

NORTHLAND REGIONAL COUNCIL

Agenda

For an Ordinary Meeting of the Council to be held in the
Council Chambers, 36 Water Street, Whangarei,
on Wednesday, 18 March 2009 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

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NORTHLAND REGIONAL COUNCIL

Minutes of the Ordinary Meeting of the Council, held at the Northland Regional Council, 36 Water Street, Whangarei, on Wednesday, 25 February 2009 commencing at 1 pm

File 105.2

PRESENT: Crs Mark Farnsworth, Ian Walker, 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
Local Government Project Manager
Monitoring Senior Programme Manager
Resource Management Planning SPM
Senior Communications Officer
Consents Programme Manager - Coastal
Policy Specialists
Iwi Liaison Officer

OPENING PRAYER

The Council Administration Programme Manager read the opening prayer.

APOLOGY

Resolved: That the apology from Cr Bain for non-attendance be received.

Cr Brown : Cr Rossiter

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.

The Chairman declared an interest in part of item 16, the adoption of Plan Change 3 (Mangroves) to the Regional Coastal Plan.

1. WHANGAROA MARTIME RECREATIONAL PARK

File 990.3.35

Mr Davis Keys representing the Whangaroa Maritime Recreational Park Steering Group made a presentation to the Council on its proposal to protect and enhance the Whangaroa Harbour and bay for future generations by creating a maritime recreational park.

Resolved: That the presentation by the Whangaroa Maritime Recreational Park Steering Group be received.

Cr Walker : Cr Carr

Voting Note: Crs Farnsworth, Hill, Brown and Jensen took no part in voting on this item.

2. NORTHLAND SAILOR OF THE YEAR 2008

File 710.1

Report from Maritime Senior Programme Manager Ian Niblock dated 5 February 2009.

The Chairman welcomed Ben Lutze, and congratulated him on being the recipient of the Northland Sailor of the Year 2008.

Resolved: That the selection panel recommendation for Ben Lutze to be awarded the Northland Sailor of the Year Trophy for 2008 be confirmed.

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, and as such are in accordance with the Council's decision-making process and Sections 76 to 82 of the Local Government Act 2002.

3. CONFIRMATION OF MINUTES OF ORDINARY COUNCIL MEETING HELD ON 10 DECEMBER 2008

File 105.2

Resolved: That the minutes of the Ordinary Meeting of the Council held on 10 December 2008 be confirmed.

Cr Rossiter : Cr Brown

4. CONFIRMATION OF MINUTES OF SPECIAL COUNCIL MEETING HELD ON 28 JANUARY 2009

File 105.2

Resolved: That the minutes of the Special Meeting of the Council held on 28 January be confirmed.

Cr Walker : Cr Hill

5. CHAIRMAN'S REPORT

File 105.4

Report from Chairman Mark Farnsworth dated 9 February 2009.

Resolved: That the Chairman's report for the months of December 2008 and January 2009, dated 9 February 2009, be received.

Cr Farnsworth : Cr Carr

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 13 February 2009.

Resolved: That the Chief Executive Officer's report dated 13 February 2009, be received.

Cr Rossiter : Cr Carr

Matters Arising from CEO's Report

Cr Hill expressed concern that the meeting on the Mooring Management Plans for Russell and Matauwhi Bay focused on water quality issues rather than the intended purpose of provision of onshore facilities. The CEO agreed to forward her concerns to staff.

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. LOCAL GOVERNMENT NEW ZEALAND – ANNUAL GENERAL MEETING 2009 – REMIT PROCESS

File 161.1

Report from Local Government Senior Programme Manager Kathryn Ross dated 12 February 2009.

Resolved: That Councillors advise the Chairman of any remits they wish to have put forward for consideration to LGNZ.

Cr Hill : Cr Rossiter

COMPLIANCE WITH DECISION MAKING PROCESS

The activities detailed in this report 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.

8. LOCAL GOVERNMENT NEW ZEALAND – KNOWHOW PROFESSIONAL DEVELOPMENT PROGRAMME FOR ELECTED MEMBERS

File 161.1

Report from Local Government Senior Programme Manager Kathryn Ross dated 13 February 2009.

Resolved: That the information on the Local Government New Zealand KnowHow Professional Development Programme for Elected Members be received and any Councillors interested in attending should advise the Chairman's PA.

Cr Jensen : Cr Rossiter

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. FINANCIAL REPORT – 31 DECEMBER 2008

File 350.4

Report from General Manager Finance IT Lisa Aubrey dated 20 January 2009.

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

Cr Walker : Cr Rossiter

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.

10. FINANCIAL REPORT – 31 JANUARY 2009

File 350.4

Report from General Manager Finance IT Lisa Aubrey dated 9 February 2009.

Resolved: That the financial report to 31 January 2009, be received.

Cr Walker : Cr Rossiter

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 DECEMBER 2008

File 350.4

Report from Financial Systems Administrator Kym Ace dated 13 January 2009.

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

Cr Hill : Cr Jensen

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. INVESTMENT SCHEDULE AND PERFORMANCE – FINANCIAL REPORT 31 JANUARY 2009

File 350.4

Report from Financial Systems Administrator Kym Ace dated 9 February 2009.

Resolved: That the Investment Schedule and Performance Report to 31 January 2009 be received.

Cr Hill : Cr Jensen

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.

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

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

Cr Brown : Cr Carr

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.

14. PAID ACCOUNTS FOR APPROVAL**File 350.9****Report from Payments Officer Rachel Hills dated 31 January 2009.**

Resolved: That the payments for January 2009, as detailed in the report from the Payments Officer, Rachel Hills dated 31 January 2009, be approved.

Cr Brown : Cr Carr

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.

15. LEASE TRANSACTIONS**Files: 215.92, 215.122 & 215.13****Report from Finance and IT Manager Lisa Aubrey dated 11 February 2009.**

Resolved: That the lease transactions and the use of the Council seal outlined in the report from the Finance and IT Manager dated 11 February 2009, be approved.

Cr Rossiter : Cr Jensen

COMPLIANCE WITH DECISION MAKING PROCESS

The documents for sealing contained within this report are 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.

16. DOCUMENTS SEALED

Files: 990.3.42, 830.1.10.1, 830.1.11, 830.1.20, 830.1.21, 830.1.22, 830.1.24 & 830.1.25, 100.1.2

Report from General Manager Finance and IT Lisa Aubrey dated 11 February 2009.

Resolved: That the use of the Council seal outlined in the report from the General Manager Finance and IT dated 11 February 2009, be approved.

Cr Rossiter : Cr Jensen

The Chairman declared an interest in part of this item and vacated the chair. The Deputy Chairman assumed the chair for this item.

COMPLIANCE WITH DECISION MAKING PROCESS

The documents for sealing contained within this report are 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.

17. BALANCED BUDGET REQUIREMENT – S(100) OF THE LOCAL GOVERNMENT ACT 2002

File 318.2

Report from General Manager Finance and IT Lisa Aubrey dated 11 February 2009.

Resolved:

1. That the report titled Balanced Budget Requirement - S(100) of the Local Government Act 2002, dated 11 February 2009 be received.
2. That the Council resolves under section 100(2) of the Local Government act, it is financially prudent not to balance its operating budget in accordance with the reasons set out above in the financial years 2009/2010, 2010/2011, 2011/2012, 2014/2015, 2015/2016, 2016/2017, 2017/2018, 2018/2019 covered by the Long Term Council Community Plan as detailed in the Prospective Statement of Comprehensive Income.

Cr Jensen : Cr Walker

COMPLIANCE WITH DECISION MAKING PROCESS

The activities detailed in this report are provided for in the Local Government Act 2002 and will form part of the Council's 2009-2019 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.

18. APPOINTMENT TO REGIONAL TRANSPORT COMMITTEE

File 110.1

Report from Infrastructure Senior Project Manager Vaughan Cooper dated 9 February 2009.

Resolved: That the nominee, John Williamson, be appointed to the Regional Transport Committee as the Access and Mobility representative.

Cr Carr : Cr Rossiter

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.

19. CONSENTS DECISIONS AND APPLICATIONS IN PROCESS

File: 430.1

Report from Consents Senior Programme Manager David Roke dated 1 February 2009.

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

Cr Hill : Cr Rossiter

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.

20. APPOINTMENT OF HEARINGS COMMITTEES

File 110.8

Report from Consents Senior Programme Manager David Roke dated 22 January 2009.

- Resolved:**
1. That Cr Brown (Chair), together with Cr Walker and Mr Greg Shaw (the appointee of the Minister of Conservation), be appointed to hear and decide/recommend to the Minister of Conservation on **Bentzen Farm Ltd Application CON20061055818** for authorisation of an existing access causeway at Waipiro Bay.
 2. That Mr Rob van Voorthuysen (Chair) together with Mr Fraser Campbell be appointed to hear and decide **Northland Regional Council Application: CON200082141201** – clearing of the outlets of various stream mouths. (Chair with power of casting vote.)
 3. That Mr Doug Arcus (Chair) together with Mr Allan Watson be appointed to hear and decide on the proposed review of (ex-MFish) marine farm consent conditions. (Chair with power of casting vote.)

Cr Hill : Cr Jensen

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.

21. APPOINTMENT OF DELEGATED AUTHORITY – BUILDING ACT

File 110.8

Report from Consents Senior Programme Manager David Roke dated 10 February 2009.

Resolved: That the Chief Executive Officer be given the delegation to act on the Council's behalf in the exercise of all its powers and duties under the Building Act 2004, and Building Amendment Act 2005 and any subsequent amendments, not already delegated to other Council staff, nor transferred to the Waikato Regional Council, pending a comprehensive review of all relevant delegations in due course.

Cr Hill : Cr Rossiter

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 Building Act 2004 and all its amendments. As such they are in accordance with the Council's decision making process and sections 76-82 of the Local Government Act 2002.

22. REPORT ON ENVIRONMENTAL MONITORING FOR THE PERIOD 1 DECEMBER 2008 TO 31 JANUARY 2009

Files 400.2 and 505.2

Report from Monitoring Senior Programme Manager Riaan Elliot dated 9 February 2009.

Resolved: That the follow-up action taken by staff resulting from monitoring or environmental/maritime incidents during December 2008 and January 2009 be supported.

Cr Walker : Cr Rossiter

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.

23. WARRANTS OF APPOINTMENT**Files 100.2, 220.4.6 and 990.1****Report from Monitoring Senior Programme Manager Riaan Elliot dated 12 February 2009.**

- 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.

Jacqueline Reed Monitoring Programme Manager - Coastal

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

Cr Jensen : Cr Carr

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.

24. CONFIRMATION OF MINUTES - REGIONAL TRANSPORT COMMITTEE MEETING**File 110.6**

- Resolved:** That the Minutes of the Regional Land Transport Committee meeting held on 16 December 2008 be received and the Committee's recommendations adopted.

Cr Carr : Cr Farnsworth

25. CONFIRMATION OF MINUTES - REGIONAL TRANSPORT COMMITTEE MEETING**File 110.6**

- Resolved:** That the Minutes of the Regional Land Transport Committee meeting held on 17 February 2009 be received and the Committee's recommendations adopted.

Cr Carr : Cr Farnsworth

26. CONFIRMATION OF MINUTES - AUDIT AND FINANCE COMMITTEE MEETING**File 110.6**

- Resolved:** That the Minutes of the Audit and Finance Committee meeting held on 25 February 2009 be received and the Committee's recommendations adopted.

Cr Jensen : Cr Rossiter

LEAVE OF ABSENCE

Resolved: That the following Councillors be granted leave of absence for the periods specified:

Cr Hill	12 April to 15 May 2009
Cr Rossiter	29 April to 13 May 2009
Cr Brown	16 July to 30 August 2009
Cr Jensen	15 April to 29 April 2009

Cr Farnsworth : Cr Walker

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 Ordinary Council meeting held on 10 December 2008.
2. Confirmation of the confidential section of the Minutes of the Special Council Meeting held on 28 January 2009
3. Confirmation of the confidential section of the Minutes of the Audit and Finance Committee meeting to be held on 25 February 2009
4. Treasury Management Policy
5. Approval to Advance Funding for the Preparation of River Management Plans
6. 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

The reason for excluding the public in relation to items 4 and 6, is public conduct of the proceedings would be likely to result in disclosure of information, the withholding of which is necessary to allow the Council to conduct, without prejudice or disadvantage, commercial negotiations, pursuant to section 7(2)(h) of the said Act.

In relation to item 5 public conduct of the proceedings would be likely to result in the disclosure of information, the withholding of which is necessary to protect information which is subject to an obligation of confidence and to allow the Council to carry on, without prejudice or disadvantage, negotiations pursuant to sections 7(2)(c) and (i) of the Local Government Official Information and Meetings Act 1987.

Cr Rossiter : Cr Jensen

OPEN MEETING

Resolved: That the Council resumes in open meeting.

Cr Walker : Cr Brown

CONCLUSION

The meeting concluded at 2.55pm.

Chairman's Report

File 105.4

Report from Chairman, Mark Farnsworth, dated 5 March 2009.

MEETINGS/EVENTS ATTENDED

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

- Meetings attended with the Council's CEO, Ken Paterson:
 - Northland Emergency Services Trust
 - John Bain/Tony Morris/Peter Turnbull – Due Diligence.
 - Tony Morris – Financials for Rescue Helicopter.
 - Deputy Chairman, Ian Walker
 - Hayden Smith, Uber Technologies – Broadband.
 - Growth.
 - Northland Regional Council Community Trust and Deputy Chairman, Ian Walker – Update on way forward.
 - Joined in by conference call to a meeting with Phil McDermott and Jim Smillie – Strategic Plan for NPC.
 - Far North District Council (Mayor, Wayne Brown, CEO, Colin Dale) – Enterprise Northland/Electricity Commission and other business.
- Meetings attended with Deputy Chairman, Ian Walker:
 - Kaipara District Council Mayor, Neil Tiller.
 - Meeting of Chairs and Deputy Chairs from Auckland, Waikato, Environment Bay of Plenty and Northland Regional Councils.
- Meetings attended with Cr Peter Jensen:
 - Terry Burkhardt - Resource Management Issues.
 - Hon Phil Heatley – Aquaculture.
- Local Government New Zealand:
 - Climate Change Sub-committee.
 - Regional Affairs Committee meeting and tour in New Plymouth.
 - Presentation to Select Committee on the Aquaculture Reform Bill.
- Waitangi Celebrations:
 - Evening function onboard HMNZS Canterbury.
 - Governor-General's Bledisloe High Tea.
 - Dinner with the Governor-General.
- Northland Port Corporation:
 - Mike Daniel – Port Share Buyback.
 - Northport Board Meeting.
- Mayoral Forum hosted by Kaipara District Council. Deputy CEO, Tony Phipps, attended on behalf of the CEO.
- Audit Director and Audit Manager - LTCCP.

- Chaired the reconvened joint hearing with the Far North District Council to hear applications lodged by Far North Holdings Limited regarding the proposed staged redevelopment of the Paihia Waterfront.
- Penny Webster, Mayor, Rodney District Council.
- Cr Bill Rossiter and I, together with several NRC staff, attended a presentation by Transpower on the North Auckland and Northland Grid Upgrade Project.
- Derek Keene, Strategic Broker for NIF.
- Chaired shareholders' meeting with Meridian Energy, Pouto Topu A Trust, Pouto 2F Trust and Te Uri O Hau Incorporation.
- Stan Semenoff/Mark Simpson – Ngunguru Ford Road and One Building.
- Economic Geography Forum at University of Auckland on “Security, migration, labour mobility, and economic restructuring – views from Australia and North America”.
- Owen McShane – RMA Ombudsman.
- Dargaville Field Day.
- Mike Kake – Maori economic development through the production of methanol.

NETWORKING

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

Recommendation

That the Chairman's report dated 5 March 2009 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 6 March 2009.

PROJECTS AND INFORMATION

LONG TERM COUNCIL COMMUNITY PLAN (LTCCP)

Following on from a number of workshops during 2008, Councillors met in late January to review the entire Draft LTCCP and budget. Final changes were made before presenting the Draft to Audit NZ in early February. After Audit NZ reviewed the plan, further changes were made before forwarding to the office of the Auditor General for final review. Although further changes have been requested as a result of both of these reviews, indications to date are that the Council can expect to receive a clear audit report for the Northland Community Plan 2009-2019. Councillors are due to formally adopt the Draft at the March meeting of the Council.

At its February meeting, Councillors reviewed the Community Plan Summary document. This is a more comprehensive document than previous years, designed specifically with the wider public as its target audience. The Summary will be distributed via letterbox and business box drop. As a result of feedback in previous years, the mail distribution company will again be requested to deliver the Summary to boxes that have "no junk mail" or "no circular" signs.

The Northland Community Plan 2009-2019 will be publicly notified on 8 April with public submissions closing at 3 pm on 8 May. The new Policy regarding the receiving of late submissions will be used. It is planned to hold hearings on 21-25 May 2009.

ADMINISTRATION

There were no complaints made against the Council/staff during the month of February 2009 and no complaints remain outstanding.

HUMAN RESOURCES

STAFF MATTERS

Leaving

Mike Churcher, Environmental Monitoring Officer – Coastal resigned during the month and finished his employment with the Council on 12 February 2009.

Brendon Gilberd, student finished his temporary employment on 11 February 2009; Winnie Drew, Stephanie Kane, Caitlin McLean, Kiri Mason and Megan McGregor, Students finished their temporary employment on 13 February 2009; Tharindu Hapugaskumbura, student finished his temporary employment on 20 February 2009 and Jeremy Corbert, student finished his temporary employment on 27 February 2009.

Appointments

Kyla Carlier commenced employment as Policy Analyst on 2 February 2009.

Vacancies

The position of Environmental Monitoring Officer – Coastal has been advertised internally and externally during the month with applications closing on 12 March 2009.

The positions of Estuary Management Advisor, Surveyor/River Management Officer, Policy Specialist – Resource Policy, Biosecurity Officer and Wastewater Management Officer – Engineer are on hold. In the meantime temporary and/or consultant staff are being used as required.

Staff Establishment

Status	Feb 2009	Feb 2008	Jan 2009
Full Time Permanent	116	107	116
Part Time (including fixed term)	16	12	16
Fixed Term	5	4	5
Students/TFG	3	4	11
Vacancies	8	12	8
TOTAL	148	139	156

STAFF TRAINING

External Training

Training Course	Dates 2009	Venue	Attendees
Identifying Wetland Sedges and Rushes	10-11 February	Hamilton	C Harris
ISO9001 Internal Auditing	12-13 February	Auckland	C Sapwell
National Certificate in Agriculture	17 Feb-30 June	Whangarei	N Bull
Annual Emergency Management Conference	23-24 February	Wellington	G MacDonald
Practical Project Management	25 February	Whangarei	A McRae

HEALTH AND SAFETY

There have been no reports of serious incident or injury.

A meeting has been held with the Stadium Project Management Team and the Health and Safety Advisor for the Northland Regional Council. Guidelines have been established for communicating health and safety information to Northland Regional Council. A report from Argon Construction has been received and health and safety management practices appear comprehensive.

COMMUNITY RELATIONS

PUBLIC COMMUNICATIONS

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

- Resource Management Act changes welcomed
- Wild pork to tempt field days visitors
- New NRC Community Trust chair, members appointed
- World champ teen Northland Sailor of the Year

Council's monthly column in the 'Rural Advocate' looked at economies of scale, sustainability and suggested bigger is not always better where the rural sector is concerned.

The Chairman's monthly *'From Where I Sit'* column examined the need for Council to balance growth and development projects with affordable rates. His *'Northern Matters'* column looked at proposed amendments to the Resource Management Act and the advantages in rolling Northland's local authority plans into a single planning document.

EVENTS

The Northland Agricultural Field days were held on 26-28 February in Dargaville. The opening day had record numbers attend and Friday was also busy. However, due to a storm and high winds the event was cancelled for safety reasons on Saturday 28 February for the first time in 25 years.

Despite the closure of the event on Saturday the NRC tent was steady throughout the two days and had more numbers through our site than last year. The pest food giveaway of "BBQ wild pork meatballs" was a great success with 1300 meatballs served up over the two days.

NRC staff from across the organisation staffed the NRC site and display topics focussed on sustainable farming. Topics included:

- Sustainability around the home
- Crop and Stock management
- Farm dairy effluent (FDE) – effluent ponds and irrigation
- Wonderful wetlands
- Protecting waterways
- Pest control – weeds and animal pests
- Silage
- Dead stock and offal pits
- Farm chemicals
- Transporting stock

Events staff are now working on promoting Earth Hour, which NRC has signed up to be involved in on 28 March. Preparations are also underway for the Ballance Farm Environment Awards on 23 April.

WEBSITE

Highlights

Online submission trial – The first online submission form went live during February seeking feedback to the Draft Northland Regional Road Safety Plan.

Monthly Usage:

	Feb 2009	Jan 2009	Dec 2008	Nov 2008	Oct 2008	Sept 2008
Visits ¹	31,633	31,202	26,867	30,919	32,371	29,819
Files downloaded ²	8,787	9,942	8,112	9,071	10,804	9,767

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 (eg pdf's) that were downloaded during the month.

Most popular pages :

- Job vacancies
- Whangarei Bus Service
- River and rainfall data
- Swimming water quality
- Regional plans
- Agendas and minutes

EDUCATION**Northland Regional Council School Visits**

There were six school visits during February covering a range of topics. These included water quality, mangroves and developing school-wide Environmental Education programmes. User satisfaction rating was 9.8/10 across the visits.

Sir Peter Blake Youth Environment Forum

Three Northland secondary school students have been selected to represent the North at the Ministry for the Environment's national Sir Peter Blake Youth Environment Forum in Wellington. It will be held in the second week of term one holidays – 28 April–1 May. Students have been selected from Kamo High School, Otamatea High School and Whangarei Boys High School. A teacher chaperone from Kamo High School has also been selected to accompany Northland students to the event.

Enviroschools

A face-to-face survey of all Northland Enviroschools is underway. This survey will determine where individual Enviroschools are at on their sustainability journey, where they are headed and what support is needed in 2009.

Meetings have been held with the two Northland-based Team Solutions Education for Sustainability facilitators and their Team Leader. These meetings have resulted in a recommitment in helping deliver the Enviroschools programme in Northland.

IWI LIAISON

Far North Holdings application to develop the Paihia water front reconvened during February after being postponed in October 2008. The Hearings Commissioners sought an independent report into hydrological issues as well as seeking more information from the three Maori submitters. One day was set aside to hear further evidence from Maori of which the Council's Iwi Liaison Officer attended.

The Iwi Liaison Officer attended the launch of a new regional initiative led by the Northland Intersectoral Forum in response to the low standard of Maori achievement in education, particularly the NCEA qualifications. The project "Engaging Taitamariki in Learning" aims to double the rate of Maori students who gain formal secondary school qualifications throughout the whole of Te Taitokerau by 2013.

Further information has yet to be received from Te Runanga o Ngati Hine in regard to the monitoring project it sought funding for. However the Council continues to have open dialogue with the Far North District Council as to how both organisations might be able to work collaboratively to assist Ngati Hine.

The Council has been approached to consider assisting an iwi group who are keen to develop an environmental management plan. This is again another project where there could be benefits working collaboratively across Councils. Initial discussions have been held between the FNDC and NRC Iwi Liaison Officer in regard to this project.

FINANCE AND INFORMATION TECHNOLOGY

Council is showing a sound financial position with a net operating surplus of \$3.2M against a budgeted surplus of \$2.2M. Year to date expenditure is currently tracking \$880K behind budget. The variances are due to timing and full year expenditure is expected to come in on budget.

FORESTRY

Forest development work is continuing in line with the Forest Management Plan and 2008/09 Budget.

- The first lift prune of the 2003 stands – 70.0 ha to be pruned – has been underway for two months but not full time and to date only some 15 ha (20%) has been completed. As a result Olsen's have been requested to ensure that the contractor (Silvicultural Contractors) gives this work priority to complete it within the programmed period (end of March 2009).
- The final thin to waste of the 2,000 planted areas – 40.9 ha. All contract documentation has been completed and this work is now scheduled to start in April and be completed by June. The finalised contract price was \$19,162 (plus GST) which was slightly higher (4%) than budget (\$18,323) owing to some of the area being at a higher cost as it is being managed on a structural regime (unpruned).
- Foliar sampling was organised and completed on the 1999 area (15.6 ha) as per the work programme. Northland Forest Managers were used to undertake the work (\$296 plus Scion analysis costs) as they were able to combine it with other work at a good rate. The results, once received, will determine any fertiliser requirements for the area.

INFORMATION TECHNOLOGY

Scoping work is continuing on the IRIS project. Presentations were provided from the two shortlisted vendors for the storage area network and virtualisation service. The successful tender is expected to be determined by mid March.

STRATEGY AND PLANNING

RESOURCE MANAGEMENT PLANNING

Regional Coastal Plan Change 1 (Moorings and Marinas), Regional Coastal Plan Change 2 (Marine 1 Review - Whangarei Harbour) and Regional Coastal Plan Change 3 (Mangrove Management)

Council has adopted all three of these Plan Changes. The Council's seal has been affixed and the Plan Changes forwarded to the Minister of Conservation for final sign off to make it fully operative. It is expected the Minister will approve the Plan Changes within the next two months. The next step will then be for the Council to make these fully operative by way of a public notice.

Regional Coastal Plan Change 4 (Aquaculture Management)

The Council decisions on Plan Change 4 were notified on 26 April 2008. 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 2008 and as a result the issues have been refined and main priorities identified. The primary issue is the extent of the restriction/exclusion areas ie where aquaculture will not be allowed. A further meeting was held on 24 November 2008. Progress was made with agreement in principle reached on a number of key issues, and a series of actions allocated which should have resulted in further progression of the negotiations. A Subcommittee was established at the December Council meeting with the delegated authority to resolve the appeals on Plan Change 4.

A further meeting of all the parties was held on 9 February 2009. At that meeting an alternative approach for identifying restriction/exclusion areas was proposed, which the Subcommittee subsequently indicated that it would not accept.

In the next report to the Court, staff, in consultation with the parties, will be proposing a deadline of 31 May 2009 for resolution of all the issues. After this date, unresolved issues will be directed to the Environment Court for determination.

Mooring Management Plans

Russell and Matauwhi Bay - Draft Mooring Management Plans for both Russell and Matauwhi Bay mooring areas were presented at a public meeting in Russell on 17 February. The meeting was very well attended with approximately 60 people present. Staff ran through the draft provisions and fielded questions. The Drafts are now available for comment/submissions until 30 March and are posted on the NRC website. The Drafts will be revised in the light of public/stakeholder feedback. The final Drafts are expected towards the end of April.

Opuā - The survey mail out for Opuā has received a good response with 154 surveys returned to date. The results of the survey will be collated and draft Mooring Management Plans will be drafted for the six mooring areas in question. These Drafts are expected to be developed by the end of April.

Mangawhai - Management measures for the Mangawhai mooring areas have been developed in conjunction with the Working Party. KDC has also made progress with reserves planning, with concept plans for Alamar and Sellers Reserves being presented to the Community Liaison Group (CLG) on 2 March. Staff attended the presentation to the CLG and have until 9 March to provide feedback. KDC will then revise the concept plan if necessary prior to releasing them to the public on 20 March. While still very much in early draft form, the Reserves Concept Plan and Mooring Management Plan have good potential for integration with improved services proposed, particularly in the form of parking, toilets and dinghy storage facilities.

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

The hearing of submissions on Plan Change 2 was held on 26 February 2009. Of the 16 submitters and further submitters seven were heard in support of their submission. Deliberations were held in the afternoon following the hearing of submissions. The hearing was adjourned for a fortnight to allow staff time to provide further technical information. It is anticipated that the Hearing Committee's decision will be reported to Council in April.

OTHER PLANNING MATTERS

Landuse and Subdivision Applications

During February 2009, 15 resource consent applications were received from the Whangarei, Kaipara and Far North District Councils. There were 12 non-notified applications and three notified applications. NRC provided comment on five applications, and made two formal submissions (on applications received in January).

A variety of comments were made regarding stormwater management, wastewater management, development on an at risk aquifer, and the need for further Northland Regional Council (NRC) consents.

The formal submissions made for February were as follows:

Trevor Morgan, Matapouri – This was an application to subdivide a total of 15.526ha into six lots. A submission was made opposing the application on the grounds of insufficient information. Specific comments included technical advice relating to wastewater management, and recommending the use of an alternative species for landscaping, as the proposed species has a potential to become an environmental weed. The NRC wished to be heard in support of its submission.

Poffley Family Trust, Glenbervie – This was an application to subdivide a total of 9.5ha into three lots. A submission was made advising of the permitted activity criteria in the Regional Water and Soil Plan for Northland (RWSP) regarding culvert crossings, in the event of upgrading a culvert on the property. Discrepancies between different wastewater management reports were highlighted, and it was recommended that only the recommendations of one of these reports be used. The NRC also recommended that in the event that resource consent was granted, consent notices be placed on the titles, specifying that wastewater should be treated to a secondary standard prior to being discharged to land.

Private Plan Change Applications

Two formal submissions were made on applications to the Whangarei District Council (WDC) for private plan changes as follows:

Port Nikau Joint Venture, Port Road, Whangarei

This was an application to rezone approximately 101ha to a new zoning 'Port Nikau Environment' to facilitate mixed land use, including: light industrial activities, residential, commercial, heavy industry, retail activities, tourist facilities, marine industry. A submission was made supporting the application in principle, conditional on the concerns expressed in the submission being addressed. These concerns included the potential for land contamination from the use of sediments dredged from the harbour, from beneath industries using hazardous substances. Concern was also expressed over the increase in sensitivity of the new environment due to residential sites being located in close proximity to heavy industry. These industries already have consent conditions based on the less sensitive business 4 zoning, and may suffer increased costs or other penalties within a more sensitive area. Concern was expressed over the nature of the site, being reclaimed land, comprised primarily of fill, and the potential for this to settle differentially, posing risk to stormwater and wastewater infrastructure. It was also requested that public access to the coast be specifically identified, as this is a matter of national importance under the Resource Management Act, 1991. In general, it was considered that the application did not provide enough certainty over the future use of the site, and therefore potential effects could not be adequately assessed.

Piipwai Investments Ltd., Morningside, Whangarei

This was an application to rezone 22.24 ha of land from Living 3 Zone to Living 1 Zone, thus facilitating the higher density use of the land. A submission was made opposing the application based on insufficient information to confirm that the site was geotechnically suitable for this proposed higher density development. It was highlighted that although a resource consent was obtained from the NRC for earthworks to stabilise the site, this was not approval for any subsequent use of the site. The applicant was advised that the subject site was within the area covered by the Limeburners Creek Catchment Management Plan (LCCM) and that the proposed increase in stormwater runoff appeared not to be in accordance with Chapter 12 of the LCCM. Comment was also made regarding the proximity of the development to the WDC wastewater treatment plant, and the increased sensitivity of the proposed development to odour, and the possibility of increased complaints. It was recommended that emanation easements be registered on each title, to make prospective purchasers aware of this issue. It was also considered that there was insufficient information to assess the ecological implications of the development.

Vehicles on Beaches

The NRC request for support and assistance from Hon John Carter to progress an interim solution for the Kaipara and Far North districts was forwarded to Hon Rodney Hide for a response. A letter was received from Hon Rodney Hide on 25 February indicating that officials from relevant Central Government Departments are already looking at ways to resolve the issues and that the Hon John Carter will be picking up this issue. No direct response was received to the NRC proposed interim solution.

Meanwhile Whangarei District Council (WDC) is forging ahead with implementing Local Government Act bylaws to support the speed restrictions they imposed prior to Christmas. At the WDC Council meeting on 25 February 2009 Council unanimously voted to proceed with these bylaws, which are likely to include proposed pedestrian safe zones in front of Ruakaka Surf Lifesaving Club and Department of Conservation Uretiti camp ground.

INFRASTRUCTURE**Electricity: Maungatapere Substation**

The NRC has lodged a submission supporting Transpower's application to upgrade a bus coupler at the Maungatapere Substation. The Electricity Commission has given notice of its intention to approve this application. If there are no requests for a public conference by 6 March in regard to this notice of intention, the Commission's decision to approve the upgrade will be confirmed.

Electricity: Auckland – Northland National Grid Upgrade

The Electricity Commission held a public conference in regard to its intention to decline the North Auckland and Northland Grid Upgrade proposal. All presenters at this conference provided unanimous support for the upgrade project and gave a very clear direction to the Commission to reverse its decision – along with clear guidance and assistance to the Commission to support a robust reversal of its decision. The New Zealand Refining Company, in particular, gave an excellent verbal submission on the necessity of the project, managing high impact low probability events and the current opportunity for the Commission to show true leadership on this proposal.

REGIONAL GROWTH PROGRAMME (RGP)

Infometrics presented the baseline economic data to a joint WDC/NRC workshop. A number of discussion points arose and these are being addressed by Infometrics prior to issuing the final report. Likewise a presentation to Ken Paterson focused on key messages arising from the workshop and how key aspects of the work would be presented.

Discussions continue around the structure, governance and implementation mechanisms for the RGP.

OPERATIONS

CONSENTS

Consents in Process

During February 2009, a total of 77 Resource Consents were issued. These comprised:

- 1 Moorings
- 7 Coastal Permits
- 2 Air Discharge Permits
- 30 Discharge Permits
- 15 Land Use Consents
- 16 Water Permits
- 6 Bore Consents

170 Decisions were issued as detailed elsewhere in the Agenda.

109 Applications were received.

Of the 510 applications in progress at the end of February:

- 156 were received more than 12 months ago (most awaiting further information);
- 41 were received between 6 and 12 months ago (most awaiting further information);
- 313 less than 6 months.

MONITORING

HOTLINE – ENVIRONMENTAL INCIDENTS

There were 81 incidents reported during February 2009. The categories of incidents are outlined in the table below:

INCIDENTS	FEB 2009	JAN 2009	TOTAL YEAR TO DATE	Annual Average 1993-2008
Air				
Burning & Smoke Nuisance	20	17	37	116
Other Air incidents	14	17	31	217
Land Use				
Earthworks & Vegetation Clearance	3	5	8	72
Other Land Use Incidents	0	1	1	33
Water Quality				
Sewage	7	8	15	66
Farm Dairy Effluent	1	1	2	24
Other Water Quality Pollution	19	22	41	123
Waste Management				
Hazardous Substances, spills and refuse	6	6	12	98
Coastal				
Structures in Waterbodies/CMA	0	1	1	19
Vehicles on Beaches	3	2	5	9
Other Coastal Activities	5	1	6	36
Water Quantity				
Water Abstractions	1	3	4	7
Other	2	2	4	79
TOTAL	81	86	167	845

AIR QUALITY

Incidents

Thirty-four air quality related environmental incidents were received February. The majority of the complaints received were for burning and smoke nuisance (20 complaints). The recent dry weather also contributed to an increase in dust nuisance complaints.

Industrial Issues

Monitoring visits were made to 15 industrial sites. The site visits confirmed that the majority of the inspected industries were complying with the conditions of their resource consents, with the exception of few minor issues relating to site maintenance.

WATER QUALITY AND DISCHARGE MONITORING

Fifty-eight compliance visits for consented discharges have been recorded since the last report. A total of 432 samples were collected, with 1127 NRC laboratory analyses undertaken.

A summary of discharge compliance monitoring is tabulated below.

Full Compliance	Minor Non-compliance	Significant Non-Compliance	Total
46	11	1	58

A meeting with WDC staff was held to discuss monitoring of stormwater discharges. A collaborative approach has been agreed between NRC and WDC staff. This will enable data collection as per the consent conditions, which has historically been difficult to achieve.

The new tertiary filter at the Whangarei wastewater treatment plant was installed on 26 January 2009. Operation to date has been satisfactory. Full commissioning is due to take place in early March.

WDC have been requested to provide details for the overflow from Okara Park pump station which occurred on the 28th February 2009.

Farm Dairy Effluent (FDE) Monitoring

All routine monitoring has been completed. FDE officers are currently undertaking follow-up visits to significantly non-compliant farms and checking compliance with formal enforcement actions.

A full report will be presented to the Environment Management Committee.

WATER RESOURCES

Water Take and Bore Compliance Monitoring

Dry weather continued throughout early February, resulting in low river flows and an increase in compliance monitoring for the major surface water takes. Monitoring included on site flow the use of the telemetry system to closely monitor compliance with the required continuation flows as well as on site flow measurements at the consented take locations. Some major water takes, such as those for pasture irrigation, were close to stopping or reducing take volumes. By mid to late February a series of rain events had elevated river flows.

Hydrology, Telemetry and Maintenance

The telemetry system continued to operate very efficiently during February, with one moderate and one major rainfall event monitored. A series of high flow measurements were completed in the Kaeo River during the major rainfall event on the 28 February. A good correlation between high water levels and corresponding flow rates was established at the Waiare Road station. A total of 36 flow measurements were carried out during February, of which six were for flood monitoring, 12 for state of environment monitoring and 18 for consent compliance monitoring.

Water Resources

Early February was relatively dry, however from mid to late February there were three moderate rain events and one major event. Consequently, rainfall for Northland was well above average for February.

The MetService issued a severe weather warning for 27-28 February indicating that the Northland region could receive 70-100mm over a period of 9-12 hours, with intensities reaching 20-30mm/hr. The MetService also indicated that rainfall amounts of 150mm were possible on the eastern hills north of Whangarei. Flood warnings were issued for the Awanui, Kaeo, Kerikeri, Wairua, Hikurangi Swamp, Kaihu and the Mangakahia River catchments. Recorded rainfall amounts from the event were as predicted by the MetService. Intense rainfall was recorded in the areas near Kaeo, Kaikohe, Kerikeri and Puhipuhi where intensities reached 26-34 mm/hr. Kaikohe recorded over 80mm in four hours and Kaeo recorded 61mm over a two hour period. Total rainfall amounts for the event included Mangamuka with 101mm, Kaeo 140mm, Kerikeri 149mm, Tutamoe 92mm and Puhipuhi 157mm. Less rain was recorded in the southern Whangarei and Kaipara districts (30-70mm). The low areas of the Kaeo River flooded near SH 10 Bridge; however most rivers were able to cope with the flood waters.

COASTAL MONITORING

A meeting between Waiora Hokianga, Far North District Council and Northland Regional Council staff was held to discuss the monitoring of water quality and shellfish health in the upper and lower reaches of the Hokianga Harbour. NRC monitoring staff will meet the group in March to determine a monitoring strategy to answer community and iwi-based questions regarding the harbour.

A dye tracer study is being undertaken in the Waikare Inlet to aid the reclassification of the inlet to allow for the opening of oyster farms previously closed in 2001. The study is in collaboration with Northland Health Board, a consultant and oyster farmers.

Whangarei Harbour hydrodynamic modelling was tendered and 12 proposals were reviewed. WDC and Northport, both providing funding for the project, were consulted and NIWA was accepted as the successful applicant.

ESTUARINE MONITORING

As part of the estuarine monitoring programme, sampling was undertaken at two new estuary monitoring sites in the Whangaroa Harbour. The aim of this programme is to assess the health of the estuary and monitor changes to estuary health over time. A more detailed report on estuarine monitoring is to be presented to the Environmental Management Committee.

Monitoring of sedimentation rates in harbours and estuaries continued this month with four sediment plates installed in Whangaroa Harbour. This completes the set of monitoring stations in Whangaroa Harbour, Whangarei Harbour, Kerikeri Inlet and Ruakaka Estuary.

LAND USE MONITORING

There were 26 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
10	15	1	26

Council staff met with WDC representatives to consider commencement of works for the Puwera landfill, with the intention of opening it as a regional landfill in 2010. Initial discussions centred on the commencement of civil earthworks to establish the site.

WASTE MANAGEMENT/HAZARDOUS SUBSTANCES

Waste Hazardous Substances Collection

Approximately 600 kilograms of hazardous substances were repacked and transported to Auckland for disposal during February. This figure excludes two large loads of empty agrichemical containers collected from Waipapa. A quantity of flammable and corrosive hazardous substances was also sent to Auckland for disposal.

DOL Hazardous Substances Contract

Fifteen industrial sites were visited, including boat builders, fertiliser works, engineering shops and a number of service stations.

Hazardous Substances Incidents

There was one incident involving hazardous substances recorded during February. A leaking petrol tank was detected at Gasoline Alley service station in Tikipunga. Fortunately all product lost from the tank was retained on site. A number of meetings were held at the site; the outcome being that all underground storage tanks will be excavated and replaced with new tanks.

ENFORCEMENT

Abatement Notices

Five abatement notices were served during February. These related to the following activities:

- Unauthorised discharges to air from subdivision earthworks.
- Unauthorised structure in the CMA.
- Earthworks for a subdivision not in accordance with consent requirements.

Infringement Notices

One infringement notice was served during February, relating to 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 petrol company supplying the station to undertake works in relation to groundwater contamination as a result of a petrol leak. Recent follow-up by Council staff indicates that some of the required works have been completed such as the establishment of a water supply to those affected, however further investigative and remediation work is required. The storage tanks were tested during February and results are now awaited. NRC legal counsel is to report back to the Court in March with a view to setting a date to hear the application.

Charges have been laid against several parties in relation to the deposition of material including soil, vegetation, demolition material, and domestic refuse at a site with inadequate stability and sediment control measures. This resulted in a significant discharge of this material into a small tributary of the Ngunguru Estuary. Summaries of evidence and disclosure bundles have been prepared and circulated to defence counsel. The first nominal hearing date has been set down for 9 April 2009.

MARITIME

MARINE OIL SPILL PREPAREDNESS AND RESPONSE

There were three reported minor marine oil spill incidents during February, and all spills were left to disperse naturally. Two of the spills, in the Tutukaka and Whangaroa marinas, were thought to have resulted from indiscriminate bilge discharges, while the third spill occurred during a diesel refuelling operation at Russell wharf.

Environmental information sheets for the coastline segment between Mangawhai and Cape Brett, including Whangarei Harbour, were finalised for inclusion in the Northland oil spill response contingency plan.

NAVIGATION, SAFETY AND MARITIME OPERATIONS

Port and Harbour Safety

Site assessments of the Transpower line waterway crossings at two locations on the Kaipara Harbour were carried out. The assessments will be documented and recommendations for safety signage made to the infrastructure operator as required by the New Zealand Port and Harbour Marine Safety Code guideline.

A site visit was completed at Taipa to assess problems with conflicting water activities above the Taipa road bridge. A proposal from local residents for a designated high speed operating area was viewed favourably and this will now be documented for public consultation.

Aids to Navigation

Replacement work was undertaken at Opuā, Houhora and Rangaunu, either in order to replace damaged aids to navigation or as part of routine maintenance.

Maritime Incidents

There was a noticeable decrease in the number of reported incidents during the month. Six of the 16 reported incidents related to vessels being operated at speeds in excess of five knots close to other vessels or the shore. The remaining incidents were typical of those generally responded to by members of the Maritime team.

Bylaw Enforcement

Two infringement notices were issued during February, one for a vessel obstructing a navigable channel and the other for a jetski speeding offence.

A small launch was removed from Whangaroa harbour after being abandoned and almost sinking. This vessel is now stored at Opuia and will be kept for a few months whilst Council staff endeavour to locate its owner.

Bay of Islands Pilotage

Eight cruise ships were safely piloted into and out of the Bay of Islands during February. Plaque presentations were carried out to welcome first time callers "Amadea" and "Crystal Serenity."

Hot Work Permits

One Hot Work Permit was issued in February.

Plant Maintenance

Attempts are being made to diagnose a cooling water problem on both of Waikare's engines. The engines are being run at reduced power to avoid any long term damage whilst the engine supplier's technicians identify the cause of the problem.

TRANSPORT

Due to difficulty in obtaining the relevant information in time, it is proposed that statistical data relating to the Total Mobility Scheme be reported a month in arrears. This will alleviate the need to have this section of the report tabled separately.

Total Mobility

Expenditure for the month of January 2009 was \$13,901, which is below the budgeted figure of \$19,258. A total of 2410 trips were made in January, with 1,179 clients registered.

Year to date expenditure is \$110,387 compared to the budgeted figure of \$134,806 for the same period. The total budget for the 2008/2009 financial year is set at \$231,100.

City Link Whangarei

Total passengers carried for the month of February was 18,411. Total farebox revenue collected was \$48,817.00. This figure excludes those who travelled using a Total Mobility voucher. There were 2952 SuperGold Card passengers, and the revenue from these fares was \$6642.00.

Weekly training sessions are being conducted with Idea Services clients on how to utilise the public service unaided. This is an ongoing project which commenced last year, run in conjunction with CityLink bus service staff.

Certain city bus routes are being heavily impacted by large numbers of students using the public service. Late running times, caused by students boarding and alighting along certain bus routes, as well as passengers being left at bus stops due to buses having full standing loads, are causing flow-on effects for passengers transferring to other buses. NRC staff are monitoring the situation and will be observing passenger behaviour and running times closely over the coming weeks.

Proposed Public Passenger Transport Service – Kaitaia

Technical assistance is being given to the Community, Business and Environment Centre (CBEC) for the implementation of a community-based commercial public passenger transport service operating between Ahipara, Awanui, Coopers Beach and Kaitaia. This service is scheduled to commence operation in mid 2009.

LAND AND RIVERS MANAGEMENT

LAND MANAGEMENT

Land Management in Priority River Catchments

Work has continued identifying land susceptible to accelerated erosion within the catchments of the Awanui, Kaeo and Kaihu rivers. Desktop GIS mapping using remote sensing data and soil and geology/rock type maps is now complete. This work has helped to identify likely sources of sediment and will enable targeting of soil conservation works as part of land management plans formulated in support of the flood risk reduction plans for these rivers.

Ground truthing has begun within the Kaeo River catchment and early results indicate that the data is accurate, with only minor vegetation changes occurring since the original data was gathered. While there have been some land use changes, these have not affected the overall picture. Substantial slipping and earth movement were discovered in the upper reaches of the Matawherohia Stream (Kaeo) sub-catchment. Some of this erosion was in forest and considered a result of the two heavy rainfall events of 2007. It will however be some time before sediment from this instability reaches the Kaeo River floodplain.

Wetlands

Council staff continue to establish the wetlands database, including field surveys and data entry, specifically in the Tangihua Ecological District. Staff attended a meeting with Department of Conservation officers and a Wildlands consultant regarding recently surveyed wetlands which may be recorded in the forthcoming Protected Natural Areas Programme (PNAP) for the Tangihua Ecological District.

World Wetlands Day was held on Sunday 15 February 2009 at Lakelands, a property at Parua Bay. The day was organised by Northland Fish and Game and attended by approximately 75 wetland enthusiasts. Two NRC staff from biosecurity and land management attended and fielded numerous enquiries mostly about pests, weeds, ponds, the Environment Fund and the NRC's revised wetland booklet.

Safe Beach Driving Information Days

The final "Safe Beach Driving Information Day" was held at Baylys Beach on Waitangi Day in conjunction with the annual "Baylys Beach Bonanza" organised by the Baylys Beach Society. An inter-agency meeting has been organised for 11 March 2009 to review the past summer's beach driving education campaign and planning for the future.

Five vehicles on beaches incidents were reported in the Bream Bay area. In one incident a dog was run over by a vehicle driving through the WDC allocated dog exercise area (allegedly driving faster than the 30kph speed limit). The other four incidents were reports of environmental damage to the dunes and vegetation (DOC-managed land). Department of Conservation staff have issued a warning letter to alleged offenders in two of these incidents and informed the Police.

Visit by Auckland University Students

The Council briefly hosted 50 post-graduate students from Auckland University during their annual Biodiversity on Private Land field trip to Northland. The group also met up with landowners and representatives of other organisations during their three-day visit to the mid-north.

Ballance Farm Environment Awards

Land Management staff assisted with judging the Ballance Farm Environment Awards, assessing soil and nutrient management, protection of indigenous biodiversity, erosion and sediment losses, farm management and sustainability of the system, in addition to off farm activities. Further involvement in the judging process is planned this month, with the awards taking place during April.

RIVER MANAGEMENT & NATURAL HAZARDS**Awanui**

The contractor continued with the 2008-2009 works programme, with approximately 25% of the works complete. The majority of the contract should be completed by the end of March, favourable weather conditions pending. Contract vegetation control works are progressing within the Council works area of the Awanui River scheme.

The Awanui Flood Management Liaison Committee invited the Minister of Civil Defence, the Hon John Carter, local MP Kelvin Davis, FNDC and NRC councillors to a meeting to discuss reducing the risks to Kaitaia presented by the Bell's Hill slip. The meeting, held in Kaitaia on 2 March, was chaired by Cr Carr. NRC river management staff gave a presentation on the risk presented by the slip and potential options to reduce the risk. The Minister and others inspected the slip site. The NRC is to engage contractors to install horizontal drainage to improve the stability of the slip while longer term solutions are investigated.

Collection of data for the flood gate asset register is approximately 95% complete. The data will be input to the river scheme asset management plan which is currently being developed.

Kaeo

The Whangaroa Rivers works contract was awarded and commenced. The contract is approximately 15% complete, with works commencing on the Kaeo River with gravel removal and stockpiling for local use. Repairs and improvements on the school stopbank also commenced. The small contract for maintenance control of weed vegetation on the Kaeo River banks has been let and is expected to be completed in mid-March.

Kaeo River model development is progressing, with the results scheduled for presentation to the Kaeo Liaison Committee meeting of 12 March 2009. The consultant has been instructed to proceed with flood mapping for the 100 year annual exceedence probability (AEP) and 100 year AEP with climate change.

Kaihu

The contractor completed the 2008-2009 works programme.

A consultant has been engaged to undertake an analysis of the effects of stopbanks and lower channel flood water conveyance on the Kaihu River. Results from the hydraulic river modelling work are scheduled for completion prior to the next Kaihu River Liaison Committee meeting in May 2009.

Overflow Management of Lake Owhareiti

An exploratory excavation was carried out to assess the depth of erodible soil in the overflow path adjoining Lake Owhareiti. Four metres of erodible soil was found overlaying a more erosion resistant shale layer. This provides an indication of the potential maximum scour depth of the overflow path if armouring or lake level control is not implemented. Feedback has been provided by NRC staff to the lakes iwi trustees on the National Institute of Water Atmosphere report assessing the impact on eels of the proposed lake-level control pipe. A response from the trustees is awaited before the next phase of the project is considered.

Priority Rivers Project

The collection of high resolution land surface elevation data (LiDAR) for use in the Priority Rivers Flood Risk Reduction project was commenced. Data collection was 10% complete by 9 February 2009, with delivery of final products scheduled for April and May 2009. This will cover a total area of 470 km² and 31 discrete parcels of land.

NRC River staff evaluated 15 proposals received from vendors in response to the Priority Rivers Project tender. Three vendors were short listed and invited to give a presentation and answer questions relating to their proposal. The tender was awarded to "Manaaki Awa" (The River Care Group), a joint venture between MWH New Zealand Limited (lead consultant), and URS New Zealand Limited (sub-consultant). Work on the 23 rivers or groups of streams under this single appointment will commence this month following contract negotiations, with river management plan completion scheduled for June 2010.

BIOSECURITY

Community Pest Control (CPCA)

A new CPCA is being developed at Onemama point in Whangarei harbour. This prominent headland covers approximately 60 hectares and comprises high value native forest. The control of possums, rats and stoats on this land may also reduce the risk of pests invading the Limestone island sanctuary which lies across the harbour less than a kilometre away.

Freshwater

Staff have completed an application to transfer and release grass carp into Lake Swan, Pouto Peninsula. The purpose of this introduction is to greatly reduce and even eradicate nuisance aquatic plants that threaten adjacent pristine lakes. Meetings have been held with Department of Conservation (DOC) and Te Uri o Hau regarding the application, which has now been submitted to DOC for processing.

Marine

Styela clava: On 22 January a team of NRC snorkelers re-surveyed parts of the Marsden Cove marina to assess amounts of the invasive sea squirt *Styela clava*. An eradication attempt was made in October 2008, with a team of commercial divers working for a week to remove all of the *Styela* that could be found. In January, approximately 35 kg and 1600 *Styela* were removed from four sites in the marina, and the *Styela* appears to be widespread throughout the marina. Amounts of *Styela* found in the outer channel were reasonably low, however 12 small *Styela* were found on the marina entrance channel markers. This is the first time that *Styela* has been detected outside the marina. A further survey will be conducted around the entrance channel markers and nearby swing moorings, to try and determine whether *Styela* is now established outside the Marina.

Eudistoma elongatum: While following up a report regarding an unidentified marine organism, the Portland cement wharf was surveyed and the invasive sea squirt *Eudistoma elongatum* was found at the end of the wharf. Photographs were sent to MAFBNZ for a formal identification. *E.elongatum* is a sea squirt which forms large colonies or groups. It is an Australian species and in recent years has been detected in some harbours and bays on the east coast of Northland. This is the first confirmed report for Whangarei Harbour. NRC staff will be further surveying the area to determine the extent of *E.elongatum*.

Top of the North Marine Biosecurity

On 11 February staff attended a Top of the North Marine Biosecurity meeting in Tauranga. This group is in the early stages of developing a partnership to work on marine biosecurity from Tauranga to Northland.

Spartina

Ground based follow-up inspections and spraying where necessary, of sites in the Mangonui Harbours and Taipa Estuary have been carried out. Twelve of the 13 sites inspected confirmed all spartina had been eradicated and single scattered outliers survived at one other. These sites have been in the control programme for the past four years and results have indicated that all major sites will be eradicated within the coming years.

Awanui and Kaeo river scheme weed control contracts

Contract vegetation control works are progressing within the NRC works area of the Awanui river scheme. The small contract for maintenance control of privet, mugwort, ginger and willow regrowth control on the Kaeo river banks has been let and is expected to be completed before the mid March.

Bathurst bur

Inspections of properties with known Bathurst bur infestations have shown low levels of bur and a satisfactory level of control. As normally occurs, the majority of plants that have been found are on sprayed road edges, areas of new earthworks or on the fringes of areas sprayed out and planted in maize.

Hornwort

Staff have undertaken an inspection of the water ways and found that most of the drains to the west of Dargaville have hornwort in them and this aquatic plant pest is well established. Preventing hornwort colonising the regions dune lakes is a focus of attention for the coming year.

Argentine ants

Staff received a report of argentine ants aboard a dry docked yacht at Docklands 5 on Port Road and conducted an inspection and delimiting survey to determine the extent of the problem. Argentine ants in high numbers were subsequently found throughout the whole property and adjoining land.

The docking facilities cater for both national and international vessels and there is a risk of transferring ants to ports which are currently ant free. Owners have been advised to treat the area around the dry docked vessels with ant bait to lower argentine ant populations and reduce the risk of spread. NRC assistance with this operation will be given. The owners have also agreed to remove any rubbish and unwanted materials which can create favourable ant habitat. Boat owners will also be informed of the ants and the threats they pose.

Wasps

A high number of enquiries about German and common wasps have been received early in the season as wasp numbers increase. Eradication of wasp nests is a relatively straightforward operation and can be carried out by applying an insecticide available from most garden centres to the entrance of the nest. People prone to allergic reactions to wasp stings should be taking extra precautions from now until early winter.

Recommendation

That the Chief Executive Officer's report dated 6 March 2009 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.

Local Government Commission – Proposal to transfer Hauraki Gulf Islands to Thames-Coromandel District

File 188.6

Report from Chief Executive Officer Ken Paterson dated 11 March 2009.

The Local Government Commission has advised that it has received a proposal initiated by a group of electors to transfer the Hauraki Gulf Islands (except Rangitoto and Browns Islands) from Auckland City and Region to Thames-Coromandel District and Waikato Region.

The Local Government Act requires the Commission to give adjoining local authorities an opportunity to meet with it to discuss the proposal. The draft re-organisation proposal is attached.

I have discussed the matter with Senior Managers and we agree that such a transfer of administration would not affect this Council and that there is therefore no need to meet with the Commission to discuss the proposal.

Recommendation

That the Local Government Commission be thanked for its invitation to meet and discuss the proposal and advised that this Council does not wish to meet the Commission to discuss the proposal as it is not directly affected by it.

COMPLIANCE WITH DECISION MAKING PROCESS

This item relates to a statutory requirement of the Council imposed by section 37(3) of schedule 3 of the Local Government Act 2002 and as such is in accordance with the Council's decision making process and sections 76-82 of the said Act.

DRAFT RE-ORGANISATION PROPOSAL

For transferring the Hauraki Gulf Islands and Great Barrier Island to the Thames-Coromandel District Council

As the originating and representative proposer, supported by ~739 of the registered affected voters in the Hauraki Gulf Islands ward under Auckland City Council, 11.07% of the total of 6672, being signatories on a petition under Schedule 3 of the Local Government Act 2002, I, Nobilangelo Charison Ceramalus, of 2-4 O'Brien Road, Rocky Bay, Waiheke Island, propose that:

1. The islands known as the Hauraki Gulf Islands (except for Rangitoto Island, an Auckland icon, and Browns Island, which was a gift to Auckland City, hereinafter "the islands") now under the administrations of Auckland City Council and Auckland Regional Council shall by a boundary-change be transferred to Thames-Coromandel District Council (hereinafter "the Council") and Environment Waikato (hereinafter "the Regional Council").
2. (a) Because the Council has 9 councillors for 22,106 electors and the boundary-change would add 6672 (23.2%) making 28,778, and reckoning proportionally makes 11.72 councillors, there shall be 12 by adding 2 from a Waiheke Ward made up of Waiheke Island and its smaller neighbours and 1 from a Great Barrier Ward made up of Great Barrier Island and its neighbours;
 - (b) The present peninsular councillor on the Regional Council shall represent both wards also;
 - (c) There shall be a by-election for the 2 new district councillors and to fill any vacancies caused by resignations;
 - (d) The present Gulf Islands councillor, who lives on Waiheke, shall become a Waiheke councillor.
3. (a) There shall be two community boards, one for Waiheke and for Great Barrier, each with 5 elected members, plus the councillor/s for each ward who shall be appointed to the board for that ward, plus the regional councillor who shall be appointed to both boards, plus one Maori-speaking representative of the local Maori community (who must be on an affected electoral roll) appointed by the local marae if there is one or by the community board after consultation with the local Maori community if there is not, with preference given to the local kaumatua if there is one, making a board of 9 members for Waiheke and 8 members for Great Barrier;
 - (b) When the Council takes over, all existing members of the two community boards must in writing commit themselves unreservedly to this reorganisation, witnessed and counter-signed by the mayor or chief executive officer of the Council, and any who refuse to must resign;
 - (c) All who stand in the by-election must in writing commit themselves unreservedly to this reorganisation,, witnessed and counter-signed by the mayor or chief executive officer of the Council, any who refuse to must withdraw their candidacy, and reference to that commitment must be clearly included in all their campaign advertising;
 - (d) The wording of the statutory declaration made under Clause 14 of Schedule 7 of the Local Government Act 2002 by those who sit on the community board shall be as it was before this reorganisation except that the phrase "[island] community" shall be changed to "[island] ward".
 - (e) After the by-election the present chairs and deputy chairs in each board shall stand down and each new board shall elect a new chair and deputy chair from the 5 elected community board members.
 - (f) When the mayor, or the deputy mayor as proxy, attends a meeting of either community board he/she may have a single deliberative vote.
4. (a) All decision-making for the islands shall be according to law, in particular the Local Government Act 2002, and in most particular it shall be founded on, informed by, and referred to ss10 and 14 of that Act (the purpose and the principles);
 - (b) Breaches of the Act in governance or management may be submitted to the process laid down in s238;
 - (c) The document *Essentially Waiheke* (but with wording changed as necessary due to this change in administration, statistical updates, errors, and changes in statute), in particular its five core principles, shall be referred to and inform all decisions made for Waiheke Island, in particular annual plans, district plans, regional plans, and individual planning applications;
 - (d) Documents to match *Essentially Waiheke* shall be written for each island, after comprehensive and open consultation, in particular with permanent residents whose majority wishes shall be preferred, and it shall be referred to and inform all decisions made for each island, in particular annual plans, district plans, regional plans and individual planning applications.
5. There shall be a financial firewall for capital expenditure and loan-repayments, so that the peninsula's undertakings under those headings do not add to any island rates, and no island undertakings add to the peninsula's, and no island ward's add to any other island ward's.
6. (a) The islands shall share proportionately their actual and reasonable share of the administrative overhead in Thames, but that shall not exceed their proportion of the electorate, initially 23.2%, then adjusted at each triennial election;
 - (b) The existing service centres on Waiheke and Great Barrier shall be the Council's primary contact for the islanders, supported as necessary from Thames in the main using information and telecommunications technology.

- (b) The time-limits in Section 115 of the Resource Management Act 1991 shall be strictly adhered to in all planning applications unless the community board for that ward uses or approves s92 to extend one by a specified period that can be reasonably justified under sections 5 to 8 of the Resource Management Act 1991 or sections 10 and 14 of the Local Government Act 2002 or both.
- (c) Any proposed development whose total cost or total projected cost is valued at more than 25% of the total rates-take in that ward in the previous year may not take place or in any way begin unless approved by at least 60% of those who vote in a ward referendum and;
- (i) To be valid the referendum must have a turnout of over 50% of registered voters and;
- (ii) All costs incurred by the referendum shall be met by the developer and;
- (iii) For the purposes of the referendum the value of the development shall be taken as the average of the values determined by three independent valuers chosen by the Council or community board.
- (d) All resource-consent applications must—
- (i) First be presented by the applicants in person to a full open meeting of the relevant community board, and;
- (ii) The presentation must include realistic computer mockups of the proposal superimposed on photographs taken from eight points of the compass or from all practical and relevant vantage-points that may be requested by the community board, and;
- (iii) No application shall proceed to detailed examination and report by designated planner/s unless it has first been approved in principle by the board, which shall consult widely with the community if it is in doubt, and shall second person/s with specific expertise when that is needed for it to make an informed decision, and;
- (iv) The final decision on whether to approve or decline the application shall be made by the community board based on the planner/s report on behalf of the community, and;
- (v) All decisions in 10 (d)(iii) and 10(d)(iv) must be made first and foremost in accordance with section 7(c) of the Resource Management Act 1991.
11. A practical alliance shall be negotiated with the Department of Conservation to operate jointly in the best interests of the inhabitants of the Hauraki Gulf Marine Park, and to share in any benefits that may accrue from carbon-trading.
12. The Regional Council may consider becoming Environment Waikato-Hauraki to reflect its much more important role in the Hauraki Gulf Marine Park, a national treasure.
13. (a) The Auckland City Council shall be prohibited from selling or transferring any asset on the islands until the Commission has ruled, and then only if the ruling goes its way, and it shall be prohibited from any retaliatory act of any sort for this application, and any breach of this sub-clause shall immediately be reported to the Royal Commission on Auckland Governance and the Local Government Commission as evidence of governance unfitness;
- (b) When the Order in Council takes effect—
- (i) All assets owned in the islands by Auckland City Council shall be transferred to the Council and;
- (ii) The shares in Auckland International Airport and the Ports of Auckland that were formerly owned by the Waiheke County Council shall be transferred to the Council but any earnings from them shall be used only on Waiheke, or at the discretion of the Waiheke Community Board elsewhere on the islands.
- (c) Any liabilities, actual or potential, such as leaky-building claims, or any other claims that may arise at any time after reorganisation, that were caused by Auckland City Council's actions or errors of omission or commission during the period of its authority, shall be met in full by Auckland City Council and no liability of any sort shall be due to the Council.
- (d) Any liabilities or claims that may arise at any time after reorganisation that were caused by Auckland Regional Council's actions or errors of omission or commission during the period of its authority shall be met in full by Auckland Regional Council and no liability of any sort shall be due to the Regional Council.

Draft Long Term Council Community Plan 2009-2019

File 100.5

Report from Chief Executive Officer, Ken Paterson, General Manager - Finance and IT, Lisa Aubrey, and Local Government Project Manager, Deborah Ryder dated 3 March 2009.

INTRODUCTION

Following discussions at the Council workshop on 28 January 2009, the Draft Northland Community Plan 2009-2019 was submitted to Audit NZ on 9 February 2009 and to the Office of the Auditor General on the 27 February 2009. Verbal feedback from both organisations was positive in regard to legislative compliance with the Local Government Act 2002. Minor wording changes have been made to the Plan to comply with Audit requests. It is anticipated that a clear Audit report will be tabled at the Council meeting on 18 March 2009.

Attached for the final approval of Councillors is the Draft Northland Community Plan 2009-2019.

As previously discussed, due to the new requirement to have the Audit report contained within the draft plan that is adopted, any changes made at the March Council meeting will result in the Plan needing to be audited a second time and risk the project falling behind schedule.

In accordance with the current project timeline, following adoption by the Council, it is intended that the draft plan will be printed and publicly notified on 8 April 2009, with submissions closing at 3 pm on 8 May 2009. Media releases and advertisements will be used to encourage public participation in the process.

VOLUME ONE

Following the January Council workshop and the reviews conducted by Audit New Zealand and the Office of the Auditor General, changes have been made to the Draft Northland Community Plan 2009-2019. Updates are represented by track changes in the Plan and are primarily in the following areas:

	Page/s
• Chairman and CEOs' Foreword	12-13
• Update on Existing Council Projects	14-15
• New Issues – Northland Community Plan 2009-2019	16-19
• Regional Economic Development	137-139
• Resource Management Planning	146-147
• Support Services	217
• New Rates	220-221
• Existing Council Controlled Organisations	226

VOLUME TWO

It was not practical to highlight changes in Volume Two using track changes, so the key changes and the reasons for these changes are as follows:

	Page/s
• Funding Impact Statement	15
– To reflect payment of \$13M grant for Regional Events Centre.	
– Where relevant graphs and charts have been updated to reflect above.	
• Forecast Financial Statements	28-33
– To reflect payment and funding of \$13M grant for Regional Events Centre.	
• Revenue and Financing Policy	53
– Table on page 58-59 updated to better reflect the funding allocation between public and private funding allocation.	
• Proposed Amendments to the Navigation, Water Transport and Maritime Safety Bylaw Charges 2009	121
– As presented at the Council workshop on 25 February 2009, the methodology used to determine the pilotage fee was changed from previously being based on a uniform fixed fee to a fee based on the Gross Registered Tonnage (GRT) of the ship.	
• Charging Policy	125
– Section 4.2.2 and Appendix 3 and 15, pages 132, 147, 154. Water allocation fees were amended as presented at the Council workshop on 25 February 2009.	
– Section 11(7) on page 142, the Proposed Amendments to the Navigation, Water Transport and Maritime Safety Bylaw Charges 2009 was amended to reflect pilotage fee to be based on the Gross Registered Tonnage (GRT) of the ship.	
• Balanced Budget Requirement S(100) of the Local Government Act 2002	160
– Council resolution passed 25 February 2009 is now included in the LTCCP.	
• Audit Report	
– Removed from Volume Two and included in Volume One as per Audit NZ request.	

CONCLUSION

It is proposed to send Volume One or the Summary of the Draft Plan to those individuals and organisations on the mailing lists, depending on what they requested. The Summary will be in the format of the one Council reviewed at February's Council meeting. Volume Two will only be sent to those individuals and organisations who specifically requested it. In addition, as required by the Local Government Act 2002, a summary document will also be prepared and will be distributed widely in Northland. People will be able to make a submission directly from the summary if they wish, or request a CD or hardcopy of Volumes One and/or Two.

Hearings are scheduled for the week of 21 to 25 May 2009 to hear and deliberate submissions. It is proposed that the final Northland Community Plan 2009-2019 will be adopted at the Council Meeting in June.

Recommendation

That the Draft Northland Community Plan 2009-2019 be approved for release for public comment, and that the Chief Executive Officer and Chairman be authorised to make any minor editorial changes to the Plan.

COMPLIANCE WITH DECISION MAKING PROCESS

This Draft Northland Community Plan 2009-2019 has been developed in accordance with the requirements of the Local Government Act 2002, and will be adopted using the special consultative procedure detailed in Sections 83 and 84 of the Act.

Draft Summary Financial Plan 2009/2010

File 318.1

Report from the General Manager Finance and IT, Lisa Aubrey and Senior Programme Manager Finance, Simon Crabb, dated 4 March 2009.

Attached for the consideration of Councillors is a summary of the Draft Financial Plan for the 2009/10 financial year. The financial plan underpins the cost of activities for the first year of the 2009-2019 Community Plan.

The financial overview for 2009/10 is illustrated on the first page entitled "2009/2010 Revenue and Expenditure Summary". The second page entitled "Activity Group Summary" details the 2009/10 budget by Activity group.

REVENUE

The total rate revenue is forecast to increase by 11.5% in 2009/10, with the bulk of the increase due to proposed new rates to pay for helicopter rescue services (\$625,412 excl GST) and transport (\$408,690 excl GST), (collected from the Whangarei District only) to help fund Whangarei's public bus service. If these two proposed rates are excluded, total rate revenue is forecast to increase by 1.3% from the 2008/09 financial year. As proposed, revenue generated from the Targeted Rescue Helicopter Services rate will be remitted to the Northland Emergency Services Trust by way of a grant and will not be used to fund Council activities. The Targeted Transport rate represents funding previously collected on behalf of the Northland Regional Council by the Whangarei District Council and does not represent a funding increase.

The proposed rate movement from 2008/09 to 2009/10 is summarised in the table below:

Proposed Rate Movement from 2008/2009 to 2009/2010

	2008/2009 (Current) (\$)	Proposed 2009/2010 (\$)	Movement	Movement (%)
Including GST				
Targeted land management rate	\$4,216,187	\$4,406,108	\$189,921	4.5%
Targeted Council Services rate	\$4,532,536	\$ 5,155,068	\$622,532	13.7%
Targeted Regional Infrastructure Rate	\$610,059	\$ 637,454	\$27,395	4.5%
Targeted Northland Regional Recreational Facilities rate	\$1,965,603	\$1,269,174	-\$696,429	(35.4)%
Total Existing Rates	\$11,324,385	\$11,467,804	\$143,419	1.3%
<i>Add Proposed New rates</i>				
Targeted Rescue Helicopter Services		\$703,897.00	\$703,897	100.0%
Targeted Transport Rate (Whangarei District)		\$459,956.00	\$ 459,956	100.0%
Total Proposed New rates		\$1,163,853	\$1,163,853	
Total Proposed Rates 2009/2010	\$11,324,385	\$12,631,657	\$1,307,272	11.5%

EXPENDITURE

The Council's ordinary expenditure excluding the grant of funds for the regional events centre is forecasted to increase by 13.5% to \$24.4M in 2009/10. By removing the Kaipara Swimming Pool grant and Helicopter grant from this equation, the remaining increase of \$900K represents a rise of 7.7% from the 2008/09 financial year.

Transfers from the forestry equalisation reserve (\$374,754), have been utilised to fund the cost of the Regional Growth Programme in 2009/10.

CAPITAL EXPENDITURE

The proposed total capital expenditure for 2009/10 is \$3,909,903 (excl GST) consisting of new capital expenditure for 2009/10 of \$1,622,078 and capital expenditure to be carried forward from previous financial years of \$2,287,825. The expenditure to be carried forward relates to information technology expenditure.

Capital expenditure includes \$2,832,302 for information technology; \$55,000 for furniture and office equipment; \$219,237 for commercial building maintenance and repairs; \$300,000 for vehicle replacement; \$413,364 for operational plant and equipment; \$90,000 for stock truck effluent sites.

Recommendation

That the draft Financial Plan be approved as the budget estimates supporting year one of the 2009/2019 Northland Community Plan.

COMPLIANCE WITH DECISION-MAKING PROCESS

This plan is in accordance with the Council's decision-making process and Sections 76-82 of the Local Government Act 2002.

Revenue and Expenditure Summary

REVENUE & EXPENDITURE SUMMARY DRAFT FINANCIAL PLAN 2009/10 NZ\$ GST EXCLUSIVE	TOTAL NORTHLAND REGIONAL COUNCIL NZ\$ GST EXCLUSIVE	
	Annual Plan 2008/09 NZ\$ GST Exclusive	LTCCP Forecast 2009/10 NZ\$ GST Exclusive
Targeted Council Service Rate	4,018,799	4,582,283
Land Management Rate	3,747,721	3,916,540
Infrastructure rate	542,275	566,626
Recreational Rate	1,746,793	1,128,155
Emergency Helicopter Rate		625,412
Transport Rate		408,690
Awanui River Works Rate	433,440	549,430
Whangaroa Rivers Works Rate	110,000	114,945
Kaihu River Works Rate	73,340	76,102
User Charges	3,147,961	3,754,466
Subsidies and grants	911,826	1,203,318
Rental Income	2,845,145	3,112,000
Forestry Income	450,000	365,825
Interest and Dividend Income	5,149,977	4,575,234
Other Income	170,603	32,000
TOTAL REVENUE	23,347,880	25,011,025
Salaries	8,010,588	8,945,395
Other labour	636,530	640,608
Operational costs	11,553,388	26,766,880
Depreciation	1,264,751	1,062,800
Finance costs	1,000	1,000
Support Services Overheads	4,466,443	4,679,497
Overheads recovered	(4,466,938)	(4,679,497)
TOTAL EXPENDITURE	21,465,762	37,416,683
OPERATING SURPLUS / (DEFICIT) REQUIRING FUNDING	1,882,118	(12,405,657)
Non realised Forestry & Investment property Revaluation Gains	1,303,167	137,044
NET SURPLUS / (DFECIT) FROM OPERATIONS	3,185,285	(12,268,613)
Non realised PPE Revaluation Gains		230,644
Transfers (to)/from Reserves	(2,031,003)	3,656,116
TOTAL COMPREHENSIVE INCOME	1,154,282	(8,381,854)

ACTIVITY GROUP SUMMARY

ACTIVITY GROUP SUMMARY	DEMOCRACY & INFORMATION SERVICES	CORPORATE SERVICES	ENGAGEMENT & INFORMATION SERVICES	REGIONAL ECONOMIC DEVELOPMENT	RESOURCE MANAGEMENT PLANNING	ENVIRONMENTAL MONITORING	LAND AND RIVERS	BIOSECURITY MANAGEMENT	EMERGENCY OPERATIONS	MARITIME OPERATIONS	SUPPORT SERVICES	TOTAL NRC
DRAFT FINANCIAL PLAN 2009/10												
NZ\$ GST EXCLUSIVE												
Targeted Council Service Rate	508,069		665,751	-	585,134	1,525,487	-	-	-	394,932	-	4,582,283
Land Management Rate	-	-	-	-	-	-	2,311,398	1,454,164	150,978	-	-	3,916,540
Infrastructure rate	-	-	-	566,626	-	-	-	-	-	-	-	566,626
Recreational Rate	-	-	-	1,128,155	-	-	-	-	-	-	-	1,128,155
Emergency Helicopter Rate	-	-	-	625,412	-	-	-	-	-	-	-	625,412
Transport Rate	-	-	-	-	408,690	-	-	-	-	-	-	408,690
Awanui River Works Rate	-	-	-	-	-	-	549,430	-	-	-	-	549,430
Whangaroa Rivers Works Rate	-	-	-	-	-	-	114,945	-	-	-	-	114,945
Kaihu River Works Rate	-	-	-	-	-	-	76,102	-	-	-	-	76,102
User Charges	25,000	-	-	-	-	1,407,008	-	369,164	-	550,515	-	3,754,466
Subsidies and grants	-	-	-	-	-	-	85,000	-	10,000	114,489	-	1,203,318
Rental Income	3,100,000	-	-	-	-	-	-	-	-	12,000	-	3,112,000
Forestry Income	365,825	-	-	-	-	-	-	-	-	-	-	365,825
Interest and Dividend Income	-	-	-	518,000	-	-	-	-	-	-	4,057,234	4,575,234
Other Income	10,000	-	-	-	-	-	-	10,000	-	12,000	-	32,000
TOTAL REVENUE	4,008,894	665,751	2,838,193	2,838,193	585,134	2,932,495	3,136,875	1,833,328	160,978	1,083,936	4,057,234	25,011,025
Salaries	473,440	617,988	281,823	281,823	609,881	2,095,848	898,213	555,180	105,166	510,701	1,505,289	8,945,395
Other labour	7,942	22,289	5,068	5,068	16,824	36,764	37,007	34,511	3,984	157,593	220,105	640,608
Operational costs	885,688	476,395	15,418,254	15,418,254	323,432	1,138,465	1,941,054	1,278,428	42,726	326,424	2,226,976	26,766,880
Depreciation	5,269	-	-	-	8,546	10,054	41,137	28,819	-	110,320	726,127	1,062,800
Finance costs	-	-	-	(0)	-	-	-	-	-	-	1,000	1,000
Support Services Overheads	185,227	418,321	20,812	20,812	390,433	1,463,291	561,428	409,996	58,274	336,738	-	4,679,497
Overheads recovered	-	-	-	-	-	-	-	-	-	-	(4,679,497)	(4,679,497)
TOTAL EXPENDITURE	1,557,566	1,534,992	15,725,956	15,725,956	1,349,116	4,924,253	3,478,840	2,306,994	210,150	1,441,776	0	37,416,683
OPERATING SURPLUS / (DEFICIT) REQUIRING FUNDING	2,451,327	(869,241)	(12,887,764)	(12,887,764)	(763,982)	(1,991,759)	(341,964)	(473,606)	(49,172)	(357,840)	4,057,234	(12,405,657)
Non realised Forestry & Investment property Revaluation Gains	-	-	-	-	-	-	-	-	-	-	-	137,044
NET SURPLUS / (DEFICIT) FROM OPERATIONS	2,451,327	(869,241)	(12,887,764)	(12,887,764)	(763,982)	(1,991,759)	(341,964)	(473,606)	(49,172)	(357,840)	4,057,234	(12,268,613)
Non realised PPE Revaluation Gains	-	-	-	-	-	-	-	-	-	-	-	230,644
Transfers (to)/from Reserve	(227,912)	-	4,382,530	4,382,530	-	-	(410,834)	-	-	(87,668)	-	3,656,116
TOTAL COMPREHENSIVE INCOME	2,223,415	(869,241)	(8,505,234)	(8,505,234)	(763,982)	(1,991,759)	(752,798)	(473,606)	(49,172)	(445,508)	4,057,234	(8,381,854)

Financial Report – 28 February 2009

File 350.4

Report by General Manager Finance and IT, Lisa Aubrey, dated 5 March 2009.

The **Summary Council Cost of Services Statement** and **Cost of Service Statements by Activity** for the month ended 28 February 2009 are presented for Councillors' information.

OPERATING RESULTS

The Summary Cost of Services Statement shows a net operating surplus before extraordinary items for the seven months to 28 February of \$3.2M against a budgeted surplus of \$2.2M.

REVENUE

The year to date revenue at \$16.2M is tracking to budget. Revenue variances will continue to be closely monitored to ensure, where appropriate, expenditure is reduced accordingly.

EXPENDITURE

The year to date expenditure at \$13.0M is 7% lower than budgeted expenditure of \$13.8M. Some of the key variances contributing to this result are highlighted below:

Consents expenditure at \$1.2M remains 11% lower than budget. Expenditure this month however is only 7% under budget.

Land Operations at \$3.0M is 19% less than budget. This is largely due to timing differences. Expenditure is expected to increase over the coming months as key contracts are let.

Council and Strategic at \$2.1M is ahead of budget due to expenditure on the Regional Events Centre, the broadband project and funding paid to Enterprise Northland (the latter being offset by Grants and Subsidies funding received from New Zealand Trade and Enterprise).

EXTRAORDINARY ITEMS

Extraordinary items have been removed from operating results. The results after removing these items are a truer reflection of the operating results. The items classified as extraordinary are the special dividend received from Northland Port Corporation NZ (Ltd); the associated tax payment, fair value decrease, a loss on sale of investment property and the commission incurred on the sale. The second of three instalments of tax on the special dividend was paid in February.

CAPITAL EXPENDITURE

Capital expenditure for the eight months to 28 February is \$693K. Capital expenditure has not been phased; the full year budget is \$6.3M, however it will be below the annual budget in total as it included \$2.5M set aside for the redevelopment of Commerce Street, which has now been sold.

Recommendation

That the financial report to 28 February 2009 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 sections 76-82 of the Local Government Act 2002.

Monthly Report for	February 09						YEAR TO DATE			Annual	
	Actual	Budget	Variance	Var %	YTD Actual	YTD Budget	Variance	Var %	Budget	Budget	
Total Council Revenue	897,007	889,366	7,641	1%	7,178,934	7,114,926	64,008	1%	10,672,390	10,672,390	
Rates	295,487	293,175	2,312	1%	2,854,105	2,709,380	144,725	5%	3,709,980	3,709,980	
User Fees and Sundry	84,630	108,204	(23,574)	-22%	1,244,949	1,213,633	31,316	3%	1,800,135	1,800,135	
Grants and Subsidies	187,605	341,748	(154,143)	-45%	1,978,917	2,082,987	(104,070)	-5%	3,449,978	3,449,978	
Investment Interest Income	168,706	159,226	9,480	6%	1,765,932	1,757,730	8,202	0%	2,845,145	2,845,145	
Investment Property Income	0	0	0	-	0	0	0	-	450,000	450,000	
Forestry Harvest	0	0	0	-	1,140,360	1,200,000	(59,640)	-5%	1,700,000	1,700,000	
Dividend Income											
Expenditure	1,633,435	1,791,719	(158,284)	-10%	16,163,197	16,078,656	84,540	1%	24,627,628	24,627,628	
Consents	157,902	169,387	11,485	7%	1,185,196	1,326,274	141,078	11%	2,040,946	2,040,946	
Council & Strategic Development	212,760	240,677	27,917	12%	2,089,618	1,979,618	(110,000)	-6%	3,608,963	3,608,963	
Land Operations	457,525	532,177	74,652	14%	3,014,847	3,737,514	722,667	19%	6,625,895	6,625,895	
Environmental Monitoring	517,444	479,755	(37,689)	-8%	3,770,488	3,969,684	199,196	5%	6,024,460	6,024,460	
Planning and Policy	411,970	370,807	(41,163)	-11%	2,888,224	2,933,700	45,476	2%	4,672,541	4,672,541	
Finance & Information Services	(34,883)	(107,088)	(345,747)	323%	(1)	(113,879)	(113,878)	100%	402	402	
	1,722,719	1,685,715	(310,546)	-18%	12,948,373	13,832,911	884,538	7%	22,973,207	22,973,207	
Net Cost/(surplus) of Service before extraordinary item	89,283	(106,004)	(468,829)	442%	(3,214,824)	(2,245,745)	969,079	-30%	(1,654,421)	(1,654,421)	
Add Extraordinary Items											
Special Dividend	\$0	\$0	\$0	-	\$(2,735,424)	\$0	\$2,735,424	-	0	0	
Tax on Special Dividend	\$273,542	\$0	\$273,542	-	\$547,085	\$0	\$(547,085)	-	0	0	
Loss on sale of Investment Property	\$0	\$0	\$0	-	\$500,000	\$0	\$(500,000)	-	0	0	
Fair Value adjustment of Investment Property	\$0	\$0	\$0	-	\$140,000	\$0	\$(140,000)	-	0	0	
Commission on Sale of Investment Property	\$0	\$0	\$0	-	\$52,500	\$0	\$(52,500)	-	0	0	
Total Extraordinary Items	\$273,542	\$0	\$273,542	-	\$(1,495,839)	\$0	\$1,495,839	-100%	0	0	
Net Cost/(surplus) of Service after extraordinary item	\$362,825	\$(106,004)	\$(195,287)	184%	\$(4,710,663)	\$(2,245,745)	\$2,464,918	-110%	\$(1,654,421)	\$(1,654,421)	
Capital	47,494				693,058				6,360,310	6,360,310	

Detailed variance explanations are provided under each Group Activity Report.

February 09

Monthly Report for	February 09			
Total Council and Strategic Development Revenue	Actual	Budget	Variance	Var %
Rates	295,515	292,198	3,317	1%
User Fees and Sundry	14,973	4,648	10,325	222%
Grants and Subsidies	0	0	0	-
Investment Interest Income	0	0	0	-
Investment Property Income	168,706	159,226	9,480	6%
Forestry Harvest	0	0	0	-
Dividend Income	0	0	0	-
Gain/(Loss) on Sale	0	0	0	-
Fair Value Adjustment	0	0	0	-
Expenditure	\$479,194	\$456,072	\$23,122	5%
Community Representation & Strategic Planning	\$168,369	\$175,709	\$7,340	4%
Regional Economic Development	\$33,959	\$29,490	\$4,469	-15%
Commercial	\$10,432	\$35,478	\$25,046	71%
Net Cost of Service Before Extraordinary Items	\$212,760	\$240,677	\$27,917	12%
Loss on sale of Investment Property	0	0	0	-
Fair Value adjustment of Investment Property	0	0	0	-
Commission on Sale of Investment Property	0	0	0	-
Net Cost of Service After Extraordinary Items	\$(266,434)	\$(215,395)	\$51,039	-24%
Capital Expenditure	\$(398)	\$82,494	\$82,494	33%

Revenue	YTD Actual	YTD Budget	Variance	Var %	Annual Budget
Rates	2,364,117	2,337,584	26,533	1%	\$ 3,506,376.00
User Fees and Sundry	107,094	37,184	69,910	188%	\$ 55,776.00
Grants and Subsidies	0	0	0	-	\$ -
Investment Interest Income	0	0	0	-	\$465,000.00
Investment Property Income	1,759,932	1,751,730	8,202	0%	\$465,000.00
Forestry Harvest	0	0	0	-	\$0.00
Dividend Income	0	0	0	-	\$ -
Gain/(Loss) on Sale	0	0	0	-	\$ -
Fair Value Adjustment	0	0	0	-	\$ -
Expenditure	\$4,231,144	\$4,126,498	\$104,645	3%	\$4,492,152
Community Representation & Strategic Planning	\$1,477,082	\$1,417,045	\$60,037	-4%	\$2,283,793
Regional Economic Development	\$490,646	\$359,948	\$130,698	-36%	\$967,265
Commercial	\$121,891	\$202,625	\$80,734	40%	\$357,905
Net Cost of Service Before Extraordinary Items	\$2,089,618	\$1,979,618	\$110,000	-6%	\$3,608,963
Loss on sale of Investment Property	(500,000)	0	(500,000)	-	0
Fair Value adjustment of Investment Property	(140,000)	0	(140,000)	-	0
Commission on Sale of Investment Property	(52,500)	0	(52,500)	-	0
Net Cost of Service After Extraordinary Items	\$(1,449,025)	\$(2,146,880)	\$(697,855)	33%	\$(883,189)
Capital Expenditure	\$82,494	\$82,494	\$82,494	33%	\$3,019,914

Revenue

Month results

Sundry Income has provided a small lift this month

Year to Date results

° **User Fees and Sundry** is tracking ahead of budget year to date as it includes funding received from New Zealand Trade and Enterprise which was then paid out to Enterprise Northland (see below).

Year end forecasts predict revenue excluding Extraordinary items to be on budget.

Expenditure

Month results

Commercial expenditure for the month is under budget principally due timing of consultancy payments.

Year to Date results

° **Regional economic development** is running ahead of budget year to date - the key variances are for expenditure relating to the proposed Regional Events Centre and funding paid to Enterprise Northland (which is offset by the funding received from New Zealand Trade and Enterprise included in User Fees and Sundry revenue above). These items were not included in the Annual Plan budgeting.

Commercial savings year to date are principally from Forest Harvesting (\$51K) and Forest Maintenance(\$8K) with the balance spread over a wide range of accounts.

Monthly Report for		February 09							
		February 09			YEAR TO DATE				
Total Consents Revenue	Actual	Budget	Variance	Var %	YTD Actual	YTD Budget	Variance	Var %	Annual Budget
Rates	40,372	39,268	1,104	3%	322,975	314,144	8,831	3%	\$ 471,216.00
User Fees and Sundry	47,781	56,739	(8,958)	-16%	395,174	453,913	(58,739)	-13%	\$ 680,869.00
Expenditure	\$88,153	\$96,007	\$(7,854)	-8%	\$718,149	\$768,057	\$(49,908)	-6%	\$1,152,085
Consents Applications	\$97,252	\$97,480	\$228	0%	\$678,896	\$753,566	\$74,670	10%	\$1,162,425
Consents Advice and Information	\$60,650	\$71,907	\$11,257	16%	\$506,301	\$572,708	\$66,408	12%	\$878,521
	\$157,902	\$169,387	\$11,485	7%	\$1,185,196	\$1,326,274	\$141,078	11%	\$2,040,946
Net Cost of Service	\$69,750	\$73,380	\$3,630	5%	\$467,048	\$558,217	\$91,169	16%	\$888,861
Capital Expenditure	\$0				\$0				\$0

Revenue

Month results

Revenue for February continues the trend displayed through the earlier part of the year.

Year to Date results

Application Fees continue to come in under budget.

Year end forecasts predict Revenue to be on budget.

Expenditure

Month results

No significant variances

Year to Date results

Expenditure reflects the downturn in User Fees with savings in Wages and Salaries, Contractor payments and Legal Fees offsetting the Revenue downturn.

Monthly Report for		February 09								
		Actual	Budget	Variance	Var. %	YTD Actual	YTD Budget	Variance	Var. %	Annual Budget
Total Land Operations Revenue										
Rates	366,021	363,710	2,311	1%	2,928,173	2,909,681	18,492	1%	\$ 4,364,521.00	
User Fees and Sundry	17,491	39,223	(21,732)	-55%	206,481	313,793	(107,312)	-34%	\$ 470,685.00	
Grants and Subsidies	0	833	(833)	-100%	282,000	288,668	(6,668)	-2%	\$ 292,000.00	
	\$383,512	\$403,766	\$(20,254)	-5%	\$3,416,654	\$3,512,142	\$(95,488)	-3%	\$5,127,206	
Expenditure										
Sustainable Land Management	\$139,245	\$97,892	\$(41,353)	-42%	\$816,830	\$831,391	\$14,561	2%	\$1,732,531	
Hazard & Emergency Management	\$27,641	\$152,997	\$125,356	82%	\$582,719	\$824,377	\$241,658	29%	\$1,430,042	
Biosecurity Management	\$167,923	\$157,219	\$(10,704)	-7%	\$1,029,841	\$1,369,198	\$339,357	25%	\$2,197,828	
River Management Works	\$122,716	\$124,069	\$1,353	1%	\$585,457	\$712,548	\$127,091	18%	\$1,265,494	
	\$457,525	\$532,177	\$74,652	14%	\$3,014,847	\$3,737,514	\$722,667	19%	\$6,625,895	
Net Cost of Service		\$74,013	\$128,411	\$54,398	42%	\$(401,807)	\$225,372	\$627,179	278%	\$1,498,689
Capital Expenditure					\$43,772				\$307,200	

Revenue

Month results

Year trends continue for this month

Year to Date results

User Fees and Sundry Income continue to track behind budget year to date

Year end forecasts predict revenue to be on budget.

Expenditure

Month results

Cost savings in **sustainable land management** largely relate to savings in salaries and wages due to staff vacancies.

Excess expenditure for the month is due to Environmental Fund costs starting to come on stream. This is a timing difference due to budget phasing

Cost savings in **hazard and emergency** come from Wages and Salaries and Consultants.

These reflect yearly trends though Consultants savings have trebled this month.

Year to Date results

Variances in **biosecurity management** relate to consultants, contractors and casual staff due to pest control contracts not coming on stream as budgeted, these variances are due to timing differences.

These have just started to come on track in February

Variances in **hazard and emergency management** relate the contracts not yet being let.

Expenditure will increase over the coming months.

Variances in **river management works** is due to timing, contracted works will increase over the coming months and expenditure will be on budget by year end.

Expenditure has just started to flow through in the February month.

Monthly Report for		February 09								
		Actual	Budget	Variance	Var %	YTD Actual	YTD Budget	Variance	Var %	Annual Budget
Total Finance and IT Revenue										
Rates	0	0	0	-	26,202	0	26,202	-	\$	-
User Fees and Sundry	633	633	0	0%	13,857	5,059	8,798	174%	\$	7,591.00
Investment Interest Income	187,605	248,748	(61,143)	-25%	1,978,917	1,989,986	(11,069)	-1%	\$	2,984,978.00
Dividend Income	0	0	0	-	1,140,360	1,200,000	(59,640)	-5%	\$	1,700,000.00
	\$188,238	\$249,381	\$(61,143)	-25%	\$3,159,336	\$3,195,045	\$(35,709)	-1%		\$4,692,569
Expenditure										
Finance & Information Services	\$240,948	\$265,124	\$(249,366)	-94%	\$2,913,496	\$2,863,806	\$(49,690)	-2%		\$4,466,935
Internal recharges	\$(275,831)	\$(372,212)	\$(96,381)	26%	\$(2,913,497)	\$(2,977,685)	\$(64,188)	2%		\$(4,466,533)
	\$(34,883)	\$(107,088)	\$(345,747)	323%	\$(1)	\$(113,879)	\$(113,878)	100%		\$402
Net Cost of Service before extraordinary item										
	\$(223,121)	\$(356,469)	\$(406,890)	114%	\$(3,159,338)	\$(3,308,924)	\$(149,586)	5%		\$(4,692,167)
Add Extraordinary Item										
Special Dividend	\$0	\$0	\$0	-	\$(2,735,424)	\$0	\$(2,735,424)	-		\$0
Less Tax on Special Dividend	\$273,542	\$0	\$273,542	-	\$547,085	\$0	\$547,085	-		\$0
Net Cost of Service after extraordinary item										
	\$50,421	\$(356,469)	\$(406,890)	114%	\$(5,347,677)	\$(3,308,924)	\$2,038,753	-62%		\$(4,692,167)
Capital Expenditure										
	\$0				\$27,285					\$2,530,929

Revenue

Month results

Revenue shortfall for the month is in bank interest partially offset t

Year to Date results

***Extraordinary Items**

Council received a dividend payment from Northland Port Corporation NZ (Ltd). The dividend received was \$1,139,760 and special dividend of \$2,735,424. The dividend represented a 5 cents per share and 12 cents per share payment. The special dividend has been excluded from operating income and classified as an extraordinary item.

Other revenue is tracking in line with budget year to date.

Year end forecasts predict revenue excluding Extraordinary items to be \$26000 over budget.

Expenditure

Month results

***Extraordinary Items**

In February Council paid the second instalment of income tax of \$273,542 on the above special dividend which was issued with no imputation credits

Year to Date results

***Extraordinary Items**

Tax paid Year to date now totals \$547,085.

Other:

Expenditure on recruitment earlier in the year principally accounts for the year to date excess expenditure

Monthly Report for		February 09								
		Actual	Budget	Variance	Var %	YTD Actual	YTD Budget	Variance	Var %	Annual Budget
Total Environmental Monitoring and Maritime Revenue										
Rates	50,465	56,752	(6,287)	-11%	403,720	454,014	(50,294)	-11%	\$ 681,022.00	
User Fees and Sundry	140,883	132,036	8,847	7%	1,678,389	1,420,261	258,128	18%	\$ 1,776,305.00	
Grants and Subsidies	28,218	0	28,218	-	37,046	52,265	(15,219)	-29%	\$ 119,826.00	
	\$219,565	\$188,788	\$30,777	16%	\$2,125,155	\$1,932,540	\$192,615	10%	\$2,590,923	
Expenditure										
Resource Consent Compliance	\$141,791	\$145,540	\$3,749	3%	\$1,189,902	\$1,145,930	\$(43,972)	-4%	\$1,766,695	
State of the Environment Monitoring	\$96,131	\$128,327	\$32,197	25%	\$836,296	\$1,013,047	\$176,751	17%	\$1,546,807	
Environmental Incidents Response	\$60,403	\$67,007	\$6,604	10%	\$580,632	\$555,980	\$(24,652)	-4%	\$835,936	
Hazardous Substances & Contaminated Sites	\$25,255	\$30,595	\$5,340	17%	\$239,146	\$251,454	\$12,308	5%	\$380,531	
Oil Pollution Response	\$20,171	\$17,556	\$(2,615)	-15%	\$150,658	\$173,281	\$22,623	13%	\$276,322	
Harbour Safety & Navigation	\$173,694	\$90,730	\$(82,964)	-91%	\$773,854	\$829,992	\$56,138	7%	\$1,218,169	
	\$517,444	\$479,755	\$(37,689)	-8%	\$3,770,488	\$3,969,684	\$199,196	5%	\$6,024,460	
Net Cost of Service	\$297,879	\$290,967	\$(6,912)	-2%	\$1,645,333	\$2,037,144	\$391,811	19%	\$3,433,537	
Capital Expenditure	\$47,892				\$536,658				\$484,917	

Revenue

Month results

Maritime oil subsidy has contributed to Grants and Subsidies.

Year to Date results

User fees and sundry continue to run ahead of budget due to the large number of infringement notices issued, and higher than usual invoicing of Farm Dairy Effluent related charges.

Year end forecasts predict revenue to be \$21000 over budget.

Expenditure

Month results

Harbour Safety and Navigation variance for February relates to \$100K accrued for Hatea River dredging.

This was budgeted for December and now has a nil YTD effect.

State of the Environment cost savings are over a wide range of expenditure but principal contributors are Wages and Salaries, Consultants and Commercial testing.

Year to Date results

State of the environment monitoring relate to savings in consultants and contractors, the variance is due to timing.

		February 2009			YEAR TO DATE					
		Actual	Budget	Variance	Var %	YTD Actual	YTD Budget	Variance	Var %	Annual Budget
Monthly Report for February 2009										
Total Planning and Policy										
Revenue										
Rates	144,634	137,438	7,196	5%	1,133,746	1,099,503	34,243	3%	\$ 1,649,255.00	
User Fees and Sundry	73,726	59,896	13,830	23%	453,110	479,170	(26,060)	-5%	\$ 718,754.00	
Grants and Subsidies	56,412	107,371	(50,959)	-47%	925,903	872,700	53,203	6%	\$ 1,388,309.00	
	\$274,773	\$304,705	\$(29,932)	-10%	\$2,512,759	\$2,451,373	\$61,386	3%	\$3,756,318	
Expenditure										
Resource Management Planning	\$99,196	\$102,508	\$3,312	3%	\$809,865	\$842,808	\$32,943	4%	\$1,275,595	
Public Communication & Education	\$59,311	\$70,034	\$10,723	15%	\$525,608	\$533,689	\$8,081	2%	\$796,847	
Passenger Services Administration	\$187,594	\$153,431	\$(34,163)	-22%	\$1,195,665	\$1,227,443	\$31,778	3%	\$2,044,917	
Regional Transport Management	\$65,870	\$44,834	\$(21,036)	-47%	\$357,086	\$329,760	\$(27,326)	-8%	\$555,182	
	\$411,970	\$370,807	\$(41,163)	-11%	\$2,888,224	\$2,933,700	\$45,476	2%	\$4,672,541	
Net Cost of Service	\$137,197	\$66,102	\$(71,095)	-108%	\$375,465	\$482,327	\$106,862	22%	\$916,223	
Capital Expenditure	\$0				\$2,849				\$17,350	

Revenue

Month results

Downturn in Grants and Subsidies is in Transfund Subsidy and WDC share of costs.

Year to date results

As above month result combined with Bus Box Revenue.

Year end forecasts

predict revenue to be on budget.

Expenditure

Month results

Cost increases for February in passenger services admin relate to increased activity in contracted works.

This is primarily in relation to total mobility and bus shelter construction and maintenance.

The increase in Regional Transport management comes from Consultants \$26000 but is only \$4000 over YTD.

Year to Date results

Cost savings in Resource Management Planning relate to savings in consultants and contractors.

These savings are due to timing differences expenditure is expected to catch up over the coming months.

Over expenditure in Regional Transport Management is in Wages and Salaries.

Investment Schedule and Performance – Financial Report 28 February 2009

File 350.4

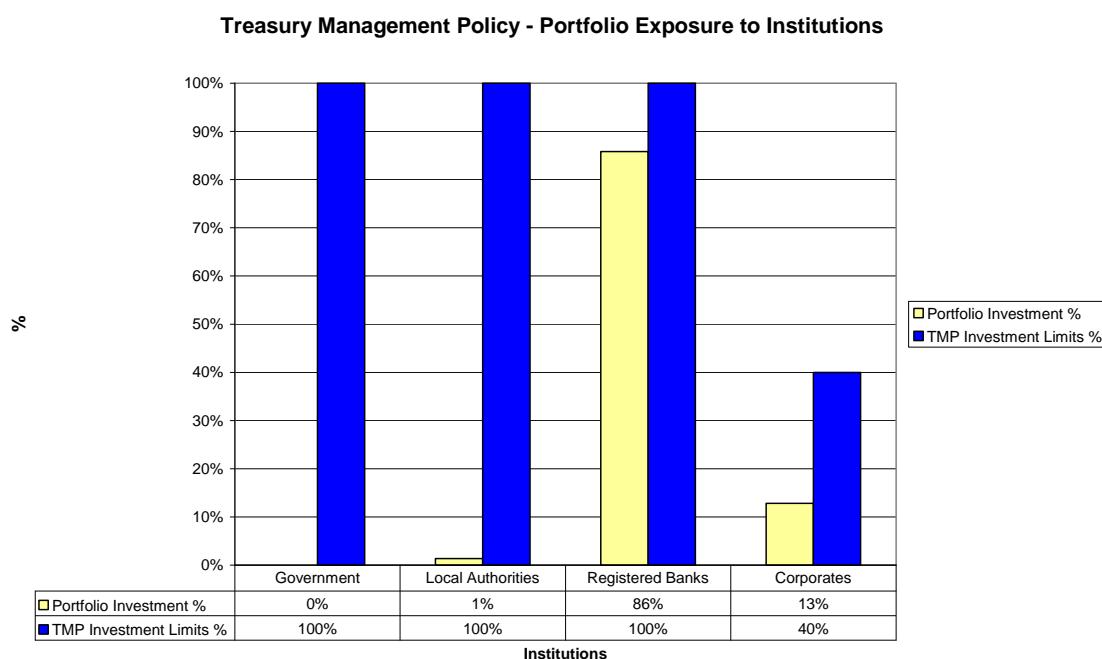
Report from Financial Systems Administrator Kym Ace dated 9 March 2009.

PURPOSE

This report provides a summary of investment performance for the six month period ending 28 February 2009 and to report compliance against the Investment Policy. The investment policy is a requirement of section 102(4)(a) of the Local Government Act. The investment policy was adopted as part of the 2006-2016 Long Term Council Community Plan.

INVESTMENT OF CASH AND STOCK/BONDS

The graph below graphically illustrates Council's investment of cash and stock/bonds against the limits set out in the Investment Policy. Council's investment complies with the Investment Policy.



CREDIT RATING OF INVESTMENT COUNTERPARTIES

Under Council's Treasury Management Policy (TMP) section 4.2.4 qualifies the approved financial securities and the key policy parameters impacting on Council's portfolio are as follows;

- All Registered Bank counterparties must have a minimum credit rating of A-1+ for short term (<12 months) and A+ for long term
- Local Government debt does not require a rating
- Highly rated Corporates, SOE's and Crown entities must have minimum credit ratings as required for the above Bank counterparties with the rider that an unrated counterparty can be invested in if strongly recommended by expert financial advisors.

In addition to the above parameters the other key policy inclusions are;

- In all cases the credit rating of the instrument acquired must be equivalent to the credit rating of the issuing institution

- If any issuer's credit rating falls below the minimum, specified steps will be taken to reduce the credit exposure to zero (or minimise it by taking into account maturity dates and the costs of (or losses on) redemption).

On the 25 February 2009 Council resolved to allow investments to be made in accordance with the counterparty/issuer matrix included in the proposed Treasury Management policy to be adopted as part of the 2009-2019 LTCCP. The matrix is provided below:

Counterparty/Issuer	Minimum long term / short term credit rating – stated and possible	Investments maximum per counterparty (\$m)	Interest rate risk management instrument maximum per counterparty (\$m)	Total maximum per counterparty (\$m)
NZ Government	N/A	unlimited	none	Unlimited
NZD Registered Supranationals	AAA	20.0	none	20.0
State Owned Enterprises [name]	A-/ A2	5.0	none	5.0
NZ Registered Bank [name]	A-/ A2	20.0	10.0	30.0
Corporate Bonds/ CP [names]*	A-/ A2	2.0	none	2.0
Local Government Stock/ Bonds/ FRN/ CP [name]**	A-/ A2 (if rated) Unrated	20.0 5.0	none none	20.0 5.0
<ul style="list-style-type: none"> • *Subject to a maximum exposure no greater than 20% of the NFIP being invested in corporate debt securities at any one point in time. • ** Subject to a maximum exposure no greater than 60% of the NFIP being invested in Local Government debt at any one point in time <p>This summary list will be expanded on a counterparty named basis which will be authorised by the CEO</p>				

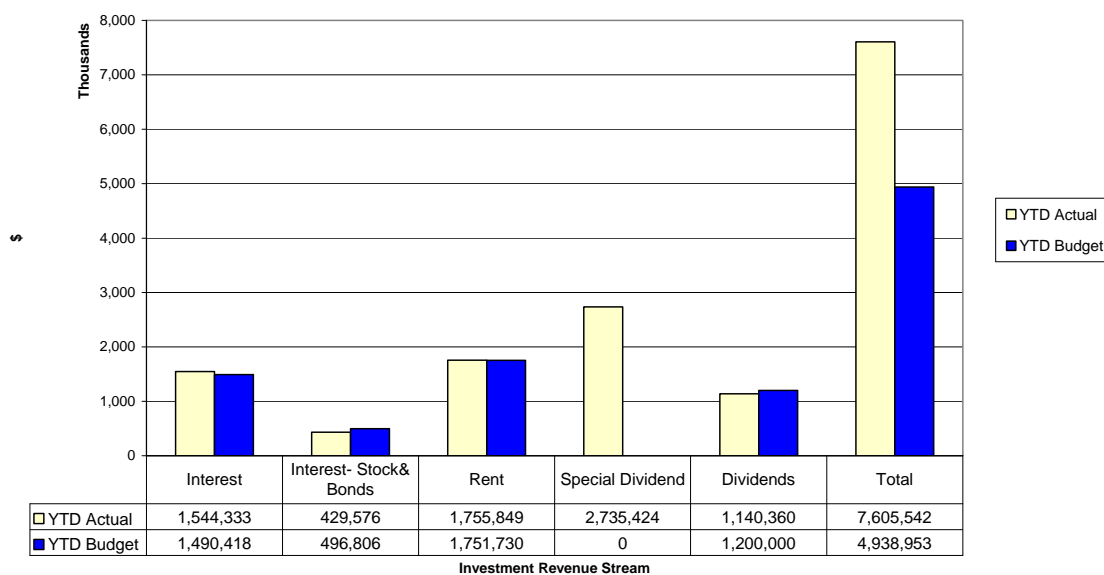
Council currently holds three investments that are below minimum credit ratings. Council is maintaining a watching brief over the credit rating of all investments and current advice supports holding these investments to maturity as allowed for in the Treasury Management Policy.

FINANCIAL YEAR TO DATE PERFORMANCE

Year to date, the investment portfolio has made a return of \$7,605,542 against a budgeted return of \$4,938,953. This return includes the special dividend received of \$2,735,424. If the special dividend is excluded, the investment portfolio has made a return of \$4,870,118 compared to a budget of \$4,938,953. On call funds are currently earning a return of 3.65% and short term deposits between 4.75 and 8.50%.

The breakdown of the year to date return by investment revenue stream is as follows:

Fund Performance against Budget



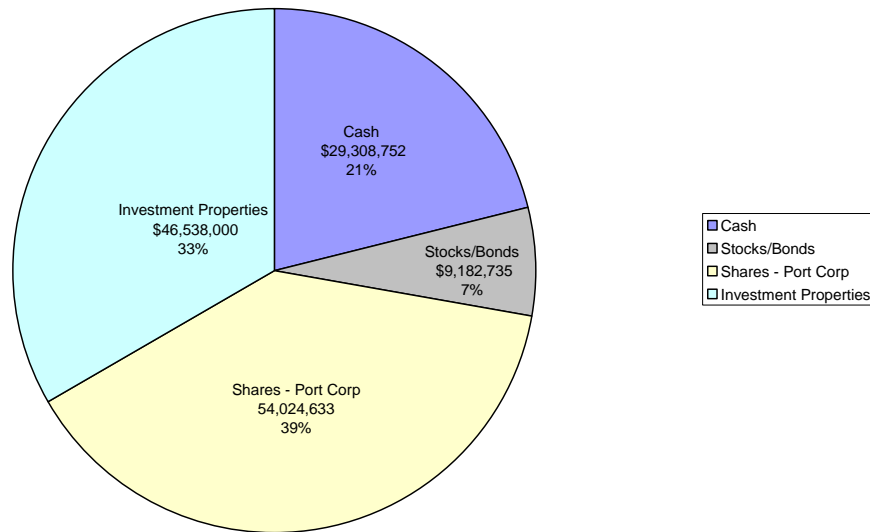
PORTFOLIO OF TOTAL FUNDS

The total value of the investment portfolio as at 28 February is \$139,054,120 and is comprised of:

- Cash \$ 29,308,752
- Stocks/bonds \$ 9,182,735
- Shares – Port Corp* \$ 54,024,633
- Investment Properties \$ 46,538,000

* Northland Regional Council holds 22,795,201 shares in Northland Port Corporation (NZ) Limited. The cost value of these shares is \$8,058,150. As at 30 June 2008, the market price of these shares was \$2.75. As at 28 February 2009, the market price is \$2.37. The Northland Port Corporation paid dividends on the 30 September 2008. The special dividend \$2,735,424 (un-imputed) was paid at 12 cents per share and the ordinary dividend \$1,139,760 (imputed) at 5 cents per share.

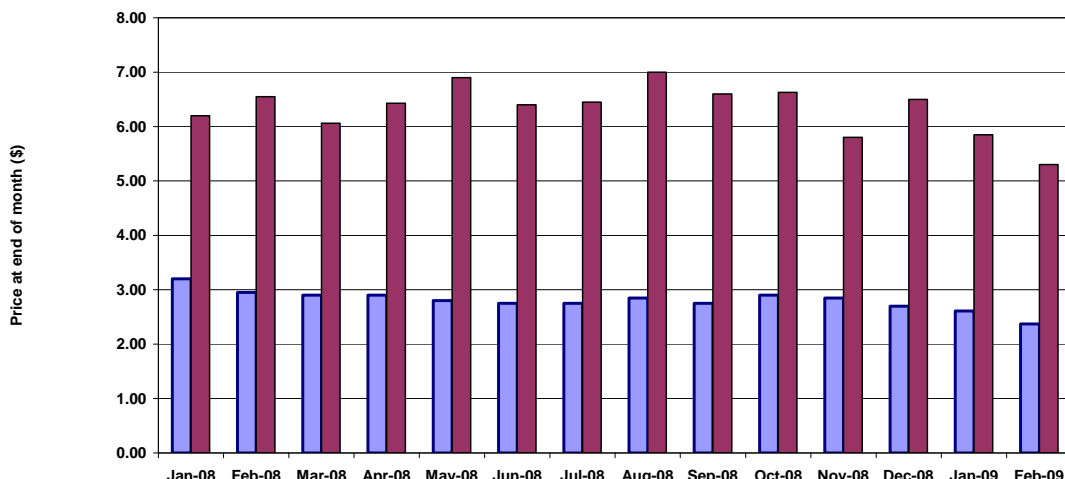
Portfolio of Total Funds



NORTHLAND PORT CORPORATION SHARE PRICE MOVEMENT

The graph below graphically illustrates the movement in the Northland Port Corporation’s share price in the current financial year. Share price data for the Ports of Tauranga has been provided for comparative or benchmarking purposes.

Northland Port Corporation Share Price Movement compared to Ports of Tauranga



	Jan-08	Feb-08	Mar-08	Apr-08	May-08	Jun-08	Jul-08	Aug-08	Sep-08	Oct-08	Nov-08	Dec-08	Jan-09	Feb-09
Northland Port Corp	3.20	2.95	2.90	2.90	2.80	2.75	2.75	2.85	2.75	2.90	2.85	2.70	2.61	2.37
Ports of Tauranga	6.2	6.55	6.06	6.43	6.9	6.4	6.45	7.0	6.6	6.63	5.8	6.5	5.85	5.3

2008/2009

Recommendation

That the Investment Schedule and Performance Report to 28 February 2009 be received.

COMPLIANCE WITH DECISION MAKING PROCESS

The activities detailed in this report are in accordance with the Council's Treasury Management Policy which was adopted in compliance with the decision-making requirements of sections 76-82 of the Local Government Act 2002.

Paid Accounts for Approval

File 350.9

Report from Payments Officer Rachel Hills dated 28 February 2009.

Set out below is the summary of expenditure that was approved and paid during February 2009

Northland Regional Council General Account

Direct Debits	vouchers 101031 - 101044	\$2,967,992.02
Computer Cheques	vouchers 19756 - 19766	\$13,721.64
Direct Credits	vouchers 1021417 - 1021672	\$875,484.96
Payroll Transactions		\$714,285.64
Total		\$4,571,484.26

Analyses of Expenditure Classes

Labour costs	\$714,285.64
Operating costs	\$1,198,751.95
Capital Expenditure	\$83,446.67
Call/Term deposits/Investments	\$2,575,000.00
Total	\$4,571,484.26

The vouchers are available for inspection if required.

This report is tabled in terms of the Council's delegation policy made pursuant to the Public Bodies Contracts Act 1959.

Recommendation

That the payments for February 2009, as detailed in the report from the Payments Officer, Rachel Hills dated 28 February 2009, be approved.

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.

Consents Decisions and Applications in Process

File: 430.1

Report from Acting Consents Senior Programme Manager, Allan Richards dated 1 March 2009.

The Acting Consents Senior Programme Manager's report on resource consent decisions made since 1 February 2009 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. All submitters have subsequently withdrawn wish to be heard. Hearings Committee Chairperson authorised decision not to proceed with Section 128 review. Appeal period closes 18 February 2009.
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.
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 it 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	Earlier hearing adjourned at request of Applicant to enable further consultation with affected parties. Hearing date now set for 27 March 2009.

Applicant	Proposal	Notification Period	Comment
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. Hearing set for 23 March 2009.
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. Four submissions attached petitions carrying with 52, 108, 383, and 4252 signatures respectively. A hearing was expected to be set for late February-March 2009. The Applicant now wishes to seek a change to their application and an extension on the term of the consent sought.
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. Applicant has requested processing to be placed on hold until Environment Court has made a decision on their appeal against FNDC decision not to accept private plan change. Court hearing due 2 March 2009.
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. Applicant has requested processing to be placed on hold until Environment Court has made a decision on their appeal against FNDC decision not to accept private plan change. Court hearing due 2 March 2009.
Bentzen Farm Limited CON20061055818	Causeway in Waipiro Bay, Bay of Islands	10 November to 8 December 2008	Restricted Coastal Activity. Three submissions received, one wishing to be heard. Hearing to be held 24 March 2009.
Orange Centre Limited CON20071987601	Visitor centre, including accommodation and service station, SH 10 Kerikeri	21 January 2009 to 23 February 2009. Jointly notified with FNDC as lead agency	Five submissions received by the Regional Council. Four against and wishing to be heard.

Applicant	Proposal	Notification Period	Comment
Neil Construction Limited CON20082200401	Proposed 179 lot residential subdivision, Kapiro and Redcliff Road's, Kerikeri	18 December 2008 to 12 February 2009. Jointly notified with FNDC as lead agency	Twelve submissions received by the Regional Council.
Golden Bay Cement Limited CON20080505901	Replacement consents for various water takes, stormwater and contaminant discharges at the Portland site	12 January 2009 to 11 February 2009	No submissions received. Regional Council staff preparing draft recommendations for discussion with Applicant.

Limited Notified

Applicant	Proposal	Notification Period	Comment
Far North District Council CON20070169501, Russell Motel Limited CON20070168701, Russell Bowling Club (Inc) CON20070302401, Te Maiki Villas CON20080372901, Eastern Services Ltd (Hananui Lodge) CON20060420001, D V Stocks & J K Northcoat T/A Triton Suites Motel & Triton Lodge CON20080964901, Matauwahi Wharf Limited CON20070965401	Take groundwater from the Russell aquifer for private water supplies	16 February 2009 to 16 March 2009	Joint processing of applications to renew existing groundwater takes from the Russell aquifer is occurring to enable cumulative assessment and efficient processing.
Kaipara District Council CON20010218701	Take groundwater from the Ruawai aquifer for public water supply	5 December 2008 to 23 January 2009	Two submissions received in support of proposal. Time extension required to enable Applicant to install the new production bore and assess water quality and yield.

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 is undertaking investigations into re-use of condensate within plant. Results of investigation should be known by end of 2009.

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	4 February 2009	A subsequent meeting was held with the Applicant. The Applicant has agreed to supply additional information and detail on their proposal. Once this has been received, another pre-hearing meeting will be held to present the updated information to submitters, with a view to informal resolution.
Whangarei District Council – Wastes & Drainage Division CON20080450901	Waipu Wastewater Treatment Plant (upgrade to and extension of disposal system)	13 November 2008	Outcome generally favourable. Draft recommendations circulated to Applicant for comment. Once received, their comments and draft recommendations will be circulated to submitters, with the expectation that they will withdraw their wish to be heard at a formal hearing.
North Holdings Limited CON20082038401	Construction and operation of a wastewater treatment wetland, Ruakaka	22 January 2009	No agreement reached with submitters. Draft recommendations have been sent to the Applicant for their comment. Once received, these draft recommendations will be circulated to submitters. A hearing is expected to be required.

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 Waitotemarama 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 in near future.
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. Reconvened 21 January 2009.	Decision to grant consent and change to designation issued 2 March 2009. Appeal period closes 23 March 2009.
Far North District Council CON20070266701	Replacement consents for Omapere/Opononi WWTP discharges	25 November 2008	Hearings Committee granted consents on 13 January 2009. Two appeals received – seeking mediation.
Far North Holdings Ltd CON20060545411	Paihia Waterfront Re-development	Commenced 28 October 2008	Hearing adjourned 31 October for further information. Hearing was reconvened on 10 February 2009. Decision now pending.
Carter Holt Harvey CON20071932401	Earthworks for 121 lot subdivision at Tinopai		Earlier hearing date postponed till later in 2009 at the request of the 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	9 December 2008	Decision circulated to submitters 22 January 2009. No appeals received.
Whangarei District Council CON20071820401	Paradise Point seawall/ reclamation (Restricted Coastal Activity)	12 December 2008	Council's decision to grant issued on 21 January 2009. Minister of Conservation's decision to grant issued on 19 February 2009.

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.
Pouto Farms Limited CON2008215801	Flood protection works at Kaihu River	Objection to decision to return application documents as incomplete but the Applicant seeks stay of hearing, meanwhile completing application detail.
Goldpine Limited CON20061698001	Roundwood production and treatment plant, Flygers Road	The Applicant has advised the Court that application is being withdrawn as project to no longer proceed. Still awaiting applications made to the Regional Council to be withdrawn.
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 yet 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 withdrawn.
J & D Struthers CON20080068501	Swing mooring in Hauai Bay, Bay of Islands	Resolved with Consent Holder. No hearing required.

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 Acting Consents Senior Programme Manager, Allan Richards dated 3 March 2009.

DELEGATION TO HEAR AND DECIDE CONSENT APPLICATIONS

Hearings Committees are required for the following applications:

North Holdings Limited: CON20082038401 for construction and operation of a wastewater treatment wetland at Ruakaka. A committee of at least two members is suggested.

Neil Construction Limited: CON20082200401 for earthworks for a 170 lot subdivision at Kerikeri. The Far North District Council is the lead agency. One Councillor is suggested together with the appointees of the Far North District Council.

Orange Centre Limited: CON20071987601 for sewage disposal and earthworks associated with a proposed visitor centre development at Kerikeri. The Far North District Council is the lead agency. One Councillor is suggested together with the appointees of the Far North District Council.

In discussion with the Chairperson of the Hearings Committee, it is suggested that committees comprising:

1. Cr Lorraine Hill (Chair) together with Mr Rob van Voorthuysen, an independent commissioner who has acted on behalf of the Council on other recent applications, be appointed to hear and decide the application by North Holdings Limited.
2. Cr Joe Carr, together with the appointees of the Far North District Council (Lead Agency), jointly, hear and decide the applications by Neil Construction Limited.
3. Cr Ian Walker, together with the appointees of the Far North District Council (Lead Agency), jointly, hear and decide the applications by Orange Centre Development Limited.

Recommendation

1. That Cr Hill (Chair) and Mr Rob van Voorthuysen be appointed to hear and decide the application by **North Holdings Limited CON20082038401** for construction and operation of a wastewater treatment wetland at Ruakaka.
2. That Cr Carr jointly hear and decide, together with the appointees of the Far North District Council (Lead Agency), the applications by **Neil Construction Limited CON20082200401** for earthworks for a 170 lot subdivision at Kerikeri.
3. That Cr Walker, together with the appointees of the Far North District Council (Lead Agency), jointly hear and decide the applications by **Orange Centre Limited CON20071987601** for sewage disposal and earthworks associated with a proposed visitor centre development at Kerikeri.

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.

APPOINTMENT OF HEARINGS COMMITTEES.DOC

Bentzen Farm Covenants

File: 110.8

Report from Acting Consents Senior Programme Manager dated 5 March 2009.

COVENANTS REQUIRING EXECUTION

A condition of a resource consent in respect of a jetty in Waipiro Bay issued to Bentzen Farm Limited as a result of Environment Court consent order requires covenants to be entered into with the Council that prevent further structures in the coastal marine area adjacent to any of the properties within the development at this location.

Consequently, covenants received from Bentzen Farm Limited and Craig Leonard Heatley and Hayley Maree Pyle have been perused by the Council's solicitors, Webb Ross Lawyers who have advised that they are ready for execution by the Council.

Recommendation

That the Chief Executive Officer be authorised to execute the covenants received from Bentzen Farm Limited and from Craig Leonard Heatley and Hayley Maree Pyle under the Common Seal of the Council.

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 Resource Management Act 1991. As such they are in accordance with the Council's decision making process and sections 76-82 of the Local Government Act 2002.

Confirmation of Minutes - Environmental Management Committee

File 110.12

The Minutes of the Environmental Management Committee meeting to be held on 18 March 2009 at 10 am will be tabled at the Council meeting for confirmation and adoption.

E:\TEMPORARY WORK AREA\2009 AGENDAS\2009 COUNCIL MEETINGS\MARCH 2009\CONFIRMATION OF MINUTES ENVIRONMENTAL MANAGEMENT COMM.DOC

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 25 February 2009.
2. Northland Port Corporation (NZ) Limited.
3. Annual Performance Review of Chief Executive Officer

The reason for excluding the public in relation to item 1 is as stated in the Minutes of that meeting.

In relation to item 2, 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

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).