

# NORTHLAND REGIONAL COUNCIL

## Agenda

For an Ordinary Meeting of the Council to be held in the  
Council Chambers, 36 Water Street, Whangarei,  
on Wednesday, 20 May 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

Item	Page
<b>COUNCIL AND PROJECT INFORMATION</b>	
1. Confirmation of Minutes of Ordinary Meeting held on 15 April 2009	1
2. Chairman's Report to the Council	11
3. Chief Executive Officer's Report to the Council	13
4. Local Government New Zealand Update	33
5. NRC Delegations Manual	34
<b>FINANCE AND IT</b>	
6. Financial Report – 30 April 2009	35
7. Investment Schedule and Performance – Financial Report 30 April 2009	43
8. Paid Accounts for Approval – 30 April 2009	47
9. Lease Transactions	48
<b>OPERATIONS</b>	
10. Consents Decisions and Applications in Process	49
11. Appointment of Hearings Committees	56
12. Non-Notified Resource Consent Applications – Circulation to Iwi Groups - January-December 2008	58
13. Warrant of Appointment	63
<b>COMMITTEES</b>	
14. Confirmation of Minutes of Regional Transport Committee Meeting held on 21 April 2009	64
15. Confirmation of Minutes of Audit and Finance Committee Meeting held on 29 April 2009	69
16. Confirmation of Minutes of Environmental Management Committee Meeting to be held on 20 May 2009	72
<b>Business with the Public Excluded</b>	<b>73</b>
<b>IN COMMITTEE</b>	
17. Confirmation of Confidential Minutes of Meeting held on 15 April 2009	74
18. Confirmation of Confidential Minutes of Audit and Finance Committee Meeting held on 29 April 2009	79

## NORTHLAND REGIONAL COUNCIL

Minutes of the Ordinary Meeting of the Council, held at the Northland Regional Council, 36 Water Street, Whangarei, on Wednesday, 15 April 2009 commencing at 1 pm

### **File 105.2**

**PRESENT:** Crs Mark Farnsworth, Ian Walker, John Bain, Craig Brown, Joe Carr and Bill Rossiter.

### **In Attendance**

#### **Full Meeting**

Chief Executive Officer  
Strategy and Planning Director  
General Manager - Finance and IT  
Council Administration Programme Manager  
Local Government Senior Programme Manager  
Community Relations Manager  
Senior Communications Officer

#### **Part Meeting**

Monitoring Senior Programme Manager  
Resource Management Planning SPM  
Consents Senior Programme Manager

**ALSO PRESENT:** **Te Ahu Trust**  
Mr I Bamber  
Ms MJ Ardley  
Mr M Osborne  
Mr P Cross  
Ms N Gobie

### **OPENING PRAYER**

The Council Administration Programme Manager read the opening prayer.

### **LEAVE OF ABSENCE**

A leave of absence from the April Council meeting was granted for Crs Hill and Jensen at the previous meeting.

### **APOLOGY**

**Resolved:** That the apology from Cr Carr for lateness 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.

**Cr Walker** declared an interest in the items 16 and 21 on Shareholder Governance and Bonding Alternatives for the Aquaculture Industry.

The **Chairman** declared an interest in item 16 on Shareholder Governance.

The **Chief Executive Officer** declared an interest in items 17 and 18 on Enterprise Northland and the Northland Regional Council Community Trust.

**ITEMS OF NEW BUSINESS**

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

**OPEN MEETING****1. FAR NORTH DISTRICT COUNCIL DRAFT LTCCP, KAIPARA DISTRICT COUNCIL DRAFT LTCCP AND WHANGAREI DISTRICT COUNCIL DRAFT LTCCP**

This item provides additional information to item 6, page 37 on the Council agenda.

**CONFIDENTIAL MEETING****2. INFRASTRUCTURE DEVELOPMENT AGENCY**

This item provides additional information to item 19, page 130 on the Council agenda.

**3. ANNUAL PERFORMANCE REVIEW OF THE CHIEF EXECUTIVE OFFICER**

This item provides additional information to item 22, page 159 on the Council agenda.

**4. ANNUAL SALARY REVIEW OF THE CHIEF EXECUTIVE OFFICER**

This item provides additional information to item 22, page 159 on the Council agenda.

Cr Farnsworth:

Cr Brown

**Attendance Note:** Cr Carr arrived at 1.05pm

**1. PRESENTATION BY TE AHU CHARITABLE TRUST****File 105.2**

Trustees Ian Bamber, Mary Ardley and Phil Cross representing the Te Ahu Charitable Trust, a Far North District Council Council Controlled Organisation (CCO) made a presentation to the Council on the need to replace/upgrade facilities in order to provide a multi-functional, integrated facility in Kaitaia.

**Resolved:** That the presentation by the Te Ahu Charitable Trust be received and that the Chairman writes to the Trust thanking them for their presentation.

Cr Brown : Cr Carr

Members of the Trust left the meeting following this item.

**2. CONFIRMATION OF MINUTES OF ORDINARY COUNCIL MEETING HELD ON 18 MARCH 2009****File 105.2**

**Resolved:** That the minutes of the Ordinary Meeting of the Council held on 18 March 2009 be confirmed.

Cr Rossiter : Cr Bain

**3. CHAIRMAN'S REPORT****File 105.4**

**Report from Chairman Mark Farnsworth dated 1 April 2009.**

**Resolved:** That the Chairman's report dated 1 April 2009 be received.

Cr Farnsworth : Cr Walker

**COMPLIANCE WITH DECISION MAKING PROCESS**

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

**4. CHIEF EXECUTIVE OFFICER'S REPORT****File 105.3**

**Report from Chief Executive Officer Ken Paterson dated 6 April 2009.**

**Resolved:** That the Chief Executive Officer's report dated 6 April 2009, be received.

Cr Brown : Cr Rossiter

## **MATTERS ARISING FROM CEO'S REPORT**

### **Broadband**

The Chairman advised that there was a formal process to follow with the Department of Conservation regarding the location of broadband facilities on the conservation estate. The meeting noted that businesses, schools and health were all being disadvantaged by the lack of efficient broadband services in the far north of the region. The Chairman agreed to continue pursuing the matter with various agencies in Wellington.

### **Vehicles on Beaches**

The Chairman advised that he had spoken recently with MP John Carter who had assured him that action was currently underway to progress this issue.

### **Navigation Aids**

Cr Bain raised the issue of some navigation lights not working in the Upper Whangarei Harbour and the Chairman requested that he discuss the matter directly with the Northland Harbourmaster.

## **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.

## **5. LOCAL GOVERNMENT NEW ZEALAND ANNUAL GENERAL MEETING AND CONFERENCE**

### **File 188.6**

**Report from Council Administration Programme Manager Dean Alderton dated 6 April 2009.**

- Resolved:**
1. That the Council Administration Programme Manager's report dated 6 April 2009 be received.
  2. That the Chairman, and Councillors Jensen and Rossiter be authorised to attend the Annual General Meeting and conference as this Council's delegates.
  3. That the Chairman be the Council's Presiding Delegate and that he or any other Council delegate nominated by him be authorised to exercise the Council's vote at the Annual General Meeting.

Cr Farnsworth : Cr Walker

## **COMPLIANCE WITH DECISION MAKING PROCESS**

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

**6. FAR NORTH DISTRICT COUNCIL DRAFT LTCCP****File 161.9****Report from the Local Government Senior Programme Manager Kathryn Ross dated 7 April 2009.****Supplementary report from Local Government Senior Programme Manager Kathryn Ross dated 13 April 2009.**

- Resolved:**
1. That the report from the Local Government Senior Programme Manager dated 13 April 2009 be received with the 7 April 2009 report.
  2. That the Council highlight any particular issues for inclusion in the Northland Regional Council's submissions to the Far North District Council's Draft Long Term Council Community Plan 2009-2019, the Kaipara District Council's Draft Long Term Council Community Plan 2009-2019 and the Whangarei District Council's Draft Long Term Council Community Plan 2009-2019.
  3. That the Council delegates authority to sign off submissions on the FNDC, KDC WDC and NRC draft LTCCPs to the Chief Executive Officer (in consultation with the Chairman).

Cr Rossiter : Cr

**COMPLIANCE WITH DECISION MAKING PROCESS**

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

**7. FINANCIAL REPORT – 31 MARCH 2009****File 350.4****Report from General Manager Finance IT Lisa Aubrey dated 5 April 2009.**

- Resolved:** That the financial report to 31 March 2009, be received.

Cr Walker : Cr Farnsworth

**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.

**8. INVESTMENT SCHEDULE AND PERFORMANCE – FINANCIAL REPORT  
31 MARCH 2009**

**File 350.4**

**Report from Financial Systems Administrator Kym Ace dated 7 April 2009.**

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

Cr Bain : Cr Walker

**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.

**9. PAID ACCOUNTS FOR APPROVAL**

**File 350.9**

**Report from Payments Officer Rachel Hills dated 31 March 2009.**

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

Cr Farnsworth : Cr Rossiter

**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.

**10. NORTHLAND REGIONAL COUNCIL 2009 ENVIRONMENTAL CURRICULUM AWARDS**

**File 240.5**

**Report from Environmental Education Officer Susan Botting dated 3 April 2009.**

- Resolved:**
1. That the report by Environmental Education Officer dated 3 April 2009, on the Northland Regional Council 2009 Environmental Curriculum Awards, be received.
  2. That Crs Rossiter and Brown be confirmed as members of the judging sub-committee for the Environmental Curriculum Awards 2009.

Cr Farnsworth : Cr Walker

**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 they are in accordance with the Council's decision making process and sections 76-82 of the Local Government Act 2002.

**11. CONSENTS DECISIONS AND APPLICATIONS IN PROCESS****File: 430.1****Report from Consents Senior Programme Manager David Roke dated 1 April 2009.**

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

Cr Rossiter : 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 76-82 of the Local Government Act 2002.

**12. APPOINTMENT OF HEARINGS COMMITTEES****File 110.8****Report from Consents Senior Programme Manager David Roke dated 2 April 2009.**

**Resolved:** That Cr Carr (Chair) and Cr Walker be appointed, together with the appointee of the Minister of Conservation to hear and decide Far North District Council Application 20092244601 for Reclamation and associated works for road repairs at Kohukohu Road.

Cr Farnsworth : 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 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.

**13. REPORT ON ENVIRONMENTAL MONITORING FOR THE PERIOD 1 MARCH 2009 TO 31 MARCH 2009****Files 400.2 and 505.2****Report from Monitoring Senior Programme Manager Riaan Elliot dated 3 April 2009.**

- Resolved:**
1. That the report from the Monitoring Senior Programme Manager Riaan Elliot dated 3 April 2009 be received.
  2. That the follow-up action taken by staff resulting from monitoring or environmental/maritime incidents during March 2009 be supported.

Cr Walker : 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 76-82 of the Local Government Act 2002.



**18. 2009/2010 DRAFT STATEMENT OF INTENT – NORTHLAND REGIONAL COUNCIL COMMUNITY TRUST**

**File 150.1**

**Report from Local Government Senior Programme Manager Kathryn Ross dated 16 March 2009.**

**Resolved:** That the working party and appropriate staff meet with the Trust, by 1 May 2009, to provide comment to strengthen the draft Statement of Intent for the NRCCT, emphasising the need to maintain and rebuild the fund.

Cr Brown : Cr Walker

**COMPLIANCE WITH DECISION MAKING PROCESS**

The receiving of this report and the subsequent recommendations 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.

**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 Confidential Minutes of Meeting held on 18 March 2009
2. Shareholder Governance
3. Enterprise Northland
5. Infrastructure Development Agency
6. Local Government New Zealand Vehicle Allowances
7. Bonding Alternatives for Aquaculture Industry
8. Annual Performance Review of the Chief Executive Officer

The reason for excluding the public in relation to item 1 are 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 Items 3 and 7, the reason for excluding the public is to protect information that would disclose or unnecessarily prejudice a commercial position as permitted by section 7(2)(b).

In relation to item 5 the withholding of the information is necessary to maintain the effective conduct of affairs through the full and frank expression of opinion between Council and officers as permitted by section 7(2)(f).

In relation to items 6 and 8, the reason for excluding the public is to protect the privacy of natural persons as protected by section 7(2)(a).

Cr Brown : Cr Walker

### **OPEN MEETING**

**Resolved:** That the Council resumes in open meeting.

Cr Brown : Cr Walker

### **CONCLUSION**

The meeting concluded at 3.50pm.

## Chairman's Report

File 105.4

Report from Chairman, Mark Farnsworth, dated 4 May 2009.

### MEETINGS/EVENTS ATTENDED

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

- Meetings attended with the Council's CEO, Ken Paterson:
  - Whangarei District Council (Stan Semenoff/Simon Weston/Jeff Devine) – Ngunguru Ford Road.
  - Marine Farm Hearing at Barge Park.
  - Conference call with Phil McDermott and Barry Mein – One Auckland and Northland Development.
  - Whangarei District Council (Stan Semenoff/Mark Simpson) and Councillor John Bain – Roading Prioritisation.
  - Richard Drake and Hihiaua Cultural Centre Trust – Briefing on Regional Implications.
  - Hon Steven Joyce, Hon Phil Heatley, Cr John Bain, plus representatives from the District Councils.
  - Northland Mayoral Forum.
  - Far North District Council (Wayne Brown/Dave Edmunds) – Future of Enterprise Northland and IDA.
  - Peter Buckley, Chair, Environment Waikato.
  - Governance for Auckland Conference.
  - Presented NRC's submission on the RMA Amendment Bill to the Select Committee along with Rob Lieffering, Resource Management Planning SPM.
  
- Meetings attended with the Deputy Chairman, Ian Walker:
  - Performance review of CEO along with Councillors Craig Brown and Joe Carr).
  - Whangarei District Council (Stan Semenoff).
  
- Royal Commission
  - Mike Lee/Peter Buckley/John Cronin – Debrief on Royal Commission.
  - Meeting with the Minister of Local Government, Hon Rodney Hide/ Mike Lee/Peter Buckley/John Cronin.
  
- Local Government New Zealand:
  - Local Government Know How Financial Governance 101.
  - Regional Affairs Committee meeting in Wellington.
  
- David Leach – Selection of Top Energy Trustees.
  
- Wayne Brown, Mayor, Far North District Council.
  
- Rudi Hoetjes, Fish and Game – Water Based Issues.
  
- Auckland University Technology Governance Unit.
  
- Regional Sustainable Development Forum at ARC.
  
- Interview for Channel North.

- Attended the monthly meeting of the Whangarei Economic Development Group to discuss the rail link and port issues.
- TBfree Northland (Frank Pavitt/Neil McMillan/Bill Guest) – Consultation for Pest Management Strategy Review for Northland.
- Geoff Vazey, Acting Chairman, Northland Port Corporation.
- Judy Speight, Accelerating Auckland Taskforce.
- Alan Dormer – TAG Report.

### **NETWORKING**

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

### **Recommendation**

That the Chairman's report dated 4 May 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 8 May 2009.**

### **PROJECTS AND INFORMATION**

#### **LONG TERM COUNCIL COMMUNITY PLAN (LTCCP)**

The Summary of the Draft Plan has been distributed to almost 60,000 Northland households over the Easter period.

Overall the Summary was well received and submitters have found the format of 'choices' clear and easy to understand. However, there were a number of requests that Council change its submission form to match the choices outlined in the Summary.

This year the Draft LTCCP was available on CD, hardcopy and the website.

To date 365 submissions have been received with 31 submitters wishing to be heard.

#### **ADMINISTRATION**

There were no complaints made against the Council/staff during the month of April to date. There has been one complaint laid during 2009 and the issue has been resolved.

### **HUMAN RESOURCES**

#### **STAFF MATTERS**

##### **Appointments**

Kathryn Ross, Local Government Senior Programme Manager will assume responsibility for the Projects and Information Department from 6 April 2009 until 16 November 2009. This is an acting role while Linda Stansfield, General Manager - Projects and Information, is on extended unpaid leave.

Neels van Tonder was appointed to the position of Environmental Monitoring Officer – Coastal with effect from 27 April 2009.

Jeremy Corbet, Student was employment on a temporary basis from 9 – 17 April 2009.

##### **Vacancies**

The one year fixed term position of Environmental Monitoring Officer – Water Quality/Land Use was advertised internally and externally during the month with applications closing on 2 April 2009. Fifty eight applications were received. Short listing of applicants has been conducted and interviews held on 22 April 2009. Offers of employment have been made with the successful applicants starting on 11 and 25 May 2009 respectively.

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

**Staff Establishment**

<b>Status</b>	<b>April 2009</b>	<b>April 2008</b>	<b>March 2009</b>
Full Time Permanent	119	110	118
Part Time (including fixed term)	16	13	16
Fixed Term	4	3	4
Students/TFG	3	2	3
Vacancies	6	11	7
<b>TOTAL</b>	<b>148</b>	<b>139</b>	<b>148</b>

**HEALTH AND SAFETY**

There have not been any incidents of serious incident or injury in April.

The Stadium Project Management Team and the Health and Safety Advisor for the Northland Regional Council have been in regular communication and there have not been any Health and Safety incidents with the project reported.

**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:

- Consents granted to free up Far North stream mouths
- NRC Chairman welcomes Govt aquaculture move
- Public views sought on \$1B North transport plan
- Neighbours meet to discuss super Auckland plans
- NRC's Draft 10-year Plan released for comment
- New freshwater allocation regime proposed
- Two months to keep stock out of tidal areas

The Chairman's monthly *'From Where I Sit'* column looked at the draft Northland Community Plan 2009-2019 and proposed rating levels. It urged ratepayers to make a relevant submission to affect changes. The Chairman's *'Northern Matters'* column looked at the Council's position on GE crop trials and the recent breach of trial protocol.

Council's column in the Northern Advocate's Rural Advocate supplement looked the release of the third edition of Landcare Research's Land Use Capability Handbook.

**EVENTS**

The Sustainable Business Network event held in Kerikeri on 6 April was attended by the Events Co-ordinator with a range of NRC information. These events are held bi-monthly in Whangarei and Kerikeri and involve a range of business people from throughout Northland.

The fourth annual Ballance Farm Environment Awards was held on 22 April at Forum North. NRC was once again the regional partner sponsor. Councillor Brown attended and presented the NRC Water Quality Enhancement Award to John and Jo Wood from Pipiwai. The supreme winners were Omamari beef farmers Peter and Pam Kelly. A field day showcasing their farm is being held on 13 May.

## WEBSITE

### Highlights

- At the annual Local Government Web Symposium the NRC website came second (out of 85 Councils) in the Supreme Web Award category. This award measures compliance of our website against a set of Government Web Standards which are designed to make sure websites are easy to access and use.
- Thirty-five percent of the total submissions to the Draft Northland Regional Land Transport Programme were received via the new online submission form.

### Monthly Usage:

	<b>April 2009</b>	<b>March 2009</b>	<b>Feb 2009</b>	<b>Jan 2009</b>	<b>Dec 2008</b>	<b>Nov 2008</b>
Visits <sup>1</sup>	34,974	34,356	31,633	31,202	26,867	30,919
Files downloaded <sup>2</sup>	9,670	11,816	8,787	9,942	8,112	9,071

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

### Most popular pages:

- Job vacancies
- Whangarei bus service
- River and rainfall data
- Press release - Draft Regional Land Transport Programme
- Draft Northland Community Plan (LTCCP)

## EDUCATION

### Northland Regional Council School Visits

There have been six school visits during April. Topics covered included the impact of the Resource Management Act on business, environmental consequences of coastal activities and whole-school environmental education development.

### Enviroschools

On 15 April Heidi Mardon, Director Enviroschools Foundation, together with two of the Foundation team members Tuihana Bosch and Heeni Hope met with NRC Enviroschools staff. The main purpose of their Northland visit was to engage a Kaitakawaenga (Enviroschools facilitator) for Kura Kaupapa (Maori schools). Clinton Dearlove has since been employed by the Foundation as the Northland Enviroschools' Kaitakawaenga. Clinton will be based at Te Kura Kaupapa Maori O Te Rawhiti Roa in Tikipunga, Whangarei and will join the Northland Enviroschools' facilitation team. His part-time position will see him working initially with four Kura Kaupapa. The Foundation has also employed Clinton in a rangahau (research) position at Te Rawhiti Roa where he will track the kura progress in the Enviroschools programme. This research will help provide a model of the Enviroschools programme working in Kura Kaupapa for the nation as a whole.

Council's Enviroschools Facilitator, Teresa Rudgley and Clinton Dearlove, Kaitakawaenga, participated in a three-day Level 1 Enviroschools facilitation training workshop in Raglan at the end of April. The training workshop covered exploring the Enviroschools programme and resources, carrying out an environmental audit, tangata whenua and community partnerships and facilitation skills.

To coincide with the new term a letter was sent to Northland Enviroschools on 27 April. The letter highlighted new Enviroschools resources and opportunities and enclosed the new Enviroschools handbook.

Work has begun on the first Northland Enviroschools newsletter. The newsletter will be distributed each term, providing a link for Northland Enviroschools. The content of the newsletter will include environmental actions at individual Enviroschools, a calendar of events, resource recommendations, Enviroschools Award achievers, highlights of past events and news of upcoming events.

### **Northland Freshwater Hui**

Environmental Education staff participated in a freshwater workshop during April. The workshop aimed to draw together those involved in freshwater education and look at ways of improving what was offered. It also launched a new freshwater education resource called Wet Feet, produced by the Department of Conservation. NRC's Monitoring Senior Programme Manager addressed the workshop.

### **Sir Peter Blake Youth Environment Forum**

Four Northland secondary school students represented the North at the Ministry for the Environment's national Sir Peter Blake Youth Environment Forum in Wellington during the term one school holidays. The four students were selected by NRC and attended the event, with almost 50 peers from around New Zealand. Northland students were from Kamo High School, Mangakahia Area School, Otamatea High School and Whangarei Boys High School.

### **IWI LIAISON**

The Council's Iwi Liaison Officer (ILO) met with staff from Far North District Council and Te Runanga o Whaingaroa to discuss two proposals; one to write an Iwi Environmental Management Plan and the second to develop an Iwi State of the Environmental Reporting and Monitoring Mechanism. Both the NRC and FNDC will work with the Runanga to refine the application in the event that funding is not made available via the Nga Whenua Rahui Fund.

In April the ILO took over administration of the Whangarei Harbour Health Improvement Fund. Two meetings were held during the month to discuss current projects and the future of the fund. It was agreed to look more strategically at what had been achieved to date and how to build on these projects, especially in regard to shellfish and seagrass re-seeding projects now trials have been successfully completed.

The members of the national response to Kauri die-back hosted two hui in Northland to discuss the disease and a possible mechanism for involving Maori in the process. These hui were preceded with a teleconference call between MAFBNZ, ARC and the NRC to discuss the NRC's commitment to the project.

### **FINANCE AND INFORMATION TECHNOLOGY**

Council is showing a sound financial position to the end of April with a net operating surplus of \$3.5M against a budgeted surplus of \$2.2M. Year to date expenditure is currently tracking \$1.4M behind budget. In addition extraordinary items have added a further \$800K surplus year to date. The expenditure variances are expected to be absorbed over the next two months and to be on budget by year end.

### **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 four months (was due for completion at end of March). To date, the larger area (2003B - 51.1 ha) is complete, and 2003A (19.0 ha) is now almost completed. Awaiting final completion and quality control data before final payment.
- The final thin to waste of the 2000 planted areas – 40.9 ha. This work has now been completed by the contractor and awaiting the final quality control data to verify payment.

### **INFORMATION TECHNOLOGY**

Scoping work is continuing on the IRIS project. Work is continuing around the selection of the successful tender for the SAN project.

### **STRATEGY AND PLANNING**

#### **RESOURCE MANAGEMENT PLANNING**

##### **One Plan Feasibility Report**

Council staff commenced research into the feasibility of a single planning document for Northland. This work included:

- A literature review;
- Reviewing the legislative and administrative issues associated with combining planning documents;
- Interviewing regular users of Northland's district and regional plans;
- Interviewing staff from Horizons Regional Council and the three Wairarapa District Councils; and
- Comparing the similarity of provisions in the three district plans in Northland.

The next step will be assessing the strengths, weaknesses, costs, issues, and risks associated with the various combined Plan options culminating in a feasibility report.

##### **Regional Coastal Plan Change 1 (Mooring and Marinas), Regional Coastal Plan Change 2 (Marine 1 Review – Whangarei Harbour) and Regional Coastal Plan Change 3 (Mangrove Management)**

Council staff are awaiting final approval from the Minister of Conservation for these three Plan Changes. Once received, the next step will be for Council to make these fully operative by way of a public notice.

##### **Regional Coastal Plan Change 4 (Aquaculture Management)**

The appeals process continues. Council staff are awaiting direction from the Environment Court on whether the matters will proceed with Court assisted mediation.

##### **Mooring Management Plans**

**Russell and Matauwhi Bay** – These Mooring Management Plans' have been presented to the public and appear generally well received with few changes sought. They currently await approval by Council. It is anticipated these Plans will be presented to Council for approval in conjunction with the other mooring management plans developed for the Bay of Islands high priority mooring areas.

**Opuā** – An initial meeting of the Opuā working group was held on 7 April 2009 and was attended by key stakeholders.

Several actions arose from the meeting and will be followed up by the respective parties. A second meeting is scheduled for 13 May 2009 where preliminary draft mooring management plans will be discussed.

**Mangawhai** – The Mooring Management Plan for Mangawhai currently awaits confirmation of the reserves plans for the harbour's edge being prepared by the Kaipara District Council (KDC). These plans went out for public consultation and closed on 21 April 2009. The KDC advised that a final decision is expected towards the end of June 2009.

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

An agenda item was sent to the May 2009 Environmental Management Committee seeking resolution from the Committee, recommending to Council that it adopts, (as its final decision), the Hearing Committee's recommendations on Proposed Plan Change 2 (Animal Effluent Discharges) to the RWSP. If Council adopts the Hearing Committee's recommendation as the final decision, then the public will be notified on 30 May 2009. Once notified, the Council's decisions on Plan Change 2 will be open to appeals to the Environment Court (for 30 working days). Refer to the Environmental Management Committee agenda item for further details on the Plan Change and the Hearings Committee's recommendations.

## **OTHER PLANNING MATTERS**

### **Landuse and Subdivision Applications**

During April 2009, 28 resource consent applications were received from the Whangarei, Kaipara and Far North District Councils. There were 22 non-notified applications and six notified applications. The Northland Regional Council (NRC) provided comment on seven applications, and made four formal submissions (of which three were on applications received in March 2009).

A variety of comments were made regarding fragmentation of highly productive and versatile soils, wastewater management, stormwater management, earthworks permitted activity threshold, natural hazard management (coastal hazards, flooding) bore water supply permitted criteria, and development on an 'at risk aquifer'.

The formal submissions made for April 2009 were as follows:

**T and M Benbow, Peria** – This application was to subdivide a site of 6.73ha into two lots – 4500m<sup>2</sup> and 6.3ha. A submission was made neither supporting nor opposing the application, but advising of the permitted activity rules regarding water takes in the RWSP. It was also advised that if wastewater systems need to be upgraded, (a matter that needs to be determined by the Far North District Council), then the recommendations of the engineering report should be included as conditions of consent. It was requested that the application be put on hold under s92 of the RMA pending further information on the use of water for power, and whether resource consent was required from NRC for this activity.

**J and I Morrison, Kerikeri** – This application was to construct a new dwelling in the rural production zone, breaching residential intensity rules. A submission was made neither supporting nor opposing the application, but advising that mitigation measures should be adopted to minimise the reverse sensitivity effects of placing a dwelling in the rural production zone. The use of a rainwater tank to minimise stormwater runoff was supported. It was advised that any stormwater overflows to the stream should not cause scouring or erosion. It was requested that a condition of consent be included requiring the applicant to install a secondary wastewater treatment plant using dripper irrigation, in favour of other wastewater disposal options.

**Scarborough Trust, Whangarei** – This was an application to subdivide a site of 14.6ha into three lots of 1.5ha, 6.4ha and 6.7ha. A submission was made opposing the application because of the fragmentation of versatile soils. The subject property contained a large proportion of highly versatile soils (Land Resource Inventory Class 2 and 3) whose productive potential would be lost as a result of subdivision. It was requested that the application be declined on this basis or, if resource consent is to be granted that only two lots be created with all the highly versatile soil remaining in one title and that any house be constructed on the less versatile Class 4 soil. Other points of the submission included advising that if on-site stormwater was not accommodated then a resource consent would be required from the NRC and that if any area of instability was to be built upon that a detailed engineering report be provided. It was requested that the applicant provide further information on the suitability of the proposed lots in respect of treating and disposing treated wastewater. As the development was located on an ‘at risk’ aquifer the applicant was recommended to ensure development did not result in contamination or a reduction in groundwater recharge. Clarification was requested on the existing water supply how the new allotments would be provided with water. The NRC supported proposed protection of indigenous vegetation. The applicant has since withdrawn the application.

**Eran Orchards Ltd., Tara** – This was an application to subdivide two titles totalling 14.6ha into five lots of 1.2ha, 4657m<sup>2</sup>, 8165m<sup>2</sup>, 5.7ha, and 6.4ha. A submission was made opposing the application because of the fragmentation and loss of versatile soils. The subject property contained a large proportion of highly versatile soils (Land Resource Inventory Class 2 and 3) whose productive potential would be lost as a result of subdivision. It was requested that the application be declined on this basis. It was also requested that if the application was to proceed, that the applicant provide further information on the suitability of the proposed lots in respect of treating and disposing treated wastewater. As the development was located on an ‘at risk’ aquifer the applicant was recommended to ensure development did not result in contamination or a reduction in groundwater recharge.

#### **Resource Management (Simplifying and Streamlining) Amendment Bill**

The Chairman, CEO and Regional Policy Senior Programme Manager spoke on the Council’s submission at the Local Government and Environment Select Committee in Auckland on 28 April 2009. Questions posed by the Committee covered the role of the Department of Conservation in resource management matters as well as the proposal to remove the need for further submissions to be called during plan preparation. The Committee is to report back to the House by 16 June 2009.

#### **Draft National Environmental Standard – On-site Wastewater Systems**

The Government prepared a Draft National Environmental Standard for On-site Wastewater Systems (NES) in 2008 and asked for submissions. The NRC lodged a submission which supported, in part, and opposed, in part, the NES. The focus of the NES was to set up a warrant of fitness type approach for on-site wastewater systems in selected “at risk” areas and only for those systems that were not covered by a resource consent (discharge permit). A total of 135 submissions were received by the Ministry for the Environment (MfE). A number of the submissions received requested that the NES be expanded to include the design and installation of on-site systems. The MfE has put together a working party consisting of local government and industry representatives to help progress the NES. Rob Lieffering, Regional Policy SPM, has been invited to be on the working party and its first meeting is to be held on 6 May 2009.

### **Vehicles on Beaches**

As previously reported, a letter signed by the NRC's Chairman and the Regional Transport Chairman, was sent to the Hon John Carter seeking his views on the best way forward to improve the management of vehicles on beaches within the Kaipara and Far North districts. It is understood that the Hon John Carter has sought considerable advice on this issue and it is expected that he will release his proposed solution shortly.

The Whangarei District Council continues to make progress towards improving the management of vehicles on beaches. An agenda item will be sent to the May Council meeting outlining a draft bylaw for public notification and calling for public submissions.

### **INFRASTRUCTURE**

#### **Electricity: Auckland – Northland National Grid Upgrade**

The Electricity Commission has released its final decision in regard to the North Auckland and Northland Grid Upgrade proposal. The Commission has reversed its initial intention and has approved Transpower's application. Transpower has indicated that construction and commissioning is likely to be completed by 2014.

#### **Northland Transport Future – 50 Year Vision**

The Northland Councils and NZTA recently held a workshop session on the long term 50 year vision for transportation for Northland. An initial presentation was prepared as a result of this workshop and this presentation was very well received by the Minister for Transport, Steven Joyce and the Minister for Housing, Phil Heatley. The presentation has also been given to the Regional Transport Committee.

The next step in the process is to draft a 50 year strategy based on the presentation. This process will be led by the Strategy and Planning Department and will be overseen by the Regional Transport Committee.

### **REGIONAL GROWTH PROGRAMME (RGP)**

The Growth Strategy team presented baseline material to the Council on 8 April 2009 describing aspects of the "current state" of Northland – environment, economy, infrastructure and people. The same presentation has also been made to senior management.

Work continues to: fill in the knowledge gaps; develop sub-regional pictures with WDC, KDC and FNDC; develop growth scenarios; and to devise appropriate implementation mechanisms.

### **OPERATIONS**

#### **CONSENTS**

##### **Consents in Process**

During April 2009, a total of 110 Resource Consents were issued. These comprised:

0	Moorings
6	Coastal Permits
3	Air Discharge Permits
79	Discharge Permits
6	Land Use Consents
13	Water Permits
3	Bore Consents

190 Decisions were issued as detailed elsewhere in the Agenda.

72 Applications were received.

Of the 518 applications in progress at the end of April:

150 were received more than 12 months ago (most awaiting further information);

42 were received between 6 and 12 months ago (most awaiting further information);

326 less than 6 months.

## MONITORING

### HOTLINE – ENVIRONMENTAL INCIDENTS

The number of environmental incidents reported during April was above average with 74 incidents being reported compared with an average of 69 for the period since the Hotline began operating. The categories of incidents are outlined in the table below:

INCIDENTS	APR 2009	MAR 2009	FEB 2009	JAN 2009	TOTAL YEAR TO DATE	Annual Average 1993- 2008
<b>Air</b>						
Burning & Smoke Nuisance	20	31	20	17	88	116
Other Air incidents	11	24	14	17	66	217
<b>Land Use</b>						
Earthworks & Vegetation Clearance	7	7	3	5	22	72
Other Land Use Incidents	3	4	0	1	8	33
<b>Water Quality</b>						
Sewage	7	9	7	8	31	66
Farm Dairy Effluent	0	1	1	1	3	24
Other Water Quality Pollution	11	8	19	22	60	123
<b>Waste Management</b>						
Hazardous Substances, spills and refuse	7	4	6	6	23	98
<b>Coastal</b>						
Structures in Waterbodies/CMA	2	3	0	1	6	19
Vehicles on Beaches	1	1	3	2	7	9
Other Coastal Activities	3	4	5	1	13	36
<b>Water Quantity</b>						
Water Abstractions	1	0	1	3	5	7
<b>Other</b>	1	2	2	2	7	79
<b>TOTAL</b>	74	98	81	86	339	845

### AIR QUALITY

#### Incidents

Thirty-one air pollution related environmental incidents were received in April. The majority of the complaints received were for burning and smoke nuisance (20 complaints). The number of air incidents may have decreased (24 less than the previous month) due to the slightly cooler and wetter conditions experienced.

### Industrial Issues

Monitoring visits were made to nine 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 a few minor issues relating to site maintenance.

### WATER QUALITY AND DISCHARGE MONITORING

Forty-six compliance assessments for consented discharges have been recorded since the last report. A total of 480 samples were collected, with 617 NRC laboratory analyses undertaken. A summary of discharge compliance monitoring is tabulated below.

Full Compliance	Minor Non-compliance	Significant Non-Compliance	Total
31	15	0	46

Dye testing was undertaken by staff on the Opononi/Omapere treated wastewater discharge to the Hokianga Harbour. The dye plume showed that conditions on the day resulted in the discharge tracking close to the shore. Water sampling showed that bacteriological contamination was low and within current consent requirements. The discharge is currently the subject of an application for a replacement consent.

A meeting to discuss the sewage spill incident at Okara Park just prior Labour Weekend last year was held between staff and relevant contractors and consultants. Factors contributing to the spill were discussed in an effort to prevent such occurrences again. NRC staff are currently developing a protocol for parties involved in such work which is aimed at minimising the risk of spills during maintenance and upgrade of sewage infrastructure works.

### Farm Dairy Effluent (FDE) Monitoring

All routine monitoring was completed before Christmas 2008. FDE officers are currently undertaking follow-up visits to significantly non-compliant farms and checking compliance with formal enforcement actions. During April a further 65 follow up visits have been undertaken bringing the total for the year to 256. Many farmers have agreed to upgrade their systems as a result of these visits.

### WATER RESOURCES

#### Hydrology, Telemetry and Maintenance

The telemetry system continued to operate very efficiently during April with one major rainfall event monitored over five days at the end of April. Several flood warnings were issued prior to the event reaching Northland. Water levels in the lower Awanui River were closely monitored as a result of 204mm of rain falling over a period of five days in the upper catchment. No major flooding resulted. A new rain gauge station has been installed in the upper catchment of the Touwai Stream, north east of Kaeo. This station will complement the existing Kaeo rain station and enhance flood warning capabilities for the Kaeo area. The station will also provide valuable river modeling information for those small, steep catchment streams flowing to the east coast, south of the Whangaroa Harbour.

A significant amount of data processing was processed and uploaded to the database. There was 0.40% missing record from the 68 automatic stations for the month. This was attributed to a faulty pressure system at the Raumanga River water level station.

### **Water Resources**

Northland experienced reasonably settled weather during early to mid April after which a series of cold fronts brought heavy rain mainly to the northern and eastern parts of the region. Above average rainfall was recorded in most areas of the Far North and east coast and below average in the southern Whangarei and Kaipara districts. Similarly, river flows were above normal in eastern and Far North catchments and below normal elsewhere. Groundwater levels have increased and are above their normal levels for this time of year.

### **COASTAL MONITORING**

The Kaipara Harbour water quality monitoring project was successfully funded through Envirolink and will be undertaken utilising a helicopter. The first helicopter water sampling run is planned for mid-May. NRC are working with ARC to assess baseline water quality in the harbour. Kaipara Harbour was identified as one of the most important nursery grounds for the west coast snapper fisheries. Sedimentation of the harbour and poor water quality was considered by NIWA to be the greatest threats to the juvenile snapper habitats in the Kaipara Harbour.

### **Estuarine Monitoring**

Sediments and biological communities were surveyed in two harbours this month under the 'Northland Estuary Monitoring Programme (EMP)'. Sediment cores were taken at sites in Kaipara Harbour and the Kerikeri estuary. These cores will be processed during May - September to determine harbour and estuary health, based on macrofauna community data and sediment quality measurements.

Monitoring was also completed this month on recently established sediment plates in the Kaipara and Whangaroa Harbours to determine current accumulation rates in Northland's priority estuaries, and link sediment accumulation rates to the health of biological communities at these sites. This project aims to address growing public concerns that increased sediment inputs from land use and land based activities are having adverse impacts on the health of estuarine and coastal environments.

### **Coastal Community Groups and NRC Liaison**

NRC staff attended the Whangaroa community group meeting at the community hall in Kaeo this month to talk about coastal water quality issues and sedimentation concerns in the harbour. FNDC and DOC also attended and are keen to assist in the development of a local community plan.

NRC monitoring staff attended two community meetings to discuss local issues in the Bay of Islands and Whangarei Harbour. Concerns were raised about increased sedimentation in the Bay of Islands. In Whangarei, restoration of cockle and seagrass beds were discussed with the Kaitiaki Roopu of Whangarei and NorthPort. The latter is being funded through the Whangarei Harbour Health Fund.

### **LAND USE MONITORING**

There were 23 compliance assessments recorded for land use activities since the last report. A summary of land use compliance monitoring is tabulated below.

<b>Full Compliance</b>	<b>Minor Non-compliance</b>	<b>Significant Non-Compliance</b>	<b>Total</b>
10	13	0	23

## **WASTE MANAGEMENT/HAZARDOUS SUBSTANCES**

### **Consent Monitoring**

During April monitoring took place at Topuni Timber and Crofts Poles (Kauri) timber treatment plants. The analysis and reporting of results to consent holders following the recent round of landfill monitoring was also undertaken.

### **Waste Hazardous Substance Collection**

During April approximately 490 kilograms of hazardous substances were repacked and transported to Auckland for disposal.

### **DOL Hazardous Substances Contract**

During April 25 industrial sites in the region were checked for compliance with HSNO. One site in Paihia was deemed to be non-compliant with the legislation. A Test Certifier will need to be engaged to ensure that the site becomes fully compliant.

### **Hazardous Substances Incidents**

There was one incident recorded during the month which involved the spill of sulphuric acid at the Ballance fertiliser works at Port Road, Whangarei. The spilt acid was totally retained on the site.

## **ENFORCEMENT**

### **Abatement Notices**

Seven Abatement Notices were served during April relating to the following activities:

- FDE discharges not in compliance with consent conditions or regional rules.
- Unauthorised burning of prohibited substances at trade and industrial premises.
- Unauthorised structures in the CMA.
- Unauthorised discharge of petrochemicals to land and water at trade and industrial premises.

### **Infringement Notices**

Five Infringement Notices were served during March relating to:

- FDE discharges not in compliance with consent conditions or regional rules.
- Unauthorised burning of prohibited substances at a trade and industrial premise.

### **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 indicate that some of the required works have been completed such as the establishment of a water supply to those affected. The respondent has been slow to carry out the agreed investigation work. After some discussion with Council staff, counsel for the respondent has advised the Court a report will be available from consultants by the end of May 2009.

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 hearing date has been rescheduled and is now 11 May 2009 where pleas will be entered.

## **MARITIME**

### **OIL SPILL RESPONSE AND PREPAREDNESS**

There were no reported marine oil spill incidents during the month of April, although the boom was once again deployed during the cement carrier "M.V. Golden Bay" visit to Portland early in the month. The ship has since been dry-docked in Auckland for repairs and the problem rectified. The recovery of costs for the response has been initiated. The ship's master commended the Regional Council on their efficient boom deployment, and was appreciative of the co-operation and professionalism shown throughout the response.

One member of the maritime team attended a three day national marine oil spill response exercise in Dunedin during the month.

### **NAVIGATION, SAFETY AND MARITIME OPERATIONS**

#### **Port and Harbour Safety**

Both the Bay of Islands and the Whangarei Harbour Safety Management System (SMS) audit reports were received from Maritime New Zealand. The audit report thanked the NRC and key stakeholders for their full assistance and cooperation, and advised that a recommendation for formal approval of both Safety Management Systems had gone to the director of Maritime New Zealand.

#### **Aids to Navigation**

Routine maintenance, involving the replacement of lamps and batteries and the removal of redundant aids, was carried out at Whangaroa, Houhora and Opuia. New light units were installed in the Veronica Channel (No 8 port hand beacon) and at the Parengarenga Harbour entrance. A further new light unit was fitted on Mussel Rock, Kaipara Harbour, following reports of light failure.

Maritime team members were involved in community consultation regarding navigation into the small marina at Tinopai, Kaipara Harbour, following a request for Council assistance.

#### **Maritime Incidents**

There were 20 maritime related incidents reported to the Council during April; a downturn in incident numbers that is consistent with the time of year. The majority of the reported incidents were minor in nature and impact and were dealt with in accordance with Council procedures.

In one incident however, a 54' concrete sailing vessel hit the rocks late evening at Tapeka Point, Bay of Islands, after what is presumed to be a serious navigational error. The two occupants were airlifted to hospital. The vessel was destroyed, resulting in some debris, though there was no discernable oil pollution. Council maritime officers are providing advice to the insurers with regard to clean-up of the wreckage. The occupants were released from hospital after a few days.

### **TRANSPORT OPERATIONS**

#### **Total Mobility**

Expenditure for March 2009 was \$16,267, which is \$2,991 below the budgeted figure of \$19,258. There were 3152 trips made in March including 265 trips on CityLink. A total of 1,193 clients are presently registered with the scheme.

Year to date expenditure is \$125,668 compared to the budgeted figure of \$154,064 for the same period. The total budget for the 2008/2009 financial year is set at \$231,100.

Total Mobility figures for April will be reported at the next Council meeting.

### **City Link Whangarei**

Passengers (includes SuperGold Card and Total Mobility clients):

April 2009	=	21,848
Budget	=	25,263
Variance	=	-3,415
April 2008	=	22,567

Farebox Revenue (Includes SuperGold Card and Total Mobility revenue):

April 2009	=	\$49,444
Budget	=	\$47,780
Variance	=	+\$1,664
April 2008	=	\$31,586

### **SuperGold Card Scheme**

2,965 passengers were carried during the month of April 2009. Included below is a monthly breakdown of the SuperGold Card Scheme passengers carried to date:

November 08	=	2,712
December 08	=	3,033
January 09	=	2,917
February 09	=	2,952
March 09	=	3,595
April 09	=	2,965

A meeting with NZ Bus was held on 28 April 2009 with regard to reported delays in service departure and arrival times. NZ Bus is to investigate the matter and where appropriate rectify the situation. NRC staff will continue to monitor the services on a regular basis.

### **Proposed Public Passenger Transport Service – Kaitaia**

Technical assistance is still being given to the Community, Business and Environment Centre for the implementation of a community based commercial public passenger transport service operating between Ahipara, Awanui, Coopers Beach and Kaitaia. The launch date of the proposed service is Tuesday 26 May 2009.

Further technical assistance has also been given to the FNDC with respect to their proposed bus service, which is still in the planning stage.

### **Regional Land Transport Programme (RLTP)**

The RLTP received 41 submissions by the close-off date 20 April 2009. The hearing date for submissions has been set as Tuesday 12 May 2009 at the NRC.

The Regional Transport Committee appointed hearings committee consists of:

Cr John Bain, Cr Joe Carr	(NRC)
Cr Richard Alspach	(KDC)
Cr Tom Baker	(FNDC)
Mark Simpson	(WDC)
Wayne McDonald	(NZTA)

At a Regional Transport Officers meeting held on 22 April 2009, the Ministry of Transport (MoT) indicated that the revised Government Policy Statement (GPS) would be released around mid May, but could not give specific details as to the

proposed changes. The MoT did however indicate that the revised GPS would detail national funding levels only and would not reflect regional levels. The revised GPS could potentially result in changes needing to be made to the present RLTP. The extent of these changes is not yet known.

In the interim the following approved timeline will continue to be followed:

21 April–1 May 2009	Summarising of submissions
4–8 May 2009	Hearings Committee read submissions
12 May 2009	<b>Hearing of Submissions</b>
18–22 May 2009	Adjust and finalise RLTP
25–29 May 2009	RTC members consider content of RLTP
16 June 2009	<b>RTC approves RLTP for submission to NRC</b>
17 June 2009	<b>NRC approves RLTP</b>
15 July 2009	RLTP submitted to NZTA

### **Draft Northland Regional Road Safety Plan (RRSP)**

The draft RRSP was tabled at the Regional Transport Committee meeting on 21 April 2009 for approval. The committee recommended:

- That the amended draft Northland Regional Road Safety Plan 2009-2012 be approved subject to the removal of clause 3(B)(3)(f) on blood alcohol levels, so that the final design and formatting of the document can be completed.
- That the finalised document be tabled at the June 2009 Regional Transport Committee meeting for formal adoption and public release.

### **Fatigue Stops Northland**

Fatigue was initially identified as an issue in fatal and injury crashes on State Highway 1 between the Brynderwyns and Whangarei in 1995. Fatigue stops soon became a regular feature. Initially only at Uretiti, three sites are now regularly used for north and south vehicle travel movements:

- Uretiti
- Waiomio
- Pakaraka

Sixteen fatigue stops have been held during the last 12 months, with 4165 people stopping. Labour Weekend 2009 saw a record number of motorists use the facilities which include toilets, refreshments and road safety related promotional material.

### **Travel Demand Management (TDM)**

A TDM Workshop sponsored by NZTA took place at the NRC on Wednesday 29 April. The participants included NRC staff and representatives (Councilors, staff, Contractors) from the three district Councils, Sport Northland and Ministry of Social Development. Presentations were delivered by the NZTA TDM specialists.

TDM is identified as another method to deliver central government objectives of addressing CO<sub>2</sub> emissions, traffic congestion, increasing passenger transport patronage and encouraging more active lifestyles to improve health outcomes. Further meetings will take place to progress TDM planning and initiatives.

## **LAND AND RIVERS MANAGEMENT**

### **LAND MANAGEMENT**

#### **Environment Fund**

Good progress has been made with the 2008/09 Environment Fund projects. Of the 151 approved projects, 56 have been completed, 10 have part payments approved, 70 are nearing completion and 15 are waiting for soil moisture levels to increase for tree planting.

The 2009/10 Environment Fund opened for applications on 1 May 2009.

#### **Wetlands Database**

Field surveys have been carried out in the Tangihua Ecological District to ensure data that is being loaded onto the wetlands database is current and accurate.

#### **CoastCare**

A presentation was given to the Opononi and Districts Lions Club outlining studies undertaken and reports produced by/for the NRC and the Hokianga Harbour Foreshore Restoration Society on erosion control along the Opononi-Omapere foreshore. Staff also discussed the CoastCare programme and the projects being undertaken by residents and community groups at various places within the region.

#### **Annual Northland Lakes Survey**

The Biodiversity Officer and biosecurity staff spent one week with the NIWA survey team undertaking the annual monitoring and aquatic weeds survey of high priority dune lakes. A total of 14 lakes were visited and ecological condition monitoring (Lake SPI – submerged plant index) was undertaken in four. A calm summer with regular, gentle rain has led to stable conditions in the lakes. Most were full with clear water and no major algal blooms.

The condition of the vegetation in Lake Kahuparere near Pouto appears to have improved considerably since it was last visited and there are now healthy beds of native macrophytes. Reed beds and wetland vegetation on the lake edge have also recovered. It is believed that the improvement has been assisted by fencing of the lake edge, a project supported by the Environment Fund in 2008. In addition during the survey two nationally threatened plant species were recorded at sites where they have not been seen for a number of years. One, a tiny rush-like plant called *Centrolepis strigosa*, has not been recorded in Northland for over 20 years and was seen in a small patch on the shores of Lake Taharoa (Kai Iwi Lakes).

#### **Land Use Capability Awareness**

Garth Harmsworth, the Landcare Research officer responsible for maintaining the New Zealand Land Resource Inventory visited the NRC to introduce the new Land Use Capability Handbook 3<sup>rd</sup> Edition.

On 16 April the NRC jointly hosted a Land Use Capability (LUC) Awareness Workshop for Northland farmers, land managers and rural professionals. Several enquiries have been fielded since that workshop from people who were unable to attend. Another workshop will be conducted by Council staff in July 2009 to meet these requests and for Council officers who missed the earlier workshop. The second workshop will most probably be linked to a field day on the Visual Soil Assessment method of monitoring soil health.

Amongst other uses, LUC mapping is used by Council land management staff to identify land susceptible to accelerated erosion and to locate the most likely sources of sediment within the Priority Rivers catchments. This has involved overlaying Land Cover Data Base 2 data over maps of the most erosion-prone land to identify areas where land use may be causing erosion and generating sediment. Maps generated are then field checked or "ground-truthed" to ensure the data is current and to see if there is indeed accelerated erosion.

## **RIVER MANAGEMENT**

### **Awanui**

Approximately 60% of the 2008/09 works programme is now complete, with over 75% of the earthworks completed. Repairs to the Whangatane Spillway stopbank, adjacent the O'Gorman's property, were completed. A slip had caused the stopbank to fail, potentially threatening flooding to several properties. The majority of the contract should be completed by the end of May. Contract vegetation control works are progressing within the Council works area of the Awanui River scheme. Good progress has also been made with the annual spray programme with approximately 80% of the works complete.

The contract to install additional horizontal drainage on the Bell's Hill slip was completed in April with an additional eight drains installed. Over 24,000 litres of water was removed from the slip by the new drains within the first 30 hours of installation, lowering the water table by approximately one metre. Staff are continuing to investigate appropriate long term risk reduction measures.

### **Kaeo**

The Whangaroa Rivers works contract was completed in April. Works included repairs and improvements on the Kaeo School stop bank, Kaeo River gravel extraction and maintenance control of weed vegetation on the Kaeo River banks, and the outer Whangaroa Rivers works.

Draft flood hazard maps for Kaeo, derived from the Kaeo River hydraulic flood model, for the 1% annual exceedence probability (AEP) flood and 1% AEP flood with climate change effects were received from the consultant in April. The draft maps show that the depth and velocity of floodwaters for a 1% AEP flood put almost the entire Kaeo floodplain at high risk in terms of potential for damage to property and risk to life.

A study has been commissioned to investigate the feasibility and cost of the development of a flood proofed site for the relocation of houses, businesses and services at Kaeo. The study will utilise the flood model results to determine level of flood proofing required, assess ground conditions and constraints, determine appropriate mix of land use, assess roading and lot configurations, determine fill requirements, costs of services and development and produce concept plans. The study is due for completion in May, the results of which will be utilised as part of the long-term risk reduction plan for Kaeo.

### **Kaihu River**

Further work has been done on investigations into improvements for the Kaihu River scheme. Consultants are continuing with their work on computer modelling, to assess the effects of stopbanks on the river floodplain and also to assess the effectiveness of removing accumulated sediment from the lower river in terms of impacts on depth and duration of floodwaters.

### **Other River Works**

A contractor completed the removal of willows that are causing river channel restrictions directly downstream of the State Highway 1 Bridge, Turntable Hill, Moerewa. These channel restrictions exacerbated flooding of the state highway during heavy rain events. The works were done in conjunction with the New Zealand Transport Authority.

### **Management of Lake Owhareiti Overflow**

NRC river management staff visited Lake Owhareiti to review the risk posed by the lake overflow and reassess treatment options. The possibility of lake overflow resulting in head scour that could cause the lake to breach is considered low, and the risk to property and life should this scenario eventuate is also considered low. However, as a precaution, investigations are being made into the possibility of stockpiling 100 cubic metres of rock spalls near the lake overflow or at a nearby quarry, to stabilise the lake outlet should head scour ever threaten to breach the lake.

### **Priority Rivers Project**

The collection of high resolution land surface elevation data (LiDAR) for use in the Priority Rivers Flood Risk Reduction project did not progress during April, due to adverse weather conditions and/or equipment failure and aircraft maintenance schedules. This has resulted in capture falling behind the anticipated April 2009 completion schedule. Significant additional delay may impact on the timing of river management plan completion.

### **River Flood Risk Reduction Plans**

Work continued on the development of river management plans for the 23 rivers or groups of streams under contract to MWH New Zealand Limited, in conjunction with URS New Zealand Limited acting as a sub-consultant.

This work is being undertaken in four phases, involving the following elements:

- Phase 1: Data collection, risk management system (preliminary development), regional hydrological analysis, GIS preparation and community consultation/information drive.
- Phase 2: Risk management system (first refinement), rough model build, gap analysis, flood information system (first refinement).
- Phase 3: Hydraulic river modeling, risk management implementation, management options, river management plans (draft), community consultation
- Phase 4: River management plans (finalised), community consultation.

Phase 1 is currently underway, with data collection commenced and planning for the community consultation/information drive. The aim of the community consultation/information drive is to describe the current flood information in each given catchment and invite the community to add to this, assess 'items' of value in each catchment and degree of residual risk acceptance and describe a preliminary 'menu' of risk reduction options and invite views on these. The community consultation/information drive is scheduled to commence late June 2009.

The Kerikeri-Waipapa hydraulic modeling and flood hazard mapping peer review process is continuing, with further consideration being given to issues raised in the draft peer review process.

## **BIOSECURITY**

### **Wetlands Biosecurity Workshop**

Staff attended a National Institute of Water and Atmospheric Research (NIWA) wetland and biosecurity workshop held at the Kai Iwi Lakes and lakes on the Pouto Peninsula. The workshop included the identification of native and introduced macrophytes in the lakes. The workshop also covered NIWA's Northland-wide lake monitoring and highlighted the problems faced with these fragile ecosystems. Attendees included NRC staff, Department of Conservation (DOC) staff and representatives from Te Uri o Hau and Te Roroa.

### **Lake Swan – Hornwort Control Project**

Lake Swan was re-surveyed during the lake status survey. Monitoring transect lines were completed as required before any release of grass carp. The hornwort in the lake has grown considerably this summer and in places grows right to the surface (plants approximately 5m tall). While the water clarity is currently good, this is unlikely to last much longer. It is important that the grass carp are released into this lake as soon as possible, as it seems likely that the plant communities may collapse as soon as next summer causing the lake to become algal dominated.

Staff are currently finalising requirements with DOC for a permit to introduce grass carp into the lake. Interested parties had until 30 March to provide submissions to DOC and no submissions were received. DOC has prepared a report recommending a permit be issued and the Council is now waiting to hear whether it has been approved. An agreement for supply of the grass carp with Mahurangi Technical Institute has been negotiated.

### **Lake Heather – Weed Infestation**

Hornwort and egeria are spreading and increasing in density in Lake Heather (Aupouri). The ecological condition of the lake was re-surveyed during 2008 and NIWA recommended that control/eradication options for these species are considered. An environmental impact assessment and an operational plan for this lake are being developed, and a NIWA scientist is to provide an independent review of this.

### **Marine Pests – Asian Paddle Crabs**

Two Asian paddle crabs (*Charybdis japonica*) were found in the upper Whangarei Harbour area in March. MAF Biosecurity NZ will not be responding in any way, as the species has been in Auckland since 2001. Staff have been in contact with local paddle crab fishers, who are very concerned about the find, as it has the potential to impact on the regions' crab fishing industry. In liaison with the industry, staff have arranged for NIWA to design a delimiting survey aimed at detecting how widespread the crabs are and how well the population is established. On 17 March staff met with NIWA and local paddle crab fishers to discuss this advice and to consider development of a management plan.

### **New Community Pest Control Areas (CPCAs)**

Landowner consultation has commenced in the proposed Hoanga Road CPCA (near Dargaville) after receiving several inquiries, and there have also been proposals for further pest ant and weed CPCAs which will be investigated over the next two months.

**Insects**

A large patch of bamboo at Tapuaetahi near Kerikeri has been severely defoliated by of *Artona (Balatae) marini* caterpillars with the identification confirmed by Biosecurity NZ. This bamboo moth is unusual in New Zealand. It was first collected from sites near Whangarei in 1996 where it affected various species of ornamental bamboos but does not affect *Bambusa oldhamii*, the most common bamboo used for horticultural shelterbelts.

**Spartina**

Ground based follow-up inspections and spraying where necessary is continuing at sites in the Bay of Islands, Kawakawa River and Hokianga Harbour.

**Awanui and Kaeo River Scheme Weed Control Contracts**

Contract vegetation control works are near completion, to the extent of budgetary limitations, within the NRC works area of the Awanui River scheme. The small contract for maintenance control of privet, mugwort, ginger and willow regrowth on the Kaeo riverbanks has been completed and signed off.

**Bathurst Bur**

Control is well under way and a large new site which requires significant control has been located near Broadwood.

**Recommendation**

That the Chief Executive Officer's report dated 8 May 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 New Zealand Update

File 161.1

Report from Chairman, Mark Farnsworth, dated 11 May 2009.

### Local Government New Zealand's Regional Affairs Committee Meeting

The April meeting of the Regional Affairs Committee (RAC) had a number of items that are of considerable interest to regional/unitary councils around the country. In particular councillors and staff are encouraged to review the results of Local Government New Zealand's (LGNZ's) research on the implications of Treaty Settlements for local government.

The RAC had commissioned the work and Dr Royden Somerville QC (a recognised expert in constitutional law), undertook the work. All councillors have been provided with a copy of Dr Somerville's opinion.

It has become very evident that some of the proposed settlements may have the potential to impact on the way councils make decisions under both the Resource Management Act and the Local Government Act.

The work of Dr Somerville has its genesis in a submission which was prepared by LGNZ on the Waikato-Tainui Raupatu Claims Settlement Bill.

Two of the key messages from LGNZ are that:

- Settlements must not create uncertainty or ambiguity, particularly in how they integrate with the RMA and LGA;
- The meaning of "co-management" needs to be clear and compatible with the statutory role of local government under the RMA and LGA. Co-management mechanisms must not affect the decision-making functions of local authorities which relate to statutory duties under the RMA and LGA.

Peter Buckley, the Chair of Environment Waikato, is now seeking regional/unitary council support for their stance on the need for early consultation and direct involvement in discussions on possible transfer of local government decision making powers.

### Recommendation

That the Chairman's Local Government New Zealand update dated 11 May 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.

# Northland Regional Council Delegations Manual

## File 105.2

### Report from Kathryn Ross Local Government SPM dated 13 May 2009.

As part of the ongoing review of the delegations process, Council are now asked to make further delegations to streamline the process for making administrative changes to the Manual and to make the Manual more comprehensive and user friendly.

#### Recommended Changes

Firstly, to ensure staff are aware of the financial limits delegated to them and for ease of administration, the Council is asked to approve the sub-delegation of spending limits by the Chief Executive under the Local Government Act 2002, the Public Bodies Contracts Act 1959, and other relevant legislation such as the Resource Management Act and the Building Act etc, to relevant staff and to the consequential inclusion of those financial limits in the Council Delegations Manual by the Local Government Senior Programme Manager. The latter is purely an administrative matter.

Secondly, Council is asked to approve the amendment to SCHEDULE II - Delegations Under Local Government Act 2002 to allow Managers to negotiate and employ staff as follows:

Pursuant to section 42 and clauses 32 and 33B of Schedule 7 of the Local Government Act 2002, the Council delegates to the Chief Executive Officer and Executive Managers, the authority to employ on behalf of the local authority, the staff of the local authority; and negotiate the terms of employment of the staff in the local authority. Where this delegation is exercised by someone other than the Human Resources Manager it will be exercised in consultation with the Human Resources Manager.

#### Conclusion

Council is asked to receive this report and to make the amendments to the Delegations Manual detailed herein to ensure staff are aware of their spending limits under delegated authority granted by the Chief Executive.

#### Recommendation

1. That the Council receives the report from the Local Government SPM dated 13 May 2009.
2. That the Council resolves to make the amendments to the Delegations Manual detailed in the report.
3. That the Local Government SPM consolidates the amendments approved today into the Delegations Manual.

#### COMPLIANCE WITH DECISION MAKING PROCESS

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

## Financial Report – 30 April 2009

File 350.4

Report by Financial Accountant, Clarry Moffitt, dated 5 May 2009.

The **Summary Council Cost of Services Statement** and **Cost of Service Statements by Activity** for the month ended 30 April 2009 are presented for Councillors' information.

### OPERATING RESULTS

The Summary Cost of Services Statement shows a net operating surplus before extraordinary items for the ten months to 30 April of \$3.5M against a budgeted surplus of \$2.2M.

### REVENUE

The year to date revenue at \$20.4M is tracking just 1% over budget of \$20.2M. Revenue is expected to continue to meet budget for year end. The Forestry Harvest budgeted in this year has been deferred until next financial year. Budget for the year was \$450,000.

### EXPENDITURE

The year to date expenditure at \$16.9M is 6% less than budgeted expenditure of \$18.0M. Some of the key variances contributing to this result are highlighted below:

- Consents expenditure at \$1.6M still remains 6% lower than budget. Expenditure this month at 5% under budget continues this trend.
- Land Operations at \$4.2M is also still 18% less than budget. Expenditure is expected to increase in May as key contracts are completed.
- Council and Strategic at \$2.4M is 7% under budget though the current month is marginally over budget.

### 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 and fair value decrease;
- a loss on sale of investment property and the commission incurred on the sale;
- the costs of the Regional Events Centre which now total \$1.9M; and
- tax instalments paid total \$661K year to date.

### CAPITAL EXPENDITURE

Capital expenditure for the ten months to 30 April is \$755K. 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 30 April 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	April 09					YEAR TO DATE			Annual	
	Actual	Budget	Variance	Var %		YTD Actual	YTD Budget	Variance	Var %	Budget
<b>Total Council Revenue</b>										
Rates	894,382	889,366	5,016	1%		8,978,100	8,893,658	84,442	1%	10,672,390
User Fees and Sundry	292,431	244,925	47,506	19%		3,512,784	3,224,230	288,554	9%	3,709,980
Grants and Subsidies	112,251	141,254	(29,003)	-21%		1,497,844	1,471,695	26,149	2%	1,800,135
Investment Interest Income	160,733	248,748	(88,015)	-35%		2,357,400	2,487,482	(130,082)	-5%	3,449,978
Investment Property Income	207,744	210,965	(3,221)	-2%		2,385,958	2,384,463	1,495	0%	2,845,145
Forestry Harvest	0	0	0	-		0	0	0	-	450,000
Dividend Income	0	0	0	-		1,710,240	1,700,000	10,240	1%	1,700,000
	<b>1,667,541</b>	<b>1,735,258</b>	<b>(67,717)</b>	<b>-4%</b>		<b>20,442,326</b>	<b>20,161,528</b>	<b>280,798</b>	<b>1%</b>	<b>24,627,628</b>
<b>Expenditure</b>										
Consents	192,303	201,525	9,222	5%		1,586,248	1,690,557	104,309	6%	2,041,010
Council & Strategic Development	375,868	370,790	(5,078)	-1%		2,396,417	2,563,166	166,749	7%	3,609,016
Land Operations	590,511	677,608	87,097	13%		4,162,136	5,063,389	901,253	18%	6,625,992
Environmental Monitoring	556,825	522,758	(34,067)	-7%		4,981,846	4,978,805	(3,041)	0%	6,024,651
Planning and Policy	505,419	407,466	(97,953)	-24%		3,767,610	3,696,055	(71,555)	-2%	4,672,613
Finance & Information Services	29	2	(27)	-1358%		(3)	0	3	-	5
	<b>2,220,954</b>	<b>2,180,149</b>	<b>(40,805)</b>	<b>-2%</b>		<b>16,894,254</b>	<b>17,991,972</b>	<b>1,097,718</b>	<b>6%</b>	<b>22,973,287</b>
<b>Net Cost/(Surplus) of Service before extraordinary items</b>	<b>553,413</b>	<b>444,891</b>	<b>(108,522)</b>	<b>-24%</b>		<b>(3,548,072)</b>	<b>(2,169,556)</b>	<b>1,378,516</b>	<b>-39%</b>	<b>(1,654,341)</b>
<b>Extraordinary Items</b>										
Special Dividend	\$0	\$0	\$0	-		\$2,735,424	\$0	\$2,735,424	-	0
Tax on Special Dividend	\$0	\$0	\$0	-		\$(661,061)	\$0	\$(661,061)	-	0
Loss on sale of Investment Property	\$0	\$0	\$0	-		\$(500,000)	\$0	\$(500,000)	-	0
Fair Value adjustment of Investment Property	\$0	\$0	\$0	-		\$(140,000)	\$0	\$(140,000)	-	0
Commission on Sale of Investment Property	\$0	\$0	\$0	-		\$(52,500)	\$0	\$(52,500)	-	0
Sales of Shares	\$0	\$0	\$0	-		\$1,325,331	\$0	\$1,325,331	-	0
Regional Events Centre	\$(540,748)	\$0	\$(540,748)	-		\$(1,875,169)	\$0	\$(1,875,169)	-	0
	<b>\$(540,748)</b>	<b>\$0</b>	<b>\$(540,748)</b>	<b>-</b>		<b>\$832,025</b>	<b>\$0</b>	<b>\$832,025</b>	<b>100%</b>	<b>0</b>
<b>Net Cost/(Surplus) of Service after extraordinary items</b>	<b>\$1,094,162</b>	<b>\$444,891</b>	<b>\$(649,271)</b>	<b>-146%</b>		<b>\$(4,380,097)</b>	<b>\$(2,169,556)</b>	<b>\$2,210,541</b>	<b>-102%</b>	<b>\$(1,654,341)</b>
<b>Capital</b>	<b>22,272</b>					<b>755,433</b>				<b>6,360,310</b>

Detailed variance explanations are provided under each Group Activity Report.

		April 09				YEAR TO DATE				
		Actual	Budget	Variance	Var %	YTD Actual	YTD Budget	Variance	Var %	Annual Budget
<b>Monthly Report for April 09</b>										
<b>Total Council and Strategic Development</b>										
<b>Revenue</b>										
Rates	295,514	292,198	3,316	1%	2,955,146	2,921,980	33,166	1%	\$ 3,506,376.00	
User Fees and Sundry	1,759	4,648	(2,889)	-62%	49,058	46,480	2,578	6%	\$ 55,776.00	
Grants and Subsidies	0	0	0	-	0	0	0	-	\$ -	
Investment Interest Income	0	0	0	-	0	0	0	-	\$ 465,000.00	
Investment Property Income	207,744	210,965	(3,221)	-2%	2,379,958	2,378,463	1,495	0%	\$ 2,831,375.00	
Forestry Harvest	0	0	0	-	0	0	0	-	\$ 450,000.00	
Dividend Income	0	0	0	-	0	0	0	-	\$ -	
Gain/(Loss) on Sale	0	0	0	-	0	0	0	-	\$ -	
Fair Value Adjustment	0	0	0	-	0	0	0	-	\$ -	
	<b>\$505,017</b>	<b>\$507,811</b>	<b>\$(2,794)</b>	<b>-1%</b>	<b>\$5,384,162</b>	<b>\$5,346,923</b>	<b>\$37,239</b>	<b>1%</b>	<b>\$7,308,527</b>	
<b>Expenditure</b>										
Community Representation & Strategic Planning	\$319,935	\$301,640	\$(18,295)	-6%	\$1,960,487	\$1,874,586	\$(85,901)	-5%	\$2,283,839	
Regional Economic Development	\$23,046	\$33,490	\$10,444	31%	\$258,868	\$415,620	\$156,752	38%	\$967,265	
Commercial	\$32,887	\$35,660	\$2,773	8%	\$177,061	\$272,960	\$95,899	35%	\$357,912	
	<b>\$375,868</b>	<b>\$370,790</b>	<b>\$(5,078)</b>	<b>-1%</b>	<b>\$2,396,417</b>	<b>\$2,563,166</b>	<b>\$166,749</b>	<b>7%</b>	<b>\$3,609,016</b>	
<b>Net Cost/(Surplus) of Service before extraordinary items</b>										
	<b>\$(129,149)</b>	<b>\$(137,021)</b>	<b>\$(7,872)</b>	<b>6%</b>	<b>\$(2,987,746)</b>	<b>\$(2,783,757)</b>	<b>\$203,989</b>	<b>-7%</b>	<b>\$(3,699,511)</b>	
<b>Extraordinary Items</b>										
Loss on sale of Investment Property	0	0	0	-	(500,000)	0	(500,000)	-	0	
Fair Value adjustment of Investment Property	0	0	0	-	(140,000)	0	(140,000)	-	0	
Commission on Sale of Investment Property	0	0	0	-	(52,500)	0	(52,500)	-	0	
Regional Events Centre	(540,748)	0	(540,748)	-	(1,875,169)	0	(1,875,169)	-	0	
	(540,748)	0	(540,748)	-	(2,567,669)	0	(2,567,669)	-	0	
	<b>\$411,599</b>	<b>\$(137,021)</b>	<b>\$(548,620)</b>	<b>400%</b>	<b>\$(420,077)</b>	<b>\$(2,783,757)</b>	<b>\$(2,363,680)</b>	<b>85%</b>	<b>\$(3,699,511)</b>	
<b>Capital Expenditure</b>										
	\$0				\$82,494				\$3,019,914	

**Revenue**

**Month results**

Monthly revenues continue to be in line with budget.

**Year end forecasts**

Forestry Harvest budgeted for this year has been deferred to next financial year. The budget for the current year was \$450,000.

Other revenue is predicted to be on budget.

**Expenditure**

**Month results**

Community Representation for the month is on budget with continued savings in Forest maintenance offset by overexpenditure of \$14,000 for the month on consultants.

Regional Economic Development is under budget due to savings in Wages and Salaries.

**Year to Date results**

Community Representation shows additional expenditure in Contractors \$39,000 and Legal Fees \$40,000.

Regional economic development is running under budget primarily due to decreased salaries and wages in this area.

Commercial savings year to date are principally from Forest Harvesting (\$9,000) and Forest Maintenance(\$74,000).

Forestry Maintenance is expected to be expended before year end.

**Extraordinary Items**

As previously noted, the Loss on the Sale of the Investment Property, the fair value adjustment and the commission on the sale of the investment property relate to the sale of the Commerce Street property sold in August.

The Regional Event Centre relates to grant payments made towards the construction of the Regional Events Centre.

Monthly Report for		April 09								
		Actual	Budget	Variance	Var %	YTD Actual	YTD Budget	Variance	Var %	Annual Budget
<b>Total Consents Revenue</b>										
Rates	40,372	39,268	1,104	3%	403,719	392,680	11,039	3%	\$ 471,216.00	
User Fees and Sundry	93,448	56,739	36,709	65%	749,565	567,391	182,174	32%	\$ 680,869.00	
	<b>\$133,820</b>	<b>\$96,007</b>	<b>\$37,813</b>	<b>39%</b>	<b>\$1,153,284</b>	<b>\$960,071</b>	<b>\$193,213</b>	<b>20%</b>	<b>\$1,152,085</b>	
<b>Expenditure</b>										
Consents Applications	\$118,247	\$113,696	\$(4,551)	-4%	\$934,749	\$961,375	\$26,626	3%	\$1,162,457	
Consents Advice and Information	\$74,056	\$87,829	\$13,774	16%	\$651,499	\$729,182	\$77,683	11%	\$878,553	
	<b>\$192,303</b>	<b>\$201,525</b>	<b>\$9,222</b>	<b>5%</b>	<b>\$1,586,248</b>	<b>\$1,690,557</b>	<b>\$104,309</b>	<b>6%</b>	<b>\$2,041,010</b>	
<b>Net Cost/(Surplus) of Service</b>		<b>\$58,483</b>	<b>\$105,518</b>	<b>\$47,035</b>	<b>45%</b>	<b>\$432,964</b>	<b>\$730,486</b>	<b>\$297,522</b>	<b>41%</b>	<b>\$888,925</b>
Capital Expenditure	\$0				\$0				\$0	

**Revenue**  
**Month results**  
 April User Fees continued an upward trend being \$37,000 ahead of budget including a \$22,000 fee for the Marsden Point Rail Link.  
**Year to Date results**  
 Higher levels of consents for March and April has reversed the previous shortfall in User fees. These are now 32% over budget.  
 Year end forecasts predict User Fees to be more than \$100,000 ahead of budget and other Revenues to be on budget.

**Expenditure**  
**Month results**  
 Advertising-Statutory Notices for the month is \$8,000 over budget and relates to the Marsden Point Rail Link consent.  
 Daily Meeting Fees are over budget by \$28,000 for the month relating to expenses for Paihia Waterfront and Marine Farm review hearings. These costs are recoverable and have contributed to revenue increases.  
**Year to Date results**  
 April year to date has Contractor payments and Legal Fees continuing to show savings.

Monthly Report for		April 09								
		Actual	Budget	Variance	Var %	YTD Actual	YTD Budget	Variance	Var %	Annual Budget
<b>Total Land Operations Revenue</b>										
Rates	366,022	363,710	2,312	1%	3,660,215	3,637,101	23,114	1%	\$ 4,364,521.00	
User Fees and Sundry	57,489	39,223	18,266	47%	283,564	392,239	(108,675)	-28%	\$ 470,685.00	
Grants and Subsidies	0	833	(833)	-100%	294,463	290,334	4,129	1%	\$ 292,000.00	
	<b>\$423,511</b>	<b>\$403,766</b>	<b>\$19,745</b>	<b>5%</b>	<b>\$4,238,242</b>	<b>\$4,319,674</b>	<b>\$(81,432)</b>	<b>-2%</b>	<b>\$5,127,206</b>	
<b>Expenditure</b>										
Sustainable Land Management	\$137,099	\$169,637	\$32,538	19%	\$1,076,739	\$1,124,247	\$47,508	4%	\$1,732,557	
Hazard & Emergency Management	\$125,220	\$139,281	\$14,061	10%	\$787,041	\$1,125,747	\$338,706	30%	\$1,430,061	
Biosecurity Management	\$130,364	\$204,046	\$73,682	36%	\$1,397,274	\$1,814,596	\$417,322	23%	\$2,197,867	
River Management Works	\$197,828	\$164,644	\$(33,184)	-20%	\$901,082	\$998,799	\$97,717	10%	\$1,265,507	
	<b>\$590,511</b>	<b>\$677,608</b>	<b>\$87,097</b>	<b>13%</b>	<b>\$4,162,136</b>	<b>\$5,063,389</b>	<b>\$901,253</b>	<b>18%</b>	<b>\$6,625,992</b>	
<b>Net Cost/(Surplus) of Service</b>		<b>\$167,000</b>	<b>\$273,842</b>	<b>\$106,842</b>	<b>39%</b>	<b>\$(76,106)</b>	<b>\$743,715</b>	<b>\$819,821</b>	<b>110%</b>	<b>\$1,498,786</b>
<b>Capital Expenditure</b>		<b>\$2,270</b>			<b>\$46,042</b>				<b>\$307,200</b>	

**Revenue**

**Month results**

Variance in User Fees and Sundry is due to a good month result in Field Work Recoverable.

**Year to Date results**

User Fees and Sundry Income continue to track behind budget year to date principally in Field Materials for resale, there will be a corresponding offset in expenditure.

**Expenditure**

**Month results**

**Sustainable Land Management** cost savings in the month due to correcting overexpenditure accrued in the previous month.

**Hazard and emergency** savings continue to come from contracts that are yet to be completed.

**Biosecurity** savings are largely from Pest Control Contracts.

**River Management** variance is due to a backlog of work on Stopbanks and River schemes now being undertaken.

**Year to Date results**

**Hazard and Emergency Management variances** are due to contracts which have not yet been completed.

This includes LIDAR surveying that has not yet taken place.

**Biosecurity Management** variances relate to Contractors, Pest Control and Poisons and Field Works due to pest control contracts not coming on stream as budgeted. Biosecurity are forecasting net year end savings across several accounts of around \$200K.

**River Management Works** variances are due to timing of contracted works. Expenditure is forecast to be on budget by year end.

Monthly Report for		April 09								
		Actual	Budget	Variance	Var %	YTD Actual	YTD Budget	Variance	Var %	Annual Budget
<b>Total Finance and IT</b>										
<b>Revenue</b>										
Rates	0	0	0	-	36,765	0	36,765	-	\$	-
User Fees and Sundry	235	633	(398)	-63%	15,077	6,325	8,752	138%	\$	7,591.00
Investment Interest Income	160,733	248,748	(88,015)	-35%	2,357,400	2,487,482	(130,082)	-5%	\$	2,984,978.00
Dividend Income	0	0	0	-	1,710,240	1,700,000	10,240	1%	\$	1,700,000.00
	<b>\$160,968</b>	<b>\$249,381</b>	<b>\$(88,413)</b>	<b>-35%</b>	<b>\$4,119,482</b>	<b>\$4,193,807</b>	<b>\$(74,325)</b>	<b>-2%</b>		<b>\$4,692,569</b>
<b>Expenditure</b>										
Finance & Information Services	\$304,272	\$336,839	\$32,567	10%	\$3,688,163	\$3,635,696	\$(52,467)	-1%	\$	\$4,466,935
Internal recharges	\$(304,243)	\$(336,837)	\$(32,594)	10%	\$(3,688,166)	\$(3,635,696)	\$52,470	-1%	\$	\$(4,466,930)
	\$29	\$2	\$(27)	-1358%	\$(3)	\$0	\$3	-	\$	\$5
	<b>\$(160,939)</b>	<b>\$(249,379)</b>	<b>\$(88,440)</b>	<b>35%</b>	<b>\$(4,119,485)</b>	<b>\$(4,193,807)</b>	<b>\$(74,322)</b>	<b>2%</b>		<b>\$(4,692,564)</b>
<b>Net Cost/(Surplus) of Service before extraordinary items</b>										
<b>Extraordinary Items</b>										
Special Dividend	\$0	\$0	\$0	-	\$2,735,424	\$0	\$2,735,424	-	\$0	\$0
Tax on Special Dividend	\$0	\$0	\$0	-	\$(661,061)	\$0	\$(661,061)	-	\$0	\$0
Sales of shares	\$0	\$0	\$0	-	\$1,325,331	\$0	\$1,325,331	-	\$0	\$0
	\$0	\$0	\$0	-	\$3,399,694	\$0	\$3,399,694	-	\$0	\$0
	<b>\$(160,939)</b>	<b>\$(249,379)</b>	<b>\$(88,440)</b>	<b>35%</b>	<b>\$(7,519,179)</b>	<b>\$(4,193,807)</b>	<b>\$3,325,372</b>	<b>-79%</b>		<b>\$(4,692,564)</b>
<b>Capital Expenditure</b>										
	\$8,214				\$43,738					\$2,530,929

**Revenue**

**Month results**

The shortfall in interest income reflects the downturn in interest rates currently available.

**Year to Date results**

Monthly interest revenue patterns also reflect in year to date results with the net shortfall now at \$130,000.

**Expenditure**

**Month results**

The favourable variance for the month is an accumulation of savings from various accounts.

**Year to Date results**

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

**Extraordinary Items**

**Year to Date results**

Council has received two dividend payments from Northland Port Corporation NZ (Ltd). The dividends received total \$1,709,640 and special dividend of \$2,735,424. The special dividend has been excluded from operating income and classified as an extraordinary item.  
Tax paid Year to date now totals \$661,061.

Monthly Report for		April 09								
		Actual	Budget	Variance	Var %	YTD Actual	YTD Budget	Variance	Var %	Annual Budget
<b>Total Environmental Monitoring and Maritime Revenue</b>										
Rates	50,466	56,752	(6,286)	-11%	504,650	567,518	(62,868)	-11%	\$ 681,022.00	
User Fees and Sundry	86,264	83,786	2,478	3%	1,851,258	1,612,833	238,425	15%	\$ 1,776,305.00	
Grants and Subsidies	15,743	33,779	(18,036)	-53%	55,579	86,044	(30,465)	-35%	\$ 119,826.00	
	<b>\$152,474</b>	<b>\$174,317</b>	<b>\$(21,843)</b>	<b>-13%</b>	<b>\$2,417,487</b>	<b>\$2,272,395</b>	<b>\$145,092</b>	<b>6%</b>	<b>\$2,590,923</b>	
<b>Expenditure</b>										
Resource Consent Compliance	\$187,144	\$168,406	\$(18,738)	-11%	\$1,514,277	\$1,454,472	\$(59,805)	-4%	\$1,766,745	
State of the Environment Monitoring	\$134,239	\$124,591	\$(9,648)	-8%	\$1,192,690	\$1,285,032	\$92,342	7%	\$1,546,857	
Environmental Incidents Response	\$77,270	\$68,177	\$(9,093)	-13%	\$772,498	\$693,902	\$(78,596)	-11%	\$835,978	
Hazardous Substances & Contaminated Sites	\$36,857	\$36,274	\$(583)	-2%	\$313,840	\$316,845	\$3,005	1%	\$380,544	
Oil Pollution Response	\$27,391	\$33,521	\$6,130	18%	\$195,003	\$223,977	\$28,974	13%	\$276,326	
Harbour Safety & Navigation	\$93,923	\$91,789	\$(2,134)	-2%	\$993,539	\$1,004,577	\$11,038	1%	\$1,218,201	
	<b>\$556,825</b>	<b>\$522,758</b>	<b>\$(34,067)</b>	<b>-7%</b>	<b>\$4,981,846</b>	<b>\$4,978,805</b>	<b>\$(3,041)</b>	<b>0%</b>	<b>\$6,024,651</b>	
<b>Net Cost/(Surplus) of Service</b>										
	\$404,351	\$348,441	\$(55,910)	-16%	\$2,564,360	\$2,706,410	\$142,050	5%	\$3,433,728	
Capital Expenditure	\$11,788				\$580,310				\$484,917	

**Revenue**

**Month results**

Grants and Subsidies are under budget due to a shortfall in Maritime Transport oil revenues.

This is offset by equivalent expenditure savings in Oil Spill Control.

**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.

**Expenditure**

**Month results**

State of the Environment over expenditure results from consultants \$73,000 partially offset by savings in Wages and Salaries.

Environmental Incidents over expenditure is over several accounts but mainly Consultants and Vehicles.

Harbour Safety and Navigation variance for March relates mainly to Debris disposal and Vessel maintenance.

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

**Year to Date results**

State of the environment monitoring relate to savings mainly in wages and salaries and a variety of other accounts.

Environmental Incidents over expenditure is over several accounts but mainly Consultants, Vehicles, legal fees and Wages and Salaries.

Oil Pollution saving is in Oil pollution responses. This is offset by shortfalls in revenue as above.

Monthly Report for		April 2009						YEAR TO DATE			Annual Budget
		Actual	Budget	Variance	Var %	YTD Actual	YTD Budget	Variance	Var %		
<b>Total Planning and Policy Revenue</b>											
Rates	142,008	137,438	4,570	3%	1,417,605	1,374,379	43,226	3%	\$ 1,649,255.00		
User Fees and Sundry	53,236	59,896	(6,660)	-11%	564,263	598,962	(34,699)	-6%	\$ 718,754.00		
Grants and Subsidies	96,508	106,642	(10,134)	-10%	1,147,801	1,095,317	52,484	5%	\$ 1,388,309.00		
	<b>\$291,751</b>	<b>\$303,976</b>	<b>\$(12,225)</b>	<b>-4%</b>	<b>\$3,129,670</b>	<b>\$3,068,658</b>	<b>\$61,012</b>	<b>2%</b>	<b>\$3,756,318</b>		
<b>Expenditure</b>											
Resource Management Planning	\$137,168	\$121,451	\$(15,717)	-13%	\$1,070,326	\$1,063,007	\$(7,319)	-1%	\$1,275,634		
Public Communication & Education	\$71,819	\$67,410	\$(4,409)	-7%	\$669,142	\$660,044	\$(9,098)	-1%	\$796,869		
Passenger Services Administration	\$206,443	\$153,431	\$(53,012)	-35%	\$1,555,637	\$1,534,305	\$(21,332)	-1%	\$2,044,917		
Regional Transport Management	\$89,990	\$65,174	\$(24,816)	-38%	\$472,505	\$438,699	\$(33,806)	-8%	\$555,193		
	<b>\$505,419</b>	<b>\$407,466</b>	<b>\$(97,953)</b>	<b>-24%</b>	<b>\$3,767,610</b>	<b>\$3,696,055</b>	<b>\$(71,555)</b>	<b>-2%</b>	<b>\$4,672,613</b>		
<b>Net Cost/(Surplus) of Service</b>											
	\$213,668	\$103,490	\$(110,178)	-106%	\$637,940	\$627,397	\$(10,543)	-2%	\$916,295		
Capital Expenditure	\$0				\$2,849				\$17,350		

**Revenue**

**Month results**

Shortfall in User Fees and Sundry is in Bus Fare Revenue.

Grants and Subsidies variance comes from Transfund Subsidies and WDC Share of Costs.

**Year to date results**

April shows the shortfall in bus box revenue continuing to be offset by Transfund subsidies which are reported under Grants and Subsidies.

Year end forecasts predict revenue to be on budget.

**Expenditure**

**Month results**

Resource Management Planning is over budget in Wages and Salaries for the month by \$33,000.

Passenger services admin reflects excess charges in Contractors \$40,000 ( Northland Transport network study)

and Printing and Stationery \$8,000. Contractors is a timing difference with the bulk of the budget being spread earlier in the year

Regional Transport management overexpenditure comes from Consultants \$26,000 mainly Northland RLTS Review.

**Year to Date results**

Resource Management Planning overexpenditure is \$13,000 on Wages and Salaries and \$14,000 in consultants.

Passenger services admin have over expenditure in Contracted Works of \$25,000. This relates to overexpenditure in mobility services.

Regional Transport Management Over expenditure continues in Wages and Salaries \$13,000 and Consultants \$14,000.

# Investment Schedule and Performance – Financial Report 30 April 2009

File 350.4

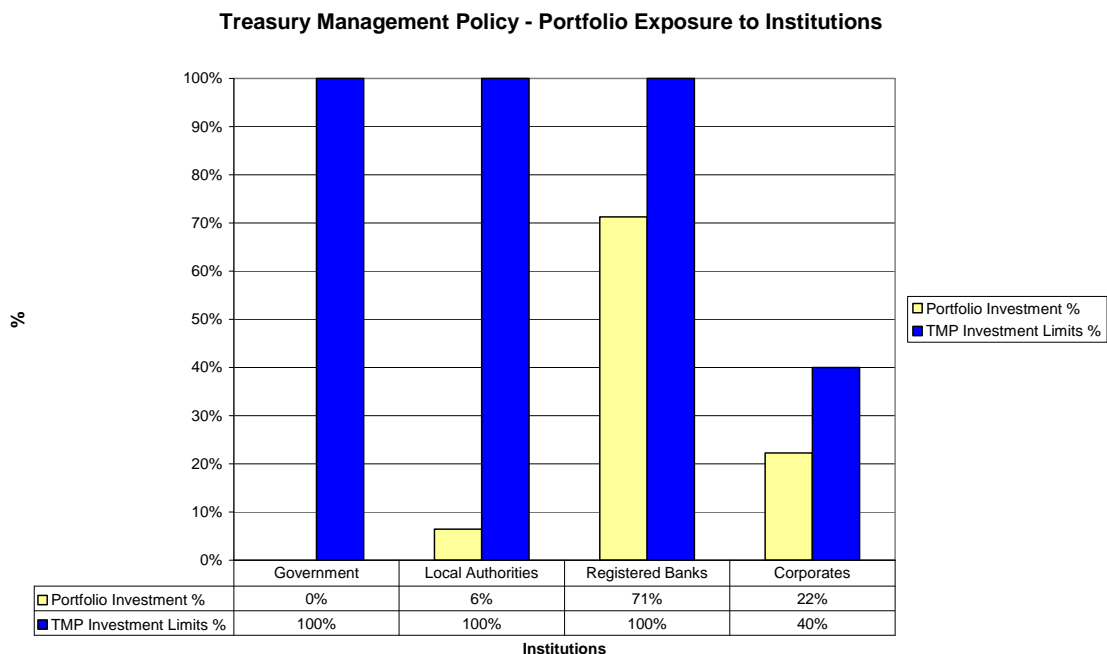
Report from Financial Systems Administrator Kym Ace dated 6 May 2009.

## PURPOSE

This report provides a summary of investment performance for the ten month period ending 30 April 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 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"> <li>• *Subject to a maximum exposure no greater than 20% of the NFIP being invested in corporate debt securities at any one point in time.</li> <li>• ** Subject to a maximum exposure no greater than 60% of the NFIP being invested in Local Government debt at any one point in time</li> </ul> <p>This summary list will be expanded on a counterparty named basis which will be authorised by the CEO</p>				

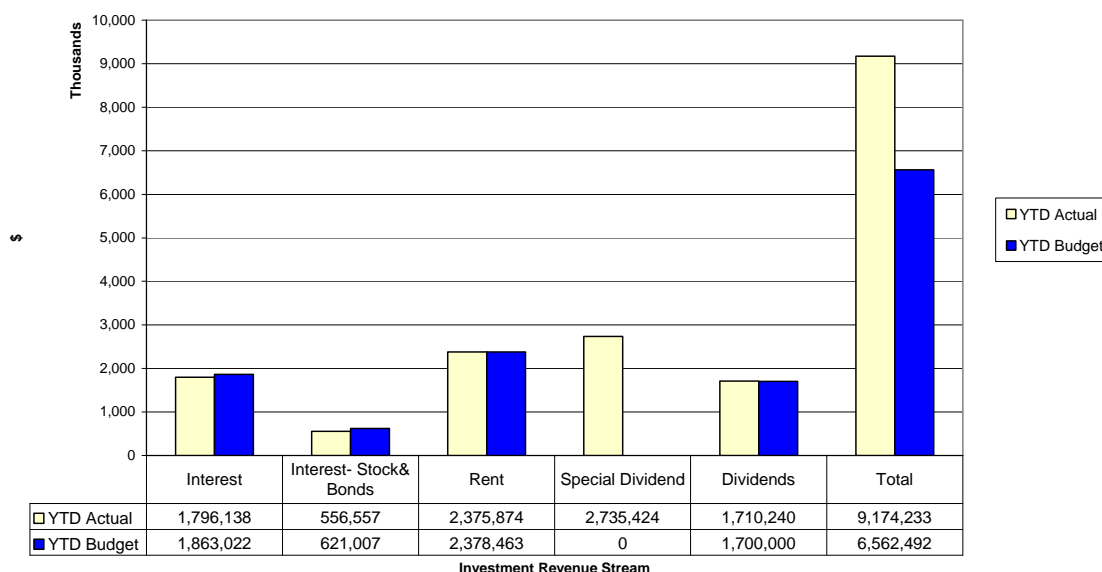
Council currently holds three investments that are below minimum credit ratings. Council is maintaining a watching brief over the credit rating of all investments and current advice supports holding these investments to maturity as allowed for in the Treasury Management Policy.

### FINANCIAL YEAR TO DATE PERFORMANCE

Year to date, the investment portfolio has made a return of \$9,174,233 against a budgeted return of \$6,562,492. 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 \$6,438,809 compared to a budget of \$6,562,492. On call funds are currently earning a return of 3.15% and short term deposits between 4.22 and 5.29%.

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

#### Fund Performance against Budget



#### PORTFOLIO OF TOTAL FUNDS

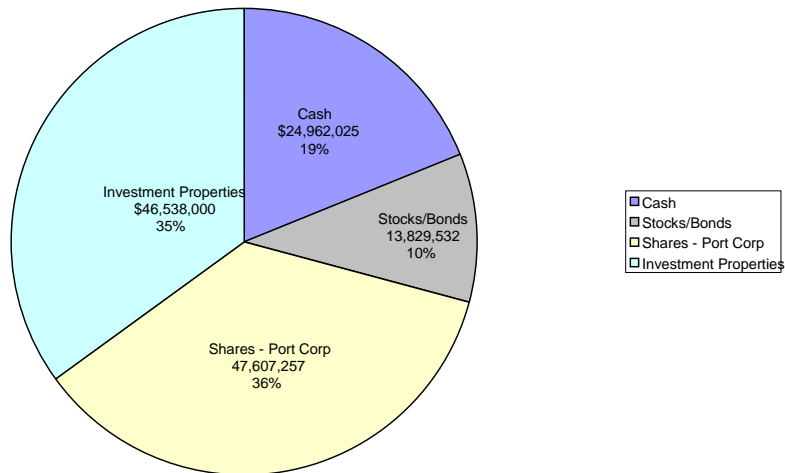
The total value of the investment portfolio as at 30 April is \$132,936,814 and is comprised of:

- Cash \$ 24,962,025
- Stocks/bonds \$ 13,829,532
- Shares – Port Corp\* \$ 47,607,257
- Investment Properties \$ 46,538,000

\* Northland Regional Council holds 22,142,910 shares in Northland Port Corporation (NZ) Limited. The cost value of these shares is \$7,827,563. As at 30 June 2008, the market price of these shares was \$2.75. As at 30 April 2009, the market price is \$2.15. The Northland Port Corporation has paid the following dividends:

- A special dividend \$2,735,424 (unimputed) was paid at 12 cents per share on 30 September 2008;
- An ordinary dividend \$1,139,760 (imputed) at 5 cents per share on 30 September 2008; and
- An interim ordinary dividend of \$569,880 (unimputed) at 2.5 cents per share on the 6 March 2009.

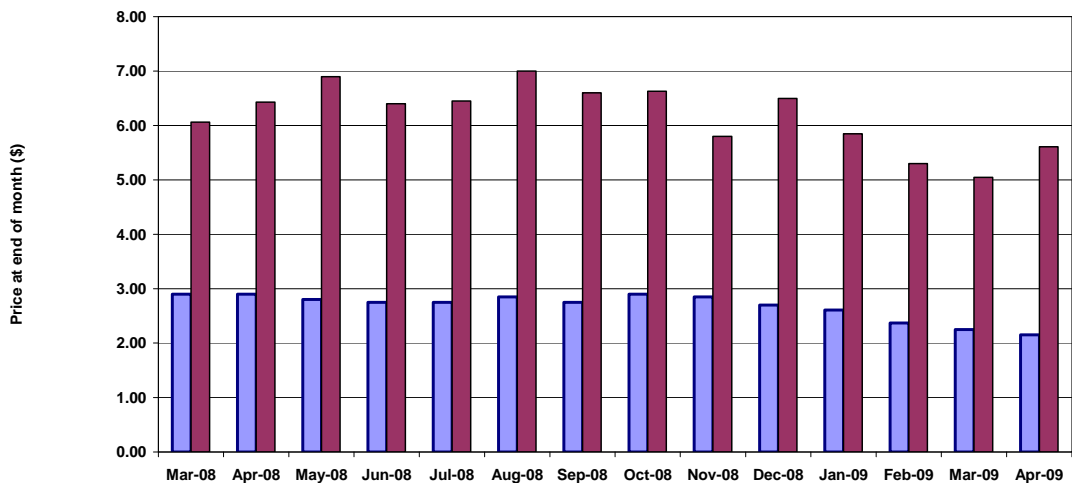
Portfolio of Total Funds



**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



	Mar-08	Apr-08	May-08	Jun-08	Jul-08	Aug-08	Sep-08	Oct-08	Nov-08	Dec-08	Jan-09	Feb-09	Mar-09	Apr-09
Northland Port Corp	2.90	2.90	2.80	2.75	2.75	2.85	2.75	2.90	2.85	2.70	2.61	2.37	2.25	2.15
Ports of Tauranga	6.06	6.43	6.9	6.4	6.45	7.0	6.6	6.63	5.8	6.5	5.85	5.3	5.05	5.61

2008/2009

**Recommendation**

That the Investment Schedule and Performance Report to 30 April 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 30 April 2009.

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

### Northland Regional Council General Account

Direct Debits	vouchers 101065 - 101081	\$9,733,062.62
Computer Cheques	vouchers 19788 - 19799	\$19,372.15
Direct Credits	vouchers 1021941 - 1022248	\$1,278,352.75
Payroll Transactions		\$1,042,598.71
<b>Total</b>		<b>\$12,073,386.23</b>

### Analyses of Expenditure Classes

Labour costs	\$1,042,598.71
Operating costs	\$1,935,284.45
Capital Expenditure	\$4,341.38
Call/Term deposits/Investments	\$9,091,161.69
<b>Total</b>	<b>\$12,073,386.23</b>

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 April 2009, as detailed in the report from the Payments Officer, Rachel Hills dated 30 April 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.

## Lease Transactions

Files: 215.90.3, 215.90.1, 215.11.3, 215.115 & 215.3.3

Report from General Manager - Finance and IT, Lisa Aubrey dated 6 May 2009.

### Lease Transactions

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

- Files: 215.90.3 Variation of Lease – Ness Properties Limited – 6 Bougainville Street, Whangarei
- 215.90.1 Variation of Lease – Ness Properties Limited - 16 Union East Street, Whangarei.
- 215.11.3 Transfer of Lease – Jeffs Investments Limited to DJ Mac Family Trust – 9-11 Finlayson Street, Whangarei.
- 215.115 Variation of Lease – GF & BG Shaw – 118-120 Dent Street, Whangarei.
- 215.3.3 Sublease – Entrance Properties Limited to The Deep End Spa & Pool Centre Limited – 59 Hannah Street, Whangarei.

### Recommendation

That the lease transactions and the use of the Council seal outlined in the report from the General Manager - Finance and IT dated 6 May 2009, be approved.

### 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.

## Consents Decisions and Applications in Process

File: 430.1

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

The Consents Senior Programme Manager's report on resource consent decisions made since 1 April 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 conclude that a revised application is required which will be lodged shortly, for re-notification.
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 time extension to processing time to allow it to "develop a strategy for providing additional information and undertaking further consultation".
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 has now requested an extension in the processing time until the end of February 2010 to allow it to submit an amended application that will include a longer term proposal, and revised assessment of environmental effects.

Applicant	Proposal	Notification Period	Comment
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, two wishing to be heard. Applicant has requested processing to be placed on hold until Environment Court has made a decision on its appeal against FNDC decision to not accept private plan change application. Court hearing 2 March 2009, decision still awaited.
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 all wishing to be heard. Applicant has requested processing to be placed on hold until Environment Court has made a decision on its appeal against FNDC decision to not accept private plan change application. Court hearing 2 March 2009, decision still awaited.
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. Staff now preparing draft recommendation conditions for delegated authority decisions.
Ontrack – New Zealand Railways Corporation CON20071988401	Oakleigh to Marsden Point rail link	28 March 2009 to 12 May 2009	Notified concurrently with Notice of Requirement served on Whangarei District Council.
Kaipara District Council 20090110201	Wastewater treatment and disposal system servicing Te Kopuru	26 February 2009 to 25 March 2009	Three submissions received: two against and wishing to be heard. Applicant is attempting to resolve issues raised by submitters.

#### 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,	Take groundwater from the Russell aquifer for private water supplies	16 February 2009 to 16 March 2009	No submissions 'wishing to be heard'.  Joint processing of applications to renew existing groundwater takes from the Russell aquifer is occurring to enable cumulative assessment and efficient processing.  Staff now preparing recommendations report for delegated authority decisions.

Applicant	Proposal	Notification Period	Comment
D V Stocks & J K Northcoat T/A Triton Suites Motel & Triton Lodge CON20080964901,  Matauwahi Wharf Limited CON20070965401			
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. Time extension given to enable Applicant to install the new production bore and assess water quality and yield. KDC has obtained funding and have tendered out drilling contract to install new bore.
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 and is undertaking investigations into re-use of condensate within plant. Results of investigation expected by December 2009.
Kaipara District Council CON20092284101	Construction of new floodgate across Makaka Creek, Te Kopuru	20 March 2009 to 21 April 2009	Three submissions received all not wishing to be heard. Site meeting to be held with applicant and submitters to fully understand scale of issues raised.
T Yeates CON20090208801	New swing mooring in Waikare Inlet	2 April 2009 to 1 May 2009	One submission in support, so can now proceed to delegated authority decision.
Houhora Bay Marine Farms Limited CON20090629701	Replacement consent for existing mussel farm at Houhora Bay	28 April 2009 to 27 May 2009	
Wespac Mussels Distributors Limited CON20090722801	Replacement consent for existing mussel farm at Houhora Bay	28 April 2009 to 27 May 2009	
Apatu Aqua Enterprises Limited CON20092329401	Air discharge from fish smoker at Coopers Beach	29 April 2009 to 27 May 2009	

**PRE-HEARING MEETINGS**

<b>Applicant</b>	<b>Proposal</b>	<b>Held</b>	<b>Outcome</b>
Whangarei District Council CON20060257601	Replacement Ngunguru sewerage discharge consents	Pre-hearing held 13 December 2006	Applicant has requested that application be placed on hold until 31 May 2009 to allow the performance of upgraded plant to be assessed over a period of a year. Based on the results of this performance, appropriate and meaningful consent conditions, particularly with regard to ammonia concentrations, will then be discussed.
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 detail on the proposal. Once this has been received, another pre-hearing meeting will be held to present this 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. Meeting to be held with applicant on 11 May 2009 to discuss draft recommendations. Once draft recommendations agreed to they will be circulated to submitters in the expectation of withdrawal of 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 comment. Intend to circulate draft recommendations to submitters by end of May for their comment. A hearing is still expected to be required.

**HEARINGS**

<b>Applicant</b>	<b>Proposal</b>	<b>Date of Hearing</b>	<b>Decision Issued/Comment</b>
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. Staff now re-assessing the need for review of conditions.

<b>Applicant</b>	<b>Proposal</b>	<b>Date of Hearing</b>	<b>Decision Issued/Comment</b>
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. Have made recent requests for update on progress but no response yet.
Far North Holdings Ltd CON20060545411	Paihia Waterfront Re-development	Commenced 28 October 2008 and reconvened on 10 February 2009	Recommendation to Minister of Conservation and Council decisions issued 24 March 2009.
Carter Holt Harvey CON20071932401	Earthworks for 121 lot subdivision at Tinopai		Hearing postponed till later in 2009 at the request of the Applicant.
Carter Holt Harvey CON20082102301	Earthworks for subdivision at Ngatoto Road, Tinopai	Reconvened hearing held on 24 March 2009	Decision issued 17 April 2009.
Far North District Council CON20092244601	Authorisation of a seawall and associated roadwork reclamations at Kohukohu	To be held on 27 May 2009	
Bentzen Farm Limited CON20061055818	Causeway in Waipiro Bay, Bay of Islands	24 March 2009	Council Decision and recommendation to Minister (RCA) issued 20 April 2009.
NZ Transport Agency CON20082143201	SH 1 passing lane at Whakapara	27 March 2009	Hearings Committee deliberating. Decision pending.
Marine farms transferred under Aquaculture Reform Act 2004 (ARA)	Review of consent conditions under Sections 10 and 20 of the ARA	6 April 2009	Callover on preliminary issues held on 6 April. Parties directed to report to Hearings Committee by 15 May 2009 re progress toward possible settlement of outstanding bond issue.
Orange Centre Limited CON20071987601	Visitor centre, including accommodation and service station, SH 10 Kerikeri	Joint Hearing 18-19 May 2009; FNDC lead agency. Due to lack of Section 92 response by the applicant, hearing is to be rescheduled for a June date.	
Neil Construction Limited CON20082200401	Proposed 179 lot residential subdivision, Kapiro and Redcliff Roads, Kerikeri	Joint Hearing 27, 28 and 29 April 2009; FNDC lead agency	Hearing adjourned for Committee to deliberate. Decision pending.

**APPEALS/OBJECTIONS**

<b>Applicant</b>	<b>Proposal</b>	<b>Progress</b>
Advance Developments Ltd CON20061540301	Subdivision earthworks at Tutukaka	Awaiting outcome of discussions between Applicant and appellant's consultants. Court callover 5 May 2009.
Far North District Council CON20070757701	Renewal of consent to take groundwater for public water supply at Kaikohe	Objection to consent condition, met 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, Mata	The Applicant has advised the Court that application is being withdrawn as project to no longer proceed. Still awaiting withdrawal of applications made to the Regional Council.
O B Holdings Ltd CON20041213701	Earthworks for 4.5 km access road for 44 lot subdivision at Cove Road, Langs Beach	Minor reduction in number of lots, but resolution not yet achieved with Section 274 parties.
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. Caucusing of experts now underway.
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	Two appeals received, from applicant and downstream neighbour. Four Section 274 party interests lodged; three from within Russell area, and the Department of Conservation. Will attempt mediation to resolve issues.
Far North District Council CON20070266701	Replacement consents for Omapere/Opononi WWTP discharges	Two appeals received from local Iwi – seeking Court-appointed mediation.
Westpac Mussels Distributors Limited CON20090722801	Application for replacement consent for mussel farm at Houhora Bay	Objection on process: resolution currently being resolved with Applicant.
Houhora Bay Marine Farms Limited CON20090629701	Application for replacement consent for mussel farm at Houhora Bay	Objection on process: resolution currently being resolved with Applicant
Northland Regional Council – Land Operations CON20082141201	Stream mouth clearing in Far North and Whangarei Districts	Appeal against decision by New Zealand Historic Places Trust.
Far North Holdings Limited CON20060545411	Paihia Waterfront Re-development	Two Appeals against decision by Applicant and Department of Conservation.

**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.

CONSENTS DECISIONS AND APPLICATIONS IN PROCESS.DOC

## **Appointment of Hearings Committee**

**File: 110.8**

**Report from the Consents Senior Programme Manager, David Roke dated 5 May 2009.**

### **DELEGATION TO HEAR AND DECIDE CONSENT APPLICATIONS**

A Hearings Committee is required for the following applications:

#### **Ontrack: Oakleigh to Marsden Point Rail Link: CON20071988401**

Applications were received by both Regional and District Councils for Notice of Requirement and relevant resource consents for the construction, operation and maintenance of a new rail corridor. The extended submission period ends on 12 May 2009.

This proposal includes a full range of establishment/construction works, including major earthworks, related water diversions, and discharges. It also includes coastal permits including a reclamation which constitutes a Restricted Coastal Activity (RCA). The Hearings Committee appointed to hear these must therefore include, for the RCA element of the proposal, at least three members comprising an appointee of the Minister of Conservation, and not less than one Regional Councillor. While the Councils have been strong advocates of the proposal and so may incur implications of bias, there is no ability to avoid the statutory requirement regarding a regional councillor appointment. Accordingly it is suggested that Cr Hill, who is chair of the Council's Hearings Committee, and neither resides in the district constituency in which the project sits, nor has personally advocated for the proposal, be appointed, as with similar RCA proposals in the past, in regard to the application for the RCA only.

Also, because of the RCA element, in the event of a joint hearing (as intended), the Regional Council will be the lead authority for the proposed joint hearing. The Whangarei District Council will be appointing one member to represent it on the Committee, Mr Alan Watson, together with the other independent commissioners. In discussion with the Chairman, (in the absence on leave of the Chairperson of the Hearings Committee), it is suggested (based upon a range of suitability selection criteria) that the Regional Council appoint independent commissioner Mr Rob Van Voorthuysen, identified as Chair of the Hearing, and the Minister's appointee – Mr Gregory Shaw, and the District Council's appointee – Mr Alan Watson; together with Cr Hill in respect of the RCA (coastal reclamation) element of the proposal. While the joint committee is encouraged to agree on a common decision, there is the possibility of not all members being in agreement on all decisions. Given that an even number of members is being recommended for the committee in regard to the RCA application, it is also considered that the Chair should be given a casting vote, to be used if necessary, to ensure a final decision.

**Recommendation**

1. That Mr Rob van Voorthuysen (Chair), Mr Alan Watson, Mr Gregory Shaw (the Minister of Conservation's appointee), and Cr Hill in relation to the applications for restricted coastal activities; be appointed to hear and decide the applications to the Northland Regional Council for all necessary resource consents, including coastal, discharge, water permits, and land use consents, by **Ontrack – a division of New Zealand Railways Corporation – associated with the Oakleigh to Marsden Point Rail Link: CON20071988401.**
2. That, in the event it is needed in reaching of final decision, the Chairman be authorised to use a casting vote.

**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.

## **Non Notified Resource Consent Applications – Circulation to Iwi Groups: January–December 2008**

File 900.17.1

Report from Iwi Liaison Officer, Rachel Ropiha dated 4 May 2009.

### **PURPOSE**

To provide information relating to the circulation of non-notified consent applications to iwi groups for the 2008 calendar year.

### **BACKGROUND**

The circulation of non-notified applications for resource consent to iwi is a non-statutory process that was initiated on a trial basis in 1995 in consultation with iwi. It was intended that the trial would enable the Council to identify, from those applications the Council considered as having minor environmental impacts, which of those activities iwi could be concerned with and potentially be adversely affected by.

In March 1996, the Council agreed that the procedure for circulating non-notified consent applications to iwi be continued until the Regional Plans became operative. In the years following the Regional Plans becoming operative, the Council has agreed to continue the procedure given its perceived value to maori in alerting them to activities which may be of concern to them in relation to Sections 6(e), 7(a) and 8 of the Resource Management Act (RMA).

### **IWI CIRCULATION FOR 2008**

A total of 344 development proposals were processed on a non-notified basis during the calendar year ending December 2008. This includes 28 applications to change consent conditions, eight of which were not circulated to iwi. One new application for land use – structure was also not circulated. A further 75 applications for bore permits were also not circulated as per the current Council procedure.

In the 2008 calendar year, there was a 16% response rate to the circulation of applications. Of those responses received, land use consent activities drew the greatest response rate - 26% compared to 28% for the previous calendar year closely followed by a 25% response rate to water take activities. A summary of resource consent application types and the number of responses is provided in the tables of the [attachment](#).

While there were 344 development proposals, this number does not reflect that proposals often have multiple activities associated with the one application. Likewise, the total of 344 proposals does not reflect the actual number of iwi groups contacted during the circulation of non-notified consents. During the assessment undertaken, it is noted that 1498 letters were sent to iwi groups. This equates to 3.7% response rate to actual letters sent, down from 4% from the previous year.

### **COSTS**

The total cost for the year is similar to past years and is estimated at \$17,700, being made up of \$2,700 postage, \$3,000 stationary and photocopying and \$12,000 labour. It is noted however, that this is purely an estimate and that there is no reporting to qualify this estimate.

## **RESOLUTION OF IWI QUERIES**

Consent processing staff consider comments made by iwi groups to decide whether they deem iwi to be adversely affected by an application. The concerns raised need to be made in relation to Sections 6, 7 and 8 of the RMA. Consents staff also need to have regard to the nature and validity of concerns raised prior to making recommendations to grant or decline an application for consent.

Of the responses received, consents technical staff time spent on responding to queries and concerns from iwi, continues to be charged to the applicant as part of the processing costs. However, the cost associated with circulating information is not.

Of the 55 responses received from iwi, 17 were in support of applications, with a further 18 asking for certain conditions to be imposed, or for the supply of monitoring results as a condition of giving approval. However, these suggested conditions and monitoring requests were not always enforceable.

Iwi responses in clear opposition to the granting of applications for resource consents intended to be treated as non-notified comprised less than 2.4% of all applications circulated. Table 2 attached provides the breakdown of responses from iwi.

## **STATUTORY REQUIREMENTS**

Sections 6, 7 and 8 of the RMA provide principles intended to give guidance as to the way in which the purpose of the Act is to be achieved. Within these sections there are various provisions pertaining specifically to maori that consent authorities must consider in their decision-making process.

Section 14 of the Regional Policy Statement (RPS) covers the Council's rules regarding Tangata Whenua and the Council's consenting processes. The objective of this Section is the involvement of Tangata Whenua in the management of the natural and physical resources of the region.

In order to provide evidence of how the Council has provided for the principles of the RMA and objective of the RPS it would be prudent to suggest that contact with iwi prior to making a decision on an activity, would be deemed a necessity. Also, as stated earlier in the report, consent processing staff need to make decisions as to whether iwi are an affected party, again this can only be achieved if maori are given the opportunity to make comments about activities.

## **OBSERVATIONS**

Maori perceive the procedure of circulating non-notified consent proposals as a necessary and welcome process. It is seen as one way of maintaining a relationship with maori or one component of such a relationship.

Comments in relation to Treaty of Waitangi and Foreshore and Seabed claims continued to escalate during the processing of development proposals with many groups believing that these issues should take precedence over RMA matters.

## **COUNCIL RESOLUTION**

In 2007 the Council resolved to review this process at the same time that the RPS was to be reviewed. However, to date the review remains on hold until such time that the Council makes a decision as to whether or not to pursue the concept of a single plan for Northland.

However, during the effectiveness and efficiency review of the RPS, extensive discussion were held with Te Roopu Piritahi (Iwi Authority collective of technical staff)

and other maori, who expressed the view that the current procedure (in relation to non-notified proposals) should continue as they felt it was an invaluable service that assisted in maintaining a relationship with the region's maori community as well as being effective in providing information for maori to enable participation in the decision making processes of Council.

A resolution in 2008 involved further discussion with Iwi Authority and Council staff about types of activities that might be able to be withdrawn from circulation. Council staff identified two possible sub-types; moorings in Marine 4 areas and renewals for onsite domestic wastewater.

Plan Change 1 for the Regional Coastal Plan allows for the preparation of Mooring Management Plans. Whilst there may be a component of iwi input, this will not cover all those with an interest in an area. By ceasing the circulation of applications within these areas, it may exclude some maori from being given the opportunity to provide details in relation to Sections 6, 7 and 8 of the RMA.

Until such time that a Mooring Management Plan exists in any mooring area, the mooring activity remains a restricted discretionary activity. Further, it is likely that the management plans will only be completed for the priority areas previously identified by the Council. At this stage applications for moorings within these areas are few only, as most Marine 4 Areas are already at capacity.

Bearing in mind that some maori may not have had an opportunity to provide relevant information to Council and the minimal perceived cost saving, it is considered that there would be little achieved in ceasing the circulation of this type of application. Further, that once the Mooring Management Plans become operative, the moorings within these areas will become permitted and therefore naturally be removed from circulation.

Renewals for domestic wastewater consents was suggested by staff as an activity that could be removed from the circulation list. The argument behind this being that renewals had already been through a process of notification through both a subdivision process (via the district council) and also when an application was first lodged with NRC for a new activity.

Whilst it could be argued that there is little benefit in re-circulating information relating to domestic wastewater, problems arose when defining 'domestic' as this does not just relate to a single dwelling in a rural area, it also refers to communal wastewater systems which could be quite substantial in size. For this reason alone, it was hard to reach agreement. Further, in reviewing the 2008 year's response rate, discharges to land with the subtype of sewage had one of the highest response rates, 18.4% which highlights the concerns that maori have for this particular activity.

The Council also discussed with some iwi authority staff different avenues of sending information. While there was no formal outcome to this, discussion centred around the possibility of only sending a letter without enclosing application details and groups then invited to request further information should they feel the activity needed further viewing and investigation.

## **CONCLUSION**

The Council's process of circulation of non-notified consent applications remains the most effective direct contact with tangata whenua regarding consent applications. It is therefore considered that continuing the process unchanged would be beneficial in carrying out the Council's duties under Part II of the RMA and as applied in the RPS.

**Recommendation**

1. That the report from the Iwi Liaison Officer, dated 4 May 2008, on Non Notified Resource Consent Applications – Circulation to Iwi Groups : January–December 2008, be received.
2. That the process of circulating non notified resource consent applications to iwi continue, pending a decision on progress and timing of Regional Plan reviews.

**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.

**Attachment 1****Table 1**

	<b>Opposed</b>	<b>Responses</b>	<b>NN Consents</b>
<b>Air Discharge</b>	<b>0</b>	<b>0</b>	<b>3</b>
No responses for this activity			
<b>Land Discharge</b>	<b>1</b>	<b>6</b>	<b>43</b>
Three changes (sub-types sewage, other and industrial) were not circulated and a 16.28% response rate to consent type.			
<b>Water Discharge</b>	<b>1</b>	<b>1</b>	<b>68</b>
2.9% response rate to consent type			
<b>Coastal Discharge</b>	<b>0</b>	<b>0</b>	<b>3</b>
0% response rate to consent type			
<b>Land Use Consent</b>	<b>0</b>	<b>24</b>	<b>77</b>
Three changes (sub-types excavation, extraction and river-works) along with one new (sub-type structure) were not circulated to iwi and a 32% response rate to consent type.			
<b>Permit Coastal</b>	<b>5</b>	<b>11</b>	<b>122</b>
One change (sub-type structure) was not circulated and a 13% response rate to consent type.			
<b>Take Water</b>	<b>1</b>	<b>5</b>	<b>24</b>
One change (sub-type ground water) was not circulated and a 25% response rate to consent type.			
<b>Permit Water</b>	<b>0</b>	<b>0</b>	<b>4</b>
0% response rate to consent type.			
<b>Totals</b>	<b>8</b>	<b>47</b>	<b>344</b>

**Table 2**

	<b>Approve/ No Concerns</b>	<b>Conditional Approval</b>	<b>Opposed</b>	<b>Information Requested</b>	<b>No Response</b>	<b>Total Sent</b>	<b>Not circulate d</b>
<b>Bore</b>							75
<b>Air Discharge</b>					13	13	
<b>Land Discharge</b>		5	1		157	163	3 Change
<b>Water Discharge</b>			1		268	269	
<b>Coastal Discharge</b>					15	15	
<b>Land Use Consent</b>	14	7		3	289	313	1 New 3 Change
<b>Permit Coastal</b>	2	3	5	1	604	615	1 Change
<b>Take Water</b>	1	3	1		91	96	1 Change
<b>Permit Water</b>					14	14	
<b>Total</b>	17	18	8	4	1451	1498	84

## Warrant of Appointment

File: 100.2, 220.4.6 and 990.1

Report from Monitoring Senior Programme Manager Riaan Elliot dated 6 May 2009.

The following appointment has recently been made in the Monitoring Department:

- Cornelius Johannes Herkulaas Van Tonder      Environmental Monitoring Officer  
(Coastal)

The duties of this officer requires him to enforce the provisions of the Resource Management Act and to enter onto private property from time to time, to undertake required investigations, and to issue abatement notices under the provisions of Section 322 of the Act.

In accordance with Council Policy, new staff members are required to be with Council at least six months prior to them being delegated the authority to issue abatement notices. Consequently only powers to seek information and for entry onto property are being recommended.

The Council is asked to issue the above officer with a warrant of appointment evidencing his authority under the following sections of the Resource Management Act 1991:

- 22**      Power to seek information, including the names and addresses of persons believed to have breached the Act.
- 332**     Power of entry onto private property (except dwelling house); and to take samples of water, air, soil or organic matter.
- 333**     Power to enter property to carry out surveys, investigations, tests or measurements.

### Recommendation

1. That the following officer be appointed as 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 as specified above.

Cornelius Johannes Herkulaas Van Tonder      Environmental Monitoring Officer  
(Coastal)

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

### 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.

## NORTHLAND REGIONAL COUNCIL REGIONAL TRANSPORT COMMITTEE

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MINUTES OF THE MEETING HELD IN THE COUNCIL CHAMBER,  
36 WATER STREET, WHANGAREI, ON TUESDAY 21 APRIL 2009  
COMMENCING AT 10.00 AM

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**PRESENT:****Northland Regional Council**

Cr J Bain, Chairman

Cr J Carr

Cr M Farnsworth (ex officio) – left meeting at 12.00 noon

**Whangarei District Council**

Mr M Simpson

**Far North District Council**

Mr T Baker

**Kaipara District Council**

Mr R Alspach

**NZ Transport Agency**

Mr S Lloyd

**Environmental Sustainability**

Mr S Westgate

**Safety and Security**

Inspector M Hodson

**Cultural Interests**

Mr M Kake

**Economic Development**

Ms J Douglas

**Public Health**

Ms L Stewart

**Access and Mobility**

Mr J Williamson

**IN ATTENDANCE:****(Full Meeting)**

Infrastructure Senior Project Manager

Transport Operations Senior Programme Manager

Transport Projects Officer

Senior Communications Officer

Council Administration Programme Manager

Deputy CEO/Operations Director

Strategy and Planning Director

**(Part Meeting)**

Chief Executive Officer

**DECLARATION OF CONFLICTS OF INTEREST**

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

Mr Williamson declared an interest in item 8 on the Draft Regional Road Safety Plan 2009-2012.

**1. CONFIRMATION OF MINUTES REGIONAL TRANSPORT COMMITTEE MEETING 17 FEBRUARY 2009**

**File 110.6**

**Resolved:** That the Minutes of the meeting of the Regional Transport Committee held on 17 February 2009 be confirmed.

Cr Carr : Mr Baker

**MATTERS ARISING FROM THE MINUTES**

**Item 6 – Vehicles on Beaches**

The Chairman advised that the Minister of Local Government, Hon Rodney Hide, has passed the issue to Hon John Carter to ensure the matter is progressed.

**Item 2 – Regional Land Transport Programme**

Mr Simpson raised the issue of getting consistency across all three districts. The Chairman noted that the programme was being reported on in the next item.

**Item 8 – Bridges in the Far North District**

The Chairman advised that this issue can be addressed in the review of the Regional Land Transport Strategy Review.

**2. REGIONAL LAND TRANSPORT PROGRAMME 2009-2012 – PROGRESS REPORT**

**File 955.1.6**

**Report from Transport Operations Senior Programme Manager, Chris Powell, dated 2 April 2009.**

**The Committee Recommends to the Council**

1. That the report from the Transport Operations Senior Programme Manager dated 2 April 2009, on the Regional Land Transport Programme 2009-2012 – Progress Report, be received.
2. That the Regional Transport Committee appoints the following members to the hearings committee to hear and consider submissions on the draft Northland Regional Land Transport Programme 2009-2012:
  - Cr John Bain
  - Cr Joe Carr
  - Cr Richard Alspach
  - Cr Tom Baker
  - Mark Simpson
  - Wayne McDonald.
3. That a further progress report be submitted to the June 2009 Regional Transport Committee for consideration.

Mr Baker : Mr Simpson

**COMPLIANCE WITH DECISION MAKING PROCESS**

The activities detailed in this report are part of the Council's day to day operations and 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.

The Committee agreed that the hearing of submissions on the proposed programme will take place on 12 May 2009 commencing at 10.00 am.

**3. NORTHLAND TRANSPORT NETWORK STUDY****File 955.6.9**

**Report from Infrastructure Senior Project Manager, Vaughan Cooper, dated 1 April 2009.**

- Resolved:**
1. That the report from the Infrastructure Senior Project Manager, dated 1 April 2009, on the Regional Transport Network Study, be received.
  2. That NORTEG and Regional Transport Committee Members provide any final comments or suggested amendments on the study in writing to NRC by 8 May 2009.

Cr Bain : Cr Carr

**COMPLIANCE WITH DECISION MAKING PROCESS**

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

**4. NORTHLAND TRANSPORT FUTURES – 50 YEAR VISION****File 955.1.5**

**Report from Infrastructure Senior Project Manager, Vaughan Cooper, dated 1 April 2009.**

Mr Paterson, CEO, Northland Regional Council, gave a brief presentation to the meeting outlining progress on the project.

- Resolved:** That the report from the Infrastructure Senior Project Manager, dated 1 April 2009, on Northland Transport Futures – 50 Year Vision, be received.

Mr Simpson : Mr Alspach

**5. WHANGAREI CITY URBAN AREA TRAFFIC STRATEGY****File 955.1.3**

**Report from Infrastructure Senior Project Manager, Vaughan Cooper, dated 1 April 2009.**

Mr Simpson, CEO, Whangarei District Council, gave a presentation to the meeting on priority projects.

**Resolved:** That the Whangarei District Council's presentation on the Whangarei Urban Area Traffic Strategy be received.

Cr Carr : Mr Baker

The Committee asked that Kaipara District Council and Far North District Council representatives be invited to make presentations to the next meeting.

## **6. REGIONAL LAND TRANSPORT STRATEGY REVIEW – PROGRESS REPORT**

**File 955.1.7**

**Report from Infrastructure Senior Project Manager, Vaughan Cooper, dated 1 April 2009.**

### **The Committee Recommends to the Council**

1. That the report from the Infrastructure Senior Project Manager, dated 1 April 2009, on the progress of reviewing the Regional Land Transport Strategy, be received.
2. That the proposed timetable for the completion of the RLTS be approved.
3. That a further progress report be submitted to the June 2009 Regional Transport Committee for consideration.

Cr Carr : Mr Baker

### **COMPLIANCE WITH DECISION MAKING PROCESS**

The activities detailed in this report are a result of statutory requirements arising from the Land Transport Amendment Act 2008 and as such are in accordance with sections 76-82 of the Local Government Act 2002.

## **7. GOVERNMENT POLICY STATEMENT – STATUS UPDATE BY NZTA**

**File 955.1.5**

**Report from Infrastructure Senior Project Manager, Vaughan Cooper, dated 1 April 2009.**

Mr Lloyd tabled a report and spoke on progress with the review. Cr Bain tabled the submission from Local Government New Zealand.

**Resolved:** That the New Zealand Transport Agency's update on the Government Policy Statement be received.

Mr Simpson : Mr Baker

## **8. DRAFT REGIONAL ROAD SAFETY PLAN 2009-2012 – UPDATE REPORT**

**File 955.5.1**

**Report from Transport Projects Officer, Ian Crayton-Brown, dated 23 March 2009.**

### **The Committee Recommends to the Council**

1. That the report from the Transport Projects Officer dated 23 March 2009, on the Northland Regional Road Safety Plan 2009-2012, be received.

2. That the amended draft Northland Regional Road Safety Plan 2009-2012 be approved subject to the removal of clause 3(B)(3)(f) on blood alcohol levels, so that the final design and formatting of the document can be completed.
3. That the finalised document be tabled at the June 2009 Regional Transport Committee meeting for formal adoption and public release.

Mr Alspach : Cr Carr

#### **COMPLIANCE WITH DECISION MAKING PROCESS**

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

**Voting Note:** Mr Williamson declared an interest in this item and took no part in discussion and voting.

### **9. LOWERING THE BLOOD ALCOHOL LEVEL – 0.05 BLOOD ALCOHOL CONCENTRATION**

#### **File 955.5.1**

**Report from Transport Operations Senior Programme Manager, Chris Powell, and Transport Projects Officer, Ian Crayton-Brown, dated 23 March 2009.**

Inspector Hodson gave a presentation on lowering the blood alcohol level and tabled copies for the Committee. Mr Westgate also tabled a report and briefly summarised its contents.

**Resolved:** That the report from the Transport Operations Senior Programme Manager and Transport Projects Officer, dated 23 March 2009, on Lowering the Blood Alcohol Level – 0.05 Blood Alcohol Concentration be received.

Cr Carr : Mr Alspach

#### **COMPLIANCE WITH DECISION MAKING PROCESS**

The activities detailed in this report are a result of statutory requirements arising from the Land Transport Amendment Act 2008 and as such are in accordance with sections 76-82 of the Local Government Act 2002.

The Chairman requested that all members with an interest in this item forward their thoughts to Chris Powell so that these can be collated and reported on at the next meeting.

The meeting closed at 12.15 pm.

**NORTHLAND REGIONAL COUNCIL**  
**AUDIT AND FINANCE COMMITTEE**

**Minutes of a Meeting of the Audit and Finance Committee  
held in the Kaipara Room, 36 Water Street, Whangarei,  
on Wednesday, 29 April 2009 at 10.00am**

**File 110.11**

**PRESENT:** Cr P Jensen, Chairman  
Cr J Bain  
Cr I Walker  
Cr M Farnsworth

**ALSO PRESENT:** **Part Meeting**  
Mayor S Semenoff

**IN ATTENDANCE:** **Full Meeting**  
Chief Executive Officer  
General Manager Finance and IT  
Strategy and Planning Manager  
Local Government Senior Programme Manager  
Senior Communications Officer  
Council Administration Programme Manager

**Part Meeting**  
Community Relations Manager

**LEAVE OF ABSENCE:**

Cr Rossiter was granted a leave of absence by the Council at its' March meeting.

**DECLARATION OF CONFLICTS OF INTERESTS:**

**File 100.1.2**

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

The CEO and Strategy and Planning Manager declared an interest in the item on the NRC Community Trust. However the Committee agreed that as they had been appointed by the Council onto the Trust to provide a direct link between the Trust and the Council, they should take part in the item. The Committee would assess if any actual conflict arose.

**PROCEDURAL MATTER**

Cr Farnsworth advised that he had received an email from Cr Carr requesting that all 'In Committee' items should be held in open meeting. The Chairman ruled that it was unreasonable to raise the issue at such a late stage prior to the meeting. The Chief Executive Officer agreed to look at the items being considered with the public excluded and would report back to the next Audit & Finance Committee meeting.

**1. MINUTES OF MEETING HELD 25 FEBRUARY 2009****File 105.2**

The minutes had been adopted at the March Council meeting and the March meeting of the committee had been postponed.

**2. QUARTERLY VARIANCE REPORTING****File 110.11**

**Report from General Manager – Finance and IT, Lisa Aubrey dated 16 April 2009.**

**Resolved:** That the report Financial Performance – Variance Reporting to 31 March 2009 be received for information.

Cr Farnsworth : Cr Walker

**COMPLIANCE WITH DECISION MAKING PROCESS**

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

The Committee agreed to take the following item in open business.

**3. FINANCIAL REPORTING FOR NORTHLAND REGIONAL COUNCIL COMMUNITY TRUST GROUP****File 160.11**

**Report from General Manager Finance and IT, Lisa Aubrey, dated 16 April 2009.**

**Resolved:** That the report from the General Manager - Finance and IT be received.

Cr Bain : Cr Walker

**Further**

**Resolved:** That the management reports for NRCCT, DNL and EN for the period ending 28 February be received.

Cr Jensen : Cr Bain

That the future financial reports for NRCCT, EN and DN be included in the public section of the agenda, unless there is good reason in accordance with the LGOIMA for withholding the information.

Cr Bain : Cr Farnsworth

That the General Manager - Finance and IT advise the NRCCT Board that Council wishes to receive quarterly financial management reports in the same format provided to the Board.

Cr Bain : Cr Walker

## **COMPLIANCE WITH DECISION MAKING PROCESS**

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

## **BUSINESS WITH THE PUBLIC EXCLUDED**

### **Resolved:**

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

1. Proposed Building Project.
2. Ness Properties Limited – Proposed building extension.
3. BBS Timbers – Request for boundary adjustment.

The reason for excluding the public in relation to item 1 is that the 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 activities, pursuant to section 7(2)(h) and 7(2)(b) of the said Act.

The reason for excluding the public in relation to items 2 & 3 is to protect information that would disclose or unnecessarily prejudice a commercial position as permitted by section 7(2)(b).

Cr Walker : Cr Bain

**Further Resolved:** That Mayor Semenoff be permitted to remain in the meeting for item 1 on the proposed building project, due to his relevant knowledge on this matter.

Cr Farnsworth : Cr Walker

## **OPEN MEETING**

**Resolved:** That the Committee resumes in open meeting.

Cr Bain : Cr Walker

## **CONCLUSION**

The meeting closed at 11.57am.

## **Confirmation of Minutes - Environmental Management Committee**

### **File 110.12**

The Minutes of the Environmental Management Committee meeting to be held on 20 May 2009 at 10 am will be tabled at the Council meeting for confirmation and adoption.

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## **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 15 April 2009
2. Confirmation of the confidential section of the Minutes of the Audit and Finance Committee meeting held on 29 April 2009

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