshwater management issues? If not what other issues should, the NPS address.*
2. *Do you agree with the options to address those issues?*

DECISION MAKING ISSUES

Mandate an integrated approach to decision-making

Issue

The NPS should include an overarching objective or policy that requires all RMA decision making to take into account an integrated approach to decision-making. An integrated approach should provide a mandate for decision-makers to have regard to the following:

1. The interconnected nature of the freshwater resource, (e.g. freshwater systems that include both surface water and ground water and are made up of complex geomorphological systems from the upper catchments to the coast),
2. The interconnected nature of the decisions in relation to freshwater resources, land use and the impact on the sustainable development of communities

Option

The preferred option is a combination of the following

- Express recognition of interconnected nature of resource
- A high-level policy direction to adopt an integrated management approach to all levels of decision-making

The rationale for that option is that it will:

- a. Expressly recognise the nature of the resource.

- b. Ensure that that the interconnections between freshwater resources are considered in RMA decision-making.
- c. Provide a clear direction for local authorities to adopt an integrated management approach in the context of freshwater management in the context of planning and decision making at all levels, including in terms of growth strategies, RPS's, regional plans, district plans, resource consents and notices of requirement.
- d. Enable flexibility for local authorities to address key issues that arise in each region.

Cumulative effects

Issue

Considering the impacts of discharges (particularly non-point discharges in the context of permitted activities) or water takes in isolation, can lead to cumulative effects on water quality and quantity. While there are existing methods that can be utilised to address cumulative effects (e.g. minimum flows), these methods can be undermined by a lack of a mandate to address cumulative effects. This is a particular issues where there is uncertainty regarding environmental limits or the interrelationships between activities.

Option

The *proposed option* identified in the paper is:

- o high level policy direction that identifies the requirement to manage cumulative effects and,
- o High-level policy direction to avoid cumulative effects on freshwater resources.

Uncertainty of information

Issue

A difficult issue for RMA decision-makers is scientific uncertainty as to the effects of activities on freshwater resources. In some circumstances, the opportunity to resolve that uncertainty is limited by the ability to measure, model and understand the resource or the timeframes in which that information can be obtained.

Option

The preferred option is that:

- o Freshwater NPS provides some guidance to local authorities when making decision in the face of uncertainty, by providing a mandate for the precautionary approach, while allowing decision-makers to apply an adaptive management approach where that is appropriate.

WATER ALLOCATION ISSUES

Setting priorities

Issue

Freshwater is a limited resource, subject to increasing demand and intense competition between various sectors of the community. Without policy guidance to the contrary, the general principle of "first come first served" applies generally to applications for water takes. Without national

guidance and/or mandate, this existing approach has the potential to put the availability of freshwater resources for municipal water supply at risk, and increase the litigation between other potential water uses (e.g. irrigation, power generation, recreation) where plans seek to define priorities.

Options

The preferred option is:

- That the Proposed Freshwater NPS adopts a definition and priority for municipal supply subject to appropriate water demand management, and direct / encourage regional authorities to determine priority for other users based upon the particular circumstances of each region.

Managing over allocation of water

Issue

Over allocation of water resources impacts on the ability of water users to access freshwater and may also affect both the values and water quality of water bodies. Although, a limited understanding of the resource may have lead to over allocation, once the issue is recognised there should be a mechanism to address over allocation, efficiently and in a timely manner.

Option

The preferred option is that:

- The Freshwater NPS to provide an overall objective to avoid over allocation and a mandate to address over allocation of freshwater resources, including reference to section 128 reviews

This provides strong guidance to address over allocation, but retains some flexibility for regional councils to address over allocation in consultation with its community

Transferability of water permits

Issue

Local Government New Zealand does not support privatisation of water rights however, cap and transfer schemes in some circumstances (e.g. to manage over allocation) provide a useful tool for addressing water use efficiency and allocation issues. We note that before introducing a transfer scheme, you must first ensure the existing allocation regime meets freshwater management outcomes identified by the community.

Option

A preferred option has not been identified, but two alternative options to address transferability are:

- Freshwater NPS requires regional councils to provide for transferability of water permits in regional plans (including separation of water take and use permits).
- Freshwater NPS encourages to regional councils to provide for cap and transfer schemes, including separating water take permits, and water use permits in planning instruments.

Efficiency of water use and Infrastructure development

Issue

We support the efficiency of water use as general principle. Development and investment in infrastructure can positively influences the efficiency of water use, allocation capacity and reliability. The NPS should actively encourage investment in infrastructure that addresses efficiency by including it as a relevant consideration considering priorities for allocation.

Option

The preferred option is:

- A high-level policy to consider infrastructure planning and development when considering freshwater management issues to provide a mandate but enable flexibility in the way that it is applied

WATER QUALITY ISSUES

Identification of key values

Issue

The identification of nationally important values in relation to freshwater resources could provide a useful tool to guide local authorities in their decision-making (and assist with the mandate). However key issues to consider are:

- Nationally and regionally, water bodies meet a diverse range of values e.g. municipal water supply, electricity generation, irrigation, recreation, or aesthetic or intrinsic values. An approach based national environmental bottom lines, targets or standards would require a compromise between interests (in use of the resource) and values (that we are seeking to protect).
- Water bodies may have a range of values in addition to environmental values. Sustainable management of those resources requires a broader approach to improve water quality at a rate that will meet the needs of the community.
- Water bodies are at various levels of degradation (including some water bodies that are “naturally degraded”).

Option

The preferred option is to:

- Establish some national values and establish process and periods for identification of values of water bodies at regional level and periods for meeting targets.

This option is preferred on the basis that:

- Establishing “national values” will support local authorities to identify the values of freshwater resources, and develop appropriate processes and strategies to manage freshwater resources.
- The development of processes and strategies to manage freshwater resources should be undertaken at regional level and in consultation with the regional community.

- Provision (at a regional level) for setting periods for meeting targets will provide local authorities with the mandate to ensure that the quality of freshwater resources attains a level that reflects the identified national values.

Managing “at risk” catchments

Issue

There are particular challenges in managing catchments and water bodies where there are rapid changes in land use activities. Current planning processes under the RMA mean that it is difficult for Councils to respond quickly to these issues. An, “at risk” catchment is a catchments that will become degraded if existing circumstances and/or activities continue.

Option

The preferred option is that the:

- Freshwater NPS provides high level policy guidance to regional authorities to identify and manage at risk catchments

The preferred option will identify management of at risk catchments as a priority and provide a strong mandate for local authorities to address issues arising in those catchments. This option recognises that appropriate approach to managing at risk catchments is particular to each local authority.

TANGATA WHENUA ISSUES

Issue

- The Proposed Freshwater NPS seeks to ensure the involvement of both iwi and hapu so that Tangata Whenua values and interests are identified and reflected in the management of freshwater resources.

Key issues are:

- The number of hapu in each district / region can be numerous (in some circumstances, in the hundreds) and the obligation on local authorities to involve both iwi and hapu is onerous in terms of available resources.
- Iwi / hapu can sometimes have limited capacity to engage meaningfully with local government.
- The use of the terms “iwi” and “hapu” is inconsistent with the RMA, which refers to “tangata whenua”.

Options

At this point, there is no preferred option but two options have been identified, they are:

- Accept the obligations as currently proposed, but note the resource problems with that approach and request funding for implementation from Central Government.
- Amend the current drafting to reflect an obligation to involve iwi or “tangata whenua”, but not hapu (that would not stop regions engaging with hapu, where the issues identified above are able to be resolved).

IMPLEMENTATION ISSUES

Time frames

Issue

The Proposed Freshwater NPS requires regional and district plans are notified within 40 days of an RPS (or change or variation to an RPS) that gives effect to the Freshwater NPS. The key issues are:

- Concentrating on process is likely to tie up resources preparing plan changes and variations rather than focusing on outcomes.
- There are significant costs involved in bringing forward plan changes to meet the periods set out in the Proposed Freshwater NPS with a consequent impact on human resources.
- If local authorities review their plans, to ensure they are giving effect to the NPS, and find they address NPS issues they should not have to be changed. The NPS should allow any future reviews to take place, as they are required.

Options

The preferred options are that:

- Freshwater NPS identifies key objectives and/or policies that can be deemed into regional policy statements (e.g. “environmental bottom lines”) and sets a realistic date for plans to be reviewed.
- Freshwater NPS provides for regional councils to set periods for reviewing regional and district plans in regional policy statements.

Monitoring and reporting

Issue

The proposed NPS appears to imply that “state of the environment” reporting is required. LGNZ seeks the views of the local government sector as to whether:

1. The monitoring and reporting requirements of the Proposed Freshwater NPS will be effective.
2. Regional councils should be required to undertake “State of the environment reporting”.

Definitions and terms

Issue

The Proposed Freshwater NPS proposes to introduce new terms not referred to in the RMA. There are practical implications applying those new terms, in addition to potential for litigation to determine the meaning of those terms.

Option

Remove those new terms and either replace with current RMA terms or define in the NPS

Other matters to consider

Some of these matters may not be able to be included in the NPS. Nevertheless, they are significant issues and it is intended to include them in the submission.

Relationship with other national documents

The integration and linkage between the Proposed Freshwater NPS, other proposed NPS and NES is critical. Government should consider a “policy” that sets out the interrelationships between those documents.

Funding of implementation

Implementation of the Proposed Freshwater NPS will impose significant costs on local authorities. In that regard, the Freshwater NPS requires a significant amount of work to be undertaken, including preparation of regional policy statements, regional plans (or changes to those plans) and district plans (or changes to those plans) and significant scientific research that will inform those policy statements and plan changes. The issue that arises in that context is the source of the funding to implement the Freshwater NPS.

Other matters

Local Government New Zealand would also like to address the following matters in the submission:

- Guidance as to when Central Government should/will make submissions on key projects.
- Guidance as to when Central Government should/will use the call-in process.
- What matters should trigger central government funding for clean up of water bodies, such as Lake Rotorua and Lake Taupo.
- In what circumstances will Central Government develop national environmental standards?
- What will trigger Central Government to make changes to the RMA?
- How local authorities can work with Central Government to adopt and promote a “whole of government approach”

Conclusion

Local Government New Zealand seeks your feedback on these issues and options. Please note that we need your feedback at the very latest by the 2nd of December, but as time constraints mean that we will be developing the submission in parallel, with the consultation period we ask that you provide feedback on the paper as soon as possible.

Please respond with your feedback to:

Phillip Eyles
Local Government New Zealand

Ph 04 9241213

Email: Phillip.Eyles@lgnz.co.nz

Adoption of Plan Change 3 to the Regional Coastal Plan for Northland

File 990.3.42

Report from Coastal Policy Specialist Ben Lee dated 25 November 2008.

PURPOSE

To formally adopt the completed Plan Change 3 (Mangroves) to the Regional Coastal Plan for Northland and to outline the next steps in making these operative.

BACKGROUND

The Regional Coastal Plan for Northland is a mandatory planning instrument required under Section 64 of the Resource Management Act 1991 (RMA). It became operative in 2004.

Plan Change 3 was developed to recognise that there are circumstances where mangrove removal is appropriate and to make it easier to obtain resource consents in such circumstances.

Plan Change 3 was notified in June 2005 and Council's decision released in March 2006. The Director-General of Conservation appealed the decision and six other parties joined the appeal. All appeal points on Plan Change 3 have now been negotiated and settled and it is accordingly ready for adoption by Council as required under the RMA.

NEXT STEPS

Once adopted, the next steps are to affix the seal of the Council to the Plan Change and forward it to the Minister of Conservation for his approval. The Minister has the ability to direct amendments to the Plan Change before approving the Plan changes. Upon the Minister's approval, the Council is then required to publicly notify that the Plan Change is operative.

Recommendation

1. That Plan Change 3 to the Regional Coastal Plan for Northland be formally adopted.
2. That, pursuant to Clause 18(2) of the First Schedule to the Resource Management Act 1991, the Council authorise the affixing of the Common Seal of the Northland Regional Council to Plan Change 3 to the Regional Coastal Plan for Northland.
3. That the Adopted Plan Change be forwarded to the Minister of Conservation for approval as soon as possible.

COMPLIANCE WITH DECISION MAKING PROCESS

The decisions detailed in this report relate to a Regional Coastal Plan Change being progressed in accordance with the processes set out in the First Schedule of the Resource Management Act 1991. Pursuant to section 76(5) of the Local Government Act 2002, the requirements of the Resource Management Act 1991 take precedence.

Resolving Appeals on Plan Change 4 (Aquaculture)

File: 990.3.35.2

Report from Policy Specialist Ben Lee dated 1 December 2008.

PURPOSE

To seek approval for the establishment of a subcommittee for resolving appeals on Plan Change 4 (Aquaculture) to the Regional Coastal Plan for Northland.

BACKGROUND

The Council decisions on Plan Change 4 (Aquaculture) to the Regional Coastal Plan for Northland were notified on 26 April 2008. Twelve appeals were received and a further 23 parties have attached to one or more of the appeals.

There have been two meetings of the appeal parties (15 September 2008 and 24 November 2008). The negotiations are now at stage where the parties are informally agreeing on changes to the text of Plan Change 4 (Aquaculture). The next step is to more formally agree on these proposed changes. At present any formal agreement by the Northland Regional Council to changes can only be made by Council.

ESTABLISHING A SUBCOMMITTEE

It is proposed that rather than agreement being sought from Council, a subcommittee be established and delegated the necessary powers.

The details of the Plan Change 4 (Aquaculture) are complex, as are the issues being canvassed through the appeal negotiations, and the reasons for the informally agreed changes. It will take considerable time to explain to these to Council to a degree necessary to be able to make an informed decision.

Also, it is considered important to maintain momentum with the negotiations which is aided by being able to make timely decisions. Presently, the Council meeting timetable and the administrative process for putting items to Council can take considerable time. It would be easier and quicker to bring a subcommittee together to make decisions.

Accordingly it is recommended that a subcommittee be established and consist of the same councilors who make up the Aquaculture Working Party, namely Cr Farnsworth, Cr Jensen and Cr Hill.

Recommendation

1. That the report prepared by the Policy Specialist, dated 1 December 2008, titled Resolving Appeals on Plan Change 4 (Aquaculture), be received.
2. That a subcommittee of Cr Farnsworth, Cr Jensen and Cr Hill be established with delegated authority to resolve the appeals on Plan Change 4 (Aquaculture) to the Regional Coastal Plan for Northland.

COMPLIANCE WITH DECISION MAKING PROCESS

The decisions detailed in this report are part of a formal Regional Coastal Plan for Northland plan change, which is being progressed in accordance with the processes set out in the First Schedule of the Resource Management Act 1991. Pursuant to section 76(5) of the Local Government Act 2002, the requirements of the Resource Management Act 1991 take precedence.

Consents Decisions and Applications in Process

File: 430.1

Report from Consents Senior Programme Manager, David Roke dated 28 November 2008.

The Consents Senior Programme Manager's report on resource consent decisions made since 1 November 2008 is circulated to Councillors under separate cover. Progress on notified applications is as set out in the following table:

NOTIFIED APPLICATIONS

Publicly Notified

| Applicant | Proposal | Notification Period | Comment |
|----------------------------------------------------------------------------------|------------------------------------------------------------------------|-----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Whangarei District Council CON20031137501 | Replacement consents for Hikurangi Swamp flood control drainage scheme | 12 December 2006 to 1 March 2007 | Fifty submissions received; 28 against, 16 for, 35 wish to be heard. Pre-hearing discussions have led the Applicant to shortly lodge revised application for re-notification. |
| Far North District Council CON20060116801 | Kawakawa WWTP Section 128 review of monitoring programme | 13 June 2007 to 12 July 2007 | Viral monitoring rounds completed – final results received. Comment received from experts. Proposed recommendation has been circulated to submitters for comment. Two submitters withdrawn wish to be heard. Awaiting response from Northland Health. |
| Far North District Council CON20070283501 CON20070283601 CON20071912101 | Kaitaia Public Water Supply | 9 August 2007 to 7 September 2007 | Processing placed on hold at Applicant's request to allow further consultation. |
| Waitangi National Trust CON20071957801 | New visitors centre at Waitangi | 5 March 2008 to 4 April 2008 | Application now withdrawn. New application awaited. |
| North Holdings Limited CON20082038401 | Construction and operation of a wastewater treatment wetland, Ruakaka | 5 August 2008 to 2 September 2008 | Twelve submissions received. Requested further information now received. The Council to assess adequacy of information and circulate it to submitters. Decision on whether to hold a pre-hearing or schedule a hearing date will be made once response of submitters to further information is known. |

| Applicant | Proposal | Notification Period | Comment |
|----------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Far North District Council CON20080257701 | Replacement consents for Rawene WWTP | 13 August 2008 to 9 September 2008 | Number of submissions received: 54 Heard; 69 Not heard; eight Not indicating; and four Late "not heard". Applicant has requested extension to processing time to allow them to develop a strategy for providing additional information and undertaking further consultation. |
| NZ Transport Agency CON20082143201 | SH 1 passing lane at Whakapara | 1 to 30 October 2008 | Six submissions received. Likely further consultation with submitters, and joint hearing early 2009. |
| Northland Regional Council CON20082141201 | Stream mouth clearing in Far North and Whangarei Districts | 14 October to 12 November 2008 | Twenty-four submissions received: 12 wishing to be heard; 12 not wishing to be heard. |
| Whangarei District Council CON20010752101 CON20080752102 | Replacement consent for sewage overflows from Okara Park Pump station. New application for sewage overflow into Waiarohia Stream | 28 October to 25 November 2008 | Total of 602 submissions received: Heard 121; Not heard 413; Not indicating 47; Others 5; Late Not Heard 13; Late Not Indicating 3. There were also petitions attached to four submissions. The number of signatures on each petition was: 52, 108, 383, and 4252. Hearing date expected to be set for late February, March 2009. |
| Kerikeri Falls Investment Limited CON20071928901 | Sewage, stormwater, and earthworks associated with proposed Country Club complex, Rainbow Falls Road, Kerikeri | 9 October to 10 November 2008 Jointly notified with FNDC as lead agency | Five submissions received on applications made to the Regional Council. Two wishing to be heard, three not heard. |
| Borneo Investments Limited CON20082022101 | Sewage associated with proposed 54 residential unit development, including clubhouse and recreational building, Cobham Road, Kerikeri | 9 October to 10 November 2008 Jointly notified with FNDC as lead agency | Six submissions received on applications made to the Regional Council all wishing to be heard. |
| Bentzen Farm Limited CON20061055818 | Causeway in Waipiro Bay, Bay of Islands | 10 November to 8 December 2008 | |

Limited Notified

| Applicant | Proposal | Notification Period | Comment |
|--------------------------------------|-------------------------------------------------------|-----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Fonterra Co-op Ltd CON20060437319 | Condensate discharges from Kauri site to Wairua River | 4 October 2007 to 7 November 2007 | One submission received against proposal. Applicant requested a time extension to attempt resolution of issues raised by the sole submitter. Applicant has recently indicated that it is now investigating a proposal to re-use condensate. |

PRE-HEARING MEETINGS

| Applicant | Proposal | Held | Outcome |
|---------------------------------------------------------------------------|--------------------------------------------------------------------------------|-----------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Whangarei District Council CON20060257601 | Replacement Ngunguru sewerage discharge consents | Pre-hearing held 13 December 2006 | Applicant has requested that application be placed on hold for at least a year so that it can trial performance of upgraded plant and appropriate consent conditions based on the results, particularly with regard to ammonia concentrations. |
| Explore NZ (2004) Limited CON20071904701 | Proposed jetty in Hahangarua Bay, Moturua Island | 31 October 2007 | Applicant commissioning Historic Values Assessment and conducting further discussions with Ngati Kuta hapu. |
| AFFCO Moerewa CON20070738112 | Activities resulting from inclusion of a proposed milk powder plant at Moerewa | 20 November 2007 | A further meeting was held with the applicant. Preliminary agreement has been reached regarding draft wording of consent conditions. The revised proposal is currently being considered by the applicant. |
| Whangarei District Council CON20071820401 | Paradise Point seawall/ reclamation (Restricted Coastal Activity) | 28 August 2008 | Pre-hearing meeting held 17 November 2008. Hearing date 12 December 2008. |
| Mr J Keith CON20061752701 | Discharge to private land of sewage from WDC Ruakaka WWTP via spray irrigation | 16 September 2008 | Further report received and draft recommendations discussed. Further pre-hearing meeting held on 16 October. Draft recommendations amended to satisfy submitter's concerns. Decision made under delegated authority. |
| Whangarei District Council – Wastes & Drainage Division CON20080450901 | Waipu Wastewater Treatment Plant (upgrade to and extension of disposal system) | 13 November 2008 | Outcome generally favourable. Recommendations to be drafted and then circulated to submitters for comment, with the expectation that they will withdraw their wish to be heard at a formal hearing. |

HEARINGS

| Applicant | Proposal | Date of Hearing | Decision Issued/Comment |
|--------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| J C W Robinson CON20060788201 | Section 128 Review of quarrying consent conditions | Postponed to allow Consent Holder to review technical report | Confirmation of purchase of affected property received. Now assessing the need for review of conditions. |
| Far North District Council CON200404369 (01-02) CON200407356 (01-08) | Consents associated with water supply for Omapere/Opononi. Existing water takes from Waitemarama Stream and dam on Waiarohia Stream | 24 and 25 September 2007 - adjourned | Adjourned to allow the applicant to provide the results of consultation with Iwi – understood to be forthcoming before January 2009. |
| Far North District Council Bay of Islands Community Wastewater Scheme CON20060110804 | Expansion of Paihia WWTP to receive and treat additional wastewater from Kerikeri, Waipapa, Waitangi, and Russell if necessary | Commenced 29 September 2008 - adjourned | Fifty-one submissions received, 42 opposed. Joint Hearing 29 September to 1 October 2008. Committee adjourned hearing and invited responses from all parties on two matters by 31 October 2008. Four responses received. Hearing to be reconvened possibly in January/February 2009 to receive new evidence from the applicant. |
| Far North District Council CON20070266701 | Replacement consents for Omapere/Opononi WWTP discharges | 25 November 2008 | Hearings Committee now deliberating. |
| T L & J M a'Court and D C Sanders CON20082100001 | Proposed rock revetment wall at Te Wahapu | 17 October 2008 | Decision issued 7 November 2008. |
| Far North Holdings Ltd CON20060545411 | Paihia Waterfront Re-development | Commenced 28 October 2008 | Hearing adjourned 31 October for further information. |
| Carter Holt Harvey CON20071932401 | Earthworks for 121 lot subdivision at Tinopai | 16 and 17 February 2009 | Earlier hearing date postponed till 2009 at request of applicant. |
| Carter Holt Harvey CON20082102301 | Earthworks for subdivision at Ngatoto Road, Tinopai | 11 November 2008 - adjourned | Further information sought from the applicant. |
| Affco Beef Division Ltd, C/O Affco New Zealand Ltd CON20050738101 | Activities associated with the ongoing operation of a meat processing plant | 8 December 2008 | Pre-hearing resolution not possible due to submitters not being available. |

| Applicant | Proposal | Date of Hearing | Decision Issued/Comment |
|--------------------------------------------|----------------------------------------|------------------|--------------------------------------|
| Kaipara District Council CON20082122001 | Stormwater discharge from Hilltop Road | 17 December 2008 | Pre-hearing resolution not possible. |

APPEALS/OBJECTIONS

| Applicant | Proposal | Progress |
|---------------------------------------------------------------------------|------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Advance Developments Ltd CON20061540301 | Subdivision earthworks at Tutukaka | Further discussions held with submitters and applicants. Informal resolution of appeals now looks likely. Still awaiting further advice from the applicant. |
| Far North District Council CON20070757701 | Renewal of consent to take groundwater for public water supply at Kaikohe | Objection to consent condition, resolution agreed by postponing hearing to coincide with renewal applications for other public groundwater takes at Kaikohe. |
| Far North District Council & Far North Holdings Limited CON20051368901 | Exclusive occupation of coastal marine area | One appeal lodged relating to occupation area at Waitangi. Unsuccessful Court-assisted mediation session held 24 July 2008. Further mediation scheduled for 14 October not attended by appellant. Will now proceed to formal Court Hearing. |
| Pouto Farms Limited CON2008215801 | Flood protection works at Kaihu River | Objection to decision to return application documents as incomplete. |
| Goldpine Limited CON20061698001 | Roundwood production and treatment plant, Flyers Road | The applicant has advised the Court that application is being withdrawn as project to no longer proceed. |
| Northland Regional Council CON20041257401 | Awanui flood management scheme | Court decision now received. Consents Granted. |
| O B Holdings Ltd CON20041213701 | Earthworks for 4.5 km access road for 44 lot subdivision at Cove Road, Langs Beach | Environment Court Mediation undertaken, but resolution not achieved. |
| Crest Energy Kaipara Limited CON20061607601 | Proposed tidal power generation in Kaipara Harbour entrance | Four appeals lodged with the Environment Court. A hearing timetable is now set leading to formal hearing in June 2009. |
| D M Sutherland CON20070805602 | Proposed boat ramp extension and jetty | Appeal by the Applicant against decline of jetty decision. |

Recommendation

That the information on resource consent decisions and applications in process be received.

COMPLIANCE WITH DECISION MAKING PROCESS

The activities detailed in this report are provided for in the Council's 2006/2016 LTCCP, and as such are in accordance with the Council's decision-making process and sections 76-82 of the Local Government Act 2002.

Appointment of Hearings Committees

File: 110.8

Report from the Consents Senior Programme Manager David Roke dated 25 November 2008.

DELEGATION TO HEAR AND DECIDE CONSENT APPLICATIONS

A Hearings Committee is required for the hearing and decision/recommendation to the Minister of Conservation of applications by the Whangarei District Council related to occasional discharges of untreated sewage (CON200107521) including: REPLACEMENT CONSENT: Discharge untreated sewage from Okara Park pump station into the Hatea River; NEW CONSENT: Discharge untreated sewage into the Waiarohia Stream.

As the first of these constitutes a "restricted coastal activity" a committee of at least three members is required, including one Regional Councillor and one appointee of the Minister of Conservation.

In discussion with the Chairperson of the Hearings Committee, it is suggested that a committee comprising Independent Commissioner Alan Bickers (an MfE-certified Hearing Chair, and suitably qualified and experienced engineer who the Council also appointed to the committee to hear and decide the Bay of Islands Sewerage Scheme consents) (Chair), together with the appointee of the Minister of Conservation, and Regional Councillor Lorraine Hill, be appointed to hear and decide the application.

Recommendation

That Mr Alan Bickers (Chair), together with the appointee of the Minister of Conservation, and Cr Hill, be appointed to hear and decide/recommend to the Minister of Conservation on **Whangarei District Council** Application (CON20010752101) related to occasional discharges of untreated sewage including: REPLACEMENT CONSENT Discharge untreated sewage from Okara Park pump station into the Hatea River; and NEW CONSENT Discharge untreated sewage into the Waiarohia Stream.

COMPLIANCE WITH DECISION MAKING PROCESS

The activities detailed in this report are provided for in the Council's 2006/2016 LTCCP, and in accordance with the Council's statutory delegations approved in July 2004. As such they are in accordance with the Council's decision making process and sections 76-82 of the Local Government Act 2002.

Report on Environmental Monitoring for the period 1 November 2008 to 24 November 2008

Files 400.2 and 505.2

Report from Monitoring Senior Programme Manager Riaan Elliot dated 26 November 2008.

This report is for the period 1-24 November 2008 and contains tables summarising the RC compliance monitoring events, state of the environment monitoring events and environmental and maritime incidents reported by the public and staff, as well as staff response to each.

ABBREVIATIONS KEY:

| | | | | | |
|-------------|-----------------------------------|-------------|----------------------------|--------------|--------------------------------------------|
| WDC | Whangarei District Council | FNDC | Far North District Council | KDC | Kaipara District Council |
| DOC | Department of Conservation | NPC | Northland Port Corporation | NZRC | NZ Refining Company |
| NRC | Northland Regional Council | FNHL | Far North Holdings Ltd | CH | Consent Holder |
| STS | Sewage Treatment System | POD | Point of Discharge | PA | Permitted Activity |
| ESCP | Erosion and Sediment Control Plan | RAQP | Regional Air Quality Plan | RWSPN | Regional Water and Soil Plan for Northland |
| RC | Resource Consent | CMA | Coastal Marine Area | | |

COMPLIANCE CODE KEY:

| | | | | | |
|-------------|-----------------------------------------------------|------------|-------------------------------------------|-------------|----------------------------------------------------------------------------------------------------|
| Y | Yes compliance with Consent | MNC | Minor Non Compliance | SNC1 | Repeated Minor Non-Compliance or Significant Non-Compliance Resulting in Minor to Moderate Effects |
| SNC2 | Significant Non-Compliance with Significant Effects | FUS | Follow up of Significant Non – Compliance | FUR | Follow up at request of CH |

CODE DESCRIPTION:

This code indicates:

- the degree of environmental **Impact**
- the **Response** taken, or to be taken, by staff
- the **Status** of the situation

Impact to the Environment

| | | |
|---|----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| N | Natural Event | Such as flooding, earth movement or algae blooms over which there is little or no control. |
| U | Unknown | Results do not clearly differentiate between contamination and natural causes; or an incident has been reported sometime after its occurrence and the impact cannot readily be estimated. |
| 0 | None Detected | Inspection and-or sampling shows no impact. |
| 1 | Minor | The impact of the activity on the receiving environment was minor; effects were localised and/or temporary with non-significant deterioration in water quality, flows, and amenity value and or land stability. |
| 2 | Significant | Environmental impact is likely to extend over some distance or area, and/or could continue for some time (1-3 days), and/or a significant human health risk is likely. |
| 3 | Large | The impact is large with the environment requiring restoration or a substantial amount of time to recover (more than 1 week) and/or a major human health risk is likely. |

Response of Regional Council

| | | |
|---|---------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| N | None Required or Warranted | It is a natural event or no impact has been detected. Source unknown further investigation is not warranted. Report resulting from a routine monitoring event where no follow up is required. |
| F | Further Investigation Required | To confirm impact, to assess impact, to locate source, or to determine compliance. |
| I | Information or Advice | Given on how to avoid future adverse effects. |
| R | Request | An explanation of the situation or how the situation arose, a statement of the mitigation measures proposed or request certain mitigation measures to be undertaken, maintenance or upgrading to prevent impacts occurring in the future. |
| W | Written Warning | Written warning to avoid recurrence. |
| C | Clean Up | Clean Up by Regional Council. |
| E | Formal Enforcement | Abatement Notice, Enforcement Order, Infringement Notice, Prosecution. |

Status

| | | |
|---|---------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| R | Resolved | Party has fully complied with Regional Council's requests and there is no unacceptable impact to the environment, natural event that the Regional Council cannot realistically influence, no response required or warranted. |
| P | Pending Inspection | Prevention or mitigation measures have been reported to the Regional Council, as being in place but this has not yet been confirmed by re-inspection. |
| U | Unresolved | Regional Council requests to prevent or mitigate environmental impacts have not yet been met. The situation has not yet been investigated thoroughly enough to determine environmental impact. The time given for requested or required mitigation measures to be put in place have not elapsed. |
| M | Routine Monitoring | Routine Monitoring. |

Maritime Incident Response Codes

| | |
|---|------------------------------------------------------------------------------|
| N | No Response Required |
| F | Further Investigation Required |
| I | Information or Advice |
| R | Repaired/Replaced/Removed |
| W | Written warning issued to offender (offence notice, abatement notice) |
| P | Prosecution action pending |
| O | Other Agency |

DISCHARGES TO AIR

| Date | Consent | Details | Location | Comment | Code | Comp |
|-----------|---------|----------------------------------------------------------------------|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|------|------|
| 11-Nov-08 | 488301 | Ngawha Joint Venture: Discharge to air. | Ngawha | Hydrogen sulphide results received for October 2008. | 0NM | Y |
| 12-Nov-08 | 437305 | Fonterra Kauri: Discharge to air from processes and site operations. | Kauri | Site visit confirmed compliance with RC. | 0NM | Y |
| 12-Nov-08 | 831902 | NZRC: Discharge to air. | Marsden Point Oil Refinery | Self-monitoring results October 2008 confirmed full compliance with RC. | 0NM | Y |
| 13-Nov-08 | 852803 | Croft Timber Company Ltd: Discharge to air. | SH 1, Kauri | Site visit confirmed full compliance with RC | 0NM | Y |
| 13-Nov-08 | 798001 | Summit-Quinphos (NZ) Limited: Discharge to air. | Paradise Road, Kirikopuni | Site visit confirmed full compliance with RC. | 0NM | Y |
| 14-Nov-08 | 706801 | Ballance Agri-nutrients Ltd: Discharge to air. | Whangarei Fertiliser Works, Port Rd | Weekly stack emission test results for October 2008 showed minor non-compliance with RC. Problem was identified and fixed within a reasonable time. | 1RM | MNC |
| 14-Nov-08 | 755401 | Rudolphs Ltd: Discharge to air. | Marsden Point Rd, Ruakaka | Site visit confirmed compliance with RC. | 0NM | Y |
| 14-Nov-08 | 831902 | NZRC: Discharge contaminants to air. | Marsden Point Oil Refinery | Site visit indicated consent compliance. | 0NM | Y |
| 17-Nov-08 | 707301 | Fonterra Maungaturoto: Discharge to air | SH12, Maungaturoto | September stack monitoring results for total suspended particulate indicate compliance with RC. | 0NM | Y |
| 17-Nov-08 | 798101 | Summit Quinphos (NZ) Ltd: Discharge to air. | Port Rd, Whangarei | Site visit confirmed minor non-compliance with dust management. Site manager agreed to fix the problem on request. | 1RM | MNC |
| 18-Nov-08 | 738103 | AFFCO Ltd: Discharge to air. | SH 1, Moerewa | There was no offensive odour/smoke at or beyond the property boundary. All consent conditions were complied with during the visit. | 0NM | Y |

COASTAL ACTIVITIES

| Date | Consent | Details | Location | Comment | Code | Comp |
|-----------|---------|-----------------------------|-------------------------|---------------------------------------------------------------------------------------------------------------------|------|------|
| 03-Nov-08 | 838501 | FNHL: 210 berth marina. | Opuia, Bay of Islands | A '5 in 30' shellfish harvest sampling run undertaken between 21- 29 October. Results indicated good water quality. | 0NM | Y |
| 17-Nov-08 | 632501 | W C McLean: Jetty, Ruawai. | Ruawai, Kaipara Harbour | Structure in sound condition. | 0NM | Y |
| 17-Nov-08 | 632502 | C F Harrison: Jetty mooring | Fishermens Bay Ruawai | Structure in sound condition. | 0NM | Y |

| | | | | | | |
|-----------|---------|--------------------------------------------------------------------|------------------------|---------------------------------------------------------------------------------------------------------------------|-----|-----|
| 17-Nov-08 | 865401 | S N & E Hayter: Jetty and 18 piles. | Fishermans Bay, Ruawai | Structure in sound condition. | 0NM | Y |
| 17-Nov-08 | 1215401 | Maungaturoto & Districts Rotary Club Inc: moored swimming pontoon. | Mangawhai | CH has not completed the structure in accordance with RC. | 0RP | MNC |
| 17-Nov-08 | 1031001 | DA Salter: Jetty | Raupo | The jetty requires the consent number to be placed on it and some minor repairs are required to achieve compliance. | 1RP | MNC |
| 19-Nov-08 | 611701 | Ruawai Boating Club: Boatramp. | Ruawai | No RC number on structure. | 1RP | MNC |
| 24-Nov-08 | 831907 | NZRC: Extension to tug berth jetty. | Marsden Point Refinery | Site visit established no apparent effect. | 0NR | Y |

LAND USE CONSENT

| Date | Consent | Details | Location | Comment | Code | Comp |
|-----------|---------|-----------------------------------------------------|---------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|------|
| 04-Nov-08 | 2010801 | Kara Land Developments Ltd: Placement of peat fill. | Prescott Rd, Ruakaka | Minor improvements to bunds required and self-monitoring of accessway structure. | 0IP | MNC |
| 05-Nov-08 | 1496909 | Earth Tec Engineering Pty Ltd: Mangawhai STS. | Mangawhai | Request made to remove the drainage pipe from the sediment control pond and divert it around the pond into the bush. | 1RM | MNC |
| 06-Nov-08 | 1985601 | JT & MJ Hudson: Earthworks adjacent to CMA. | Pomare Bay, Kaha Place, Russell | Prior notification of intent to undertake slip repairs received. A pre-works site meeting was deemed unnecessary. | 0NM | Y |
| 11-Nov-08 | 2127301 | KDC: Earthworks to upgrade Maungaturoto WWTP. | Maungaturoto | Minor improvements to silt fence and earth bunds required. | 1IM | MNC |
| 11-Nov-08 | 2157901 | FNDC: Replacement of Pupuke River footbridge. | Weber Rd, Pupuke | Prior notification of intention to start works received. A site inspection to discuss sediment control is programmed to coincide with machinery being moved on site. | 0NM | Y |
| 14-Nov-08 | 856901 | Pulman B & J: Quarry rock | SH 1, Otaika | Sediment and erosion controls in place. NRC to be informed by quarry manager prior to weed spraying. | 0NM | Y |
| 21-Nov-08 | 2154501 | HEB Contractors Ltd: Peat disposal earthworks. | Rosythe Rd, Waipu | Pre-construction site meeting as per consent conditions. | 0NM | Y |
| 21-Nov-08 | 2029901 | FNDC: Place concrete slab on bed of Kerikeri River. | Kerikeri River Bridge | The concrete ford plates have been installed across the main channel of the river, providing pedestrian access across river. The slabs colouration closely matches that of the in-situ rock. | 0NM | Y |

DISCHARGES TO WATER OR LAND

| Date | Consent | Details | Location | Comment | Code | Comp |
|-------------|----------------|--------------------------------------------------------------------------------------|----------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| 09-Oct-08 | 377501 | FNDC: Discharge treated municipal sewage. | Ahipara STS | Water samples from the downstream site were within RC limits. | 1RM | Y |
| 09-Oct-08 | 233701 | FNDC: Discharge treated municipal sewage. | Awanui STS | Water sample results from the marsh discharge indicated elevated faecal coliform & ammonia levels. Further sampling was undertaken by the CH and the levels were within RC limits. | 1NM | MNC |
| 21-Oct-08 | 724701 | Ballance Agri-Nutrients Ltd: Coastal discharge. | Port Rd | Discharge was in full compliance with RC conditions. | 0NM | Y |
| 28-Oct-08 | 257701 | FNDC: Discharge treated sewage to water treatment system, Rawene. | Rawene STS | The water sample results of the final discharge from the marsh indicated compliance with the consent requirements. | 0NM | Y |
| 28-Oct-08 | 266701 | FNDC: Discharge sewage. | Opononi/Omapere STS | Water sample results indicated elevated ammonia levels in the discharge from the marsh area. | 1NM | MNC |
| 29-Oct-08 | 116801 | FNDC: Discharge treated municipal sewage. | Kawakawa STS | The water sample results taken after the UV disinfection system indicated compliance with the consent requirements. | 0NM | Y |
| 05-Nov-08 | 861101 | Hokenhull B & B: Discharge treated restaurant w/w to land | Cnr Moir St & Molesworth Dr, Mangawhai | Some exposed dripper lines, and signs of failure in the wastewater disposal field. | 1RM | MNC |
| 05-Nov-08 | 263501 | FNDC: Discharge treated municipal sewage. | Rangiputa STS | The water samples taken from the monitoring bore did not indicate elevated levels of contamination. | 0NM | Y |
| 05-Nov-08 | 720301 | FNDC: Discharge treated municipal sewage. | Whatuwhiwhi STS | Water samples taken from the outlet of the marsh indicated elevated faecal coliform & ammonia levels, however the discharge was complying with RC conditions. | 1NM | MNC |
| 07-Nov-08 | 711901 | Fonterra Maungaturoto: Discharge of wastewater by tanker. | Maungaturoto | Problems with truck and equipment meant only one load of effluent could be observed being spread. No issues observed. | 0RM | Y |
| 10-Nov-08 | 740301 | WDC: Operation of a STS. | Portland STS | Monitoring shows compliance with RC. Awaiting outstanding self-monitoring results as requested. | 0NM | MNC |
| 13-Nov-08 | 831901 | NZRC: Discharge to CMA. | Marsden Pt Oil Refinery | October self monitoring results complied with RC. | 0NR | Y |
| 13-Nov-08 | 272401 | Ota Point Effluent Society Inc: Discharge treated communal sewage to coastal waters. | Ota Point, Whangaroa | Water samples taken from the final effluent discharge indicated that the faecal coliform & suspended solids result was compliant with RC conditions. The UV efficiency was working within the effective limit. | 0NM | Y |

| | | | | | | |
|-----------|--------|-------------------------------------------------------------------------------------------------------------------------|----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----|
| 13-Nov-08 | 437301 | Fonterra Kauri: Discharge w/w, condensate plus seal water to land by spray irrigation and associated discharge to air . | Kauri Dairy Factory | Irrigation rotation times were slightly less than best practice during September, but surface water samples did not indicate any adverse effects. | 0NM | Y |
| 13-Nov-08 | 437303 | Fonterra Kauri: To discharge condensate plus seal water; divert and discharge s/w; and discharge treated washwater. | Mangahahuru Stream, Kauri | Self monitoring records demonstrate full compliance with RC. | 0NM | Y |
| 14-Nov-08 | 513901 | Fonterra Maungaturoto: Discharge condensate, truck washwater & stormwater to Wairua River. | Maungaturoto Dairy Factory | pH at the downstream compliance point was slightly below the RC limit on 2 of the self monitoring runs conducted in October. The temperature of the discharge into the natural wetland was also elevated, but no adverse effects were observed at the point of discharge or at the downstream compliance site. | 1NM | MNC |
| 14-Nov-08 | 514601 | Fonterra Maungaturoto: Discharge treated boiler blowdown water and s/water. | Maungaturoto | Self monitoring carried out in October demonstrated full compliance with RC conditions. | 0NM | Y |
| 14-Nov-08 | 420401 | Fonterra Maungaturoto: Discharge process w/w to coastal waters. | Maungaturoto Dairy Factory | Self monitoring carried out in October demonstrated full compliance with RC conditions. | 0NM | Y |
| 21-Nov-08 | 435201 | WDC: Operation of the Whangarei Main WTP. | Whangarei City STS | WDC extra monitoring, prior to tertiary filter replacement, showed ammonia levels higher than RC limits but reduced through wetland. Bacterial levels higher than 50 cfu/100ml but lower than agreed 1000 cfu/100ml. Replacement filter due Dec-08. | 1NU | MNC |

FARM DAIRY EFFLUENT**Monitoring Non-Consented (MNC)**

| Date | Consent | Details | Location | Comment | Code | Comp |
|-----------|---------|------------------------|---------------------------|-------------------------------------------------------------------|------|------|
| 29-Oct-08 | 800651 | Oud A & S J: FDE 4323 | Robertson Rd, Ruawai | Permitted activity. Less than recommended contingency storage. | 0NR | Y |
| 30-Oct-08 | 800314 | McLean L C M: FDE 1605 | SH 1, Waipu | Permitted activity. Improvement required. No contingency storage. | 1IU | MNC |
| 30-Oct-08 | 800322 | Brown S E: FDE 1619 | Finlayson Brook Rd, Waipu | Permitted activity. Less than recommended contingency storage. | 0NR | Y |
| 30-Oct-08 | 800323 | L K B Trust: FDE 1620 | Finlayson Brook Rd, Waipu | Permitted activity. Less than recommended contingency storage. | 0NR | Y |

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| 30-Oct-08 | 800344 | Grant H R & A D: FDE 1731 | Roysthe Rd, Waipu | Permitted activity. Improvement required. No contingency storage. | 1IU | MNC |
| 30-Oct-08 | 800425 | Johns M & V Ltd: FDE 2717 | Salmon Rd, Mata | Permitted activity. Improvement required. No contingency storage. | 1IU | MNC |
| 30-Oct-08 | 800436 | Coutts R B & C K: FDE 2749 | Sloane Rd, Mata | Permitted activity. Less than recommended contingency storage. | 0NR | Y |
| 30-Oct-08 | 800440 | Sloane B F & C J: FDE 2756 | Sloane Rd, Mata | Permitted activity. Well maintained system. | 0NR | Y |
| 30-Oct-08 | 801425 | Bradley N: FDE 9006 | St Marys Rd, Waipu | Permitted activity. Well maintained system. | 0NR | Y |
| 30-Oct-08 | 800326 | Roberts C D & A M Family Trust: FDE 1624 | SH 1, Waipu | Prohibited discharge. Effluent from milking pit discharged to water. | 2IU | SNC1 |
| 30-Oct-08 | 800347 | McAulay B I: FDE 1741 | Nova Scotia Dr, Waipu | Prohibited discharges. Untreated effluent discharged to water. | 2IU | SNC1 |
| 30-Oct-08 | 800315 | Boyd F: FDE 1606 | Ryan Rd, Waipu | Unauthorised discharge. Consent required. | 2IU | SNC1 |
| 30-Oct-08 | 800327 | Roberts C D & A M Family Trust: FDE 1625 | SH 1, Waipu | Prohibited activity. Untreated effluent from sump and irrigator discharged to water. | 2IU | SNC1 |
| 30-Oct-08 | 800438 | Erceg B G: FDE 2752 | Erceg Rd, Mata | Prohibited activity. Untreated effluent discharged to water. | 2IU | SNC1 |
| 30-Oct-08 | 801424 | Abercrombie S R & M O: FDE 9005 | McLean Rd, Waipu | Permitted activity. Maintenance required. | 1IU | MNC |
| 03-Nov-08 | 801002 | Berghan F A: FDE 8629 | Okahu Rd, Okahu | Permitted activity. Improvement required. | 1IU | MNC |
| 03-Nov-08 | 801006 | K & H Inch Road Trust: FDE 8633 | Inch Rd, Tokatoka | Permitted activity. System upgraded. Minor improvements required. | 1IU | MNC |
| 03-Nov-08 | 801008 | Mathews E A & C A: FDE 8635 | Neck Rd, Okahu | Permitted activity. Improvement required. | 1IU | MNC |
| 04-Nov-08 | 801022 | Boase W A & J D: FDE 8669 | Waller Rd, Arapohue | Treated effluent discharged to water. Consent application received. | 2IU | SNC1 |
| 07-Nov-08 | 801038 | McLean J M: FDE 8742 | SH 12, Turiwiri | Prohibited discharge. Untreated effluent from irrigator discharged to water. | 2IU | SNC1 |
| 07-Nov-08 | 801030 | Bradley K & M Ltd: FDE 8705 | SH 12, Turiwiri | Permitted activity. Less than the recommended contingency storage. | 0NR | Y |
| 07-Nov-08 | 801032 | Jefcoate W A: FDE 8709 | State Hgihway 12, Tiriwiri | Permitted activity. Less than the recommended contingency storage. | 0NR | Y |
| 07-Nov-08 | 801036 | Montgomery W B & M F: FDE 8740 | SH 12, Arapohue | Permitted activity. Improvement required. | 1IU | MNC |
| 10-Nov-08 | 800423 | Still L J: FDE 2619 | Mangapai Rd, Mangapai | Permitted activity. Less than recommended contingency storage. | 0NR | Y |
| 10-Nov-08 | 800364 | Thomson R J & W M: FDE 1924 | Paparoa-Oakleigh Rd, Tauraroa | Unauthorised discharge from ponds to water. | 2IU | SNC1 |
| 11-Nov-08 | 800190 | Shepherd A N: FDE 784 | SH 12, Waima | Permitted activity. Well maintained system. | 0NR | Y |

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| 11-Nov-08 | 800178 | Wilkins A E & J & E A: FDE 721 | SH 12, Waimamaku | Prohibited discharge. Untreated effluent from milking pit discharged to water. | 2IU | SNC1 |
| 11-Nov-08 | 800181 | Cherrington J H: FDE 737 | SH 12, Waimamaku | Unauthorised discharge. Treated effluent from pond discharged to water. | 2IU | SNC1 |
| 11-Nov-08 | 800189 | Agri-King Ltd: FDE 781 | Ohuri Rd, Rawene | Unauthorised discharge from irrigation pipe. | 2IU | SNC1 |
| 12-Nov-08 | 800213 | Power Farms Ltd: FDE 849 | Knudsen Rd, Kaikohe | Permitted activity. Improvement required. | 1IU | MNC |
| 12-Nov-08 | 801414 | Totara Valley Farms: FDE 844 | Wairoa Rd, Kaikohe | Permitted activity. Improvement required, stormwater control inadequate. | 1IU | MNC |
| 12-Nov-08 | 800197 | G F Farm Ltd: FDE 823 | Punakitere Rd, Taheke | Permitted activity. Well maintained system. | 0NR | Y |
| 12-Nov-08 | 800210 | McMillan W M: FDE 843 | Mataraua Rd, Kaikohe | Permitted activity. Well maintained system. | 0NR | Y |
| 12-Nov-08 | 800217 | Treadwell A K & J D: FDE 856 | Mangakahia Rd, Kaikohe | Permitted activity. Improvements required. | 1IU | MNC |
| 13-Nov-08 | 800236 | Northland College Board: FDE 990 | Quarry Rd, Kaikohe | System upgraded. Minor maintenance required. | 1IU | MNC |
| 13-Nov-08 | 800135 | Baxter Family Trust: FDE 557 | Wiroa Rd, Kerikeri | Permitted activity. Improvement required. No contingency storage. | 1IU | MNC |
| 14-Nov-08 | 800392 | Seahorse Farm: FDE 2053 | Ocean Beach Rd, Ocean Beach | Permitted activity. Well managed system. | 0NR | Y |
| 14-Nov-08 | 800393 | Petel J E & Son Ltd: FDE 2054 | Ocean Beach Rd, Ocean Beach | Permitted activity. Improvement required. | 1IU | MNC |
| 14-Nov-08 | 800767 | Lenssen G H: FDE 7331 | Whananaki North Rd, Hikurangi | Unauthorised discharge. Treated effluent discharged to water. | 2IU | SNC1 |
| 14-Nov-08 | 800768 | Cutforth B & N: FDE 7332 | Whananaki North Rd, Hikurangi | Permitted activity. Over-application at irrigator. Evidence of earlier discharge to water. | 2IU | SNC1 |
| 17-Nov-08 | 700043 | Stanners G T: FDE 911 | Oromahoe Rd, Oromahoe | Unauthorised discharge. Treated effluent discharged to water. | 2IU | SNC1 |
| 17-Nov-08 | 801445 | Rule N: FDE 897 | Te Ahuahu Rd, Waimate North | Permitted activity. Well maintained system. | 0NR | Y |
| 17-Nov-08 | 800223 | Chappell L & McDonald J: FDE 901 | SH 1, Pakaraka | Permitted activity. Well maintained system. | 0NR | Y |
| 17-Nov-08 | 800239 | Harvey J G & Needham C M: FDE 994 | Waitaheke Rd, Ohaewai | Permitted activity. Maintenance of system ok. | 0NR | Y |
| 17-Nov-08 | 700099 | Wells Family Farms: FDE 925 | SH 1, Moerewa | Permitted activity. Improvement required. | 1IU | MNC |
| 17-Nov-08 | 800225 | Owen F C: FDE 924 | Smith Rd, Moerewa | Permitted activity. Improvement required. | 1IU | MNC |
| 17-Nov-08 | 800240 | Crown Range Lodge Ltd: FDE 996 | SH 1, Ohaewai | Permitted activity. Improvement required. | 1IU | MNC |
| 18-Nov-08 | 800783 | Ngaere Enterprises Ltd: FDE 7430 | SH 1, Hukerenui | Untreated yard effluent illegally discharging to river. Gross over-application at irrigator. | 2IU | SNC1 |

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| 18-Nov-08 | 800232 | Goodhue B H & K M: FDE 949 | SH 1, Moerewa | Permitted activity. No stormwater control. | 0NR | Y |
| 18-Nov-08 | 800234 | Thompson H W & N J: FDE 962 | Pakaru Rd, Kawakawa | Unauthorised discharge. Pond discharged to water. | 2IU | SNC1 |
| 18-Nov-08 | 801415 | Dodds A J & Sons Ltd: FDE 968 | Pakaru Rd, Kawakawa | Permitted activity. No stormwater control. | 0NR | Y |
| 19-Nov-08 | 800317 | Drinnan C P & R D: FDE 1611 | SH 1, Waipu | Permitted activity. Less than the recommended contingency storage. | 0NR | Y |
| 19-Nov-08 | 800411 | Jochems J & W M: FDE 2512 | Maungakaramea Rd, Maungakaramea | Permitted activity. Well maintained system. | 0NR | Y |
| 19-Nov-08 | 800219 | Albatross Farms Ltd: FDE 861 | Ngapipito Rd, Kaikohe | Permitted activity. Improvement required. | 1IU | MNC |
| 19-Nov-08 | 800230 | Rodger W: FDE 940 | Ngapipito Rd, Moerewa | Permitted activity. Well maintained system. | 0NR | Y |
| 19-Nov-08 | 800777 | Beulah Farm Ltd: FDE 7409 | Crows Nest Rd, Hukerenui | Permitted activity. Less than the recommended contingency storage. | 0NR | Y |
| 20-Nov-08 | 800934 | Fox G O & J: FDE 8392 | SH 12, Aranga | Permitted activity. Improvement required. | 1IU | MNC |
| 20-Nov-08 | 800941 | Fox G O & J: FDE 8411 | Katui Rd, Donnelly's Crossing | Permitted activity. Improvement required. | 1IU | MNC |
| 20-Nov-08 | 800942 | Gillham S P & R J: FDE 8413 | SH 12, Aranga | Permitted activity. Improvement required. | 1IU | MNC |
| 20-Nov-08 | 800943 | Law M R & D A: FDE 8414 | SH 12, Aranga | Permitted activity. Less than the recommended contingency storage. | 0NR | Y |
| 20-Nov-08 | 802704 | M J & L D Griffiths: FDE 8388 | Waitapu Rd, Aranga | Illegal discharge. Untreated effluent discharged via stormwater bypass to land and to water. | 2IU | SNC1 |
| 21-Nov-08 | 800361 | Bell Bros: FDE 1911 | McConnell Rd, Taipuha | Prohibited discharge. Untreated effluent discharged to land and to water. | 2IU | SNC1 |
| 21-Nov-08 | 800375 | Mason K K: FDE 1947 | Neville Rd, Waitira | Permitted activity. Improvement required. | 1IU | MNC |
| 24-Nov-08 | 800471 | Husband J: FDE 3018 | Kokopu Rd, Kara | Permitted activity. Less than the recommended contingency storage. | 0NR | Y |
| 24-Nov-08 | 800493 | Gordon R B & B J: FDE 3111 | Rushbrook Rd, Matarau | Permitted activity. Less than the recommended contingency storage. | 0NR | Y |
| 24-Nov-08 | 800497 | Rae Farm: FDE 3116 | Gumtown Rd, Kamo | Permitted activity. Less than the recommended contingency storage. | 0NR | Y |
| 24-Nov-08 | 800501 | Colebrook R H & L E: FDE 3136 | Three Mile Bush Rd, Matarau | Permitted activity. Well maintained system. | 0NR | Y |
| 24-Nov-08 | 800590 | Richards Est of C V T & P W: FDE 3853 | Richards Rd, Kauri | Permitted activity. Improvement required. | 1IU | MNC |
| 24-Nov-08 | 800591 | Finlayson A & R Ltd No. 1 Farm: FDE 3855 | Waipapa Rd, Matarau | Permitted activity. Less than the recommended contingency storage. | 0NR | Y |

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| 24-Nov-08 | 800592 | McKegg E R & M D: FDE 3859 | Pipiwai Rd, Matarau | Permitted activity. No contingency storage. No stormwater control. | 1IU | MNC |
| 24-Nov-08 | 801385 | Roger Blunt Family Trust: FDE 3870 | Crane Rd, Kauri | Permitted activity. Well maintained system. Pond enlarged. | 0NR | Y |

**FARM DAIRY EFFLUENT
Monitoring Consented (MCO)**

| Date | Consent | Details | Location | Comment | Code | Comp |
|-----------|---------|-------------------------------------|-----------------------------------|------------------------------------------------------------------------------------------------------------|------|------|
| 15-Oct-08 | 896701 | Jochems P & R D: FDE 7426 | Tapuhi Rd, Hukerenui | Untreated effluent from entry/exit race discharged to water. | 2IU | SNC1 |
| 20-Oct-08 | 1099501 | Buisman R: FDE 2522 | Purvis Rd, Maungakaramea | Maintenance required. Water quality test results outside consent limits. | 2IU | SNC1 |
| 20-Oct-08 | 957001 | Rapson Farms Ltd: FDE 2605 | Mangapai Caves Rd, Mangapai | Maintenance adequate. Water quality test results outside consent limits. | 2IU | SNC1 |
| 21-Oct-08 | 352601 | P M Clark Family Trust: FDE 7532 | 4225 Maromaku Rd, Maromaku | Stormwater control and maintenance required. Upgrade, required by consent, not done. | 2IU | SNC1 |
| 22-Oct-08 | 875001 | Hewlett G D: FDE 2758 | Yovich Rd, Mata | Unauthorised discharge. Untreated effluent discharged to roadside drain. | 2IU | SNC1 |
| 22-Oct-08 | 883301 | Finlayson G E: FDE 2845 | Marsden Point Rd, Ruakaka | Maintenance good. Water quality test results good. | 0NR | Y |
| 22-Oct-08 | 1214201 | Paton Family Trust: FDE 2824 | One Tree Point Rd, Ruakaka | Maintenance required. Water quality test results good. | 1IU | MNC |
| 22-Oct-08 | 1249901 | Gillingham M A & R: FDE 2815 | Takahiwai Rd, Ruakaka | Stormwater control required. Water quality test results good. | 1IU | MNC |
| 23-Oct-08 | 920501 | Hales G G & J: FDE 1533 | Taipuhu Settlement Rd, Taipuha | Unauthorised discharge from feedpad bypassed treatment. Water quality test results were outside RC limits. | 2IU | SNC1 |
| 23-Oct-08 | 1228601 | Baker P & K: FDE 1523 | Taipuha Station Rd, Paparoa | Maintenance required. Water quality test results outside consent limits. | 2IU | SNC1 |
| 23-Oct-08 | 1303001 | Comins M A & A Ltd: FDE 1909 | Paparoa-Oakleigh Rd, Taipuha | Maintenance good. Water quality test results good. | 0NR | Y |
| 24-Oct-08 | 1209201 | Hudson K A & G C: FDE 3728 | Bercich Rd, Maungakaramea | Maintenance required. Water quality test results good. | 1IU | MNC |
| 24-Oct-08 | 1213801 | Heapey R T: FDE 3753 | Snooks Rd, Maungakaramea | Stormwater control required. Water quality test results marginal. | 1IU | MNC |
| 24-Oct-08 | 1953301 | Carman N J & R D: FDE 3715 | Crawford Rd, Maungakaramea | Maintenance required. Water quality test results good. | 1IU | MNC |
| 24-Oct-08 | 880901 | Duffy D A: FDE 3819 | SH 14, Whatitiri | Maintenance required. Water quality test results outside consent minimum. | 2IU | SNC1 |

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| 24-Oct-08 | 1120901 | Deeming D L & S J: FDE 3705 | Tangihua Rd, Tangihua | Maintenance good. Water quality test results good. | 0NR | Y |
| 28-Oct-08 | 946801 | Preston Farms Partnership: FDE 4470 | Mitchell Rd, Ruawai | Stormwater control and maintenance required. Water quality test results outside consent limits. | 2IU | SNC1 |
| 28-Oct-08 | 1210601 | Gent & Flood Family Trust: FDE 4475 | SH 12, Ruawai | Prohibited discharge. Untreated effluent discharged to land and to water. | 2IU | SNC1 |
| 28-Oct-08 | 1311101 | Brcich T I: FDE 4329 | Hodgson Rd, Ruawai | Effluent from milking pit discharged to water. Maintenance required. | 2IU | SNC1 |
| 28-Oct-08 | 1212001 | Stanaway Family Trust: FDE 4326 | Access Rd, Ruawai | Modifications required before old dairy yard and surrounds are used again for standoff. | 1IU | MNC |
| 29-Oct-08 | 945701 | Sirjay Trust: FDE 4412 | Dunn Rd, Ruawai | Maintenance required. Water quality test results good. | 1IU | MNC |
| 29-Oct-08 | 949401 | Bowers Farm Ltd: FDE 4402 | Dunn Rd, Ruawai | Maintenance required. Water quality test results good. | 1IU | MNC |
| 30-Oct-08 | 924201 | Murphy Prosperity Trust: FDE 8429 | Trounson Park Rd, Kaihu | Follow up to SNC. Farm owner agreed to upgrade this construction season. | 1IU | FUS |
| 31-Oct-08 | 1290201 | Dreadon L R & R E: FDE 4445 | Ringrose Rd, Rehia | Maintenance and stormwater control required. Water quality test results outside consent limits. | 2IU | SNC1 |
| 31-Oct-08 | 1205501 | Baker Family Trust: FDE 4430 | Molloy Rd, Ruawai | Discharge volume exceeded. Water quality test results outside consent limits. | 2IU | SNC1 |
| 31-Oct-08 | 1230801 | Hart Properties Limited: FDE 4415 | Dunn Rd, Ruawai | Maintenance good. Water quality test results outside consent limits. | 2IU | SNC1 |
| 31-Oct-08 | 1220601 | Lugtigheid A L R & T D: FDE 4451 | Rehia Rd, Tokatoka | Maintenance required. Water quality test results good. | 1IU | MNC |
| 31-Oct-08 | 967901 | Bellamy M C & S L: FDE 4435 | Rehia Rd, Rehia | Maintenance required. Water quality test results outside consent limits. | 2IU | SNC1 |
| 31-Oct-08 | 1066001 | Bellamy M & S Family Trust: FDE 4448 | Simpkin Rd, Tokatoka | Maintenance and stormwater control required. Water quality test results good. | 1IU | MNC |
| 31-Oct-08 | 948801 | Bulfin P E: FDE 4438 | Rehia Rd, Rehia | Maintenance required. Water quality test results outside consent limits. | 2IU | SNC1 |
| 31-Oct-08 | 951601 | Leon & Tracey Lugtigheid Family Trust: FDE 4454 | Blong Rd, Tokatoka | Maintenance required. Water quality test results good. | 1IU | MNC |
| 31-Oct-08 | 926601 | Ramsey & Sons Ltd: FDE 4428 | Dunn Rd, Ruawai | Maintenance good. Water quality test results marginal. | 0NR | Y |
| 31-Oct-08 | 947601 | King P R: FDE 4425 | Dunns Rd, Ruawai | Maintenance good. No discharge at time of inspection. | 0NR | Y |
| 31-Oct-08 | 1217801 | Stanaway M A & K W: FDE 4432 | Molloy Rd, Ruawai | Maintenance required. No discharge at time of inspection. | 1IU | MNC |

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| 31-Oct-08 | 1289101 | Dill M G: FDE 4450 | Inch Rd, Ruawai | Maintenance good. No discharge at time of inspection. | 0NR | Y |
| 03-Nov-08 | 1228701 | Simpkin A D & R I: FDE 4443 | Tokatoka Rd, Ruawai | Stormwater control required. No discharge at time of inspection. | 1IU | MNC |
| 03-Nov-08 | 958101 | Fernhill Trust: FDE 4441 | Tokatoka Rd, Rehia | Over application of effluent via irrigator resulting in runoff to water. | 2IU | SNC1 |
| 03-Nov-08 | 1144201 | Elmrock Farms Ltd: FDE 8631 | Mititai Rd, Arapohue | Maintenance and stormwater control required. Feedpad effluent not directed to ponds. | 2IU | SNC1 |
| 03-Nov-08 | 1283701 | Dodds F E: FDE 8634 | Inch Rd, Okahu | Maintenance required. Water quality test results outside consent limits. | 2IU | SNC1 |
| 03-Nov-08 | 961801 | Bickers D C: FDE 4442 | Tokatoka Rd, Rehia | Maintenance required. Water quality test results hindered due to contamination upstream @ FDE 4441 from irrigator. | 1IU | MNC |
| 03-Nov-08 | 963501 | Lenton Grove Ltd: FDE 4446 | Ringrose Rd, Rehia | Maintenance required. Water quality test results good. | 1IU | MNC |
| 03-Nov-08 | 1243501 | Leon & Tracey Lugtigheid Family Trust: FDE 8632 | Mititai Rd, Okahu | Maintenance required. Water quality test results marginal. | 1IU | MNC |
| 03-Nov-08 | 1289301 | Bond I W & B W: FDE 4440 | Dreadon Rd, Tokatoka | Stormwater control required. Water quality test results good. | 1IU | MNC |
| 04-Nov-08 | 1125601 | Williams K: FDE 8656 | Arapohue Rd, Dargaville | Stormwater control required. Water quality test results good. | 1IU | MNC |
| 04-Nov-08 | 1176101 | McGowan G D & G M R: FDE 8667 | Waller Rd, Arapohue | Maintenance required. Water quality test results good. | 1IU | MNC |
| 04-Nov-08 | 1434001 | Beejay Stud Ltd: FDE 8574 | Pukehuia Rd, Pukehuia | Maintenance required. Water quality test results outside consent limits. Cow numbers grossly exceeding consent maximum. | 2IU | SNC1 |
| 04-Nov-08 | 1173201 | Cluain Farms Ltd: FDE 8657 | Arapohue Rd, Arapohue | Maintenance required. Water quality test results outside consent limits. | 2IU | SNC1 |
| 04-Nov-08 | 997001 | Woppy Enterprises Ltd: FDE 8673 | Keer Rd, Arapohue | Maintenance and stormwater control required. Water quality test results outside consent limits. | 2IU | SNC1 |
| 04-Nov-08 | 1049601 | CMJ Trading Trust: FDE 8684 | Arapohue Rd, Dargaville | Cow numbers increased by 40%. Water quality test results outside consented limits. | 2IU | SNC1 |
| 04-Nov-08 | 1105401 | Williamson P & B: FDE 8661 | Bee Bush Rd, Arapohue | Maintenance good. Water quality test results outside consent limits. | 2IU | SNC1 |
| 04-Nov-08 | 1132501 | Ridgeview Farms Ltd: FDE 8662 | Arapohue Rd, Dargaville | Maintenance and stormwater control required. Water quality test results outside consent limits. | 2IU | SNC1 |
| 04-Nov-08 | 1135501 | Skudder S D & S J: FDE 8668 | Bee Bush Rd, Arapohue | Maintenance required. Water quality test results outside consent limits. | 2IU | SNC1 |

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| 05-Nov-08 | 961201 | Worthy G J & A L: FDE 1621 | Finlayson Brook Rd, Waipu | Maintenance and stormwater control required. Water quality test results outside consent limits. | 2IU | SNC1 |
| 05-Nov-08 | 966501 | McKay R: FDE 1734 | Connell Rd, Waipu | Maintenance required. Unauthorised discharge from feedpad. | 2IU | SNC1 |
| 05-Nov-08 | 850201 | Goodmon D D & W K: FDE 1806 | Glenmohr Rd, Waipu | Maintenance required. Water quality test results outside consent limits. | 2IU | SNC1 |
| 05-Nov-08 | 1182501 | Mrsich P & S: FDE 1803 | South Rd, Waipu | Maintenance required. Water quality test results good. | 1IU | MNC |
| 05-Nov-08 | 927701 | Rosyth Farm Ltd: FDE 1733 | Rosyth Rd, Waipu | Maintenance required. Water quality test results good. | 1IU | MNC |
| 05-Nov-08 | 927801 | Woodbury Farming Ltd: FDE 1710 | Rosyth Rd, Waipu | Maintenance and stormwater control required. No discharge at time of inspection. | 1IU | MNC |
| 05-Nov-08 | 1176901 | Udderway Farming Ltd: FDE 1802 | South Rd, Waipu | Maintenance required. Water quality test results outside consent limits. | 2IU | SNC1 |
| 05-Nov-08 | 2052501 | Couper & Couper Ltd: FDE 1705 | Millbrook Rd, Waipu | Maintenance required. Water quality test results outside consented limits. | 2IU | SNC1 |
| 05-Nov-08 | 871201 | Urlich J I & I M: FDE 1631 | Shoemaker Rd West, Waipu | Maintenance good. No discharge at time of inspection. | 0NR | Y |
| 05-Nov-08 | 947201 | Bryham J R: FDE 1630 | Shoemaker Rd, Waipu | Stormwater control required. No discharge at time of inspection. | 1IU | MNC |
| 05-Nov-08 | 965201 | McAulay G V & A C: FDE 1742 | Nova Scotia Drive, Waipu | Maintenance good. No discharge at time of inspection. | 0NR | Y |
| 05-Nov-08 | 1183901 | Sandford W M & K J: FDE 1617 | Finlayson Brook Rd, Waipu | Maintenance good. Water quality test results good. | 0NR | Y |
| 06-Nov-08 | 1054301 | Johns L W Ltd: FDE 2738 | SH 1, Mata | Maintenance required. Water quality test results good. | 1IU | MNC |
| 06-Nov-08 | 1073001 | Carswell R J & A M Ltd: FDE 2744 | SH 1, Mata | Maintenance good. Irrigator discharge to water. | 1IU | MNC |
| 06-Nov-08 | 952201 | Millbrook Farm Ltd: FDE 1711 | Helmsdale Rd, Waipu | Maintenance required. Water quality test results outside consent limits. | 2IU | SNC1 |
| 06-Nov-08 | 879901 | Stevens P C & M J: FDE 1708 | Helmsdale Rd, Waipu | Maintenance and stormwater control required. Water test results good. | 1IU | MNC |
| 06-Nov-08 | 1197301 | Westpoint Farms Ltd: FDE 2429 | Otaika Valley Rd, Okaika Valley | Treatment system required major upgrade. Farm owner agreed to get consultant to advise and design upgrade. | 2IU | FUS |
| 06-Nov-08 | 1226201 | P & T Gordon Ltd: FDE 1729 | Rosyth Rd, Waipu | Maintenance required. Water quality test results outside consent limits. | 2IU | SNC1 |
| 06-Nov-08 | 1254501 | Reid Family Trust: FDE 2754 | Fulton Rd, Mata | Maintenance required. Water quality test results outside consent limits. | 2IU | SNC1 |

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| 06-Nov-08 | 1178801 | Pivac Farms Ltd: FDE 1728 | Mountfield Rd, Waipu | Maintenance good. Water quality test results outside consented limits. | 2IU | SNC1 |
| 06-Nov-08 | 880501 | Harding T C & M J: FDE 2753 | Cotton Rd, Mata | Maintenance good. No discharge at time of inspection. | 0NR | Y |
| 06-Nov-08 | 1139501 | Tubbs Peninsula Farm Ltd: FDE 2740 | Gilbert Rd, Oakleigh | Maintenance and stormwater control required. No discharge at time of inspection. | 1IU | MNC |
| 07-Nov-08 | 1221901 | Geraghty Enterprises Ltd: FDE 8719 | SH 12, Ruawai | Maintenance good. No discharge at time of inspection. | 0NR | Y |
| 07-Nov-08 | 1149801 | Murray J K & Franklin J T Partnership: FDE 8231 | Waihue Rd, Dargaville | Maintenance good. Water quality test results good. | 0NR | Y |
| 07-Nov-08 | 1982301 | McInnes S C & P: FDE 8693 | Morrison Rd, Arapohue | Stormwater control required. No discharge at time of inspection. | 1IU | MNC |
| 07-Nov-08 | 1282501 | McDermott C J & L P Family Trust: FDE 8690 | Mititai Rd, Mititai | Maintenance required. Water quality test results outside consent limits | 2IU | SNC1 |
| 07-Nov-08 | 1247901 | Lulich P L & C J: FDE 8744 | Turiwiri West Rd, Turiwiri | Maintenance required. Water quality test results outside consent limits. | 2IU | SNC1 |
| 07-Nov-08 | 1172301 | Blitvic I N: FDE 8750 | Turiwiri West Rd, Turiwiri | Stormwater control required. Unauthorised discharge to water. | 2IU | SNC1 |
| 07-Nov-08 | 948001 | Teesdale L J & H L Farm Ltd: FDE 8677 | Hoyle Rd, Arapohue | Maintenance required. Water quality test results marginal. | 1IU | MNC |
| 07-Nov-08 | 1110201 | Bellamy D Family Trust: FDE 8743 | Island Rd, Dargaville | Maintenance and stormwater control required. Water quality test results good. | 1IU | MNC |
| 10-Nov-08 | 1127801 | M & V Johns Ltd: FDE 2724 | Kukunui Rd, Springfield | Maintenance good. No discharge at time of inspection. Dairy not used. | 0NR | Y |
| 10-Nov-08 | 1173701 | Sloane K F: FDE 2748 | Sloane Rd, Mata | Maintenance required. No discharge at time of inspection. | 1IU | MNC |
| 10-Nov-08 | 971801 | James R F & V A: FDE 2734 | SH 1, Mata | Maintenance required. No discharge at time of inspection. | 1IU | MNC |
| 10-Nov-08 | 918801 | Carter G A: FDE 2716 | Salmon Rd, Mata | No discharge at time of inspection. Maintenance good although pond one is due for a clean. | 0NR | Y |
| 10-Nov-08 | 873101 | Blake J O L: FDE 2721 | Salmon Rd, Mata | Maintenance required. Water quality test results good. | 1IU | MNC |
| 10-Nov-08 | 873501 | Miller D E & C M: FDE 2723 | Springfield Rd, Mata | Maintenance required. Water quality test results outside consent limits. | 2IU | SNC1 |
| 10-Nov-08 | 895501 | Cotton Farms Ltd: FDE 2611 | Caves Rd, Mangapai | Stormwater control required. Water quality test results marginal. | 1IU | MNC |
| 10-Nov-08 | 899801 | Thomson R J & W M: FDE 2620 | Mangapai Rd, Mangapai | Stormwater control inadequate. Water quality test results outside consent limits. | 2IU | SNC1 |

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|-----------|---------|--------------------------------------------|----------------------------------------|-------------------------------------------------------------------------------------------------|-----|------|
| 10-Nov-08 | 967801 | Porter B C: FDE 2617 | Mangapai Rd, Mangapai | Maintenance good. Water quality test results good. | 0NR | Y |
| 10-Nov-08 | 974201 | Maunder M & A: FDE 2608 | Mangapai Caves Rd, Mangapai | Maintenance required. Water quality test results good. | 1IU | MNC |
| 10-Nov-08 | 1213501 | Huzza Farms Ltd (T/A Mata Farms): FDE 2745 | Salmon Rd, Mata | Irrigator not used. Water quality test results outside consent limits. | 2IU | SNC1 |
| 10-Nov-08 | 971701 | Wynston Johns Properties Ltd: FDE 2737 | SH 1, Mata | Maintenance good. Feedpad discharge water quality test results outside consent limits. | 2IU | SNC1 |
| 11-Nov-08 | 1246501 | Fife K J & V A: FDE 775 | SH 12, Whirinaki | Stormwater control and maintenance required. Water quality test results outside consent limits. | 1IU | MNC |
| 11-Nov-08 | 1170401 | Karuhi Farms Ltd: FDE 776 | Karuhiruhi Rd, Whirinaki | Maintenance required. Water quality test results outside consent limits. | 2IU | SNC1 |
| 11-Nov-08 | 939901 | Parlane J R & K L A: FDE 738 | Gorge Rd, Waiotemarama | Maintenance good. Water quality test results good. | 0NR | Y |
| 11-Nov-08 | 1576601 | Ambler M D: FDE 745 | SH 12, Waimamaku | Stormwater control required. Water quality test results marginal. | 1IU | MNC |
| 11-Nov-08 | 1125501 | Rogers G A & S P: FDE 739 | Waiotemarama Gorge Rd, Waiotemarama | Maintenance good. Water quality test results marginal. | 1IU | MNC |
| 11-Nov-08 | 886901 | Hook L L: FDE 730 | Hook Rd, Waimamaku | Maintenance good. Water quality test results good. | 0NR | Y |
| 11-Nov-08 | 992401 | Coulter P S & B A: FDE 720 | Goodwin Rd, Waimamaku | Maintenance good. No discharge at time of inspection. Now has two large ponds. | 0NR | Y |
| 11-Nov-08 | 917301 | Hook J G & C A: FDE 729 | SH 12, Waimamaku | Maintenance required. Discharge dries up before river. No water samples taken. | 1IU | MNC |
| 11-Nov-08 | 869001 | Coulter G L & J N: FDE 740 | SH 12, Waimamaku | Maintenance good. No discharge at time of inspection. Dairy not in use. | 0NR | Y |
| 12-Nov-08 | 934001 | Pinny M J: FDE 851 | Gammons Rd, Kaikohe | Increased herd size by 300. No discharge at time of inspection. | 1IU | MNC |
| 12-Nov-08 | 926401 | Byers Farms Ltd: FDE 825 | Punakitere Rd, Kaikohe | Maintenance good. Water quality test results good. | 0NR | Y |
| 12-Nov-08 | 879701 | Pinny M J & C M: FDE 852 | Picadilly Rd, Kaikohe | Maintenance required. Water quality test results outside consent limits. | 2IU | SNC1 |
| 12-Nov-08 | 2035501 | Pinkney C B: FDE 841 | Mataraua Rd, Kirioko | Maintenance required. No discharge at time of inspection. | 1IU | MNC |
| 12-Nov-08 | 933901 | Pinny M J: FDE 855 | Mangakahia Rd, Kaikohe | Stormwater control required. Over-application at irrigator discharged to water. | 2IU | SNC1 |
| 12-Nov-08 | 973401 | Husseys Partnership Ltd: FDE 842 | Mataraua Rd, Kaikohe | Maintenance required. Water quality test results outside consent limits. | 2IU | SNC1 |

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|-----------|---------|---------------------------------------------------------------|----------------------------------|----------------------------------------------------------------------------------|-----|------|
| 13-Nov-08 | 203801 | Robinson D A: FDE 706 | Bulman Rd, Okaihau | Maintenance good. No discharge at time of inspection. | 0NR | Y |
| 13-Nov-08 | 210601 | Gillett R G: FDE 558 | Wiroa Rd, Kerikeri | Maintenance required. No discharge at time of inspection. | 1IU | MNC |
| 13-Nov-08 | 441901 | Thompson H W & N J: FDE 993 | SH 12, Kaikohe | Maintenance good. No discharge at time of inspection. | 0NR | Y |
| 13-Nov-08 | 1046601 | Kaikohe Downs Ltd: FDE 867 | SH 12, Kaikohe | Serious maintenance issues. No discharge at time of inspection. | 2IU | SNC1 |
| 13-Nov-08 | 1218401 | Bell B C & H S I: FDE 991 | Hairu Rd, Kaikohe | Maintenance and stormwater control required. No discharge at time of inspection. | 1IU | MNC |
| 13-Nov-08 | 729001 | Wiroa Holdings Ltd: FDE 559 | Wiroa Rd, Kerikeri | Maintenance required. Water quality test results outside consent limits. | 2IU | SNC1 |
| 13-Nov-08 | 921501 | Highrisings Farm Partnership: FDE 541 | Waiare Rd, Okaihau | Maintenance required. Water quality test results marginal. | 1IU | MNC |
| 14-Nov-08 | 944001 | Lornie Enterprises Ltd: FDE 2141 | Adams Rd, Whareora | Maintenance good. Water quality test results good. | 0NR | Y |
| 14-Nov-08 | 1310701 | Jagger Family Trust T/A Manaia View Farms Ltd: FDE 2044 | Ody Rd, Whangarei Heads | Maintenance required. Water quality test results marginal. | 1IU | MNC |
| 14-Nov-08 | 1711601 | KCV Holdings Ltd: FDE 2024 | Pataua South Rd, Whangarei | Maintenance required. Water quality test results marginal. | 1IU | MNC |
| 14-Nov-08 | 1473101 | Murdoch Ross Enterprises Ltd: FDE 2017 | Taranui Valley Rd, Parua Bay | Maintenance required. No discharge at time of inspection. | 1IU | MNC |
| 14-Nov-08 | 930901 | Ngahura Mara Ltd: FDE 2114 | Hoban Rd, Whareora | Maintenance good. No discharge at time of inspection. | 0NR | Y |
| 14-Nov-08 | 920601 | Le Clerc P R & Family Trust: FDE 2322 | SH 1, Hikurangi | Maintenance required. No discharge at time of inspection. | 1IU | MNC |
| 17-Nov-08 | 291201 | Owhareiti Farm Ltd: FDE 923 | Smiths Rd, Pakaraka | Maintenance good. No discharge at time of inspection. | 0NR | Y |
| 17-Nov-08 | 392901 | Old Oaks Farms Ltd: FDE 893 | Te Ahuahu Rd, Waimate North | Stormwater control required. No discharge at time of inspection. | 1IU | MNC |
| 17-Nov-08 | 407201 | Mountain Family Trust: FDE 892 | Showgrounds Rd, Waimate North | Maintenance required. No discharge at time of inspection. | 1IU | MNC |
| 17-Nov-08 | 927601 | Jack Family Trust: FDE 899 | SH 1, Ohaewai | Maintenance required. Water quality test results marginal. | 1IU | MNC |
| 17-Nov-08 | 893701 | Simpson A W & D M: FDE 912 | McIntyre Rd, Oromahoe | Maintenance good. Water quality test results good. | 0NR | Y |
| 17-Nov-08 | 406901 | Mahoe Farm Ltd: FDE 917 | SH 10, Pakaraka | Maintenance required. Sump full and overflowing. | 1IU | MNC |

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|-----------|---------|--------------------------------------------------------|----------------------------|-----------------------------------------------------------------------------------------|-----|------|
| 18-Nov-08 | 476401 | Webb S J & C J: FDE 964 | Pakaru Rd, Kawakawa | Maintenance good. Water quality test results good. | 0NR | Y |
| 18-Nov-08 | 927501 | Doevendans J: FDE 961 | Pakaru Rd, Kawakawa | Maintenance good. Water quality test results marginal. | 1IU | MNC |
| 18-Nov-08 | 446201 | Taylor W D & S: FDE 984 | SH 1, Waiomio | Untreated effluent bypassed ponds. Water quality test results outside consent limits. | 2IU | SNC1 |
| 18-Nov-08 | 920201 | Thomas B M & P D: FDE 926 | Hautapu Rd, Moerewa | Maintenance good. No discharge at time of inspection. | 0NR | Y |
| 18-Nov-08 | 448301 | Rear B D & K N: FDE 959 | Pakaru Rd, Kawakawa | No discharge at time of inspection. Dairy looks unused. | 0NR | Y |
| 18-Nov-08 | 448501 | Rear B D & K N Ltd: FDE 960 | Pakaru Rd, Kawakawa | Maintenance good. No discharge at time of inspection. | 0NR | Y |
| 18-Nov-08 | 450801 | Wainwright L C & Barbarich T B Partnership: FDE 948 | Otiria Rd, Otiria | Maintenance good. No discharge at time of inspection. | 0NR | Y |
| 19-Nov-08 | 872601 | Bowers J B & J I: FDE 2509 | Glenn Rd, Maungakamea | Maintenance good. Very minimal discharge from pond (drip only). Receiving waters clear. | 0NR | Y |
| 19-Nov-08 | 460601 | Jull A D: FDE 939 | Ngapipito Rd, Orauta | Maintenance and stormwater control required. Water quality test results good. | 1IU | MNC |
| 19-Nov-08 | 192501 | Dodd D R & Makene P A: FDE 937 | Ngapipito Rd, Ngapipito | Maintenance required. Water quality test results marginal. | 1IU | MNC |
| 19-Nov-08 | 446101 | Coates B E & P A: FDE 947 | Ngapipito Rd, Otiria | Maintenance required. Water quality test results good. | 1IU | MNC |
| 19-Nov-08 | 1284601 | Bristow A P: FDE 938 | Ngapipito Rd, Moerewa | Maintenance and stormwater control required. Water quality test results good. | 1IU | MNC |
| 19-Nov-08 | 928001 | Lang W E: FDE 943 | Ngawhitu Rd, Moerewa | Stormwater control required. Water quality test results outside consent limits. | 2IU | SNC1 |
| 19-Nov-08 | 901901 | Pokapu Inc: FDE 932 | Pokapu Rd, Kawakawa | Maintenance required. No discharge at time of inspection. | 1IU | MNC |
| 20-Nov-08 | 949601 | Pendre Farms Ltd: FDE 8383 | Waitapu Rd, Aranga | Untreated effluent had discharged via stormwater bypass to land and to water. | 2IU | SNC1 |
| 20-Nov-08 | 922401 | Burke Farms Limited: FDE 8395 | Hooper Rd, Aranga | Maintenance required. No discharge at time of inspection. | 1IU | MNC |
| 20-Nov-08 | 1219901 | Murphy I N & T: FDE 8401 | SH 12, Aranga | Maintenance good. No discharge at time of inspection. | 0NR | Y |
| 21-Nov-08 | 1221001 | Mathews T C & L M Trust: FDE 1944 | Walker Rd, Waiotira | Maintenance good. No discharge at time of inspection. | 0NR | Y |
| 21-Nov-08 | 1170601 | Waireka Dairy Farms Ltd: FDE 1949 | Neville Rd, Waiotira | Maintenance required. No discharge at time of inspection. | 1IU | MNC |

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| 21-Nov-08 | 867301 | Anderson K R: FDE 1919 | Paparoa-Oakleigh Rd, Ruarangi | Maintenance good. No discharge at time of inspection. | 0NR | Y |
| 21-Nov-08 | 874601 | Crooks D J & P D: FDE 1912 | McConnell Rd, Ruarangi | Maintenance required. No discharge at time of inspection. | 1IU | MNC |
| 21-Nov-08 | 934601 | Going S J Trust: FDE 7567 | Marlow Rd, Maromaku | Maintenance required. Water quality test results marginal. | 1IU | MNC |

WATER TAKES

| Date | Consent | Details | Location | Comment | Code | Comp |
|-----------|---------|----------------------------------------------------------------------------|-----------------------------------|---------------------------------------------------------------------------------------------------------------------------|------|------|
| 03-Nov-08 | 172501 | WDC: Dam & take for public water supply. | Whau Valley Dam | Down stream scouring of the water course. | 1FU | MNC |
| 03-Nov-08 | 187201 | Milton Coombe Property Ltd: Groundwater take for horticulture. | Three Mile Bush Rd, Kamo | Water use returns received. No water taken. | 0NM | Y |
| 05-Nov-08 | 623207 | Dew Drop Properties Ltd: To take groundwater from two existing bores. | Otehei Bay | Water use records received for October 2008. The CH has not provided water level information or weekly water use details. | 1IM | MNC |
| 07-Nov-08 | 488312 | Ngawha Geothermal Resource Co Ltd: Water take. | Ngawha | Water use records received. | 0NM | Y |
| 11-Nov-08 | 437304 | Fonterra Kauri: Water take for various purposes. | Mangahuru Stream, Kauri. | Water use records received for July 2008. | 0NM | Y |
| 11-Nov-08 | 2126701 | L Young: Bore construction. | Oakura Rd | Bore log received. | 0NM | Y |
| 11-Nov-08 | 2144201 | S & C Austin: Bore construction. | Puketotara Rd, Glenbervie | Bore log received. | 0NM | Y |
| 11-Nov-08 | 2155801 | T G Turnock: Bore construction. | Ngatiwai Place, Bland Bay | Bore log received. | 0NM | Y |
| 11-Nov-08 | 2161801 | PC & JM Robinson: Bore construction. | Hihi Beach | Bore log received. | 0NM | Y |
| 11-Nov-08 | 2164001 | A & A Johnston: Bore construction. | Farwind Place, Hihi | Bore log received. | 0NM | Y |
| 13-Nov-08 | 785601 | Wallis L J: Water take from bore for water supply and irrigation of crops. | No 12 The Waterfront, Mangonui | Sampling results for October 2008 indicated that the chloride concentrations were within the required limits. | 0NM | Y |
| 14-Nov-08 | 93001 | Kororareka Whanau Trust: Groundwater take for domestic water supply. | Matauhi Bay | Sampling results for September 2008 indicated that the chloride concentrations were within the required limits. | 0NM | Y |

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|-----------|--------|--------------------------------------------------------------------------------------|---------------------------------|-----------------------------------------------------------------------------------------------------------------------|-----|---|
| 14-Nov-08 | 168701 | Russell Motel Ltd: Groundwater take for motel water supply. | Matauhi Bay Rd, Russell | Sampling results for September 2008 indicated that the chloride concentrations were within the required limits. | 0NM | Y |
| 14-Nov-08 | 169501 | FNDC: Groundwater take for motor camp/public water supply. | Long Beach Rd, Russell | Sampling results for September 2008 indicated that the chloride concentrations were within the required limits. | 0NM | Y |
| 14-Nov-08 | 302401 | Russell Bowling Club (Inc): Groundwater take for irrigation of bowling greens. | Church St, Russell | Sampling results for September 2008 indicated that the chloride concentrations were within the required limits. | 0NM | Y |
| 14-Nov-08 | 372901 | Body Corporate 115692: Groundwater take for Te Maiki Villas. | Flagstaff Rd, Russell | Sampling results for September 2008 indicated that the chloride concentrations were within the required limits. | 0NM | Y |
| 14-Nov-08 | 964901 | Stocks D V & J K: Groundwater take. | Wellington St, Russell | Sampling results for September 2008 indicated that the chloride concentrations were within the required limits. | 0NM | Y |
| 14-Nov-08 | 965401 | Matauhi Wharf Ltd - Groundwater take for domestic supply. | Matauhi Rd, Russell | Sampling results for September 2008 indicated that the chloride concentrations were within the required limits. | 0NM | Y |
| 14-Nov-08 | 188101 | WDC: Groundwater take for public water supply. | Stonehaven Dr, Maungakaramea | Water use records received for October 2008. | 0NM | Y |
| 14-Nov-08 | 514001 | Fonterra Maungaturoto: Water take. | Maungaturoto Dairy Factory | Water use records received. | 0NM | Y |
| 14-Nov-08 | 864201 | WDC: Groundwater take for public water supply. | Stonehaven Dr, Maungakaramea | Water use records received for October 2008. | 0NM | Y |
| 18-Nov-08 | 168701 | Russell Motel Ltd: Groundwater take for motel water supply. | Matauhi Bay Rd, Russell | Water use records received for 2007 and 2008. | 0NM | Y |
| 19-Nov-08 | 417601 | R S & D M Massey: Groundwater take for horticultural irrigation. | Ngunguru Rd, Kiripaka | Water use records received. | 0NM | Y |
| 19-Nov-08 | 831905 | NZRC: Control of groundwater levels within the refinery site. | Marsden Point | The groundwater report for October 2008 was received. | 0NM | Y |

SOE MONITORING

| Date | MNC | Project | Location | Comment |
|----------------------------|--------|-------------------------------------------------------|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Water - Routine SOE | | | | |
| 11-Nov-08 | 802033 | Pouito Lakes | Pouito Peninsula | Routine water quality monitoring of Lakes Humuhumu, Kanono, Kahuparere, Kapoai, Rototuna, Swan and Wainui. Lakes Kapoai and Wainui had very poor water clarity and low oxygen levels in bottom waters. |
| 12-Nov-08 | 801338 | Regional Water Quality Monitoring Network - Eastern | | Monthly water quality sampling of Waitangi, Waipapa, Kerikeri, Waiharakeke, Waiotu, Ngunguru, Hatea and Whakapara Rivers and two sites on Mangahuru Stream. |
| 12-Nov-08 | 801302 | Regional Water Quality Monitoring Network - Far North | | Routine monthly water quality monitoring carried out on the Mangamuka, Victoria, Awanui, Kaeo and Oruru Rivers. |
| 12-Nov-08 | 801303 | Regional Water Quality Monitoring Network - Western | | Monthly water quality sampling of Kaihu, Waipoua, Waimamaku, Punakitere, Utakura, Mangakahia and Opouteke Rivers. Nothing unusual noted. |
| 12-Nov-08 | 801314 | Regional Water Quality Monitoring Network - Southern | | Routine water quality monitoring of Ruakaka, Hakaru, Manganui, Mangere and Waipao Rivers, Paparoa Stream and two sites on the Waiarohia Stream. |
| 13-Nov-08 | 801317 | General SOE Monitoring - Water Quality | | Routine water quality sampling of six sites in the Mangere catchment to investigate poor water quality. |
| 17-Nov-08 | 802032 | Aupouri Lakes | Aupouri Peninsula | Routine water quality monitoring of Lakes Carrot, Morehurehu, Ngakapua North, Ngakapua South, Ngakeketa North, Rotokawau, Te Paki, Te Kahika, Waipara and Waihopo. Most of the lakes were stratified with moderate deoxygenation of bottom waters. Water clarity good in all lakes. |
| 26-Nov-08 | 700115 | Waipu Catchment Water Quality Project. | Waipu | Routine water quality monitoring of Waipu catchment. Water clarity poor at all sites. Conductivity higher than normal at some sites. |
| 26-Nov-08 | 801325 | SOE Monitoring General (Lakes) | | Water quality monitoring was undertaken at four Aupouri lakes (Lakes Ngakeketa South, Bulrush, Kihona and West Coast Rd) to determine nutrient status. |

ENVIRONMENTAL INCIDENTS

| Date | ICE No. | Description | Location | Comment | Code |
|-----------|---------|---------------------------------------------------------|----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 02-Nov-08 | 17688 | Concerns regarding earthworks within a flood plain. | Whangae Rd, Kawakawa | The property owner was advised of the requirements of the RWSP regarding stopbank construction within this area. | 1IR |
| 03-Nov-08 | 17689 | Offensive odour from spraypainting facility. | Port Rd, Whangarei | Confirmed offensive and objectionable solvent odours from premises being used for yacht construction. Property occupier required to close the doors and use air extraction equipment. | 2IU |
| 03-Nov-08 | 17695 | Earthworks on side of road. | Whananaki North Rd, Hikurangi | Investigation is continuing. | 1FU |
| 03-Nov-08 | 17696 | Cattle grazing in significant wetland area. | Marsden Pt Rd, Marsden Pt | NRC staff to work with land owner/leasee to achieve a positive outcome. | UFU |
| 04-Nov-08 | 17697 | Trees felled and dumped on bank and in watercourse. | Tarewa Rd, Otaika | Investigation is continuing. | 1FU |
| 04-Nov-08 | 17699 | Drainage of a significant indigenous wetland. | Pataua South Rd, Whangarei Heads | Site visit with NRC staff, land owners and neighbours. Land owner has agreed to undertake remedial actions. | 2RP |
| 04-Nov-08 | 17701 | Smoke nuisance. | Limeburners St, Whangarei | Sent a letter advising rules on burning under the RAQP to the person responsible. | 1IR |
| 04-Nov-08 | 17702 | Burning and smoke nuisance. | Boswell St, Kamo | Investigation is continuing. | 1FU |
| 04-Nov-08 | 17703 | Smoke nuisance. | Hilltop Ave, Whangarei | The incident reporter could not be contacted to provide details of the location of the fire. | 1NR |
| 04-Nov-08 | 17704 | Smoke nuisance. | Bermuda Pl, One Tree Point | A letter was sent to the alleged offender advising of requirements in regard to smoke nuisance. | 1IR |
| 04-Nov-08 | 17721 | Discharge of cattle effluent to waterway. | Tutamoe | The non-complying FDE discharge had been reported during routine monitoring, and remedial action undertaken, prior to this complaint being received. | 0NR |
| 06-Nov-08 | 17705 | Discharge to stormwater drain. | Kamo Rd, Kamo | Investigation is continuing. | 1FU |
| 06-Nov-08 | 17706 | Smoke nuisance. | Fraser St, Whangarei | Investigation is continuing. | 1FU |
| 06-Nov-08 | 17708 | Dust nuisance from unsealed road. | Crows Nest Rd, Hikurangi | Minor dust nuisance confirmed during the site visit. Dust monitor installed on the incident reporter's property. | 1FU |
| 07-Nov-08 | 17711 | Discharge from commercial works. | Port Rd, Whangarei | Visible discharge from the chimney was confirmed. Site manager agreed to shut down the plant on request. The repair has been done and the plant is running within RC conditions. | 1IR |
| 07-Nov-08 | 17712 | Stockpiling of material including plastics for bonfire. | Attwood Rd, Waikaraka | Investigation is continuing. | 1FU |

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| 07-Nov-08 | 17718 | Discharge to mangroves. | Takahiwai Rd, Takahiwai | Sediment controls are inadequate. Follow up with earthmoving contractor. | 1IP |
| 08-Nov-08 | 17723 | Excessive emissions from commercial business. | Port Rd, Whangarei | Confirmed excessive visual emissions from fertiliser plant. Plant manager agreed to shut down plant to identify and resolve the issue. | 2IR |
| 09-Nov-08 | 17724 | Large quantity of white liquid discharging down stormwater drain. | Town Basin, Whangarei | Confirmed discolouration of stormwater drain, probably due to paint. Unfortunately, it was not possible to identify the offender on this occasion. | 1IU |
| 10-Nov-08 | 17733 | Discharge to waterway. | Whangarei Falls | Investigation is continuing. | 1FU |
| 10-Nov-08 | 17734 | Flooding resulting from construction of causeways across overland flow path. | Temure Pl, Ruakaka | Further investigation is continuing. | UFP |
| 10-Nov-08 | 17744 | Thick smoke from fire on a neighbouring property. | Shoebridge Cres, Ngunguru | Unable to identify the property from where the smoke nuisance originated. Complainants advised to contact the Council again if the situation recurs. | 0NR |
| 10-Nov-08 | 17751 | Possible sewage soakage field failure. | McLeods Bay, Whangarei Heads | Investigation is continuing. | 1FU |
| 10-Nov-08 | 17747 | Overtaken tanker truck loaded with sulphuric acid. | SH 12, Tokatoka | Spill neutralised and contaminated soils sent to Redvale landfill. | 2IR |
| 11-Nov-08 | 17746 | Sewage discharge. | Limeburners St, Whangarei | Site visit showed no evidence of overflow from on-site sewage system. | 0NR |
| 11-Nov-08 | 17745 | Cattle effluent entering waterway. | Ruakaka | Previous site visit failed to confirm discharge to water. Issue is clouded by incident reporter's other concerns including effluent getting on his car and being held up by the cows on the road. | 0FU |
| 11-Nov-08 | 17743 | Stormwater run-off to neighbouring properties. | Port Marsden Highway, Ruakaka | Investigation is ongoing. | 1FP |
| 11-Nov-08 | 17748 | Smoke nuisance. | Three Mile Bush Rd, Kamo | Minor smoke nuisance was confirmed during the site visit. Advised rules on burning under the RAQP to the person responsible. Also requested not to do burn in the future. | 1IR |
| 11-Nov-08 | 17749 | Slash from forestry operation blocking waterway. | Waiotoi Rd, Ngunguru | Meeting scheduled with forestry company to respond on issue. | 1FU |
| 11-Nov-08 | 17750 | Spraydrift. | Darwin Rd, Kerikeri | Investigation continuing. | 0NR |
| 12-Nov-08 | 17752 | Thick smoke and odour discharging from neighbour burning household refuse. | Clotworthy Cres, Whangarei | Unable to confirm offensive smoke or odour nuisance. Investigation continuing. | 0NR |
| 12-Nov-08 | 17753 | Smoke nuisance. | Limeburners St, Morningside | Confirmed the discharge of offensive smoke and odour resulting from an accidental fire on an adjoining property. Property owner was given a written warning. | 2IR |

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| 12-Nov-08 | 17754 | Smoke & odour nuisance. | George St, Hikurangi | Unable to confirm offensive smoke and odour nuisance. Investigation continuing. | 0NR |
| 12-Nov-08 | 17755 | Discharge to stormwater drain. | Porowini Ave, Whangarei | Spilt grease from grease-trap being emptied, cleaned-up immediately by contractors, some wash-water entered stormwater. | 1IR |
| 12-Nov-08 | 17756 | Smoke nuisance. | Sea View Rd, Baylys Beach | The property owner responsible has been asked to take into account the wind direction when burning cardboard in the incinerator, to prevent nuisance to neighbours. | 1IR |
| 12-Nov-08 | 17757 | Sewage spill. | Webster St, Rawene | Small sewage overflow from a blocked manhole was cleared by FNDC contractor upon notification by landowner. | 1NR |
| 14-Nov-08 | 17769 | Wastewater irrigation application not complying with RC. | Hurndall St East, Maungaturoto | Investigation is continuing. | 1FU |
| 14-Nov-08 | 17772 | Damage caused to dunes by tractor. | Mangawhai Heads | Investigation is continuing. | 1FU |
| 14-Nov-08 | 17787 | Dust nuisance. | Sandhills Rd, Ahipara | A site visit confirmed there was a dust nuisance from FNDC gravel road. The matter is to be referred for further investigation. | 1FU |
| 14-Nov-08 | 17793 | Excavation in bed of stream. | Access Rd, Kerikeri | An excavator was used to create a swimming hole in the bed of a stream. A warning letter was sent to the person responsible. | UWR |
| 14-Nov-08 | 17802 | Alleged illegal placement of culverts and roading construction. | Ngunguru Rd, Kiripaka | Landowner needs to be contacted for further investigation of his earthworks. | 0FP |
| 15-Nov-08 | 17794 | Discharge from a stormwater pipe. | Riverside Dr, Whangarei | Investigation is continuing. | 1FU |
| 16-Nov-08 | 17795 | Dead stock in a spring. | McCardle Rd, Titoki | Farmer agreed to properly dispose of dead stock. | UNR |
| 16-Nov-08 | 17796 | Spraydrift from neighbouring property. | Hall Rd, Kerikeri | Investigation is continuing. | 1FU |
| 17-Nov-08 | 17801 | Calf carcasses dumped in close proximity to waterway. | Wekaweka Rd, Wekaweka Valley | It is alleged that a person is responsible for dumping offal and refuse over a roadside bank into a river. A site inspection is planned. | UFP |
| 18-Nov-08 | 17809 | Inadequate sediment control resulting in silt discharges. | Orongo Bay, BOI | Site visit to be scheduled to investigate allegations. | UFP |
| 19-Nov-08 | 17820 | Disturbance to CMA. | Mangawhai Heads | Investigation is continuing. | 1FU |
| 19-Nov-08 | 17822 | Unconsented earthworks being undertaken. | Black Swamp Rd, Mangawhai | Suggested touch-up works and maintenance of controls to minimise sediment laden water leaving the property during rain events. | 1IP |

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|-----------|-------|----------------------------------------------------------|------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| 19-Nov-08 | 17823 | Alleged poor sediment control at road works. | Matauri Bay Rd, Matauri Bay | Some minor sediment control issues were discussed and agreed with the site supervisor. | 1IR |
| 19-Nov-08 | 17840 | Discharge of car washings to stormwater drain. | Hurndal St, Maungaturoto | Investigation is continuing. | 1FU |
| 19-Nov-08 | 17841 | Oil discharge to waterway. | Millbrook Rd, Waipu | Investigation is continuing. | 1FU |
| 20-Nov-08 | 17826 | Paint fumes affecting food business. | Kerikeri Rd, Kerikeri | Painting associated with renovating a neighbouring premises caused odour nuisance within a cafe. The rules regarding odour nuisance were explained to the painters. | UIR |
| 20-Nov-08 | 17827 | Tractor in CMA. | Tahanga Landing | The tractor, which had suffered a break down, had been removed from the CMA prior to staff visiting the site and any contaminated material had been removed. | 1RR |
| 20-Nov-08 | 17830 | Disposal of bleach down stormwater drain. | Port Rd, Whangarei | Under investigation. | 1FF |
| 20-Nov-08 | 17832 | Excessive dust from trucks on metal road. | Pyle Rd East, Ruakaka | Contractors requested to use alternative route or use water cart. | 1IR |
| 21-Nov-08 | 17833 | Smoke nuisance. | Three Mile Bush Rd, Kamo | Investigation is continuing. | 1FU |
| 21-Nov-08 | 17842 | Discharge of paint washings to waterway. | SH 10, Kerikeri | Investigation is continuing. | 1FU |
| 24-Nov-08 | 17846 | Discharge into stormwater drain from machinery wrecking. | Rainbow Falls Rd, Kerikeri | A site visit is to be scheduled. | 0FF |
| 24-Nov-08 | 17848 | Illegal storage of hazardous substances. | Marsden Point Rd, Ruakaka | The drums stored on site are empty. No compliance issues. | 0NR |
| 24-Nov-08 | 17853 | Small oil spill on road. | Taipa Heights Rd, Taipa | A clean-up was carried out by FNDC road maintenance contractors who reported that the spill was of a minor nature. | 1RR |
| 25-Nov-08 | 17861 | Dust nuisance. | SH1, Ruakaka | Investigation is continuing. | 1FU |
| 25-Nov-08 | 17866 | Sewage discharge. | McLeods Bay, Whangarei Heads | A site visit is to be scheduled to check for compliance. | 1FU |

MARITIME INCIDENTS

| Date | ICE | Description | Location | Comments | Code |
|-----------|------|---------------------------------------------|-------------------------|---------------------------------------------------------------------------------------------|------|
| 03-Nov-08 | 2806 | GHK Piling Hot Work Permit Application. | Marsden Point | Hot Work Permit dispensation issued by the Regional Harbourmaster. | IR |
| 03-Nov-08 | 2820 | S3 beacon knocked over by cement barge. | Whangarei Harbour | Beacon to be reinstated by Northport. | OU |
| 06-Nov-08 | 2808 | Ferrous trimaran stern is low in the water. | Kororareka Bay, Russell | Vessel moved off the mooring, water was pumped out and now waiting on repairs by the owner. | RR |

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|-----------|------|---------------------------------------------------------------------------|----------------------------------|-------------------------------------------------------------------------------------------------------------------|----|
| 07-Nov-08 | 2809 | Technical problem with survey equipment on NIWA research vessel Tangaroa. | Renown Anchorage | Ship anchored temporarily in BOI whilst transducer inspected by a local diver. | IR |
| 07-Nov-08 | 2810 | Request for a local navigation warning for construction work at NZRC. | Marsden Point | Local Navigation Warning issued by the Regional Harbourmaster. | IR |
| 07-Nov-08 | 2811 | Yacht grounded after mooring line failed. | English Bay, Opuā | Vessel secured and placed on another mooring in the bay. | OR |
| 07-Nov-08 | 2814 | Vessel occupying mooring without the owner's permission. | Upper Mangonui Harbour | Mooring owner advised to request vessel owner to remove vessel. | IU |
| 07-Nov-08 | 2815 | Vessel exceeding 5 knots within 200 metres of shore. | Waipapa Landing | Warning letter sent to alleged offender. | WR |
| 10-Nov-08 | 2817 | Yacht broke mooring and on rocks. | English Bay | Yacht floated off at high tide. | RR |
| 10-Nov-08 | 2818 | Radio news report of a fatal boating accident. | Opuā | Incident referred to Police and MNZ for follow up investigation. | IR |
| 13-Nov-08 | 2822 | A number of crabpots have been left in the bay. | Urquharts Bay | Owner was instructed to remove the pots from the Bay. | IR |
| 13-Nov-08 | 2823 | A disused mooring is obstructing another mooring. | Mill Bay | Mooring contractor instructed to remove mooring from water. | RR |
| 18-Nov-08 | 2824 | Exceeding 5 knots in mooring areas. | Bay of Islands | Issue being investigated by maritime team. | FU |
| 18-Nov-08 | 2825 | Large amount of debris in water after launching of new tug. | Port Whangarei | Floating debris recovered by Shipco personnel. | IR |
| 24-Nov-08 | 2828 | Report of vessel dragging its anchor through the moorings. | Opuā Marina | Drifting vessel was recovered and secured by owner. | RR |
| 24-Nov-08 | 2830 | Fishing vessel lodged under wharf with incoming tide. | Whangarei Wharves | Vessel was recovered from under wharf by skipper. | RR |
| 19-Nov-08 | 2826 | Report of diesel spill on water. | Kissing Point, Whangarei Harbour | Diesel spill was left to disperse naturally. Unable to identify source but likely to have been a bilge discharge. | 1N |
| 24-Nov-08 | 2827 | Small diesel spill resulted from launch sinking at wharf. | Waipapa Landing | Diesel spill was left to disperse naturally and vessel was refloated next day without incident. | 1N |

Recommendation

That the follow-up action taken by staff resulting from monitoring or environmental/maritime incidents for the period 1-24 November be supported.

COMPLIANCE WITH DECISION MAKING PROCESS

The activities detailed in this report are provided for in the Council's 2006/2016 LTCCP, and as such are in accordance with the Council's decision-making process and Sections 76-82 of the Local Government Act 2002.

Business with the Public Excluded

File 105.2

Recommendation

That pursuant to the Local Government Official Information and Meetings Act 1987, the public be excluded from the remainder of the meeting to consider:

1. Confirmation of the confidential section of the Minutes of the Ordinary Council meeting held on 19 November 2008.
2. Confirmation of the Confidential section of the Minutes of the Audit and Finance Committee meeting held on 26 November 2008.
3. Outstanding Debt Collection
4. Audit New Zealand Draft Management Letter

The reason for excluding the public in relation to items 1 and 2 are as stated in the Minutes of those meetings

In relation to item 3, the reason for excluding the public is to protect the privacy of natural persons as protected by section 7(2)(a).

In relation to items 4 public conduct of the proceedings would be likely to result in the disclosure of information, the withholding of which is necessary to allow the Council to conduct without prejudice or disadvantage commercial activities pursuant to Section 7(2)(h) and (i) of the said Act