

NORTHLAND REGIONAL COUNCIL

Agenda

For an Ordinary Meeting of the Council to be held in the
Council Chambers, 36 Water Street, Whangarei,
on Wednesday, 21 October 2009 commencing at 1 pm

File 105.2

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

Opening Prayer

Apologies

Declaration of Conflicts of Interests

OPEN MEETING

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Hatea Hub

File G2.1

PRESENTATION

A presentation will be made on the Hatea Hub concept, a weir/lock/control gate proposal that would create the ability to retain close to high tide level, the waters in the Town Basin. The proposal would allow increased recreational use of the area, providing tourism opportunities and potential for greater economic development.

Hatea Hub Concept

File G2.1

The Hatea Hub concept is an addition to the second harbour crossing as proposed by the WDC at the Port Road site. The weir/lock/control gates create the ability to retain close to high tide in the Whangarei Town Basin.

The purpose of the lock is to provide access for vessels, the purpose of the control gates is to be able to adapt to flooding conditions and to be able to “refresh” the water whenever needed.

The increased level of the tide around the basin area will greatly enhance waterfront development, recreational use, tourism opportunities and economic development. This Hatea Hub proposal will be the catalyst to make “Whangarei, city where the tide has turned.





Proposed Kaipara District Plan 2009

File 910.1.2

PRESENTATION

The Mayor, Deputy Mayor, a councillor, Chief Executive Officer and two planning staff of the Kaipara District Council will be in attendance at the meeting to make a presentation on the Proposed Kaipara District Plan 2009 and answer questions from Regional councillors.

Northland Regional Council Annual Plan Presentation File 318.2

The Chief Executive Officer Ken Paterson will make a presentation on the Northland Regional Council's Annual Plan.

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Inter-Council Relationships and Collaborative Goal-Setting in the Best Interests of Northland

File C9.8

PRESENTATION

The Whangarei District Council Mayor Stan Semenoff and Chief Executive Officer Mark Simpson, will be in attendance to make a presentation on the above topic and answer questions from Regional councillors.

NORTHLAND REGIONAL COUNCIL COUNCIL MEETING

Minutes of the Ordinary Meeting of the Council held in the
Council Chambers, Northland Regional Council, 36 Water Street, Whangarei
Wednesday, 16 September 2009 commencing at 1 pm

File 105.2

Present

Cr I Walker, Acting Chairman
Cr J Bain
Cr C Brown
Cr L Hill
Cr P Jensen
Cr B Rossiter

In Attendance

Deputy CEO/Operations Director
General Manager Finance & IT
Community Relations Manager
Local Government Senior Programme Manager
Local Government Projects Manager
Infrastructure Senior Project Manager
Council Administration Programme Manager

Opening Prayer

The Council Administration Programme Manager read the opening prayer.

Obituary – Matt Kearney

File MAK

The Acting Chairman paid the following tribute to Matt Kearney, Environmental Monitoring Officer based in the Bay of Islands who unexpectedly and sadly passed away as a result of a heart attack following a short illness on 6 September 2009 at Bay of Islands hospital, aged 49 years. Matt is survived by his three children aged between 9 – 13 years.

A service to celebrate the life of Matt was held at Kerikeri on 9 September 2009 and a number of NRC staff attended.

Matt had completed five years service having commenced employment on 16 February 2004. Prior to this Matt worked as a self employed Consultant for the Far North District Council. Matt had a Bachelor of Engineering (Electrical) – 1st Class Honours.

Matt was an experienced and valued member of staff and in addition to his environmental monitoring role which included enforcement, he was also a trained approved Hazardous Substances and New Organisms (HSNO) Officer and trained in Oil Spill Response.

Matt will be missed.

Leave of Absence

Councillor Farnsworth had previously been granted leave of absence.

Apologies

Moved (Jensen/Rossiter)

That the apology from Cr Carr, due to the serious illness of his mother, be received.

Carried

The meeting also noted the apology from the CEO Ken Paterson due to illness.

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. No declarations were made.

Items of New Business

File 105.2

Moved (Bain/Jensen)

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

Open Meeting

1. **Environmental Management Committee Meeting Minutes**

The Agenda advised that the Minutes would be tabled at the meeting (additional to item 14, page 72)

2. **Auckland Local Government Restructure**

The report is to update the Council on the issue and does not require any decision.

3. **Key Performance Indicators and Funding for the Arts Promotion Trust**

The meeting with the Arts Promotion Trust was held after the close of the agenda and approval for the release of funding needs to be made prior to the October Council meeting.

4. **Regional Recreational Facilities Rate Grant : Kauri Coast Community Pool \$700,000**

The report is provided to update the Council and requires no decision.

5. **Regional Recreational Facilities Rate Grant : Kerikeri Sports Complex \$500,000**

Confirmation on progress with this project was not received until after the close of the agenda and the release of funding needs to be approved prior to the October Council meeting.

Confidential Meeting

6. Confirmation of Confidential Minutes of Extraordinary Meeting held on 11 September 2009

Confirmation of Confidential Minutes of Extraordinary meeting held after the distribution of the Agenda.

Carried

1. MAF Biosecurity

File 815.4.2

At the 15 July 2009 Council Meeting, the Chief Executive Officer was requested to invite Biosecurity New Zealand to speak to Council on biosecurity issues in Northland and in particular the reduction of staff levels in the region.

Steve Stuart, Director, Cargo Clearance and Andrew Harrison, Pest Management Group Manager attended the meeting of the Environmental Management Committee and answered questions from Councillors. It was not deemed necessary that they also attend the Council meeting and speak on the same issue.

2. Confirmation of Minutes of Ordinary Council Meeting held on 19 August 2009

File 105.2

Moved (Rossiter/Brown)

That the minutes of the Ordinary Meeting of the Council held on 19 August 2009 be confirmed, subject to correction of the resolution in item 1 to read "...15 July 2009" and item 3 the report from the CEO to read "...3 August 2009".

Carried

3. Chairman's Report

File 105.4

Report from Chairman Mark Farnsworth dated 4 September 2009.

Moved (Walker/Brown)

That the Chairman's report dated 4 September 2009 be received.

Carried

4. Chief Executive Officer's Report

File 105.3

Report from Chief Executive Officer Ken Paterson dated 4 September 2009.

Moved (Hill/Bain)

That the Chief Executive Officer's report dated 4 September 2009 be received.

Carried

Matters Arising from CEO's Report

Mooring Blocks

Cr Brown questioned whether a recent requirement to double the size of mooring blocks was overkill. Mr Phipps advised that he was not aware of any change in the rules and would request the Maritime Senior Programme Manager to report back to the Council on the issue.

5. Northland Regional Council Delegations Manual

Files: 105.2

Report from Chief Executive Officer Ken Paterson dated 28 August 2009.

Moved (Rossiter/Brown)

1. That the Council receives the report from the Chief Executive Officer dated 28 August 2009.
2. That the Council resolves that for the purposes of the New Zealand Gazette notice of 3 May 2007 the Council Secretary office holder is the Local Government Senior Programme Manager and that this delegation be entered into the Council Delegations Manual.

Carried

6. Financial Report – 31 August 2009

File 350.4

Report from Financial Accountant Kim Harvey dated 8 September 2009.

Moved (Jensen/Brown)

That the Financial Report to 31 August 2009 from the Financial Accountant Kim Harvey dated 8 September 2009 be received.

Carried

Cr Bain referred to a recent newspaper item regarding shared IT facilities between NRC and WDC and requested that the Council be kept informed of any other cost saving initiatives in the future, rather than read about them in the press. He acknowledged the hard work of NRC staff and that of the WDC Facilities Manager, but questioned the amount of the proposed savings reported by WDC.

7. Investment Schedule and Performance – Financial Report 31 August 2009

File 350.4

Report from Financial Systems Administrator Kym Ace dated 4 September 2009.

Moved (Jensen/Rossiter)

That the Investment Schedule and Performance Report to 31 August 2009 from the Financial Systems Administrator Kim Ace dated 4 September 2009 be received.

Carried

8. Paid Accounts for Approval

File 350.9

Report from Payments Officer Rachel Hills dated 31 August 2009.

Moved (Hill/Brown)

That the report from the Payments Officer Rachel Hills dated 31 July 2009 be received and the payments for August 2009 be confirmed.

Carried

9. Schedule of Credit Notes for Approval

File 340.4

Report from Accounts Receivable Officer Trish Wells dated 3 September 2009.

Moved (Brown/Hill)

That the issue of credit notes as detailed in the report from the Accounts Receivable Officer dated 3 September 2009 be ratified.

Carried

10. Lease Transactions

Files: 215.34, 215.126.1, 215.141, 215.48.3

Report from General Manager Finance and IT, Lisa Aubrey dated 14 August 2009.

Moved (Jensen/Bain)

That the lease transactions in the report from General Manager Finance and IT Lisa Aubrey dated 14 August 2009, be approved.

Carried

11. Consents Decisions and Applications in Process

File 430.1

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

Moved (Brown/Rossiter)

That the report from the Acting Consents Senior Programme Manager Allan Richards dated 1 September 2009 on resource consent decisions and applications in process, be received.

Carried

12. Appointment of Honorary Enforcement Officers for Bream Bay and Whangarei Heads

File 700.17

Report from Deputy Harbourmaster Jim Lyle dated 31 August 2009.

Moved (Jensen/Brown)

1. That the report from the Deputy Harbourmaster Jim Lyle dated 31 August 2009 be received.
2. That Mr Blair Dempsey be appointed and warranted as an Honorary Enforcement Officer for Whangarei Heads, under Section 650B(1) and (2) of the Local Government Act 1974.
3. That Mr Patric Sands be appointed and warranted as an Honorary Enforcement Officer for Bream Bay, under Section 650B(1) and (2) of the Local Government Act 1974.
4. That both appointments should commence on 28 September 2009. The appointment will be annually renewable in line with the other honorary enforcement officer warrants.

Carried

The Council requested that Mr McCullough be invited to attend the October Council meeting so that he could be formally acknowledged for his harbour warden work which commenced in 1965.

13. Minutes – Audit and Finance Committee Meeting held on 26 August 2009

Moved (Jensen/Rossiter)

That the Minutes of the Audit and Finance Committee Meeting held on 26 August 2009 be received and the Committee's recommendations adopted.

Carried

14. Minutes – Environmental Management Committee Meeting held on 16 September 2009

Moved (Brown/Bain)

That the Minutes of the Environmental Management Committee Meeting held on 16 September 2009 be received and the Committee's recommendations adopted.

Carried

Supplementary Items

2. Auckland Local Government Restructure

Files 161.14 and 100.3

Supplementary report from the Chief Executive Officer, Ken Paterson, dated 15 September 2009.

Moved (Brown/Rossiter)

That the supplementary report from the Chief Executive Officer, Ken Paterson, dated 15 September 2009 be received.

Carried

3. Regional Recreational Facilities Rate Grant: Kauri Coast Community Pool \$700,000

Files: 160.15

Report from General Manager Finance and IT Lisa Aubrey dated 14 September 2009.

Moved (Hill/Bain)

That report from the General Manager Finance and IT Lisa Aubrey dated 14 September 2009, titled Regional Recreational Facilities Rate Grant: Kauri Coast Community Pool \$700,000 be received for Councillors information.

Carried

4. Regional Recreational Facilities Rate Grant: Kerikeri Sports Complex \$500,000

Files: 160.15

Report from General Manager Finance and IT, Lisa Aubrey dated 15 September 2009.

Moved (Hill/Bain)

1. That report from the General Manager Finance and IT Lisa Aubrey dated 15 September 2009 titled Regional Recreational Facilities Rate Grant: Kerikeri Sports Complex \$500,000, be received.
2. That the grant of \$500,000 be approved for payment, subject to Council satisfying itself that it will not be liable for gift duty.

Carried

Business with the Public Excluded

File 105.2

Moved (Jensen/Brown)

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 Council meeting held on 19 August 2009.
2. Receipt of confidential section of the Minutes of the Audit and Finance Committee meeting held on 26 August 2009.
3. Confirmation of Minutes of Extraordinary Meeting held on 11 September 2009.

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

Carried

Conclusion

The meeting concluded at 1.39pm

Chairman's Report

File 105.4

Report from Chairman, Mark Farnsworth, dated 9 October 2009.

INTRODUCTION

From a Chair's perspective the month was dominated by:

1. Continuing involvement on the Ministerial Technical Advisory Group on aquaculture which required spending two days each week in Wellington. The TAG report was due on 30 September 2009 - it is now projected to be a week late.
2. Lobbying associated with the formation of one Auckland. The setting of the northern boundary has been a particularly hot issue and from a purely Northland perspective it is disappointing that the region (and the Kaipara District Council) has attracted some pointed comments from our neighbouring region about the ability of the Northland Regional Council to manage an increased area. From a Chair's perspective it would appear that the Auckland situation has been a catalyst for fractional local government infighting across the whole country. There is little to be gained from political cheap shots. The reality is that it is a time for mutual support and co-operation.

The current situation has not been helped by the Auckland Regional Land Transport Committee determining that the money projected to be spent on State Highway One south of Wellsford would be better spent on central Auckland transport issues. The section of highway in question was unfortunately labelled "Auckland's Holiday Highway". Cr John Bain, the Chair of the Northland Regional Council's Land Transport Committee has responded appropriately (see attached article from New Zealand Transport Intelligence Briefing).

MEETINGS/EVENTS ATTENDED

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

- Meetings attended with the Council's CEO, Ken Paterson, and Deputy Chair, Cr Ian Walker:
 - We travelled to Rodney District Council for a meeting with Mayor Penny Webster; CEO, Rodger Kerr-Newell and Assistant CEO, Warren MacLennan – Proposed boundary changes to Rodney District Council;
 - Stan Semenov – Northland Port Corporation Directors.
- Terry Burkhardt – Unitary Authorities.
- Neil Tiller, Mayor, Kaipara District Council.
- Public meeting at Matakana on the Select Committee's recommendation to split Rodney.
- Trevor Andrews, Fire Region Commander, Northland Fire Region and Mike Rusbatch, District Commander Northland, NZ Police – Co-ordinating Regional Boundaries.
- Back Benches "Super City Special" hosted by Wallace Chapman.

- Keir Volkerling, Ben Lee, Rob Lieffering – Aquaculture.
- Regional Sustainable Development Forum/Workshop at Auckland Regional Council.
- Ministry for the Environment Seminar (Explaining the changes to the Resource Management (Simplifying and Streamlining) Amendment Act 2009).
- Andy Britton, Enterprise Northland.
- Owen McShane.
- Pouto 2F Trust.
- Brett Murray, RAC Facilitator for Strategic Planning session.
- Michelle and I attended a dinner reception to celebrate the 60th anniversary of the People's Republic of China.
- Ben Lee, Bob Cathcart and I attended a meeting with the Mangawhai Harbour Restoration Society (MHRS) to discuss issues surrounding mangroves and the plan MHRS has to dredge the upper reaches of the Mangawhai Harbour.

MHRS also expressed their frustration and disappointment in the complete lack of progress which the Council has made in the long promised draft Harbour Management Plan. It had been indicated to MHRS (via the Manager of Planning and Policy) in 2006 that the Council would be using Mangawhai Harbour as a template for harbour management and promised to work with the MHRS.

MHRS have been patiently waiting for action.

- Public meeting at Wellsford to discuss plans to try to change the Government's boundary decision for the Super City.

NETWORKING

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

CORRESPONDENCE

During the month I sent out the following correspondence:

Date	Addressed To	Subject
11 Sept	Jim Smillie Northland Port Corporation	Director Nominations
17 Sept	Hon Steven Joyce Minister of Transport	Extension of Northland Regional Land Transport Strategy
17 Sept	Kevin Evans Chairperson Northland Conservation Board	Submission to the Draft Northland Community Plan (2009-2019)
21 Sept	Cr Bill Guest Kaipara District Council	Proposed District Plan for Kaipara District Council

Recommendation

That the Chairman's report dated 9 October 2009 be received.

COMPLIANCE WITH DECISION MAKING PROCESS

The activities detailed in this report are provided for in the Council's 2009-2019 Long Term Council Community Plan and as such are in accordance with the Council's decision making process and sections 76 to 82 of the Local Government Act 2002.

Article from New Zealand Transport Intelligence Briefing 1 October 2009**POLITICIAN GETS ALL WORKED UP OVER HOLIDAY HIGHWAY**

THE WAR OF words over roading projects in the north of the North Island is heating up with the *Northland Regional Transport Committee* chairman outraged with the *Auckland Regional Council* (ARC) giving low priority to the \$2.3bn SH 1 extension between Puhoi and Wellsford. *John Bain* maintains the four-lane 34km link proposed by the Govt as one of seven "roads of national significance" is critical to the prosperity of his region.

This stance is in stark contrast to the ARC and its chairman *Mike Lee* who has labelled the project the "holiday highway" and believes it has little economic significance. The project rated the lowest priority of 15 transport projects planned for the Auckland region assessed by ARC staff. Bain says he is "disgusted" at Lee's description of the project and unimpressed with a claim by regional transport chairwoman *Christine Rose* its construction will siphon money away from local roads.

"...the top third of the North Island which we represent is in need of some fairly severe road improvements to our state highways." Bain claims the need for the upgrade is based on Northland attracting five million visitors as year, including a million overseas tourists, bringing "immense benefits" both to his region and the national economy. However, Bain does not provide any figures as to exactly what the direct economic impact of highway improvements would be nor whether or not the region is losing actual or potential business investment and tourists because of the current state of the highway.

Chief Executive Officer's Report to Council

File 105.3

Report from Chief Executive Officer Ken Paterson dated 9 October 2009.

PROJECTS AND INFORMATION

The team has continued to monitor the reform of local government in Auckland. The Acting Manager and the Strategy and Planning Director attended a seminar in Auckland on the second reform Act and transition arrangements.

ADMINISTRATION

There were three complaints made against the Council staff during the month of September. Two of the complaints were responded to on the date of receipt, while the third is expected to be replied to within the next week.

HUMAN RESOURCES

Staff Matters

Terminations

Sadly, Matthew Kearney, Environmental Monitoring Officer – Bay of Islands unexpectedly passed away on 6 September as a result of a heart attack following a short illness. His funeral was held on 9 September and a number of staff attended the service. The Deputy Chairman, Ian Walker, read an obituary at the commencement of the September 2009 Council meeting.

Robert Hensel, Environmental Monitoring Officer – Land Use finished his employment with the Council on 18 September 2009.

Appointments

Rebecca Ireland has been employed a fixed term basis as Biosecurity Officer from 28 September 2009 until 26 March 2010. This follows her temporary employment as Land Management Officer from 24 August 2009 until 25 September 2009.

Dave Roke commenced 12 months part time, fixed term employment as Consents Specialist on 7 September 2009.

Kim Harvey, Financial Consultant commenced employment as Financial Accountant on 21 September 2009.

Peter Joynt recommenced part time, temporary employment as Manchurian Wild Rice Project Co-ordinator on 22 September 2009 until 17 September 2010.

With effect from 28 September 2009 six Enterprise Northland staff were relocated to the NRC offices in Whangarei.

Vacancies

Interviews with short listed applicants for the position of Policy Analyst were held on 17, 21 and 24 September 2009 and offers of employment made.

Post advertisement and interviews, the Council nominated four people for Director, Northland Port Corporation.

The positions of Land Programme Manager and Environmental Monitoring Officer – Land Use were advertised internally and externally during the month with applications closing on 10 September 2009. Interviews with short listed applicants for the position of Environmental Monitoring Officer – Land Use were held on 2 October 2009 and interviews for the position of Land Programme Manager are scheduled for 5 October 2009.

The position of Regional Policy Senior Programme Manager has been advertised internally and externally during the month. Applications close on 8 October 2009.

The positions of Biosecurity Officer, Consents Officer, Environmental Monitoring Officer – Bay of Islands, Hazardous Substances Programme Manager and Wastewater Management Officer – Engineer are on hold or are under review. In the meantime temporary and/or consultant staff are being used as required.

STAFF ESTABLISHMENT

Status (FTE) rounded	Sept 2009	Sept 2008	Aug 2009
Full Time Permanent	117	110	117
Part Time (FTE)	9	9	10
Fixed Term (incl Part Time)	7	6	5
Students/TFG	1	2	1
Vacancies	9	15	10
TOTAL FTE	143	142	143

STAFF TRAINING

Course	Dates	Location	Attendees
Customer Services Course	9-11 September	New Plymouth	K Grammer
Information and Meeting Law	8 September 2009	NRC	Deborah Ryder Dean Alderton Kathryn Ross Heather Weber Sharon Callaghan Lisa Aubrey Desrae Nicholas

HEALTH AND SAFETY

- There have not been any serious incidents or injury in September.

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:

- Investigation into mystery Whangarei plant
- Super City boundary change 'workable' for NRC
- NRC to give away aerial, geographic data
- NRC nominates three new port corp directors
- Biological gorse control research wins NRC award
- Nominations sought for Whangarei flood group
- Draft Mangawhai Mooring Management Plan released
- Mystery Whangarei plant identified

- Tsunami warning for Northland
- Update 2 - tsunami expected in Northland
- Update 3 - tsunami passes, warning downgraded
- Update 4 –tsunami warning cancelled, but caution still advised

The Chairman's '*Northern Matters*' column covered the proposed local government changes in Auckland and highlighted the need for Northland to work with the Auckland Transition Agency.

The Chairman's '*From where I sit*' column looked at changes to the Resource Management Act and the impact on Regional Council processes.

EVENTS

As part of Keep New Zealand Beautiful week and Conservation week staff have been involved in four clean-ups across Northland. On 7 September eight staff from Coastal Monitoring, Maritime and Community Relations undertook a clean-up on the Hatea River area behind Okara Park on Port Road and Pohe Island. The rubbish was audited and over 1500kgs of rubbish was collected in four hours.

The same day, the CoastCare Co-ordinator assisted in a clean-up in Paihia involving 25 people around the Paihia beach area. This community-lead clean-up is going to become a monthly event.

NRC also supported the Tokerau Beach clean-up on 19 September. The day is an annual event and is supported by several local businesses, DOC and FNDC as well as NRC.

The results from these clean-ups have been entered into national databases for Keep New Zealand Beautiful and the Sir Peter Blake Trust.

NRC also supported a planting and clean-up day at Mangawhare Skate Park in Dargaville organised by KDC and DOC. Staff from NRC's Dargaville office attended the community day held on 17 September.

NRC supported eDay again this year and Community Relations staff worked on the promotion and advertising of the Whangarei event. Several NRC staff worked at eDay on 12 September helping collect electronic waste. Despite the rain, this year's eDay collected 966 tonnes of old computer equipment and mobile phones, 33 tonnes was collected in Whangarei with 622 car visits throughout the day (nearly double that of last year).

Twelve groups and individuals were recognised – one posthumously - for a range of diverse work from wetland restoration to pa site enhancement at the 2009 Northland Community Conservation and Environment Awards. The awards were held on 17 September at Kingston House, Kerikeri. The awards were jointly organised by DOC, NRC and the Biodiversity Northland Forum.

WEBSITE

Highlights:

On an average week day, the website receives approximately 1,500 page views per day. The tsunami warning on 30 September resulted in 5,387 page views to the NRC website on that day.

Monthly Usage:

	September 2009	August 2009	July 2009
Visits ¹	13,461	11,869	11,577
Page views ²	41,378	39,318	41,514

1. **Visits** represent the number of individual sessions initiated by all the visitors to your site.
2. **Page views** shows the total number pages viewed on our website

Note re reporting:

The reporting package used for measuring visits to the NRC website has changed. The new package reports in a different way to the previous one, therefore trend comparisons were restarted from July 2009.

Most popular pages this month:

- Job vacancies
- CityLink Whangarei Bus Service
- Tsunami warning
- Rivers and rainfall data
- Weed and pest control

EDUCATION**Northland Regional Council 2009 Environmental Curriculum Awards**

Celebration assemblies were held at the final five Northland schools during September to celebrate winning a NRC 2009 Environmental Curriculum Award (ECA). Environmental Education staff and Councillors Bain, Jensen or Hill visited Poroti, Riverview, Ruakaka, Tangowahine and Waipu schools to deliver the awards. The deliveries completed the NRC's 2009 ECA delivery roadshow to 19 Northland schools.

Northland Regional Council 2009 Youth Summit

More than 50 students from schools throughout Northland applied to attend the NRC 2009 Youth Summit by the 10 September application deadline. The event is to be held at Onerahi Yacht Club on 28 October.

Science Fair

Kerikeri High School student James Berghan (17) won the NRC Excellence Award at the 2009 Far North Science and Technology Fair, held in Kerikeri on 10-12 September. David, a Y13 student from Otangaroa near Kaeo, won the award for his research project, entitled "Spider mite, Might not' (Biological Control of Gorse)". Councillor Bill Rossiter attended prizegiving for the fair, handing out the student's prizewinning certificate.

NRC School Visits

There were 15 school visits during September with visit topics including possum control, waste management, school-wide sustainability and using Environmental Education in outdoor education and science.

Enviroschools Secondary Youth Jams

The first ever Northland Enviroschools Youth Jams took place this month, one in Whangarei and the other at Northland College. Five school groups attended with a total of 50 students and teachers. The programme was led by staff from the Enviroschools Foundation and was attended by a Team Solutions facilitator and high school teachers. Four NRC staff were involved.

Enviroschools Visits

Six visits were conducted this month to Northland Enviroschools. Most visits were to profile the new resource kit to staff. Agreements are currently being signed by schools as an indication of commitment to running the programme. A seventh school was visited this month which wished to learn about the programme.

Northland Enviroschools Facilitation Meeting

The term three Northland Enviroschools facilitation meeting was held on 10 September. Matters discussed included the progress and plans of Enviroschools throughout the region, feedback on regional events, the roll out of the new Enviroschools kit, 2009 scrapbook, the new national Enviroschools website and the end of year Sustainability Celebration.

IWI LIAISON

During September the third workshop on Treaty of Waitangi Settlements was held for Councillors. This workshop was attended by Ben White, lead negotiator for the Northland region attended on behalf of the Office of Treaty Settlements.

The Iwi Liaison Officer attended a seminar on the Native Assessors Court (and related groups) at the Maori Land Court in Whangarei. The seminar concentrated on the group's activities and their impacts across the public sector, including various attempts to present at resource consent hearings. It was a very informative session and a regional analysis of material and documentation will now be undertaken.

The Iwi Liaison Officer attended the Lake Omapere Trusts' Annual General Meeting this month. At this meeting there was discussion about the Sustainable Management Fund money that was accessed to assist with the compilation and implementation of the Lake Omapere Restoration Strategy. NRC presented a short report on water quality and ongoing monitoring work.

FINANCE AND INFORMATION TECHNOLOGY

FINANCE

Year to date, Council is showing a surplus before extraordinary items of \$471K against a budgeted surplus of \$27K. During the first few months of the financial year we can expect a degree of variability between actual results and budget as programmes of work are established.

The 2008/2009 Annual Report will be adopted at this meeting.

The 2010/2011 Annual Plan process has commenced. The first budget workshop will be held on the 18th November 2009 with Councillors.

FORESTRY

As at end of August, Council was advised that the latest net return estimate to harvest the year 1977 stand (26 ha, approximately 13,000 tonnes) is in the order of \$430,000. This is similar to that estimated in April 2009, and some 38% up on October 2007 and 17% up on October 2008. Industry reports suggest export markets are likely to remain similar for the short to medium term. NRC at its August 2009 Audit and Finance meeting, agreed in principle, that subject to estimated net returns holding at a similar level, to harvest the 1977 area this summer with a final decision to be made in late September, early October. The Chief Executive Officer and the Chair of the Audit and Finance Committee were delegated decision making authority to make the final decision. On the 7 October, the net return estimate to harvest was \$446,000 and a decision was made to proceed with the harvest.

INFORMATION TECHNOLOGY

GIS information was made available online during September. This was highly successful and Council received a high level of positive feedback as a result.

In August, the purchase of a Storage Area Network (SAN) and back-up solution was approved. Work on the SAN project is continuing. The SAN arrived in early October and HP are working on the implementation.

STRATEGY AND PLANNING

ONE PLAN FEASIBILITY REPORT

Council staff have prepared a draft report entitled "*Resource Management Planning Documents in Northland – An Analysis of Possible Future Options*". This report evaluates a number of options for combined planning documents. The report has been reviewed by Mr David Hill (consultant). A workshop with councillors was held on 24 August 2009. A separate agenda item has been prepared which recommends that this report be received by the Council.

Regional Policy Statement – 10 Year Review

Council staff have commenced the statutory 10 year efficiency and effectiveness review of the Regional Policy Statement (RPS). Initial meetings have been held with district council staff and internal meetings are currently being held with NRC staff to update the 5 year efficiency and effectiveness. It is anticipated that a Councillor Workshop will be held in mid October to discuss the RPS review and drafting of the 2nd generation RPS.

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

The Council is still 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 plan changes fully operative by way of a public notice.

Regional Coastal Plan Change 4 (Aquaculture Management)

The appeals process continues. The Court had written to the parties (18 August 2009) advising that the Court appointed mediator was to determine progress by 4 September 2009 and reconvene mediation if he thinks this is appropriate. There has been no correspondence from the mediator to the appeal parties. The Court was contacted on 1 October 2009 asking for an update on progress. No response had been received at the time of writing.

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

An initial meeting with the appellants was held on 4 September 2009 to explore the common ground where agreement may be reached and to identify areas where Environment Court assisted mediation may be required. The outcome of this meeting, and subsequent discussions, being that resolution on all points of appeal should be able to be negotiated without the need for Court assisted mediation. It is anticipated that the Plan Change 2 Subcommittee, comprising of Crs Brown, Hill and Carr, will be convened in mid October 2009 to present the amended wording and seek their approval to resolve the 2 appeal by consent order. It is anticipated that all points of appeal will be resolved by the end of November 2009.

Mooring Management Plans (MMPs)

Opua – Staff are making final revisions to the draft Opua MMP and it is anticipated that public consultation on this document will start in late October and a public meeting will also be called, which will give local residents and interested parties an opportunity to discuss the draft management plan and to provide their comments.

Mangawhai - he Draft Mooring Management Plan for Mangawhai has been finalised and was presented at a public meeting on 7 October at the Mangawhai Fishing Club. A feedback period closing on 1 December 2009 was requested by attendees. The draft will then be revised as necessary in the light of this feedback.

Regional Pest Management Strategy Review

Strategy and Planning staff have assisted the Biosecurity team in reviewing Regional Pest Management Strategies. A Proposed Marine Pest Management Strategy for Northland has been developed and approved for notification by Council. It is intended to publicly notify the Proposed Marine Strategy on October 10 2009. A Plant and Animal Discussion Document has also been circulated to inform the review of the existing plant and animal strategies.

OTHER PLANNING MATTERS

Land Use and Subdivision Applications

During September 2009, 27 resource consent applications were received from the Whangarei, Kaipara and Far North District Councils. There were 24 non-notified applications and three notified applications. The Northland Regional Council (NRC) has so far provided comment on nine applications, and made two formal submissions (one of which was received in August 2009).

Comments were made regarding an at-risk aquifer, flooding, tsunami risk and the lack of information provided on wastewater management.

The formal submissions made for September 2009 were as follows:

Bellwood Trust, Kamo – This was an application to subdivide a site of 7979m² into two lots – 2500m² and 5479m². A neutral submission was made regarding the proposed wastewater management. It was requested that, if consent is granted, a consent notice be imposed on each of the resultant lots. The submission requested that the consent notice required that wastewater be treatment to a secondary standard with treated wastewater discharged by way of pressure compensating dripper irrigation, that wastewater be disposed of within the areas identified on the plan and that a maintenance contract be in place at all times.

V and J Roberts, Ruakaka – This was an application to subdivide a site of 22.8125ha into four lots – 4.87ha, 4.16ha, 4.38ha and 8.4ha. A neutral submission was made regarding the proposed wastewater management. It was requested that, if consent is granted, a condition be imposed for each of the lots. The submission requested that the consent notice required that wastewater be treatment to a secondary standard with treated wastewater discharged by way of pressure compensating dripper irrigation, that wastewater be disposed of within the areas identified on the plan and that a maintenance contract be in place at all times. The submission also supported the proposed protection of areas of indigenous vegetation on the property and that these areas be fenced to prevent damage by stock.

Appeal on Decision by Kaipara District Council

As previously report, the Council appealed a decision issued by the Kaipara District Council (KDC) to grant a subdivision consent to Eran Orchards Limited at Tara. Council staff have met with KDC staff to discuss alternative subdivision layouts.

An alternative has been suggested and the KDC is now discussing this with the applicant and the NRC is awaiting its response. It is envisaged that this appeal will be able to be resolved without the need for a formal Environment Court hearing.

Pre-hearing Meeting – Port Nikau Private Plan Change to WDC District Plan

Port Nikau Limited applied for a private plan change to the Whangarei District Plan to rezone land at Port Whangarei. The NRC previously lodged a submission on this private plan change request. A pre-hearing meeting was held on 29 September 2009 and was attended by staff. The pre-hearing meeting was chaired by an independent commissioner and there were a large number of submitters present. The next step in this process will be a formal hearing as all the outstanding matters do not appear to be able to be resolved by the WDC.

Submission on Proposed National Policy Statement for Freshwater Management

On 16 September 2009, staff presented the Council submission to the Board of Inquiry, which was set up by the Minister for the Environment for the Proposed National Policy Statement for Freshwater Management. The Board asked a number of questions relating to the NRC's submission (which was submitted back in January 2009). Matters which the Board asked questions on included:

- How the NRC currently managed water allocation through its regional plan;
- What the biggest issues were for Northland in terms of water management;
- What were some examples of 'naturally degraded' waters in Northland; and
- Whether water allocation should include both in-stream and out of stream uses.

The Board is due to report back to the Minister 'as required' (according to the Ministry for the Environment's website).

INFRASTRUCTURE

Regional Land Transport Strategy – A formal application for a six month extension of time for the completion of the Regional Land Transport Strategy has been lodged with the Transport Minister. Work continues on preparing the draft RLTS in accordance with the statutory and audit requirements whilst ensuring the RLTS is a document for the region.

Marsden Point Rail Link – A statement of evidence was prepared in support of the application by Ontrack for designation of the Marsden Point Rail Link. The hearing was completed on 23 September and a decision is expected by the middle of October.

Infrastructure Strategy – A draft regional infrastructure strategy has been developed, focusing on the key infrastructure for the region and identifying the long-term, 30 to 50 year goals for that infrastructure. The Strategy identifies how we would attempt to achieve the various infrastructure goals as well as the indicators of success that we will use to ensure we are progressing towards the goals. The strategy will now be tested against the environmental and economic strategies to ensure we have the right infrastructure for Northland's future development.

Regional Growth Strategy

The strategies for the Environment, Economy and Infrastructure have been drafted. Work is continuing to finalise strategies and the process of integrating these to produce the Regional Growth Strategy.

ECONOMIC ANALYSIS

Economic strategy

Regional economic strategy has been developed incorporating analysis from Infometrics project. Infometrics workshop on 2 September qualified input to the economic model which along with Infometrics final report will be delivered by mid Oct. An extension to the analysis has been requested to further validate areas of focus. Recent work has been:

- Liaising with Infometrics/input into assumption generation/input into economic model
- Distilling “science” into useable format and summary
- Collecting and assessing background detail on key identified sectors – the “so what” part of the analysis
- Engaging with key sector contacts to “validate” thinking of future potential/direction of expansion etc
- Discussions with WDC and FNDC re overlaying economic findings and projections across their spatial planning
- Internal discussions regarding the integration of the plans and the shape and format of the combined plan
- Focus on converting long term strategic requirements into short term action priorities

Economic Impacts of Aquaculture Project

Enveco Ltd were contracted in early October 2009 to carry out a project to estimate the economic impacts of Northland’s existing aquaculture industry in and a suite of new (hypothetical) marine farming areas throughout Northland. The final report is due by 9 December 2009. The results will give a ‘picture’ of the contribution aquaculture makes to the Northland economy and what it could potentially grow to if new aquaculture is developed.

OPERATIONS

CONSENTS

Consents in Process

During September 2009, a total of 76 Resource Consents were issued. These comprised:

8	Moorings
5	Coastal Permits
2	Air Discharge Permits
52	Discharge Permits
2	Land Use Consents
4	Water Permits
3	Bore Consents

146 Decisions were issued as detailed elsewhere in the Agenda.

37 Applications were received.

Of the 393 applications in progress at the end of September:

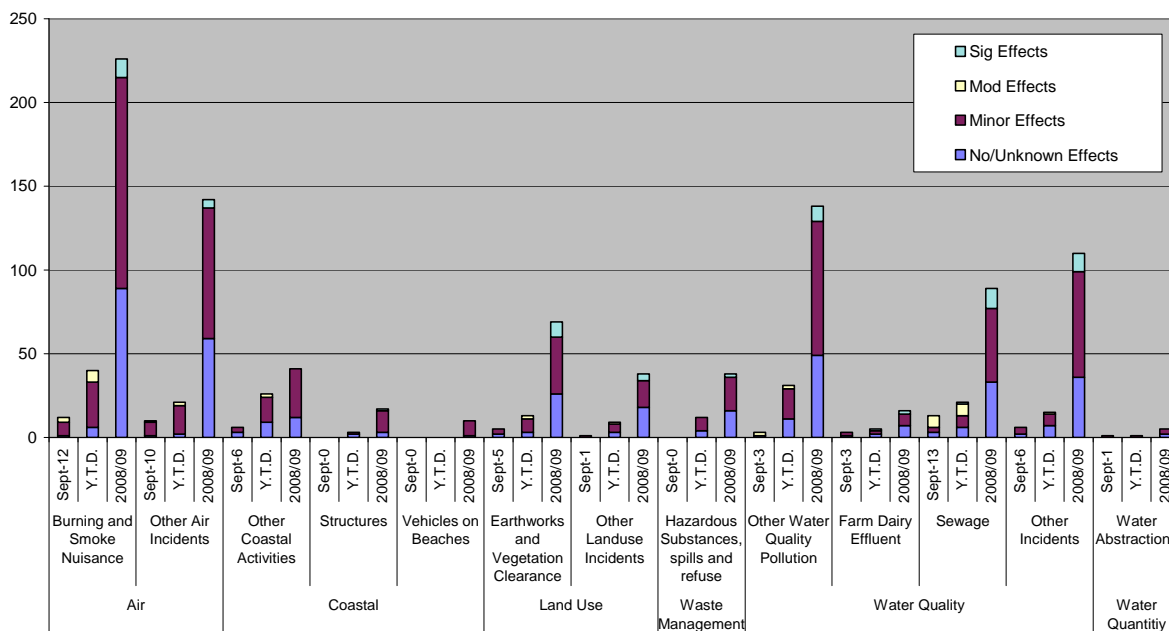
156	were received more than 12 months ago (most awaiting further information);
164	were received between 6 and 12 months ago (most awaiting further information);
73	less than 6 months.

MONITORING

HOTLINE – ENVIRONMENTAL INCIDENTS

There was a sharp increase in the number of environmental incidents reported during the month (91), up from the August total of 74 and considerably above the September average of 62. The graph of incidents below shows those incidents which have been investigated adequately to a point which allows meaningful reporting to Council on environmental effects.

Incidents Investigated September 2009



AIR QUALITY

Thirty-three air pollution related environmental incidents were received in September. The majority of the complaints received were for burning and smoke nuisance (18 complaints), followed by spraydrift (5) and odour nuisance (5).

FARM DAIRY EFFLUENT (FDE) MONITORING

Consented (MCO) FDE discharges

To date 33% of consented farms have been monitored. The monitoring results are compared with those for the same period last year.

Full Compliance		Minor Non-Compliance		Significant Non-Compliance	
This Year	Last Year	This Year	Last Year	This Year	Last Year
100	114	80	77	56	35
42%	50%	34%	35%	24%	15%

Non Consented (MNC) FDE discharges

To date 42% of non-consented farms have been monitored. The table below compares monitoring results with those for the same period last year.

Full Compliance		Minor Non-Compliance		Significant Non-Compliance	
This Year	Last Year	This Year	Last Year	This Year	Last Year
44	39	27	32	35	45
42%	34%	25%	27%	33%	39%

A high percentage of the significant non-compliance is due to prohibited or unauthorised discharges from feed/standoff pads and wintering barns or runoff from irrigators.

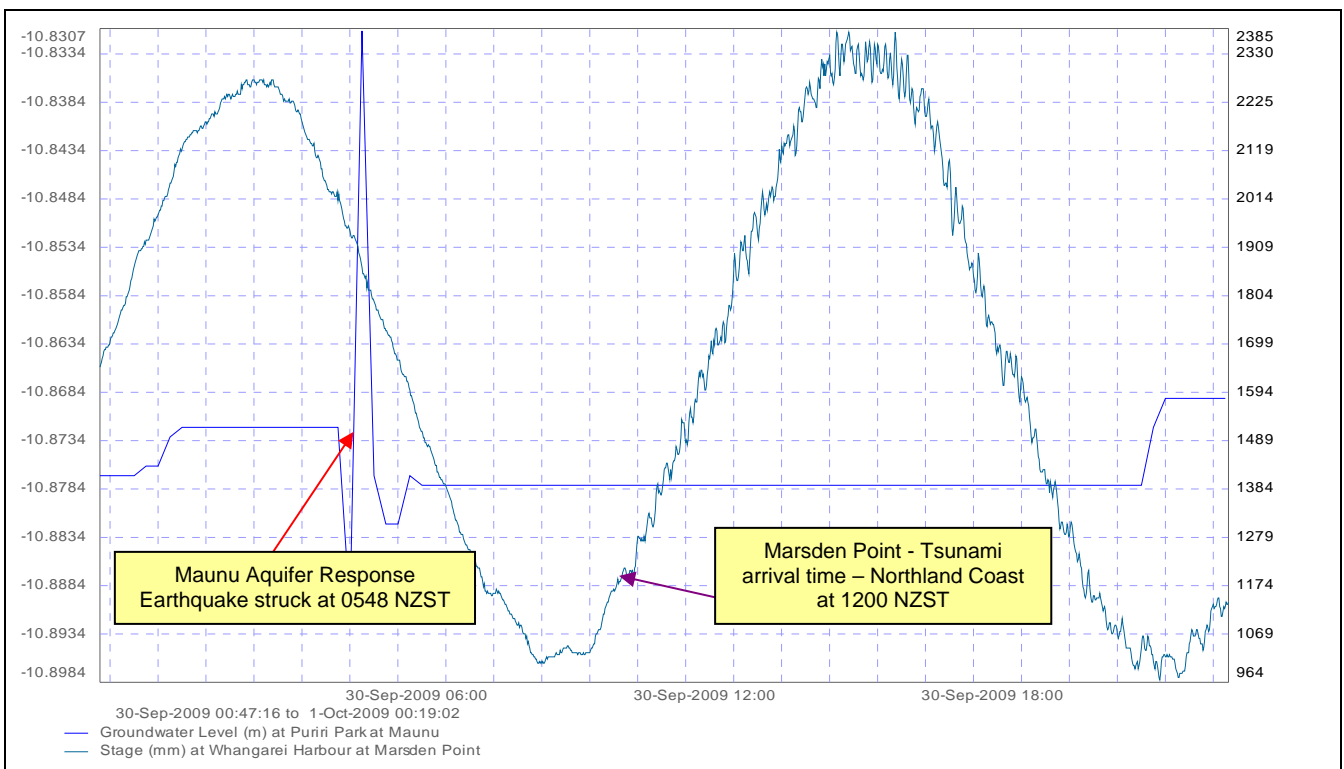
WATER RESOURCES

Hydrology, Telemetry and Maintenance

On 30 September, as a result of a severe earthquake off the coast of Samoa (8.0 on the Richter scale); all Northland coastal water level stations were closely monitored for the ensuing tsunami waves. These monitoring stations are located in the Kaipara Harbour at Pouto Point, Whangaroa Harbour at Whangaroa Wharf, Veronica Channel at Opua and Whangarei Harbour at Marsden Point.

It was estimated that a tsunami wave generated from the earthquake would reach New Zealand in six hours, travelling a distance of 3400km at 567 km/hr.

The graph below shows consequential responses in groundwater levels in the Maunu aquifer, Whangarei and the Marsden Point tidal levels (samples recorded at Marsden Point every one minute interval).

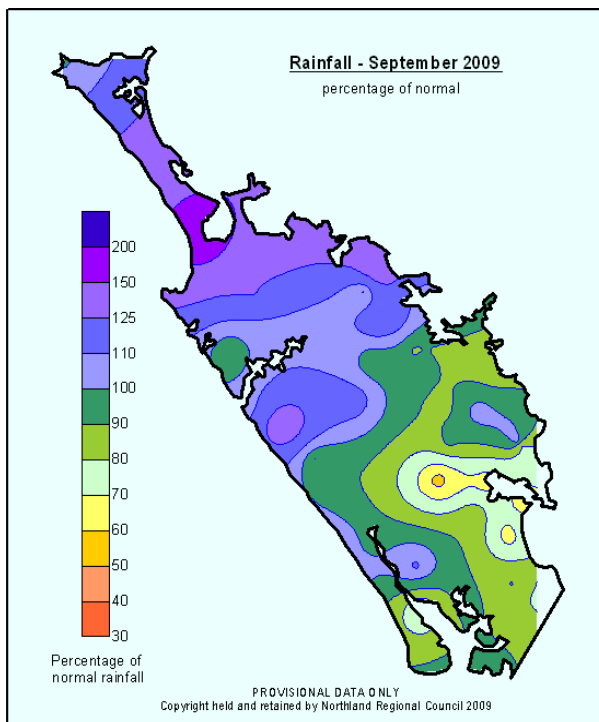


Anecdotal evidence suggests that there is a response in groundwater levels resulting from shock waves generated from such severe earthquakes. For example, similar responses were recorded in the Maunu aquifer when a 7.6 magnitude earthquake struck the Solomon Islands on 2 April 2007 and again from a 7.8 magnitude earthquake in Fiordland on the 16 July 2009. Ground water responses were recorded over many New Zealand aquifers during the Fiordland quake.

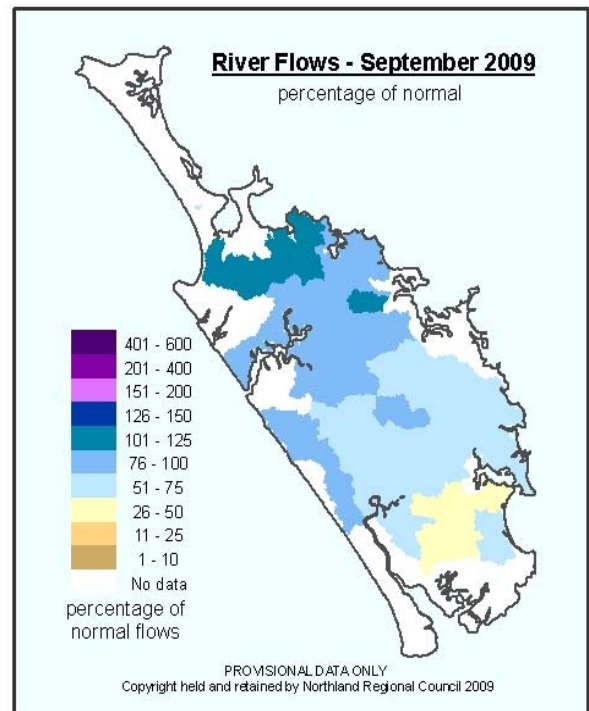
Water Resources

Rainfall, ground water levels and river flows were average to above average in the Far North and western areas and below average in eastern and central areas from the Bay of Islands to Southern Kaipara. Rain fell, on average, over 14 days during September of which most fell in the last two weeks of September.

Map 1: Rainfall September 2009



Map 2: River Flows September 2009



COASTAL MONITORING

Harbour Water Quality Monitoring

Hokianga, Kaipara, Bay of Islands and Whangarei Harbour water quality was monitored this month. Further monitoring to assess faecal contamination in the Hokianga, Whangarei, Whangaroa Harbours and Kerikeri Inlet was undertaken at three sites in each location. This monitoring will continue for six months and results will be reported at the end of the sampling period.

Whangarei Harbour Clean Up

Maritime and Coastal teams dedicated half a day to tidying up sections of the Hatea River as part of Keep NZ Clean week. Staff collected 1.5 tonnes of rubbish and over 1,000 items of rubbish (see photo). Members of the public congratulated staff on their efforts during the event and expressed an interest in participating in future clean-ups. This will become a regular six-monthly event.



Figure 2. NRC staff during the Whangarei Harbour Clean Up, this was part of Keep NZ Clean week.

WASTE MANAGEMENT

Waste Hazardous Substances Collection

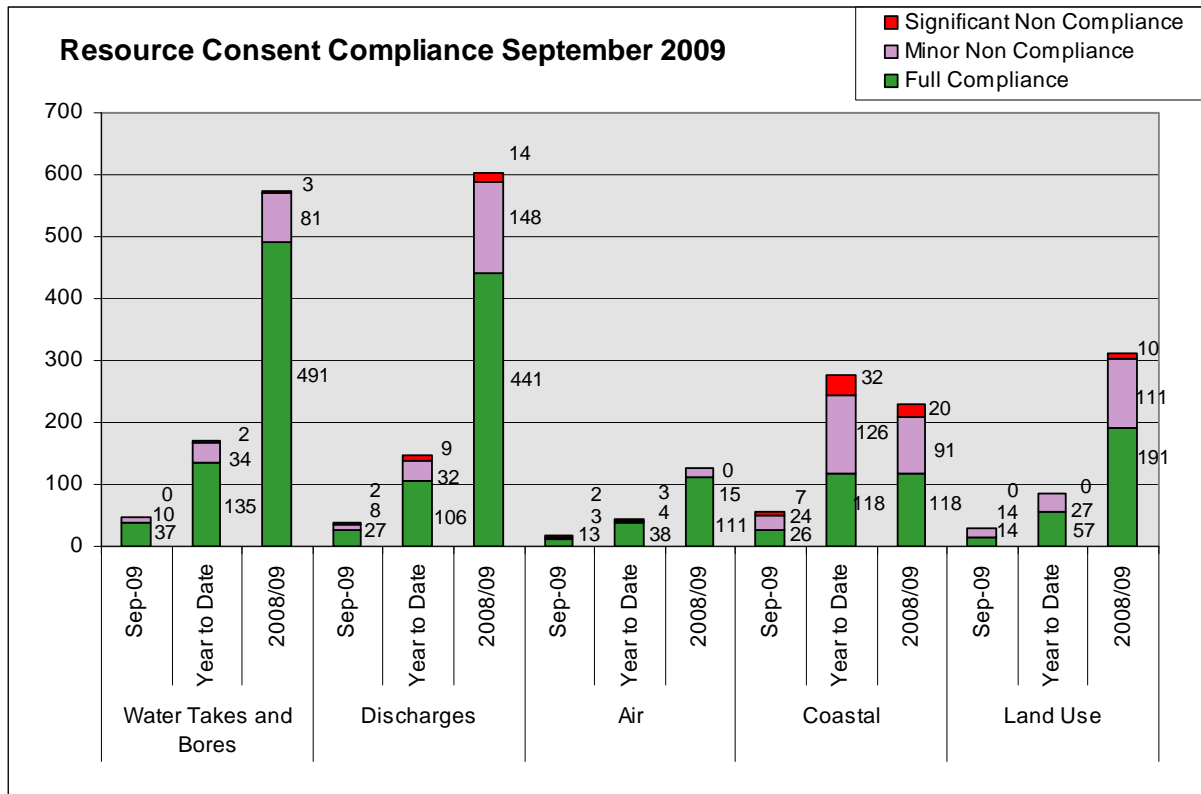
Approximately 1138kg of waste chemical was disposed of during September. Of this, 642kg was flammables left at the ReSort by an unidentifiable commercial operator. A further 117kg was corrosive waste, while 379kg was toxic. A camera system is currently being investigated to monitor the drop-off point, to enable the Council to recoup costs for the disposal of waste by commercial operators.

Department of Labour Hazardous Substances Contract

During the month, approximately 45 workplace inspections were undertaken including a number of premises storing LPG and solvents.

COMPLIANCE MONITORING

The results of compliance monitoring in September are provided in graphical format (see below). Data is also provided on compliance levels year to date and compared with last year's monitoring results.



Water Quality and Discharge Monitoring

Seventy-five percent of discharges monitored over the period were fully compliant with consent conditions. There were two sewage discharges that were significantly non-compliant with resource consent conditions during August/September. The FNDC municipal plant at Hihi exceeded water quality test parameters for E coli and ammoniacal-nitrogen. Resource consent conditions require upgrade of plant before 31 May 2010. Ota Point Communal Sewage Plant was again outside consent limits. An upgrade to the plant is planned.

Air Quality

Eighteen compliance assessments for air discharge consents were made in September including eleven industrial site visits. The site visits and monitoring review confirmed that the majority of consent holders were complying with the conditions of their resource consents.

Land Use

There were no significant non-compliances for land use monitoring for September. Land-use monitoring staff have been attending an increasing number of earthworks pre-start meetings which are proving very helpful in preventing problems during the earthworks.

Coastal

Marine farms and coastal structures were the focus of this month’s compliance monitoring. In summary, approximately 88% were compliant, with the remaining 12% being significantly non compliant; these were mostly the marine farms.

Waste Management

The following resource consents were monitored in September: FNDC Whangae Landfill, Kaitaia Timber, KDC Hakaru Landfill.

ENFORCEMENT

Abatement Notices

Fifty-three abatement notices were issued in September. These related to the following activities:

- Farm dairy effluent discharges (49)
- Three for other discharges.
- One for an illegal seawall.

Infringement Notices

Fifty-seven infringement notices were served during September. These were all for farm dairy effluent discharges. In some cases multiple infringement notices have been served for one farm.

Prosecutions

Charges were laid in December 2008 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 measure. This resulted in a significant discharge of this material into a small tributary of the Ngunguru Estuary. All parties: Whangarei District Council, Fulton Hogan Ltd, Cates Brothers Ltd, Northend Contractors Ltd and T Perkinson; pleaded guilty and elected to participate in restorative justice which was completed on 29 September 2009. A number of positive outcomes were agreed. Sentencing submissions are to be given before Judge Newhook in the Whangarei District Court on 6 October 2009.

Charges were laid in May 2009 against seven parties in relation to the discharge and deposition of material including soil into water and the CMA at Mangawhai as a result of ongoing non compliance with consent requirements. Summonses have been served on all parties. Court dates are awaited.

MARITIME

OIL SPILL RESPONSE AND PREPAREDNESS

Marine Oil Spill Response and Preparedness

Maritime New Zealand have provided a new 10 tonne tow tank (an on-water storage device) to complement the region's oil spill response equipment. The tank will improve the temporary storage capabilities for the response team, particularly during an on-water oil recovery operation, and will be used during the region's next oil spill exercise in November.

NAVIGATION, SAFETY AND MARITIME OPERATIONS

Port and Harbour Safety

Changes to ski lanes at Taipa and Coopers Beach have been decided following a community consultation that received 48 detailed written submissions. Full details of the changes will be publicised in the near future.

Assessments and examinations have been carried out for pilotage exemption certificates for the new InterCity group vessel Ipiripiri operating out of Opuā. Two skippers have been approved.

A joint venture between Whangarei Harbour user groups has agreed to fund an AIS (automatic identification system) which will cover the coast and Bay of Islands as well as Whangarei Harbour. AIS provides real time identification, tracking and history of vessels over 300 gross registered tonnes (GRT) moving on the coast.

Maritime Incidents

There were 21 maritime related incidents reported to the Council during September. Approval was granted for three ships berthed alongside the wharf at Marsden Pont to temporarily immobilise their engines while maintenance and repairs were carried out. The master of one vessel refused to leave crew on board during cargo space fumigation, which led to a response by Northport requiring regular vessel monitoring and tug standby during fumigation operations.

The tanker "Awanuia" suffered mechanical problems during her inaugural berthing at NZRC. Berthing was completed safely with tug assistance and during the following 13 days, the vessel remained alongside while operational issues were addressed with assistance from the Regional Harbourmaster.

Most of the other reports received were the usual mix of maritime incidents. There were two hot work permits issued during the month.

Aids to Navigation Failures and Maintenance

Failed lights were replaced at Kerikeri, Ngunguru and in the Kaipara Harbour. A storm damaged beacon at Albert Channel, Bay of Islands was repaired and replaced.

New 5 knot buoys were installed at Mangawhai, Taurikura Bay and Langs Beach. Also at Langs Beach, some smaller buoys have been installed marking the safe swimming area. This follows a number of incidents last summer involving unsafe interaction between boats and swimmers.

TRANSPORT OPERATIONS

Total Mobility – August 2009 (reported one month in arrears)

Monthly Actual Expend	Monthly Budget Expend	Variance	Year/Date Actual Expend	Year/Date Budgeted Expend	Variance
\$19,089	\$17,166	+\$1923	\$30,295	\$34,332	-\$4037

Taxi Trips	Bus Trips	Total Clients
3422	212	1158

City Link Whangarei – September 2009

Passengers (Includes Super Gold Card and Total Mobility Clients)

Month Actual	Budget	Variance	September 2008
25404	22,500	+2,904	23,087

Farebox Revenue (Includes Super Gold Card and Total Mobility Revenue and GST)

Month Actual	Budget	Variance	September 2008
\$57,857	\$60,157	-\$2,300	\$54,282

In August 2009, Snapper Services Limited gave a presentation on their small value purchase card system, and the benefits it could bring to the CityLink contracted service. At present, the CityLink Service has a paper based ticketing system. NRC staff are now evaluating the impact (on farebox revenue) of moving to such a system

Super Gold Card Scheme

Passengers carried to date since the introduction of the scheme:

Monthly Actual	Monthly Budget	Variance	Average 2008/2009
3,687	2,778	+ 909	3,156

In September 2009, the New Zealand Transport Agency (NZTA) advised that due to the increasing demand on the Super Gold Card Scheme and resultant impact on the available funding (\$18m per annum) it will be undertaking a review to ascertain the long term sustainability of the scheme.

Initial calculations have indicated that the NZTA funding allocation of \$75,000 for the conveyance of Super Gold Card users on the CityLink Service in Whangarei will be insufficient to cover the 2009/2010 financial year. This will be monitored and reported to NZTA through monthly reviews.

2011 Rugby World Cup

NZTA gave a very informative presentation in early September with regards to transportation requirements during the 2011 Rugby World Cup. Details of Northland's bid for Cup games were passed on by NZTA to the attendees, and suggestions were made on how Whangarei in particular could address transportation needs, particularly on game days. There is no national funding allocated by NZTA to subsidise additional services, as councils throughout New Zealand have not yet signalled their need for funding in either the National Land Transport Programme nor in their LTCCPs. Planning for this time is in its early stages, and will be progressed by the Transport Operations team.

There is also a possibility that the Launch of the 2011 Rugby World Cup could be at Waitangi, which will raise a number of transportation issues for the region.

State Highway Emergency Detour Routes

A meeting was held with the NZTA State Highway division to progress the proposed computerisation of the State Highway Emergency Detour Routes within Northland. A draft of the proposed computerised detour system has been completed.

NZTA head office in Wellington has been contacted with a request to test the system within their existing Transit Road Event Information Computer System (TREIS). Should the test prove successful, NZTA will be approached with a request to run the programme on a read only basis.

2020 Safer Journeys Discussion Document

This Ministry of Transport document regarding the Government's next Road Safety Strategy was released in August. A workshop was held on Monday 14 September 2009 with members of the Regional Transport Committee. A draft submission was prepared based on feedback from those that attended the above workshop. The draft submission was then circulated to all Regional Transport Committee members for their comment. The finalised submission was forwarded to the Ministry of Transport on 2 October 2009.

Stock Truck Effluent Dump Sites

The Northland Stock Effluent Working Group meets on a regular basis with the aim of progressing work towards a Northland network of sites for stock effluent disposal.

On 22 September 2009 the new Wellsford stock effluent disposal site was officially opened. The site is situated at the Wellsford stockyards.

The Whangarei disposal site planned for South End Ave has been delayed for the last two years due to available funding being redirected to cover for extensive flood damage incurred throughout the district. It is anticipated that work will commence on this project within the 2009/2010 financial year.

In Dargaville, discussions are being held with a local livestock transport operator who has offered the use of his facility to assist in minimizing stock effluent discharges from passing trucks through the Dargaville area.

The Far North District Council is continuing to work with NRC and NZTA to identify and confirm a suitable site in their district. Initial investigations point to Pakaraka as being the most suitable place.

Coffee Brake - Fatigue Pilot Project

Fatigue is a key contributing factor in many Northland road crashes. A 'Coffee Brake' subcommittee of RoadSafe Northland facilitated by NRC, has been meeting and planning this project for several months. Drivers are given a free cup of coffee on presentation of a voucher when stopping and having a break at participating cafés along main routes on the state highway network. Negotiations are being held with 10 café operators, along with coffee and milk wholesalers. The coffee and hospitality industry are showing great enthusiasm and support for this initiative. The cafés identified are strategically located along State Highway 1, 10 and 12. The pilot will be launched at Labour Weekend and finish at Easter 2010.

Cycle Safety

As a result of the continued concern expressed over cycle safety and road user tolerance, several meetings have taken place with some key cycling representatives including Bike Northland and Sport Northland, with the view of establishing a regional work group. This group will focus on cycle safety, and educating both cyclist and motorist for improved tolerance along with the aim of 'Sharing the Road' and making the roads safer for all users.

Combined meetings with representative from the trucking industry, motor vehicles owners and cyclists will also be held in an effort to reach a common solution to the problem.

National Road Safety Innovation Achievement Award Success

NRC facilitated a small team that submitted an application on behalf of Hancock Forest Management (NZ) Ltd (HFM) for the logging truck 'Share the Road' initiative in Northland. This project was developed by HFM to educate local communities, rural schools, school bus operators how to share public roads with heavy vehicles particularly logging trucks.

This project won the 'Education' category at the awards ceremony held on 7 September 2009 at a 'black tie' ceremony at the 'TRAFINZ Conference' at Auckland Museum and presented to Peter Houston, Forestry Operations Manager, by Associate Transport Minister Nathan Guy.

CIVIL DEFENCE EMERGENCY MANAGEMENT (CDEM)

On 20 September the MetService issued a severe weather watch for the Northland region. However the predicted weather did not eventuate and no warning was issued.

On 8, 9 and 10 September 20 personnel from a variety of organisations attended a Level Four Coordinated Incident Management course. This was the third and final CIMS course for this year. A one day Welfare course was also provided at short notice on Saturday 26 September for 19 personnel involved in providing welfare service during an emergency. This course was hosted by Red Cross.

On 20 September the health sector carried out a formal debrief of its response to the H1N1 disease outbreak. The debrief highlighted a number of strengths and also identified some areas for improvement.

On 30 September at 0648 hours (New Zealand time) an 8.3 magnitude earthquake occurred off shore from the Samoan Islands. The earthquake generated a local source tsunami that impacted parts of Samoa and Tonga within minutes, causing widespread loss of life and damage. As a result of the earthquake the Pacific Tsunami Warning Centre (PTWC) issued tsunami warnings for the Pacific area including New Zealand. The Ministry of Civil Defence and Emergency Management issued a national tsunami warning for all New Zealand shortly afterwards. The Northland CDEM Group activated its Group Emergency Operations Centre and the Far North, Whangarei and Kaipara District Councils activated Local Emergency Operations Centres. Immediate action was taken to alert communities utilising the media, fax, e-mail, text messages, Meerkat alarm systems, telephone trees and community contacts. Senior representatives from the police, fire service, health sector, St John Ambulance together with CDEM Controllers held a series of teleconferences throughout the duration of the warning to ensure that agencies were coordinated and up to date with the most recent available information. A series of media releases were also made. The Group Controller also provided information live to a regional radio station. At regional level, information was disseminated in an accurate and timely fashion in accordance with the Group Warning Plan.

Although there were no reports of damage there were reports of strong tidal currents around the Tutukaka marina and a retired local seismologist has seen fit to criticise the timing of the "all clear" provided from a national level. A ministerial review has commenced to review the national handling of the event. At local and regional levels debriefs have been scheduled. A full report will be provided to the CDEM Group.

LAND AND RIVERS MANAGEMENT

LAND MANAGEMENT

Conservation and Environment Awards

The Northland Regional Council's Events Coordinator and Land Management staff helped to organise the Northland Conservation Awards ceremony held on 17 September 2009 in Kerikeri. Twelve individuals and groups were recognised – one posthumously – out of 19 nominations for a range of work from wetland and dune restoration to fencing bush, coast and pa site enhancement. Recipients included several farmers and community groups with whom Council staff have worked for a number of years.

Hancock Forest Management Northland Consultative Group

Hancock Forest Managers, who manage about half the exotic forest estate of Northland, called a meeting of stakeholders in September, promoting the concept of a consultative forum to discuss forestry management issues. Present were personnel from Hancock Forests, district councils, NRC, DoC, and the Fish and Game Council. It is planned that this group will meet six-monthly, the next meeting to be held in February 2010.

Clean Streams Accord - Review of 2008/09 Regional Action Plan,

The draft review of the Regional Action Plan for the Clean Streams Accord has been completed. In its review, Council staff have recommended that work on improving farm dairy effluent management continues as a priority and that for the other aspects of the plan efforts are concentrated on stock exclusion, crossings and the implementation of nutrient management plans in the Waitangi River catchment. There are 27 dairy farms within the catchment and a level of community and landholder interest in improving water quality. Wetland management will also be pursued throughout Northland, guided by outcomes from the top wetlands project.

Soil Conservation

The Sources of Sediment project has advanced significantly during September with maps showing land cover and high erosion risk areas within the Rotokakahi, Waimamaku, Panguru, Waihou (Panguru), and the Punakitere River catchments being completed. There are only a few minor catchments left to map and it is planned to complete these by the end of October 2009. This will enable ground-truthing over summer.

Mangawhai Harbour Restoration Society

The Chairman and staff attended a meeting of the Mangawhai Harbour Restoration Society on 28 September. The Society is preparing an application for a resource consent to clear mangroves and to dredge the channels in the middle part of the Mangawhai Harbour.

CoastCare

CoastCare visits were made to Taipa, Cable Bay, Mangawhai Heads, Langs Beach, Waipu Cove, Tokerau and Rangiputa. The purpose of these visits was to inspect planting and other dune protection works, monitor erosion, and plan planting projects for next winter.

Two planting days were organised by the Mangawhai Harbour Restoration Society. A total of 2,500 pingao and 3,500 spinifex were planted on Mangawhai Spit, along the line of the new sand fence which was erected by the Society to encourage the build up of sand.

As part of Keep New Zealand Beautiful Week a beach clean-up was held at Paihia. The event will be repeated on the first Monday of every month. A beach and underwater clean-up was also held at Karikari Peninsula with assistance from Karikari Peninsula Beach Care Group. Several vehicle loads of rubbish were recovered from Tokerau Beach. Divers undertook an underwater clean up and collected over 1500 metres of nylon, 18kg of lead sinkers and swivels and 100 metres of rope.

An interview was conducted on Doubtless Bay Radio to promote CoastCare and encourage residents of the Doubtless Bay area to undertake dune restoration and protection projects.

A new CoastCare website has been set up to enable CoastCare groups and others to share information, post events and keep up to date with dune restoration activities around the region.

Vehicles on Beaches Education

The New Zealand Transport Agency (NZTA) has approved the Council's application for funding assistance to continue the Vehicles on Beaches education campaign. A regional inter-agency planning meeting for the 2009-2010 Safe Beach Driving campaign was held on 29 September finalising the regional campaign plan.

Local planning meetings are currently being organised to enable coastal communities in areas where vehicles on beaches have been identified as an issue to be involved in planning local events and education strategies.

RIVER MANAGEMENT

Awanui

A draft resource consent application was prepared for maintenance works on a section of the Whangatane Spillway and floodgate outlets associated with the Awanui Flood Management Scheme. The draft has been circulated to stakeholders for pre-lodgement consultation.

The asset survey of the scheme floodgates has been completed. A database will now be compiled for the preparation and use of an asset management plan. A survey plan is currently being compiled for stop banks and other structures and surveys will commence early this summer.

Additional drilling and inclinometer installation were completed at Bell's Hill slip. Preliminary logging of the core suggests that, as suspected, the observed landslip may be occurring on a deep (approx 15m) failure surface. The inclinometer will be monitored over the next 6-12 months to confirm the failure location in order that the most appropriate remedial solution can be implemented. Preliminary indications are that unloading the slip may still be a feasible mitigation option.

The 2009/10 river works tender has been advertised and closes early October.

Kaeo

As part of the Kaeo Flood Risk Reduction Strategy development, a Flood Risk and Hazard Assessment report has been completed. This was presented to staff of the Ministry of Civil Defence and Emergency Management, and Department of Internal Affairs on 3 September. Officials outlined government policy covering applications for funding assistance. The next step is to complete identification analysis and costing of potential flood risk reduction options for presentation at a workshop with government officials in Wellington. A report on progress will be made to the November Environmental Management Committee.

Kaihu River

A meeting of the Kaihu River Liaison Committee was held on 4 September to discuss submissions received for the draft scheme concept, the tender for 09/10 river management maintenance works and a consultant report on realignment of the Kaihu River mouth.

The committee supported further development of the concept scheme, which will be presented to a wider stakeholder group on completion. Further work has been commissioned on developing more detail to support the concept scheme.

A site visit to the upper catchment was made on 18 September to assess potential for flood water retention on the Mangatu Stream and Waitapu Stream.

Seven tenders for the Kaihu River maintenance works contract were received, with the contract awarded to I & D Pyke. The interim river maintenance plan is currently being reviewed, with a focus on developing a plan for the next five year period.

Kerikeri / Waipapa River

A meeting with FNDC staff was held on 10 September to review the final version of the storm water management plan and mitigation options to be modelled. A GHD proposal for a risk assessment and flood risk reduction plan is currently being considered alongside a potential extension of the model to the west of SH 10.

Management of Lake Owhareiti Overflow

Relatively low levels of rainfall since July have meant that implementation of the emergency stabilisation plans have not been necessary. Remedial earthworks to channel overflow to a grassed waterway parallel to the eroding gully, are planned for implementation by December.

Other River Works

A fallen tree was removed from a stream in Whau Valley to reduce potential flood risk and vegetation removal was undertaken in the Hikurangi River to enable access for stream flow gauging.

Site visits were undertaken at Raumanga, Otaua, Helena Bay and Waimamaku to assess various river management issues and offer advice to stakeholders.

Priority Rivers Project

Work is progressing with the development of river management plans for the 23 catchments. Phase 2 of the project is currently being undertaken and staff have advertised tenders for channel cross section and structure surveys for the Hatea, Raumanga, Waiarohia, Ruakaka, Waitangi and Kawakawa rivers. It is anticipated that approximately 250 cross section surveys will be required for input to the catchment models, and the survey work is being split into packages in order to expedite this process.

A draft rainfall assessment was completed for the priority rivers study area by MWH. The draft rainfall assessment has been reviewed by NRC staff and a peer reviewer, Dr Steven Joynes, and comments have been returned to MWH for consideration.

Staff attended hui marae at Waima and Karetu to discuss flooding issues and the Priority Rivers project as a follow-up to previous public consultation.

River Management Bylaw

Following contact with legal staff at the FNDC, an agenda item has been drafted by their staff for a Council decision on the transfer of bylaw-making powers to NRC, for river management on terms to be agreed between the two Councils. It is envisaged that this will apply in the first instance to the Awanui scheme, but should allow for future extension of the agreement to other schemes and river catchments.

BIOSECURITY

BIOSECURITY INCIDENT

The unknown species of Passiflora reported last month has been identified by taxonomists from the USA as Passiflora apetala, a plant originating in Panama and Costa Rica. Although the plant has a very weedy behaviour in Northland it is not regarded as a pest plant elsewhere in the world. A survey to determine its spread in Whangarei, and any additional populations in Northland is ongoing. Thus far, another plant has been reported from Kaitaia and further populations reported close to the original infestation in Kamo. A leaflet drop and further survey is planned for the end of the month.

FRESHWATER PROJECTS

Lake Ngatu

On 17 and 18 September, staff completed a fish survey in Lake Ngatu. The purpose of the survey was to confirm the presence of the pest fish perch which were first sighted in April 2009. Perch are a top predator and would devastate native fish populations if they were to establish. Traps were set overnight at four locations around the lake. No perch were caught, but good numbers of native bullies and inanga were caught along with the pest fish gambusia. It is likely that further traps will be set in deeper water in the near future.

Freshwater Regional Pest Management Strategy (RPMS)

Staff prepared a discussion paper about the review of the RPMS for plant and animal pests, both land-based and freshwater. The discussion paper was presented to the Environmental Management Committee on 16 September, and approved for release for public comment.

MARINE

Partnerships

On 27 and 28 August, NRC hosted MAF BNZ staff who had organised hui and a meeting for the proposed Top of the North marine biosecurity partnership. During these meetings MAF BNZ staff also advised of another invasive sea squirt (*Pyura stolonifera praeputialis*) which has been found in the Far North. MAF BNZ are currently organising a delimiting survey to determine the extent of the population.

Marsden Cove Sea Squirts

On 1 September, a team of biosecurity staff and diving contractors, undertook a survey of the outer part of the marina and the entrance channel markers. All *Styela clava* found were removed. Staff also wrapped one of the marina pontoons in plastic, to trial a different control technique.

Marine Regional Pest Management Strategy (RPMS)

Staff prepared a proposed Marine RPMS according to the requirements of the Biosecurity Act. The proposed Marine RPMS was presented to the Environmental Committee on 16 September, and will be available for public feedback from 10 October.

OTHER BIOSECURITY ISSUES

Discussion Document for Proposed Plant and Animal RPMS

The discussion document for the Proposed Plant and Animal RPMS has now been completed and approved by Council for release. The suggested format of the new RPMS should provide greater public understanding and ease of use. Instead of having 25 individual or group species strategies, all the species will be covered by three strategies (Marine, Plant and Animal) which will have species grouped according to management categories.

Lantana

A lantana operational plan has been reviewed to clarify the field operations in the Far North. The goal is to ensure that lantana does not become a significant economic or environmental pest in areas outside existing major infestations in Northland. The intention of the programme is that by May 2012 lantana will be controlled down to Trig road on the Aupouri Peninsular to create a lantana free buffer (zero density) which will provide long term protection for the areas of high scientific significance near North Cape. By May 2014 it is intended to have a lantana free zone from the North Cape down to a line extending from Mangonui to Ahipara.

Nodding Thistle

Nodding thistle inspections have shown that the trend of reduced density is continuing with many of the sites now clear of plants for three or more years and the active sites only having occasional plants that are all being controlled.

Mt Tiger Pest Control

The wild ginger contract has been completed by contractors resulting in several hectares of wild ginger infestation treated with herbicide. The outcome of work will be monitored once the herbicide has had an opportunity to take effect. Ten goats have also been shot from properties adjacent to the forest however none have been seen in the Council block for some time now.

Media

The TV programme Rural Delivery featured Oneriri station and highlighted the community pest control work NRC has been involved with. Staff were interviewed and have received positive feedback about the programme. People have wanted to find out more about setting up a CPCA and to talk about the results.

Recommendation

That the Chief Executive Officer's report dated 9 October 2009 be received.

COMPLIANCE WITH DECISION MAKING PROCESS

The activities detailed in this report are provided for in the Council's 2009-2019 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.

Key Performance Indicators and Funding for the Arts Promotion Trust

File 160.15

Report from Deborah Ryder Local Government Project Manager dated 5 October 2009.

The Long Term Council Community Plan 2009-2019 states that a total of \$50,000 will be contributed towards the co-ordination and development of the Arts sector in Northland. In order to release these funds to the Arts Promotion Trust, the Council requires that key performance indicators are set up to ensure that there is an emphasis on developing the sector and attracting funds into the region. There is also a need to lift the level of awareness of the sector and to ensure the levels of satisfaction with what the sector provides, are monitored and improved if necessary.

As a result of these objectives, and the need to ensure that the Arts sector is actively involved in the current activities of Northland, the following seven key performance measures and targets have been developed and agreed between the Arts Promotion Trust and Council:

Performance Measure	Performance Target	Baseline 2008
Attract additional external funding to the region of at least \$50,000 per annum via funding applications to a variety of community funding organisations.	\$50,000 is secured by the APT by 30 June 2010.	\$39,376
Increase the distribution of monthly e-newsletters (which advises of arts and cultural events) from 1350 recipients in 2008, by at least 30% each year.	405 new recipients of the e-newsletter by 30 June 2010.	1350 recipients
Develop and implement two strategies per annum to attract new audiences to arts and cultural events in the region.	Both strategies will be presented to Council by July 2010. Obtain baseline data for audience levels at key venues in the region.	3 strategies No current data on audience levels collected.
Undertake a survey of Northlanders to test audience awareness levels of the Arts sector and the events offered by the sector.	Results of the research and an action plan based on those results will be presented to Council by July 2010.	0 research
Promote and organise at least three arts and cultural events in the programme for the Rugby World Cup activities in Northland.	Three events will be advertised by July 2010 on the Arts Promotion Trust Website and in the Draft Rugby World Cup programme.	0 events
Initiate a minimum of three key partnerships with national and international creative sector organisations per year for the purposes of increasing audience development, sharing knowledge, securing touring opportunities and highlighting emerging talent of Northland artists.	Three new partnerships, and the outcomes from those partnerships, are reported to Council by July 2010.	0 partnerships
Attract and secure external sponsorship/grants for a minimum of \$20,000 for Arts sector projects across the region annually.	\$20,000 secured by July 2010.	\$9,778 of sponsorship/grants secured

The Arts Promotion Trust will be required to report on the progress of the key performance indicators on a quarterly basis and the outcomes annually. Quarterly reporting will commence in October 2009 to the Council, and subsequent quarterly results will be presented to the Audit and Finance Committee in January and April with full year reporting in July 2010. Funding of \$50,000 will be released on a quarterly basis on the satisfaction of the Audit and Finance Committee (or Council meeting) on the progress of key performance indicators carried out to date. Funding terms for the next year will be agreed at the end of each financial year.

Recommendation

1. That report from the Local Government Projects Manager dated 5 October 2009 be received and the key performance indicators for the Arts Promotion Trust, as reported, are adopted.
2. That the Arts Promotion Trust agrees to report on the key performance indicators on a quarterly basis to the Audit and Finance Committee.
3. That the Council release the funds of \$50,000 to the Arts Promotion Trust on a quarterly basis on the satisfaction of progress made towards achieving the key performance indicators for the 2009 year.

COMPLIANCE WITH DECISION MAKING PROCESS

The receipt of this report is provided for in the Council's 2009-2019 Long Term Community Plan, and as such is in accordance with the Council's decision making process and sections 76-82 of the LGA 2002.

Warrants of Appointment

File: 110.8

Report by Local Government Senior Programme Manager Kathryn Ross dated 7 October 2009.

PURPOSE

The purpose of this item is to obtain the Council's approval for delegations, and the issuing of appropriate warrants, to Council officers carrying out statutory and bylaw functions for and on behalf of the Council in accordance with:

- the Local Government Acts (1974 and 2002);
- the Resource Management Act 1991;
- the Biosecurity Act 1993;
- the Local Government (Infringement Fees for Offences: Northland Regional Council Navigation Safety Bylaw) Regulations 2008 and Northland Regional Council Navigation Safety Bylaw 2007;
- the Land Drainage Act 1908 and the Soil Conservation and Rivers Control Act 1941 (as amended).

Approval is now sought because of new staff appointments and an internal review of the existing warrants database.

REVIEW AND CONFIRMATION OF WARRANTS OF APPOINTMENT

The Operations Director has recently carried out a review of the warranted officer database to:

- Ensure officers have the delegated powers and warrants necessary for their current roles and responsibilities;
- Incorporate any law changes;
- Ensure all warrants held by Council officers are no more than three years old.

Delegations are generally made to positions and not individuals. However, warrants are issued to specific staff or contractors by name. Attached in Appendix 1 is a revised list of delegated authority for Council officers, which reflects the review and new staff appointments (Jonathan Hampson, Toby Kay and Jonathan Santos). No new areas of authority are being delegated from Council by this item.

Council is therefore asked to approve the revised delegations in the list and the consequent issue/re-issue of warrants to those officers as appropriate. The Council delegations manual will then be amended to reflect the delegations made to specific individuals at this Council meeting. (The general delegations to positions referred to in the Delegations Manual will not be altered but are included for ease of reference.)

CONFIRMATION OF DELEGATION TO ISSUE WARRANTS

It is also recommended that the Council confirms that the Chief Executive Officer has the delegated authority to issue warrants, as appropriate, for the whole conduct of the Council's business and that the delegation is not limited to issuing warrants to the "enforcement officers" on behalf of the Council. This would confirm for example that the Chief Executive Officer has the delegated authority to issue a warrant on behalf of the Council to:

- “authorised officers” under the Biosecurity Act 1993;
- “the Harbour Master” to enter a ship;
- staff entering premises under the Local Government Acts etc.

BACKGROUND

The last major review of delegated and warranted authority was carried out in November 2005. Officers across the Council were re-issued warrants in early 2006. Reviews are necessary to ensure that:

- the responsibilities of warranted officers (their delegated authority to act) remain appropriate to the officer and the duties to be carried out.
- responsibilities are clearly spelt out and accurate on the warrants issued to officers.

The powers of appointment and delegation are found in a number of Acts. Council staff consider it prudent that the Council resolves delegations of powers, functions and duties, appointments and warrants, although the power to appoint, delegate powers, and warrant Council staff is shared between the Council and the Chief Executive dependent on the legislation involved and previous Council delegations.

WARRANTS

Warrants are issued to council staff (and contractors) as appropriate to their areas of responsibility, for example to enforcement officers that have responsibility for enforcing legislation such as the Local Government Act 2002 or the Resource Management Act 1991. The issuing of a warrant is a quasi judicial function.

Recommendation

1. That the report on Warrants of Appointment by Local Government Senior Programme Manager Kathryn Ross dated 7 October 2009 be received.
2. That the Council confirms that the Chief Executive Officer has the delegated authority to issue warrants, as appropriate, for the whole conduct of the Council's business.
3. That the Council delegates the powers and responsibilities to Council staff as detailed in Appendix 1 of the report.
4. That the Chief Executive Officer issues the appropriate Warrants of Appointment (affixing the Common Seal as necessary) for the delegations made at this meeting. Previous warrants to the same staff will subsequently be destroyed.
5. That the Local Government Senior Programme Manager updates the Delegations Manual to reflect the resolutions made today.

COMPLIANCE WITH DECISION MAKING PROCESS

The activities detailed in this report are provided for in the Council's 2009-2019 LTCCP. As such they are in accordance with the Council's decision making process and section 76-82 of the Local Government Act 2002.

Under sections 34, 34A and 38 of the Resource Management Act 1991 (the RMA) the Council delegates the powers / functions / duties contained in the sections of the RMA marked with a "✓" to the corresponding staff member listed in the left hand column Warrants will be issued detailing delegations (under section 38 of the RMA)												
Staff / Contractor	Section of the RMA											
	22	332	333	322	325A	343C	323(2)	327	328(3)(4)	330	329	338
Ross Johnson	✓	✓	✓									
Gail Townsend	✓	✓	✓									
Peter Joynt (contractor)	✓	✓	✓									
LAND												
Bruce Howse	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
Deborah Johnson	✓	✓	✓									
Lisa Forester	✓	✓	✓									
Laura Shaft	✓	✓	✓									
Wayne Teal	✓	✓	✓									
Kathryn Mortimer	✓	✓	✓									
Douglas Foster	✓	✓	✓									
RIVERS												
Joseph Camuso	✓	✓	✓									
Colin Anderson	✓	✓	✓									
Jonathan Santos	✓	✓	✓									
Toby Kay	✓	✓	✓									
CONSENTS												
Allan Richards	✓	✓	✓									
Susie Osbaldiston	✓	✓	✓	✓	✓							
Stuart Savill	✓	✓	✓									
Janarie Jongkees	✓	✓	✓									
Geoffrey Heaps	✓	✓	✓									
Angela Stride	✓	✓	✓									
Paul Baynham	✓	✓	✓	✓	✓	✓				✓		
Paul Maxwell	✓	✓	✓									
George Kruger	✓	✓	✓									
MARITIME												
Ian Niblock	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
James Lyle	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
James Harvey	✓	✓	✓									
Craig Gardner	✓	✓	✓									
Peter Thomas	✓	✓	✓									
Peter Dodds	✓	✓	✓									
Don Gregory	✓	✓	✓									
MONITORING												
Riaan Elliot	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Dale Hansen	✓	✓	✓	✓	✓	✓				✓	✓	
Theresa Dacre	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
Nicola Bull	✓	✓	✓	✓	✓	✓						
Tony Dwane	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
Jacqueline Reed	✓	✓	✓	✓	✓							

Under sections 34, 34A and 38 of the Resource Management Act 1991 (the RMA) the Council delegates the powers / functions / duties contained in the sections of the RMA marked with a "✓" to the corresponding staff member listed in the left hand column Warrants will be issued detailing delegations (under section 38 of the RMA)												
Staff / Contractor	Section of the RMA											
	22	332	333	322	325A	343C	323(2)	327	328(3)(4)	330	329	338
Catherine Orevich	✓	✓	✓	✓	✓	✓						
Katrina Hansen	✓	✓	✓	✓	✓							
Obi Khanal	✓	✓	✓	✓	✓							
Ananda Hapu	✓	✓	✓	✓	✓							
Dianna Bradshaw	✓	✓	✓	✓	✓							
Dennis Wright	✓	✓	✓	✓	✓	✓						
Gary Young	✓	✓	✓	✓	✓							
Emma Simpson	✓	✓	✓	✓	✓							
Penny Johnston	✓	✓	✓	✓	✓							
Alan Bee	✓	✓	✓	✓	✓							
Robert Tasker	✓	✓	✓	✓	✓							
Ricky Eyre	✓	✓	✓	✓	✓							
Rochelle Carter	✓	✓	✓	✓	✓							
Richard Griffiths	✓	✓	✓	✓	✓							
Loren Eagle	✓	✓	✓	✓	✓							
James Mitchell	✓	✓	✓	✓	✓							
Sophie Tweddle	✓	✓	✓	✓	✓							
Allen Temple	✓	✓	✓	✓	✓							
Cornelius (Neels) van Tonder	✓	✓	✓	✓	✓							
Jonathan Hampson	✓	✓	✓									
Geoff Dacre (contractor)	✓	✓	✓									

BIOSECURITY ACT 1993

Sections 103 and 105 of the Biosecurity Act 1993 allow the Chief Executive Officer to appoint authorised and accredited persons and to delegate to them powers under that Act. Authorisations and appropriate delegations have been made to Biosecurity and Land Management officers, as follows:

Biosecurity Act 1993 reference	Power
Section 103	Appointment of authorised and accredited persons.
Section 105	Delegation to authorised persons.
Section 106	Power to require assistance.
Section 109	Power of inspection.
Section 113	Power to record information.
Section 114	General powers.
Section 115	Use of dogs and Devices.
Section 118	Power to seize evidence.
Section 119	Power to seize abandoned goods.

Section 121	Power to examine organisms.
Section 122	Power to give directions.
Section 123	Power to vaccinate.
Section 128	Power to act in default.
Section 129	Power to register liens.
Section 130	Declaration of restricted place.
Section 131	Declaration of a controlled area.
Section 135	Cost recovery.
Section 136	Penalty charges and authority to waive payment.
Section 154	Authority to lay an information in respect of an alleged offence.

The following powers / functions / duties (marked with a“✓”) have been delegated under section 105 of the Biosecurity Act by the Chief Executive Officer to the corresponding staff member listed in the left hand column. Warrants will be issued detailing delegations as appropriate.

Staff / contractor	103(7)	106	109	113	114	121	122	115	121A	128	129	131	135	136	154
Peter Wiessing		✓	✓	✓	✓	✓	✓	✓	✓						
Douglas Foster		✓	✓	✓	✓	✓	✓	✓	✓						
BIOSECURITY															
Don McKenzie		✓	✓	✓	✓	✓	✓	✓	✓						
Michael Knight		✓	✓	✓	✓	✓	✓	✓	✓						
Carl Cooper		✓	✓	✓	✓	✓	✓	✓							
Paul Ralph		✓	✓	✓	✓	✓	✓	✓							
Kenneth Massey		✓	✓	✓	✓	✓	✓	✓							
Steven Henderson		✓	✓	✓	✓	✓	✓	✓							
Ross Johnson		✓	✓	✓	✓	✓	✓								
Gail Townsend		✓	✓	✓	✓	✓	✓								
LAND															
Deborah Johnson			✓	✓	✓	✓	✓	✓							
Lisa Forester			✓	✓	✓	✓	✓	✓							
Wayne Teal			✓	✓	✓	✓	✓	✓							
Kathryn Mortimer			✓	✓	✓	✓	✓	✓							
CONFIRMATION OF DELEGATIONS TO POSITIONS ALREADY MADE BY THE COUNCIL:															
See Delegations Manual for restrictions and clarification															
Operations Director	✓										✓	✓	✓	✓	✓
Biosecurity Senior Programme Manager	✓										✓	✓	✓	✓	✓
Biosecurity Operations Supervisor												✓	✓		
Area Manager - Kaitaia												✓			

**LOCAL GOVERNMENT ACT 1974, LOCAL GOVERNMENT ACT 2002,
NORTHLAND REGIONAL COUNCIL NAVIGATION SAFETY BYLAW 2007 and
LOCAL GOVERNMENT (INFRINGEMENT FEES FOR OFFENCES: NORTHLAND
REGIONAL COUNCIL NAVIGATION SAFETY BYLAW) REGULATIONS 2008**

Maritime, coastal monitoring and river management officers hold delegations and warrants under the above Acts and Regulations. The Local Government (Infringement Fees for Offences: Northland Regional Council Navigation Safety Bylaw) Regulations 2008 was enacted pursuant to section 699A of the Local Government Act 1974. It specifies which breaches of the Northland Regional Council Navigation Safety Bylaw 2007 (itself enacted pursuant to section 684B of the Local Government Act 1974) are infringement offences for the purposes of section 699A of the Local Government Act 1974. It also prescribes the infringement fees for those infringement offences. As such it provides the framework with which to uphold and enforce the Northland Regional Council Navigation Safety Bylaw 2007.

(Councillors may also wish to note that various staff are authorised by the Director of Maritime New Zealand to exercise powers under the Maritime Transport Act 1994.)

Section of Act	Warranted authority explanation
S650C (LGA 1974) Power to enter ships and maritime facilities and to give directions as to entry and departure, mooring and securing ships	General powers of authority delegated to maritime officers. Coastal monitoring and river management officers do not require powers under LGA 1974.
S650E (LGA 1974) Power to request names and addresses to be provided and take action in the interests of navigation safety	
S171 (LGA 2002) Power to enter land	
S172 (LGA 2002) Power to enter land to detect breach	
S173 (LGA 2002) Power to enter without prior notice	
S178 (LGA 2002) Power to direct	
S650D (LGA 1974) Power to direct the mooring and removal of ships and floating or submerged objects	Powers limited to Harbourmaster and Deputy Harbourmaster
S650K (LGA 1974) Power to direct the removal of a wreck	
Power to issue Infringement Notices under the Local Government Acts 1974 (including sections 699A-D) and 2002 in relation to the Northland Regional Council Navigation Safety Bylaw 2007 and the Local Government (Infringement Fees for Offences: Northland Regional Council Navigation Safety Bylaw) Regulations 2008	

Warrants to be issued under Local Government Act 2002	Local Government Act 2002				Local Government Act 1974		Local Government Acts/ Bylaw
	171	172	173	178	650D	650K	
Staff / Contractor							LGA/ Bylaw
Anthony Phipps	✓	✓	✓	✓	✓	✓	

Peter Wiessing	✓	✓	✓	✓	✓	✓	
Graeme MacDonald	✓	✓	✓	✓	✓	✓	
Douglas Foster	✓	✓	✓	✓			
Carl Cooper	✓	✓	✓	✓			
MARITIME							
Ian Niblock	✓	✓	✓	✓	✓	✓	✓
James Lyle	✓	✓	✓	✓	✓	✓	✓
James Harvey	✓	✓	✓	✓			
Craig Gardner	✓	✓	✓	✓			
Peter Thomas	✓	✓	✓	✓			
Peter Dodds	✓	✓	✓	✓			
Don Gregory	✓	✓	✓	✓			
MONITORING							
Riaan Elliot	✓	✓					
Theresa Dacre	✓	✓					
Jacqueline Reed	✓	✓					
Tony Dwane	✓	✓					
Catherine Orevich	✓	✓					
Ricky Eyre	✓	✓					
Cornelius (Neels) van Tonder	✓	✓					
Richard Griffiths	✓	✓					
RIVERS							
Colin Anderson	✓	✓					
Joseph Camuso	✓	✓					
Jonathan Santos	✓	✓					
Toby Kay	✓	✓					

The following delegations to positions are also preserved and warrants may be issued from time to time by the Chief Executive Officer to the persons holding those positions.

Delegations under the Soil Conservation and Rivers Control Act 1941

Section of SC&RC Act 1941	Description of Function (Summarised)	Delegation to Position
S.143	To exercise a general power of supervision with respect to the exercise and performance by local authorities and drainage authorities of any powers, functions and duties and, to issue general or specific instructions.	The Land/Rivers Senior Programme Manager, and Rivers and Land Programme Managers.

Delegations under the Land Drainage Act 1908

Section of Land Drainage Act 1908	Description of Function (Summarised)	Delegation to Position
S.62(1)	To issue an instruction to a land occupier to remove an obstruction from a watercourse to provide an adequate drainage outfall.	The Land/Rivers Senior Programme Manager, and Rivers and Land Programme Managers.

Section of Land Drainage Act 1908	Description of Function (Summarised)	Delegation to Position
S.62(3)	To enter and remove, or to instruct a contractor to enter and remove, an obstruction in a watercourse.	The Land/Rivers Senior Programme Manager, and Rivers and Land Programme Managers.

Northland Regional Council Delegations Manual – Update for Resource Management Act amendments

File 105.2

Report from Kathryn Ross Local Government Senior Programme Manager dated 8 October 2009.

PURPOSE

To inform and gain Council's approval for Kathryn Ross, Local Government Senior Programme Manager to make the necessary changes to the Council's Delegations Manual to reflect changes made to the Resource Management Act 1991 by the Resource Management (Simplifying and Streamlining) Amendment Act 2009 under the delegated authority granted to her in December 2008.

OVERVIEW – CHANGES

The Resource Management (Simplifying and Streamlining) Amendment Act 2009 came into effect on 1 October 2009. As Councillors will be aware the main changes made by it relate to:

- Trade competition, representation at proceedings and Environment Court costs;
- Improving resource consent processes;
- Direct referral, independent commissioners and restricted coastal activities;
- Improving plan development and plan change processes;
- Changes to national instruments;
- Proposals of national significance;
- Environmental Protection Authority – role, functions and powers; and
- Changes to enforcement.

CONSEQUENTIAL CHANGES REQUIRED TO THE DELEGATIONS MANUAL

Some of these changes now require new or amended delegations to be made to staff by Council. These are explained below and attached is the full schedule of **recommended** delegations.

Direct referral to the Environment Court

Sections 87C to 87G now allow applicants to make a request to the Council for resource consent applications, and applications to change or cancel conditions of consent, to be decided by the Environment Court instead of by the Council. (This direct referral process applies to notified applications only.) The Council processes the application (made under section 87D) and makes a decision to grant or decline it (under section 87E). Where the Council returns or declines a request, it must give the applicant its reasons, in writing or electronically, at the same time as it gives the applicant its decision (under section 87E(8)).

It is therefore **recommended** that the Council delegate section 87E powers (namely the decision to grant or decline an application for direct referral, including the provisions of reasons, or to defer making that decision, or to return the request) to Executive Managers and the Consents Senior Programme Manager.

In addition, it is **recommended** that the Council delegate the authority to prepare reports under section 87F to Technical Officers. (Section 87F reports are reports on the consent application and may suggest conditions that the Council considers should be imposed by the Environment Court if the application is granted.

In this respect the skills necessary and therefore the level of delegation is no different to current consent processing requirements.)

Under section 87G(3) the Council is compelled to provide certain information pertaining to the application to the Environment Court. For the avoidance of doubt it is **recommended** that the Council delegate this responsibility to Technical Officers too.

Councillors may wish to note that section 100A allows for an applicant or submitter to a notified resource consent application to request that the Council appoint at least one independent hearing commissioner to hear and decide the application.

Regional councils are now responsible for making decisions on coastal permits. The ministerial veto on applications for coastal permits (for restricted coastal activities) has been repealed.

Improving the resource consent processes

There are new notifications provisions in section 95 to 95F. There is no longer a presumption that the Council must publically notify a resource consent application that is not a controlled activity or where the effects are more than minor. The Council now has (under section 95A) the discretion to publically notify an application. There are some restrictions to this discretion. For example the Council must publicly notify the application if it decides (under section 95D) that the activity will have or is likely to have adverse effects on the environment that are more than minor; or the applicant requests public notification of the application; or a rule or national environmental standard requires public notification of the application. (See section 95A(2).) There are certain decisions that also need to be made about "affected persons" and the extent of the effects on them. (See sections 95B, 95E and 95F.)

It is therefore **recommended** that the Council delegate to Consents Programme Managers the authority to make decisions under sections 95A, 95B, 95D, 95E and 95F. Those decisions will be informed by the advice of Technical Officers using relevant guidelines.

Environmental Protection Authority

The new Part 4A established the Environmental Protection Authority as a statutory office within the Ministry for the Environment (MfE). As a consequence it is **recommended** that the Council delegate certain powers to staff that will enable the Council to work with the Environmental Protection Authority in a timely and effective manner. Namely, that the Council delegates the authority to:

- lodge submissions (including) further submissions under sections 149E and 149F to Executive Managers in consultation with the Consents Senior Programme Manager and/ or Regional Policy Senior Programme Manager (as appropriate);
- prepare reports under section 149G on key planning issues to Executive Managers in consultation with the Consents Senior Programme Manager and/ or Regional Policy Senior Programme Manager (as appropriate);
- to withdraw plan changes (five day limitation period) under section 149I to Executive Managers
- provide suggestions on members for Boards of Inquiry under section 149K to Executive Managers

- to make a submission on a proposed plan or plan change under section 149O to Executive Managers
- to provide comments on minor or technical aspects of reports under section 149Q to Executive Managers and the Consents Senior Programme Manager and/ or Regional Policy Senior Programme Manager (as appropriate)
- to give notice to the Environment Court under section 274 to become a party to proceedings in relation to a matter referred to the Environment Court by the Minister to Executive Managers. (The Minister makes a direction under section 142(2)(b) or section 147(1)(b) to refer a matter to the Environment Court for decision. See section 149T(6).)
- to lodge an appeal with the High Court on a matter of law to Executive Managers. (See sections 149M and 149V.)
- to recover costs under section 149ZD to Executive Managers and the Consents Senior Programme Manager and/ or Regional Policy Senior Programme Manager (as appropriate).

MINOR AMENDMENTS

A couple of minor alterations to the Delegations Manual (on related Resource Management Act delegations) are also **recommended**. Namely:

- The inclusion of “the relevant territorial authority” in the explanation to section 117 (where the Council has to forward copies of applications to). This is not a new requirement but clarifies the situation for staff;
- Referring to the changes to number of requests for further information under the current section 92(1) delegation. (The number has been reduced to one further request);
- Clarification that the Executive Managers and the Consents Senior Programme Manager have delegated authority to cancel a consent under section 132(3) and (4). (The current insert in the Delegations Manual fails to explicitly refer to cancellation, which is a possible outcome of a review); and
- That Council delegate the authority to Executive Managers in consultation with the Consents Senior Programme Manager and/ or Regional Policy Senior Programme Manager (as appropriate) to request that the Minister make a direction that a matter of national significance be called in, to provide the Council's view for any matter that may be called in and to provide the view of Council to the Minister before s/he makes a direction under section 147. (Section 142(1)(b) and (4) and section 147(4)). (Currently submissions to be made on applications that are called in would normally be approved by Council, except under urgency where the power is delegated to Executive Managers and the Consents Senior Programme Manager.)

Recommendation

1. That the Council receives the report "Northland Regional Council Delegations Manual – Update for Resource Management Act amendments" from the Local Government Senior Programme Manager dated 8 October 2009.
2. That the Council resolves to make the delegations detailed in the report and tasks the Local Government Senior Programme Manager to make the consequent amendments to 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 2009 to 2019 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.

Application for Resource Consent

Section

Section	Summary of the power	Delegated to	Explanation
S.87E	To decide to grant or decline an application for direct referral to the Environment Court, to defer a decision or to return a request	Executive Manager, Consents Senior Programme Manager	Sections 87C allows applicants to make a request to the Council for its application for resource consent or an application to change or cancel a condition to be determined by the Environment Court. This only process only applies when applications will be notified. (The referral process is then governed by sections 87D to 87I. If the Council does not grant the applicant's request under section 87D, the consent authority must continue to process the application.)
S.87F	To prepare a report on an application that the Council has agreed should be referred to the Environment Court	Technical Officers	Where the Council has agreed that an application is to be determined by the Environment Court the Council must prepare a report on the application and send this to the applicant and submitters. The report should address issues that are set out in sections 104-112. As soon as is reasonably practicable after the report is prepared, copies are to be sent to the applicant; and every person who made a submission on the application. Once the applicant receives the report it has the choice on whether it still wants the Environment Court to determine the application or whether it wishes the Council to continue to determine the application.
S.87G(3)	To provide information to the Environment Court	Technical Officers	The applicant must provide certain information to the Court (notices of motion etc). Once this has been done copies are served on the Council. The Council then provides all information pertaining to the application (application, report, submissions etc) to the Court.

S.92(1)	To request an applicant to provide additional information, and to postpone notification or hearing of the application pending receipt of such information, or to proceed with notification upon refusal or objection by Applicant to or against the supply or information.	S92(1) Technical Officers	<p>When the Technical Officer considers that there is inadequate information to understand the nature of the activity applied for, the environmental effect it will have, and the ways adverse effects may be mitigated, the officer shall, as soon as possible within the statutory time limits, seek agreement of the applicant for the supply of the additional information considered necessary, and, if not able to be supplied within 15 working days, agree a date by which the further information will be provided.</p> <p>Only one request for further information is permissible prior to notification or determination for non-notified consents and only one request may be made following the close of submissions (for limited and publicly notified applications).</p> <p>Where, upon initial enquiry, an applicant indicates refusal to agree to provide the information sought, the Technical Officer shall consult with their manager (i.e. Consents Senior Programme Manager or Consents Programme Manager) and take instructions as to the detailed nature of the further information to be requested in writing from the applicant, together with the reasonable timeframe* within which it is to be provided. In the event that the Applicant then refuses [under s 92A(1)(c)] to supply the information, or fails to supply the information by the date specified in accordance with s 92A(2), then the application must first be publicly notified as required by section 95C.</p>
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S.95A, 95B, 95D 95E, and 95F	To determine whether an application for resource consent is to be publicly notified or limited notified, and also whether there are any persons adversely affected by an activity or if there are any affected order holders.	Consents Programme Manager	The Technical Officer processing the application shall investigate the application in relation to the issues under Section 95A-95F (including whether there are any persons adversely affected or affected order holders), using any relevant guidelines in the staff/procedures manual. The Technical Officer shall complete the Council's Notification Decision Report for consideration by the Consents Programme Manager (noting in particular whether there are any persons adversely affected or affected order holders). If satisfied, the Consents Programme Manager will sign the Notification Decision Report and it shall be kept on the application file. Where the Consents Programme Manager has received an application as being publicly or limited notified, the Technical Officer shall not proceed to process the application on a non-notified basis unless the Consents Programme Manager has given their delegated authority to do so. In the event that the application is to be publicly notified then RM 10 Regulations give discretion as to who shall be served a copy of the application. The regulations requirements current at the time must be carefully followed.
S.117	To take the necessary initial action on an application for a coastal permit that involves a restricted coastal activity.	Technical Officers	Technical Officers shall, on receipt of an application for a coastal permit for what is a restricted coastal activity, advise/confirm with the applicant in writing that the proposed activity is a restricted coastal activity and shall ensure that a copy of the application is forwarded to the Minister of Conservation/Regional Conservator and the relevant territorial authority.

Review of Conditions

Ss.128 to 132	To initiate and administer the review by the consent authority of conditions of a consent.	Consents Senior Programme Manager Monitoring Senior Programme Manager	Before exercising this delegation, the relevant Manager shall be satisfied that one or more of the circumstances for the review, as provided in section 128, applies.
S.132(3) and (4)	To cancel a resource consent following review.	Executive Manager, Consents Senior Programme Manager	Consents can be cancelled if the review was initiated under s128(1)(c) or s128(2) and there are significant adverse effects resulting from the exercise of the consent.

Call-In by Minister for the Environment, Applications Made to the Environmental Protection Authority (EPA), and Water Conservation Order

S.142(1)(b)	To request that the Minister to make a direction that a matter be called in	Executive Manager	An Executive Manager will exercise this delegation in consultation with the Consents Senior Programme Manager and/ or Regional Policy Senior Programme Manager (as appropriate to the matter being considered). Matters of national significance can be called in by the Minister a variety of ways, including a request made by the Council. Before making such a request the restrictions outlined in s143 should be considered.
S.142(4)	To provide the views of the Council to the Minister in relation to matters that may be called in.	Executive Manager	An Executive Manager will exercise this delegation in consultation with the Consents Senior Programme Manager and/ or Regional Policy Senior Programme Manager (as appropriate to the matter being considered). Before the Minister decides to call in a matter he/she is required to seek the views of the local authority under s142(4).

S.147(4)	To provide the views of the Council to the Minister in relation to matters lodged with the EPA.	Executive Manager	An Executive Manager will exercise this delegation in consultation with the Consents Senior Programme Manager and/ or Regional Policy Senior Programme Manager (as appropriate to the matter being considered). Before the Minister decides to refer a matter to a board of inquiry or to the Environment Court he/she is required to seek the views of the local authority under s142(4).
S.149E	To lodge a submission with the EPA on a matter that has been called in and publicly notified by the Minister.	Executive Manager	An Executive Manager will exercise this delegation in consultation with the Consents Senior Programme Manager and/ or Regional Policy Senior Programme Manager (as appropriate to the matter being considered).
S.149F	To lodge a further submission on a matter called in by the Minister	Executive Manager	An Executive Manager will exercise this delegation in consultation with the Consents Senior Programme Manager and/ or Regional Policy Senior Programme Manager (as appropriate to the matter being considered).
S.149G	To prepare a report for the EPA on the key planning issues relating to a matter called in by the Minister.	Executive Manager, Consents Senior Programme Manager, Consents Programme Manager, Regional Policy Senior Programme Manager; Technical Officers	The EPA must commission a report from the Council on the key issues associated with a matter that is called in by the Minister. While the report can be prepared by those with delegated authority it must be signed off by an Executive Manager who will exercise this delegation in consultation with the Consents Senior Programme Manager and/ or Regional Policy Senior Programme Manager (as appropriate to the matter being considered).

S.149I	To withdraw a plan change that has been notified under clause 5 of Schedule 1 or variation to a proposed plan for which the Minister has made a direction to call in the matter	Executive Manager	An Executive Manager will normally exercise this delegation in consultation with the Consents Senior Programme Manager and/ or Regional Policy Senior Programme Manager (as appropriate to the matter being considered).
S.149K	Provide suggestion to the Minister for members of a Board of Inquiry	Executive Manager	The Minister must seek suggestions from the Council for members of a board of inquiry.
S.149O	To make a submission on a proposed plan or plan change where the EPA receives these from a local authority.	Executive Manager	
S.149Q	To provide comments on minor or technical aspects of the report to the EPA.	Executive Manager	<p>The EPA must provide a copy of a board of inquiry's report to the Council for comment.</p> <p>An Executive Manager will exercise this delegation in consultation with the Consents Senior Programme Manager and/ or Regional Policy Senior Programme Manager (as appropriate to the matter being considered).</p>

S.149T(6)	To give notice to the Environment Court under s.274 to be a party to proceedings in relation to a matter referred to the Environment Court by the Minister	Executive Manager	Where the Minister calls in a matter and refers it to the Environment Court the Council is served with a notice of motion from the applicant and the Council has the opportunity to join the proceedings through s.274.
S.149V	To lodge an appeal with the High Court on questions of law.	Executive Manager	
S.149ZD	To recover costs from an applicant incurred by the Council in complying with Part 6AA of the Act (Proposals of National Significance).	Executive Manager, Senior Consents Programme Manager.	When determining costs the Council must take into consideration the matters outlined in section 149ZD(6).

Destination Northland Limited – Business and Marketing Plan 2009/2010

File 160.11

Report from Kathryn Ross Local Government Senior Programme Manager dated 8 October 2009.

DESTINATION NORTHLAND LIMITED'S BUSINESS AND MARKETING PLAN 2009/2010

Destination Northland Limited's restructuring delayed the production of its 2009/2010 Business and Marketing Plan (a plan made with the tourism industry). Due to the cancellation of the September 2009 Audit and Finance meeting and the unavailability of Destination Northland Limited's General Manager for the October 2009 meeting, Destination Northland Limited wishes to bring the Business and Marketing Plan 2009/2010 (the Plan) to the Council's October meeting for discussion. Brian Roberts will attend in support of the Plan.

AGREEMENT FOR FUNDING

It is normal practice for the Council to contractually agree to make quarterly payments of \$25,000 to Destination Northland Limited upon receipt of invoices and quarterly reports against the objectives and key performance indicators in the Business and Marketing Plan. It is recommended that another contract on similar terms be entered into and that the Council confirm that it delegates authority to do this to the Chairman.

POTENTIAL REASON FOR REVIEW OF THE PLAN

Councillors should note that a separate 2009-2011 comprehensive visitor marketing plan for the 2011 Rugby World Cup has been developed by Destination Northland Limited. A number of key decisions, yet to be made, will have an impact on its delivery and there is an issue around funding the plan. Council may wish to ask Destination Northland Limited to review the Plan to ensure that plans for the Rugby World Cup are adequately integrated and funded and report its findings to the Audit and Finance Committee after production of the first quarterly report and before Christmas 2009. The Council may wish to make this a term of the contract or payment under it.

CONCLUSION

Destination Northland Limited's Business and Marketing Plan 2009/2010 is put forward for discussion. It is recommended that the Council enter into a contract on similar terms to the 2008/2009 agreement and delegate authority to enter this contract on behalf of the Council to the Chairman.

Recommendation

1. That the Destination Northland Limited report from the Local Government Senior Programme Manager dated 8 October 2009 be received; and
2. That the Council contracts with Destination Northland Limited for 2009/2010 on similar terms to the 2008/2009 agreement attached to the report and delegates authority to enter this contract on behalf of the Council to the Chairman; and
3. That the Chairman requests Destination Northland Limited to review the Business and Marketing Plan 2009/2010 to ensure that plans for the Rugby World Cup are adequately integrated and funded and report its findings to the XX/XX/XX Audit and Finance Committee meeting.

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 2009 to 2019 Long Term Council Community Plan and are in accordance with the Council's decision making process and sections 76-82 of the Local Government Act 2002.



**BUSINESS AND MARKETING PLAN 2009/2010
DESTINATION NORTHLAND**

Executive Summary

This plan has been developed in partnership with the Northland Tourism industry using the 2008 Northland Visitor Strategy as a base document and also taking into account the current international economic environment.

As a result of the international situation and limited funding, the activities of Destination Northland will be focused in the following 6 areas.

- Upgrading northlandnz.com and then pro-actively using the website with e-marketing
- Focusing on the Australian and domestic markets while maintaining a small level of activity in UK-Europe
- Continue to maximise opportunities via visiting media
- Driving a number of product development projects as a way of increasing visitor expenditure in Northland
- Ensuring strategic partnerships are developed and maximised
- Actively target opportunities to ensure Northland secures maximum benefits from the 2011 Rugby World Cup

Despite funding limitations the plan has set aggressive targets to grow market share and address seasonality and international expenditure.

Current Market Situation

- In 2008, 1.9 million visitors spent overnight visits in Northland (*Note 1)
- 27% International and 73% Domestic (visitor nights)
 - 43% - Auckland origin
 - 10% - Australia
 - 7% - UK
 - 6% - Waikato
- Year End 30 June Northland visitor numbers (– 9%) on 2008/09 year
- Tourism delivers directly \$1million per day to Northland and employs one in nine Northlanders
- Direct Northland visitor expenditure \$380m per year
- 56% of visitor nights occur in the 4 months Dec-Mar
- Only 1 in 5 of international visitors to NZ spend time in Northland

Forecast Situation January-December 2010 (Note 2)**

- **International Arrivals forecast growth +2.5%**

- +2.0% - Australia

- +2.0% - Germany

- +0.1% - UK

- +0.1% - North America

- +23% - China

- **Domestic Arrivals Forecast +2.2%**

* Note 1: Sourced from 2008 NZ Regional Tourism Results (Ministry of Tourism)

** Note 2: Sourced from 2010 Ministry of Tourism Forecast Figures

Mission Statement:

To maximise and manage the sustainable economic benefits of increased visitor numbers, to work in partnership with Northland businesses, communities and councils.

Long Term Goals – Strategic Outcomes

- Contribute to increasing and managing the growth of visitor numbers to the region
- Contribute to increasing visitor nights and expenditure within the region (targeting shoulder months), resulting in positive economic development
- Increase regional business expenditure. Identify and assist with product development to increase regional business expenditure
- To work with industry and communities to improve the quality of the visitor experience in Northland, and enhance business profitability
- To work in partnership with Maori to increase their involvement in tourism throughout Northland
- To promote the Twin Coast Discovery Highway concept to encourage a greater spread of visitors throughout the region
- Encourage the adoption of sustainability principles and the quality delivery of tourism experiences as per the Northland Visitor Strategy

Strategies

We will achieve our long term goals through the following strategies:

- Take the lead in pro-active marketing to our preferred markets
- Being innovative in the use of web based marketing and technology
- Building and fostering a strong partnership with our stakeholders
- Maximising strong strategic partnerships
- Ensuring our direction and strategies are based on best available research

MACRO OBJECTIVES

These are collective Northland visitor industry targets. DNL contributes to these however no single business or organisation can be held directly responsible

1. To grow Northland's market share of visitor nights from 5.15% to 5.30% (Source Commercial Accommodation Monitor).
2. To grow visitor expenditure by 3%
3. To grow the shoulder season by 4% to 600,000 visitor nights in commercial accommodation (CAM)
4. To increase the percentage of Northland international visitor nights from current figure of 27% to 30%

ORGANISATIONAL OBJECTIVES

5. To maintain the existing funding base of \$960,000 from the private sector for co-operative joint marketing with Destination Northland
6. Northlandnz.com is the leading site for the promotion of Northland and acts as a portal for those interested in the region as a place to work, live and play
7. To increase the visitor numbers from Australia by 5% over 2008/09 for participants in the Australian Trade Marketing Group
8. To increase the percentage of Northland international visitor nights from current figure of 27% to 30%
9. To ensure Northland has maximum product exposure with the Official

Rugby World Cup Travel agents itineraries

10. Increase domestic media coverage by 5% over 2008/09 value of \$354,523
11. Initiate and drive 2 new business case studies for major new tourism development projects which will generate increased visitor expenditure
12. Develop and set a benchmark reporting system against similar other New Zealand RTO's.

Marketing Action Plan 2009-2010

Web-marketing

Destination image is increasingly under the control of the consumer via the Web 2.0 environment (blogs, RSS feeds, social media etc). The internet is now the single most popular source of travel information in many of Northland's key markets, and will be Destination Northland's major form of marketing for both International and Domestic markets.

For the Northlandnz.com website to grow and attract new traffic it must become more relevant to a wider range of search terms and present a compelling offer when compared to other New Zealand regions.

The website needs to become more interactive and engaging but not at the expense of search, speed and usability. A dedicated search engine optimization (SEO) plan must be put in place and monitored regularly. The best website in the world is useless if no one finds it.

Social networking sites such as YouTube, Facebook, Twitter, Google Maps etc, where 'true' accounts of travel experiences are discussed, and ideas exchanged, are of great importance and influence to the internet savvy consumer. Social media marketing (SMM) offers endless marketing opportunities.

SEO and SMM specialists have been asked to submit RFPs to guide and assist us in developing strategies, plans and campaigns in these areas.

A site review has been undertaken and the site is to undergo some changes to the structure; to the navigation; and to incorporate the new regional brand values, writing style and imagery.

Activities

Northlandnz.com Website

Complete site review, restructure, technical upgrade and adoption of new brand values to improve usability and present compelling view of the region to users

Timeframe: Aug- Oct 2009

Measure:

- Win a web award for excellence in one of the following areas - interactive design, creativity, usability and functionality on the Internet
- Annual industry and user satisfaction survey resulting in 75% or greater excellent rating

Social Media Marketing (SMM)

Implement SMM campaigns using Facebook, Twitter, YouTube and flickr etc. creating viral campaigns

Timeframe: Commence November 2009

Measure:

- Number of 'followers' and contributors to groups
- To set benchmark levels

Search Engine Marketing (SEM)

Implement SEO plan to grow organic web traffic

Timeframe: 6 month trial will be reviewed 31.3.10

Measure: Increased unique visits by 25% and site rankings to page one

Increase number of paid advertisers on northlandnz.com from a base of 111 as at June 2009

Timeframe: June 2010

Measure: 225 paid listings from 111

Development of corporate website to house resources for tourism industry – statistics, research

Timeframe: December 2009

Measure: Annual industry satisfaction survey on content and structure resulting in 75% or greater excellent rating

Domestic and Events

Regional Positioning:

- In the eyes of the domestic visitor Northland is positioned as a desirable destination
- Emphasis is placed on the warm climate (where summer lasts longer) food and wine experiences, nature/relaxation, and an opportunity to reconnect with 'New Zealand as it used to be'.
- Regional promotion is linked to events wherever possible to provide an additional enticement to travel

Market Description and Opportunities:

- The domestic market is Northland's largest single market.
- The largest proportion of domestic visitors come from Auckland and the upper North Island
- Domestic visitors help to address seasonality, and provide a greater distribution of visitors around the entire Northland region.
- Average spend for domestic overnight visitors is around \$80 per day
- In 2007 the breakdown of domestic vs international visitors was 73% domestic and 27% international.

Key Issues:

- Traditional forms of media communication to the NZ Domestic market are not producing the desired results for the required \$ investments.
- Using new forms of electronic marketing media as outlined in the Web Marketing section of the plan will be introduced to target the NZ Domestic market.

Marketing Activities:

Web Marketing

Commence a series of targeted E-Marketing campaigns in partnership with Industry

Timeframe: Commence November 2009

Measure:

- Development of marketing plan by November
- Set benchmark levels

Media Marketing

Develop and maintain relationships with domestic media resulting in positive media exposure in a range of publications

Timeframe: Ongoing

Measure: Increase media exposure by 5% over previous year's value of \$354,523

Trade Marketing

In partnership with the visitor industry commence a series of industry familiarization visits, targeting Northland influencers such as I-Site centres, campervan and rental car companies, hotel concierges and backpacker hostels.

Timeframe: Ongoing

Measure:

- Number of participants
- Industry \$ contributions
- Survey results showing 75% or more excellent rating

Events

1. Eventfinder to be utilised as the mechanism for loading events on to northlandnz.com

Timeframe: Ongoing

Measure: Increase exposure of Northland events to 3 or more other national event sites, eg AA, Grown Ups, Yahoo

2. Distribute and promote event information to media

Timeframe: Ongoing

Measure: At least 30 events in key national media per annum

Direct Consumer Marketing

Continue to grow the DNL consumer database and distribute special product offers and event information linked to shoulder and low season promotions.

Timeframe: Ongoing

Measure:

- Increase consumer database by 25%, from 4470 in 2008/09
- Deliver three communications to consumer database

Conference

Growth in the conference market has had a very positive impact on reducing seasonality in the region.

Regional Positioning:

- Northland's entry into conference marketing is relatively recent. The region is positioned as a highly desirable conference destination for those who have tired of the big city centres.
- The relatively mild climate and subtropical theme is a major motivator
- Highly desirable niche destination for smaller corporate retreats
- Resort style conferencing options

Market Description and Opportunities:

- Conference season is April – September making it ideal for addressing the issue of seasonality
- Large volume and multi night stays
- Encourages repeat visitation with delegates returning to visit with their family and friends at a later date
- Opportunity to extend the length of stay pre and post conference

Key Issues:

- Each district offers specific growth opportunities and require separate plans for further development of facilities
- Few large scale conferencing options in Northland
- Lack of research available to measure the growth achieved for this sector

Activities

Co-ordinate Northland operators' attendance at Meetings 2009 (Trade Show)
Timeframe: July 2009
Measure:
<ul style="list-style-type: none"> • Increase by 10-20% number of Northland attendees and number of appointments • Establish base reporting structure with key operators
DNL CINZ membership and Northland operator presence in CINZ Planner
Timeframe: July
Measure: Increase by 10-20% Northland presence
Incorporate Northland Conference listings within the Trade Guide and on northlandnz.com funded by industry.
Timeframe: Completed by May 2010
Measure: Target income \$2000 from industry listings

International Marketing

Currently 27% of Northland visitor nights originate from International Visitors. As these visitors spend on average approximately 3 times per day (\$200pp +) more than domestic visitors, their economic impact is significantly more valuable. Given Northland only receives 1 in 5 of the International visitors to New Zealand the opportunity to grow this market share especially from Australia is important.

Australia accounts for 34% of visitor nights and United Kingdom currently 20% with the USA and Germany both 10% each.

Inbound travel sellers based in New Zealand

Maintain relationships with inbound tour operators and other inbound travel sellers based in New Zealand. This includes regular Northland product updates.

Activities

Northland new product newsletter

Timeframe: emailed three times per year

Measure:

- Newsletter written and emailed three times annually to trade database (approx 2200 contacts).
- Annual Satisfaction survey of 75% or greater excellent rating

Northland product updates for inbound travel sellers pre TRENZ

Timeframe: May 2010

Measure:

- Survey to establish level of Northland product uptake

Northland Operator inbound training in Auckland

Timeframe: September 2009

Measure:

- Increase participation of new Northland operators by 10% over 2008/2009 level

International Travel Trade Famil visits

Timeframe: Ongoing

Measure:

- Increase brochure with variety product inclusions and regional spread in target markets by having two extra non Bay of Islands operators
- Number of visits

Co-ordinate Northland operators' attendance at TRENZ 2009

Timeframe: June 2010

Measure:

- Increase Northland operator attendance by 10%
- Industry contribution (Tai Tokerau Tourism) to Destination Northland stand of \$2,500

International Media

Activities

Work with Tourism NZ's international media team in Auckland and in-market to suggest story ideas, coordinate and book itineraries, meet and assist media when in Northland

Timeframe: ongoing

Measure: To achieve at least 12 million international viewers of Northland film and TV exposure

International Consumers

Activities

Web Marketing

Commence a series of targeted E-Marketing campaigns

Timeframe: Commence November 2009

Measure:

- Develop marketing plan by November
- Set benchmark levels

Australia

Australia is New Zealand's closest market and accounts for over 25% of international visitors to Northland. The stars are aligned for this market with an airline price war taking place and strong promotions by Tourism NZ in Australia. Because of the economic crisis, Australian consumers are hesitant to go on long haul holidays, so New Zealand is the perfect short break destination

Activities

Review / update of the current Australian Trade Marketing Group (ATM Group) marketing plan

Timeframe: By 20 November 09

Measure: review undertaken and new plan signed off by ATM group

Increase membership of ATM Group

Timeframe: ongoing

Measure: increase membership by 10% (current membership is 24)

Actively pitch to Tourism NZ in Australia and Australian media

Timeframe: ongoing

Measure: increase Northland media exposure (distribution) in Australia by 20% over 2008/09

Develop consumer campaign for Australian market

Timeframe: Autumn 2010

Measure:

- Campaign introduced in Australia
- Packages on www.northlandnz.com/australia with campaign code to measure web visits and bookings, target Autumn 2010 with 200 bookings

UK/Europe

The UK is Northland's largest long haul market, followed by Europe. Due to the current economic crisis, visitor numbers are forecasted to be flat for the 2009/2010 period. However given only one in five UK – Europe visitors come to Northland the potential to grow market share and economic impact from the source market is large.

Activities

Auckland/Northland IMA (international Marketing Alliance) trade visit in the UK, the Netherlands and Germany

Timeframe: 20 – 29 July 2009

Measure:

- Increase brochure with variety product inclusions and regional spread in target markets by having two extra non Bay of Islands operators
- Number of visits
Target industry contribution of \$6000

North America

Activities

Continue to partner with Tourism Auckland and Tourism NZ via the International Marketing Alliance (IMA)

Timeframe: Ongoing

Measure:

- Northland Trade Guides to be distributed to 100 targeted agents
- Number of visiting media from North America generating minimum 3 million viewers/readers

India

Activities

Auckland/Northland IMA participation in Kiwi Link India

Timeframe: 7-16 September

Measure:

- Tourism Auckland to represent the Northland region
- Northland trade guides and visitor guides distributed to 15 Indian agents
- Target and achieve four pages of brochure exposure in wholesaler programs

China

Activities

In partnership with industry commence an evaluation of the potential of this market for the future

Timeframe: Completed May 2010

Measure: Market evaluation report

Product Development

The 2008 Northland Visitor Strategy has identified a number of regional opportunities to increase expenditure from visitors. The following specific items have been selected for further development work during the 2009 - 2010 year.

Regional Conference Venue

Complete business case feasibility study for 500 + seat Regional Conference venue

Timeframe: November 2009

Measure: : Business case report completed

Regional Walks Strategy

Drive the implementation on year 1 recommendations from the Northland Walks strategy

Timeframe: Sept 2009 - June 2010

Measure:

- New walks section on northlandnz.com
- Upgrade walks operating

Regional Dive Trail

Finalise the regional dive trail concept and commence marketing

Timeframe: Sept 2009 - June 2010

Measure:

- Industry groups in place
- Funding confirmed
- Marketing plan completed

Regional Cycleways

Provide marketing assistance to the partners developing Northland Cycleways

Timeframe: Sept 2009 - June 2010

Measure:

- Member of council cycleway teams
- Council expectations exceeded

Sales Material**Background**

Despite the increased use of technology, printed sales materials remain an important component of destination marketing. Destination Northland must produce contemporary material that will attract attention and demonstrate the brand values and key attributes of Northland

The format and usability of the visitor guide rated highly in a recent survey of consumers and advertisers.

Activities

Production of the Northland 2010 Visitor guide

Timeframe: November 2009

- Conduct satisfaction survey of consumers and advertisers

Timeframe: June 2010

Measure:

- Annual survey resulting in 75% or greater excellence performance
- Advertising revenue increased by 5%

Production of the Northland 2010 Trade Guide

Timeframe: May 2010

- Conduct satisfaction survey of users and advertisers

Timeframe: June 2010

Measure:

- Annual survey resulting in 75% or greater excellence performance
- Advertising revenue increased by 5%

Incorporate Northland Conference listings within the Trade Guide and on northlandnz.com funded by industry.

Timeframe: Completed by May 2010

Measure: Target income \$2000 from industry listings

Maintain Northland's image library and add new images as budget allows.

Timeframe: Ongoing

Measure: Images freely available for promotional purposes and usage reported

NORTHLAND TOURISM INDUSTRY COMMUNICATION AND EDUCATION

In order to increase the scale of Northland tourism businesses Destination Northland seeks to secure greater understanding and engagement through education and communication.

This includes working with industry and encouraging their participation in tactical campaigns, providing opportunities for businesses to move up to the next level (such as the Auckland based IBO training opportunity which is designed to step industry through a process to become internationally active). Annual industry training seminars, road shows, newsletters and one off communications serve to keep the industry informed and encourage greater professional development.

Activities

Distribution at least 8 E-newsletters/updates to Northland tourism industry

Timeframe: per annum

Measure:

- E-Newsletters distributed to 1340 operators
- Establish survey to evaluate performance

In partnership with the TDG hold a Northland industry conference in conjunction with the annual TNZ/TIANZ Seminar Series.

Timeframe: September 2009

Measure:

- Event held and number of industry attended greater than 130.
- Satisfaction survey with a target of 75% or greater, positive result

BRANDING

The *Northland New Zealand's First Land* brand is a vital cornerstone in the promotion of the region.

Tourism is seen as the lead sector for utilising the branding which aims to strengthen the 'First Region' concept.

Activities

Use brand for all Destination Northland collateral and activities and pro-actively encourage participation by industry

Measure:

- Incorporated in all Destination Northland activity
- Industry uptake by minimum 30%

Strategic Partnerships

As the base funding of Destination Northland is significantly less than many of our competitor regions leveraging partnerships is good way to expand our marketing activities.

The following partners have been identified for DNL to work closely with:

Tourism Auckland

Activities

1. Continue to partner with Tourism AKL under the IMA arrangement for North America , India and Japan
2. Finalise a Joint Venture partnership for Australian Packages
3. Establish a Partnership arrangement to leverage off the 2011 Rugby World Cup

Measure:

1. Increase number on trade database
2. Number of new packages and bookings
3. Partnership finalised by November 2009

Air New Zealand

Activities

Continue to provide Air New Zealand holidays with special packages targeting the shoulder season months based on Whangarei, Kaitaia and Kerikeri airports

Measure:

- Package booking secured
- Inflight magazine produced

Tai Tokerau Tourism Association

Activities

To review current joint venture partnership opportunities

Measure: Opportunities identified

Northland I-Sites

Activities

Presentation of DNL annual plan to identify joint venture opportunities

Timeframe: October

Measure: Joint venture opportunities identified

Northland Arts Promotion Trust

Activities

Establish working relationship with Northland Art Promotion Trust

Measure: Opportunities identified

2011 RUGBY WORLD CUP

A separate 2009-2011 comprehensive visitor marketing plan for the 2011 RWC has been developed . A number of key decisions are still to be made in the next three months around the appointment of the official travel agents and team basing which will have an impact on our plan delivery.

During the 2009-2010 marketing year the following items will be a priority for Destination Northland

Official Travel Agents (OTA's)

Activities

Approximately 25 OTA's will be appointed in October 2009 to handle pre booked international packages for both group and FIT travel

1. Work to ensure Northland has a strong OTA itinerary presence in the key markets identified in the plan
2. Work to ensure Northland is included in all 25 OTA RWC programmes
3. Invite targeted OTA's to visit Northland for product viewing

Measure:

- Number of itinerary inclusions in RWC programmes
- Number of OTA's visiting Northland

Media

Activities

Produce specific media pitch ideas for RWC

Measure: Number of media articles and audience exposure

Website

Activities

Develop Northland RWC landing page linked to Northlandnz.com

Measure: Number of visits to website monthly

Northland Rugby World Cup Brochure

Activities

Develop Northland RWC specific brochure in partnership with visitor industry

Measure: Level of industry support and use by OTA's

Key to Acronyms

DNAC – Destination Northland Advisory Council

IMA – International Marketing Alliance (Auckland and Northland)

ITOC – Inbound Tour Operators Council

NVS – Northland Visitor Strategy

NZTS – New Zealand Tourism Strategy

RTONZ – Regional Tourism Organisations of New Zealand

RTO – Regional Tourism Organisation

TCDH – Twin Coast Discovery Highway

TDG – Northland Tourism Development Group

TIANZ – Tourism Industry Association

TNZ – Tourism New Zealand

TRENZ – Tourism Rendezvous New Zealand

ATM – Australian Trade Marketing

RWC – Rugby World Cup

TERMS OF AGREEMENT

Between

NORTHLAND REGIONAL COUNCIL

and

DESTINATION NORTHLAND LTD

This contract identifies the objectives and terms of accountability that the Northland Regional Council expects Destination Northland to undertake and to achieve within the 2008/2009 financial year.

1. **OBJECTIVES**

To achieve the objectives outlined in the 2008/2009 Destination Northland Business Plan, and implement the associated Marketing Strategies and Action Plan.

2. **REPORTING**

Destination Northland will provide written reports to the Northland Regional Council covering the following key performance indicators.

- i. Progress against stated objectives, marketing strategies and action plan as detailed in the 2008/2009 Business Plan. Reports to refer and relate directly to each specific objective or action applicable within the reporting period.
- ii. Quarterly summary from:
 - the Statistics New Zealand Accommodation Monitor
 - the Tourism New Zealand International Visitor Survey
 - visitor information centres and relevant DoC offices in Northland

including with full copies of each month's results, and analysis of the results and trends.

3. **REPORT TIMES**

Quarterly reports for the Northland Regional Council outlining the above information are to be provided in the month following the quarters ending 30 September 2008, 31 December 2008, 31 March 2009 and 30 June 2009.

An annual summary report for the Northland Regional Council detailing the actual performance against each of the stated objectives in the 2007/2008 Business Plan.

4. DRAFT ANNUAL BUSINESS PLAN

By January 31 2009, Destination Northland will offer to hold a meeting with the Council to discuss its planned objectives, marketing strategies and actions for the 2009/2010 financial year and associated performance measures.

Destination Northland will provide the Council with a copy of its draft annual Business Plan 2009/2010 by May 5 2009, for comment by the Council. Any comments made are to be taken into account in finalising the 2009/2010 Business Plan, which should be delivered to Council by June 30 2009.

5. FUNDING

The Northland Regional Council will pay Destination Northland according to the following schedule.

Four instalments of \$25,000 + GST paid against invoices raised on the following dates:

- | | |
|----------------|--|
| 1 August 2008 | Providing that the final quarter's report for 2007/2008 financial year has been received by the Council. |
| 1 October 2008 | Providing that: <ul style="list-style-type: none">- the first quarter's report for the 2008/2009 financial year; and- the annual report for the 2007/2008 financial year have been received by the Council. |
| 1 January 2009 | Providing that the second quarter's report for the year has been received by the Council. |
| 1 April 2009 | Providing that the third quarter's report for the year has been received by the Council. |

6. TERM

This contract is effective from the 1 July 2008 to 30 June 2009.

Signed
Dated

Meetings Calendar for 2010

File 105.2

Report from Council Administration Programme Manager Dean Alderton dated 1 October 2009.

The proposed draft programme for 2010 meetings of the Council and its standing committees is submitted for Councillors' consideration. Councillors are asked to check that the relevant meetings are recorded in their diaries.

The Local Government elections are scheduled to take place on Saturday, 9 October 2010 and therefore the dates for meetings in the October to December 2010 period are indicative only.

Recommendation

That the report from the Council Administration Programme Manager dated 1 October 2009 on the draft programme of meetings for 2010, as recommended, be adopted.

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 2009-2019 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.

MEETING CALENDAR FOR 2010 – COUNCIL AND STANDING COMMITTEES

Meeting	Day & Time	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Council	Third Wednesday at 1 pm except Jan, Dec		17	17 (Adopt draft Annual Plan)	21	19	16 Adopt A Plan & rates	21	18	15	20 or 27 (new Council)	17	8
Extraordinary Council	As called												
Council (Annual Plan) Workshops	Wednesdays (usually). After Council meetings		17									17 (LTCCP Briefing)	
Public Consultation (Annual Plan)					7 April – 7 May								
Hearings and Deliberations (Annual Plan)						24-26 Inclusive							
Audit and Finance Committee	Fourth Wednesday at 1 pm		24	24	28	-	23	-	25	22		24	15
Environmental Management Committee	Third Wednesday at 10 am Bi-monthly			17		19		21		15			8
Regional Transport Committee	Third Tuesday at 10 am Bi-monthly		16		20		15		17				15
CD Emergency Management Group	First Tuesday at 10 am Quarterly			2			1			7			7
Local Government NZ Conference (Auckland)	To be determined							25-28 (in Akld)					
Mayoral Forum	Second Monday every second month		8 at FNDC		12 at WDC		14 at KDC		9 at NRC		No Mtg		13 at FNDC

Annual Report and Financial Statements - 30 June 2009

File 300.2

Report from the Finance and IT Manager, Lisa Aubrey dated 12 October 2009.

The Council's un-audited Summary Annual Report and Annual Report and consolidated financial statements for the year ended 30 June 2009 will be sent out under separate cover for review and approval.

The consolidated statements include the results of the Northland Port Corporation (NZ) Ltd and its subsidiary and associate companies, and the Northland Regional Council Community Trust and its subsidiaries for the year ended 30 June 2009.

Audit New Zealand has completed the audit of Council accounts and high level audit clearance and debrief was provided on 5 October 2009. Separate meetings were held with the Audit and Finance Chair on 29th September and the Chief Executive and Chairman on the 5th October 2009. I am awaiting some technical advice which will then need to be cleared with the Audit New Zealand technical team. The financial statements will be sent to Councilors once this advice has been received and changes (if any) have been made to the financial statements.

The audit opinion will be tabled at the meeting by Mrs Catherine Trussler Audit New Zealand Manager, who will be standing in for Mr Francis Caetano, Audit New Zealand Director.

AUDIT CLEARANCE

Subject to final Audit clearance, and upon the Council's approval and adoption, the Annual Report will be printed and distributed to Councillors and the statutory recipients. Statutory recipients include the Minister and Secretary for Local Government; the Auditor-General and the Parliamentary Library. Northland Members of Parliament and other interested organisations are also issued with copies. The report will be published on the Council's website and will be available on compact disk for organisations that request a copy.

I would like to record my appreciation to Audit New Zealand for the smooth progress of the audit.

Recommendation

1. That, subject to audit clearance, the Council's audited Annual Report and Financial Statements for the Year ended 30 June 2009 be adopted pursuant to Section 98 of the Local Government Act 2002.
2. That, subject to audit clearance, the Council's audited Summary Annual Report for the Year ended 30 June 2009 be adopted pursuant to Section 98 of the Local Government Act 2002.
3. That the Chief Executive Officer be authorised to make minor editorial and presentation changes, as approved by the Chairman.

COMPLIANCE WITH DECISION MAKING PROCESS

The activities detailed in this report are provided for in the Council's 2008/2009 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.

Financial Report – 30 September 2009

File 350.4

Report from Financial Accountant Kim Harvey dated 6 October 2009.

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

OVERVIEW

During the first few months of the financial year a significant amount of variability is expected as budget phasing is refined and revenue and expenditure come on stream.

The Finance Department has been working with staff to ensure the budgets are phased in line with anticipated timing of expenditure and revenue streams. This has resulted in more meaningful financial results to the period ended 30 September 2009.

A detailed review of quarter one operating results will be provided to the Audit and Finance Committee later this month. This review will identify and explain any material variances.

OPERATING RESULTS

The Summary Cost of Services Statement for the three months to 30 September 2009 shows a net operating surplus before extraordinary items of \$471K against a budgeted net surplus of \$27K. This results in a favourable variance of \$444K. The favourable variance is due to expenditure tracking behind budget by \$611K, which is partially offset by revenue also tracking behind budget by \$(167)K.

The operating surplus after extraordinary items is \$275K compared to a budgeted deficit of \$(226)K. Removing extraordinary items from the operating results gives a clearer picture on the operating activities of Council. For reporting purposes we have classified the Recreational Facilities rate and all Regional Event Centre related payments as extraordinary items. Expenditure contributed by Council towards the Event Centre will be funded from reserves in the first instance and repaid from the Recreational Facilities rate over an approximate 15 year period. Extraordinary items also include vested assets and may also include other items as they come on stream.

Budget variances evident to date are not expected to be permanent or indicative of any full year variances.

REVENUE

The year to date revenue at \$6.17M is tracking 3% behind the budget of \$6.33M. Grants and subsidies continue to show an unfavourable variance. The variances primarily relate to transport administration subsidies. The variances are due to budget phasing rather than long term differences. Investment interest income is tracking behind budget as a result of interest rates achieved to date being lower than budgeted. Investments are being actively monitored by staff.

EXPENDITURE

Year to date expenditure is \$5.69M compared to a budget of \$6.31M, giving a favourable variance at the end of the first quarter of 10% \$611K. Areas of note are as follows:

- Regional Information and Engagement is below budget for both the month of September and the year to date due publicity/education promotions expenditure not coming on stream as profiled. Historically, the publicity/education budget is expended over the summer months on events such as the Field Days, vehicles on beaches and harbour safety programmes.
- Transport costs year to date are \$97K below budget due to a number of contracted works not yet having come on stream, and minor variances against budget across a number of areas. It should be noted there is a corresponding decrease in transport subsidy revenue.
- Resource Management Planning is slightly over budget for the month due to consultants costs in relation to the Aquaculture project, which is 50% funded by Ministry for the Environment, coming on stream. Year to date costs in this area are under budget due to current staff vacancies in the department. The recruitment process to fill the Resource Management Planning vacancies is currently underway with a view to having staff in position by the end of December 2009.
- Maritime is marginally over budget for the month as a result of a bulk fuel purchase and overhaul work required on plant and equipment, however the year to date position due to a large number of minor variances against budget.

CAPITAL EXPENDITURE

At the end of the first quarter \$256K has been spent on capital items out of an annual budget of \$4.0M. Key items that make up this expenditure are the IRIS project (\$82K), vehicle replacements (\$70K), Maritime navigation aids (\$39K) and the upgrade to the roof of the Woolworths building (\$27K). The budget for Capital expenditure is not phased.

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 Recreational Facilities rate collected to fund the Regional Events Centre totalling \$284K to date;
- the costs contributed towards the Regional Events Centre which now total \$521K; and
- notional revenue of \$42K arising from navigation aids vested to the Council by Northport Limited.

Recommendation

That the financial report from Financial Accountant Kim Harvey dated 6 October 2009 to 30 September 2009 be received.

COMPLIANCE WITH DECISION MAKING PROCESS

The activities detailed in this report are provided for in the Council's 2009-2019 Long Term Council Community Plan, and as such are in accordance with the Council's decision-making process and Sections 76-82 of the Local Government Act 2002.

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Monthly Report for		September 09							
	September 09				YEAR TO DATE				FULL YEAR BUDGET (LTCCP) ¹
	Actual	Budget	Variance	Var %	YTD Actual	YTD Budget	Variance	Var %	
Total Council Revenue									
Rates (excluding Regional Recreational Facilities Rate)	909,067	907,501	1,566	0%	2,719,808	2,722,507	(2,699)	0%	10,890,026
User Fees and Sundry	214,418	250,154	(35,736)	-14%	1,332,952	1,187,957	144,995	12%	3,786,466
Grants and Subsidies	3,640	95,276	(91,636)	-96%	165,307	285,829	(120,523)	-42%	1,203,318
Investment Interest Income	173,167	237,661	(64,494)	-27%	554,593	712,982	(158,389)	-22%	3,207,522
Investment Property Income	437,776	436,186	1,590	0%	728,659	739,502	(10,843)	-1%	3,112,000
Forestry Harvest	0	0	0	-	0	0	0	-	365,825
Dividend Income	664,287	683,856	(19,569)	-3%	664,287	683,856	(19,569)	-3%	1,367,712
	2,402,354	2,610,634	(208,280)	-8%	6,165,606	6,332,634	(167,028)	-3%	23,932,869
Expenditure									
Democracy and Corporate Services	111,655	134,374	22,719	17%	338,426	364,127	25,701	7%	1,557,566
Regional Information and Engagement	138,727	151,918	13,191	9%	313,124	397,883	84,759	21%	1,534,992
Regional Economic Development	759,303	772,555	13,252	2%	803,174	840,465	37,291	4%	2,775,956
Resource Management Planning	130,826	122,836	(7,990)	-7%	266,090	311,927	45,837	15%	1,349,116
Transport	240,882	231,909	(8,973)	-4%	569,097	673,738	104,642	16%	2,703,358
Consents	238,251	220,794	(17,457)	-8%	653,458	618,864	(34,594)	-6%	2,213,199
Environmental Monitoring	497,358	501,923	4,565	1%	1,111,156	1,284,491	173,335	13%	4,924,253
Land and Rivers	409,030	436,713	27,683	6%	890,365	952,399	62,034	7%	3,629,846
Biosecurity	191,383	147,008	(44,375)	-30%	381,187	435,484	54,297	12%	2,306,934
Emergency Management	18,858	21,485	2,627	12%	44,830	54,920	10,090	18%	210,150
Maritime	143,592	138,044	(5,548)	-4%	323,545	371,149	47,605	13%	1,441,776
Support Services	(20,600)	(15)	20,585	-	(0)	(54)	(54)	100%	0
	2,859,264	2,879,544	20,280	1%	5,694,451	6,305,394	610,942	10%	24,647,146
Net Cost/(Surplus) of Service before extraordinary items	456,911	268,910	(188,001)	-70%	(471,155)	(27,240)	443,915	-1630%	714,277
Extraordinary Items									
Regional Recreational Facilities Rate	94,560	94,013	547	1%	283,681	282,039	1,642	1%	1,128,155
Regional Events Centre expenditure	(487,197)	(500,000)	12,803	-3%	(521,417)	(535,000)	13,583	-3%	13,000,000
Forestry Revaluation	\$0	\$0	\$0	-	\$0	\$0	\$0	-	137,045
(Loss) / Gain on Sale of Asset	\$0	\$0	\$0	-	41,650	\$0	41,650	-	0
Special Dividend	\$0	\$0	\$0	-	\$0	\$0	\$0	-	0
Tax on Special Dividend	\$0	\$0	\$0	-	\$0	\$0	\$0	-	0
	(392,637)	(405,987)	\$12,256	-3%	(196,086)	(252,961)	(29,709)	12%	11,734,800
Net Cost/(Surplus) of Service after extraordinary items	849,548	674,897	\$(175,745)	-26%	(275,068)	225,721	414,206	184%	12,449,077
Capital	157,223				256,631				4,000,439

Notes

- The Transport Full Year Budget is \$29,458 over that published in the 2009/19 LTCCP due to the carry over of \$29,458 from 2008/09 for the Regional Land Transport Strategy.
The Land and Rivers Full Year Budget is \$151,006 over that published in the 2009/19 LTCCP due to the carry over of \$151,066 for the Priority Rivers Project.
The Capital Expenditure Full year Budget is \$90,536 over that published in the 2009/19 LTCCP due to the carryover of: \$26,939 Environmental Monitoring expenditure; \$17,350 Regional Information and engagement expenditure; and \$46,247 Information systems expenditure.

Detailed variance explanations are provided under each Group Activity Report.

Monthly Report for		September 09							
Total Democracy and Corporate Services	September 09				YEAR TO DATE				Annual Budget
	Actual	Budget	Variance	Var %	YTD Actual	YTD Budget	Variance	Var %	
Revenue									
Rates	42,542	42,339	203	0%	127,626	127,017	609	0%	\$ 508,068.00
User Fees and Sundry	318	2,916	(2,598)	-89%	43,180	8,753	34,427	393%	\$ 35,000.00
Grants and Subsidies	0	0	0	-	0	0	0	-	\$ -
Investment Interest Income	0	0	0	-	0	0	0	-	\$ -
Investment Property Income	437,776	435,186	2,590	1%	728,659	736,502	(7,843)	-1%	\$ 3,100,000.00
Forestry Harvest	0	0	0	-	0	0	0	-	\$ 365,825.00
	\$480,635	\$480,441	\$194	0%	\$899,465	\$872,272	\$27,193	3%	\$4,008,893
Expenditure									
Community Representation	\$115,360	\$115,148	\$(212)	0%	\$291,285	\$305,610	\$14,324	5%	\$1,181,430
Commercial Investments	\$(3,705)	\$19,226	\$22,931	119%	\$47,141	\$58,517	\$11,376	19%	\$376,136
	\$111,655	\$134,374	\$22,719	17%	\$338,426	\$364,127	\$25,701	7%	\$1,557,566
Net Cost/(Surplus) of Service before extraordinary items									
	\$(368,980)	\$(346,067)	\$22,913	-7%	\$(561,039)	\$(508,145)	\$52,893	-10%	\$(2,451,327)
Extraordinary Items									
Loss on sale of Investment Property	0	0	0	-	0	0	0	-	0
Fair Value adjustment of Investment Property	0	0	0	-	0	0	0	-	0
Commission on Sale of Investment Property	0	0	0	-	0	0	0	-	0
Forestry Revaluation	0	0	0	-	0	0	0	-	137,045
	0	0	0	-	0	0	0	-	137,045
Net Cost/(Surplus) of Service after extraordinary items									
	\$(368,980)	\$(346,067)	\$22,913	-7%	\$(561,039)	\$(508,145)	\$52,893	-10%	\$(2,588,372)
Capital Expenditure	\$27,440				\$27,440				\$219,237

Revenue

Month results

User Fees and Sundry variance is due to budget phasing, and is not material.

All other income is tracking to budget.

Year to Date results

User Fees and Sundry is showing a budget surplus for the year to date due to the recovery of rates and insurance costs from a tenant for this year and last year.

All other income is tracking to budget.

Expenditure

Month results

Commercial Investments is under budget this month primarily due to work on leased buildings reported as operating expenditure last month being reclassified as capital expenditure this month. There are also a number of underspends due to budget phasing, in particular on consultants.

Year to Date results

Community Representation is marginally underbudget due to savings across a number of areas as a result of budget phasing.

Commercial Investments expenditure is underbudget for the year due to budget phasing of consultants costs.

Monthly Report for		September 2009								
		September 2009				YEAR TO DATE				
		Actual	Budget	Variance	Var %	YTD Actual	YTD Budget	Variance	Var %	Annual Budget
Total Regional Information and Engagement										
Revenue										
Rates		\$55,745	\$55,479	\$266	0%	\$167,235	\$166,438	\$797	0%	\$665,751
User Fees and Sundry		\$0	\$0	\$0	-	\$1,500	\$0	\$1,500	-	\$0
Grants and Subsidies		\$0	\$0	\$0	-	\$0	\$0	\$0	-	\$0
		\$55,745	\$55,479	\$266	0%	\$168,735	\$166,438	\$2,297	1%	\$665,751
Expenditure										
Communications		\$91,306	\$105,406	\$14,100	13%	\$217,467	\$279,826	\$62,359	22%	\$1,079,814
Environmental Education		\$39,524	\$31,235	\$(8,289)	-27%	\$76,745	\$80,159	\$3,415	4%	\$311,135
Economic and Environmental Information		\$7,898	\$15,277	\$7,379	48%	\$18,912	\$37,898	\$18,985	50%	\$144,043
		\$138,727	\$151,918	\$13,191	9%	\$313,124	\$397,883	\$84,759	21%	\$1,534,992
Net Cost/(Surplus) of Service										
		\$82,982	\$96,439	\$13,457	14%	\$144,389	\$231,445	\$87,057	38%	\$869,241
Capital Expenditure										
		\$0				\$1,416				\$17,350

Revenue**Month results**

No significant variances for the month.

Year to date results

Year to date revenue is tracking to budget.

Expenditure**Month and Year to Date Results**

Communications variance is a timing difference due to budget phasing, particularly in publicity/education promotions costs.

Environmental Education is showing an unfavourable variance for the month and overall a small favourable variance for the year to date, due to the phasing of the budget in a number of cost areas.

Economic & Environmental Information is below budget due to a budgeted position currently vacant.

Monthly Report for		September 09								
		September 09				YEAR TO DATE				
		Actual	Budget	Variance	Var %	YTD Actual	YTD Budget	Variance	Var %	Annual Budget
Total Regional Economic Development										
Revenue										
	Rates	102,837	103,504	(667)	-1%	308,511	310,509	(1,999)	-1%	\$ 1,242,038
	User Fees and Sundry	0	0	0	-	14,950	0	14,950	-	\$ -
	Grants and Subsidies	0	0	0	-	0	0	0	-	\$ -
	Investment Interest Income	0	0	0	-	0	0	0	-	\$ 518,000
		\$102,837	\$103,504	\$(667)	-1%	\$323,461	\$310,509	\$12,951	4%	\$1,760,038
Expenditure										
	Regional Growth Programme	\$18,766	\$27,134	\$8,368	31%	\$42,582	\$64,647	\$22,065	34%	\$395,896
	Economic Development	\$740,537	\$745,421	\$4,884	1%	\$760,593	\$775,818	\$15,226	2%	\$2,380,060
		\$759,303	\$772,555	\$13,252	2%	\$803,174	\$840,465	\$37,291	4%	\$2,775,956
Net Cost/(Surplus) of Service before extraordinary items		\$656,466	\$669,051	\$12,585	2%	\$479,714	\$529,956	\$50,242	9%	\$1,015,918
Extraordinary Items										
	Regional Recreational Facilities Rate	94,560	94,013	547	1%	283,681	282,039	1,642	1%	1,128,155
	Regional Events Centre expenditure	(487,197)	(500,000)	(12,803)	3%	(521,417)	(535,000)	13,583	-3%	13,000,000
		(392,637)	(405,987)	(13,350)	0	(237,736)	(252,961)	15,225	(0)	11,871,845
Net Cost/(Surplus) of Service after extraordinary items		\$1,049,103	\$1,075,038	\$25,935	2%	\$717,450	\$782,917	\$35,017	4%	\$12,887,763
Capital Expenditure		\$0				\$0				

Revenue**Month and Year To Date Results**

Revenue for the month and year to date is in line with budget.

Expenditure**Month and Year To Date Results**

Regional Growth Programme is below budget due to an underspend on salaries and wages as a result of a staff vacancy.

Economic Development is tracking to budget.

Extraordinary Items

The Regional Event Centre expenditure relates to expenditure incurred towards the construction of the Regional Events Centre.

Monthly Report for		September 2009								
		September 2009				YEAR TO DATE				
		Actual	Budget	Variance	Var %	YTD Actual	YTD Budget	Variance	Var %	Annual Budget
Total Resource Management Planning										
Revenue										
	Rates	48,995	48,761	234	0%	146,984	146,283	701	0%	\$ 585,133
	User Fees and Sundry	12,399	0	12,399	100%	12,536	0	12,536	100%	\$ -
	Grants and Subsidies	0	0	0	-	0	0	0	-	\$ -
		\$61,393	\$48,761	\$12,632	26%	\$159,521	\$146,283	\$13,237	9%	\$585,133
Expenditure										
	Resource Management Planning	\$130,826	\$122,836	\$(7,990)	-7%	\$266,090	\$311,927	\$45,837	15%	\$1,349,116
		\$130,826	\$122,836	\$(7,990)	-7%	\$266,090	\$311,927	\$45,837	15%	\$1,349,116
Net Cost/(Surplus) of Service		\$69,433	\$74,075	\$(20,623)	-28%	\$106,569	\$165,643	\$32,599	20%	\$763,983
Capital Expenditure		\$0				\$0				\$0

Revenue**Month and Year to Date results**

User Fees and Sundry favourable variance is due to funding from the Ministry for the Environment for the Aquaculture project. This is partially offset by higher than budgeted expenditure as noted below.

Expenditure**Month results**

Expenditure is overbudget for the month due to consultants costs in relation to the aquaculture project. Half of this variance (\$12k) is offset by the favourable variance in User Fees and Sundry revenue.

Year to Date results

Expenditure is tracking behind budget due to staff vacancies in the department at present.

Monthly Report for		September 2009							
Total Transport Revenue	September 2009				YEAR TO DATE				Annual Budget ¹
	Actual	Budget	Variance	Var %	YTD Actual	YTD Budget	Variance	Var %	
Rates	54,835	53,918	917	2%	163,801	161,755	2,047	1%	\$647,018
User Fees and Sundry	66,046	58,073	7,973	14%	164,203	174,220	(10,017)	-6%	\$721,879
Grants and Subsidies	106,338	84,902	23,176	27%	165,307	254,707	(89,400)	-35%	\$993,829
	\$227,218	\$196,893	32,065	16%	\$493,311	\$590,681	(97,371)	-16%	\$2,362,726
Expenditure									
Regional Transport Management	\$34,135	\$27,748	(6,387)	-23%	\$64,557	\$72,499	\$7,942	11%	\$306,453
Passenger Transport Administration	\$206,747	\$204,161	\$(2,586)	-1%	\$504,539	\$601,239	\$96,700	16%	\$2,396,905
	\$240,882	\$231,909	\$(8,973)	-4%	\$569,097	\$673,738	\$104,642	16%	\$2,703,358
Net Cost/(Surplus) of Service	\$13,664	\$35,016	21,352	61%	\$75,786	\$83,057	7,271	9%	\$340,632
Capital Expenditure	\$0				\$0				\$90,000

Notes

1. The Regional Transport Management Budget is \$29,458 over that published in the 2009/19 LTCCP due to the carry over of \$29,458 for the Regional Land Transport Strategy.

Revenue

Month results

User Fees and Sundry shows a favourable variance primarily due to revenue from the Super Gold Card Scheme which was not budgeted. **Grants & Subsidies** favourable variance arises from a timing difference in accruing NZTA subsidy revenue, and offsets the unfavourable variance last month.

Year to Date results

User Fees and Sundry remains below budget due to lower passenger numbers on buses than expected.

Grants and Subsidies variance arises because there is no accrual for admin subsidies at this stage. The accrual will be done when the budget is finalised.

Expenditure

Month results

Regional Transport Management variance is due to the phasing of the consultants expenditure budget, and therefore is a timing difference only.

Year to Date results

Regional Transport Management is in a favourable position at the end of the quarter, with key areas of saving due to budget phasing being printing & stationery and advertising.

Passenger Transport Administration shows a favourable variance at the end of the first quarter due to a number of budgeted contracted works not having come on stream as yet, and the phasing of consultants and advertising and promotion costs.

Monthly Report for		September 09								
		September 09				YEAR TO DATE				
		Actual	Budget	Variance	Var %	YTD Actual	YTD Budget	Variance	Var %	Annual Budget
Total Consents										
Revenue										
	Rates	55,647	55,382	265	0%	166,942	166,146	796	0%	\$ 664,582.92
	User Fees and Sundry	25,393	56,742	(31,349)	-55%	114,103	170,225	(56,122)	-33%	\$ 680,900.00
		\$81,040	\$112,124	\$(31,084)	-28%	\$281,045	\$336,371	\$(55,326)	-16%	\$1,345,483
Expenditure										
	Consents Applications	\$153,618	\$122,805	\$(30,813)	-25%	\$423,195	\$373,233	\$(49,962)	-13%	\$1,264,308
	Consents Advice and Information	\$84,634	\$97,989	\$13,355	14%	\$230,263	\$245,631	\$15,368	6%	\$948,891
		\$238,251	\$220,794	\$(17,457)	-8%	\$653,458	\$618,864	\$(34,594)	-6%	\$2,213,199
Net Cost/(Surplus) of Service		\$157,211	\$108,670	\$(48,541)	-45%	\$372,413	\$282,493	\$(89,920)	-32%	\$867,716
Capital Expenditure		\$0				\$0				\$0

Revenue**Month and Year to Date results**

User Fees and Sundry revenue is currently tracking behind budget due to the number of consent application fees being lower than expected.

Expenditure**Month and Year to Date results**

Consents Applications is overspent primarily on consultants and daily meeting fees/allowances related to several large applications that have come onstream earlier than budgeted.

Consents Advice & Information variance is due to lower than budgeted wages and salaries costs for the month as a result of a number of staff vacancies at present.

Monthly Report for		September 09								
		September 09				YEAR TO DATE				
		Actual	Budget	Variance	Var %	YTD Actual	YTD Budget	Variance	Var %	Annual Budget
Total Environmental Monitoring Revenue										
	Rates	127,733	127,124	609	0%	383,199	381,372	1,827	0%	\$ 1,525,486.44
	User Fees and Sundry	77,275	80,796	(3,521)	-4%	666,779	679,880	(13,102)	-2%	\$ 1,407,008.40
	Grants and Subsidies	0	0	0	-	0	0	0	-	\$ -
		\$205,008	\$207,920	\$(2,912)	-1%	\$1,049,978	\$1,061,252	\$(11,274)	6%	\$2,932,495
Expenditure										
	State of the Environment Monitoring	\$154,203	\$195,944	\$41,741	21%	\$357,617	\$492,986	\$135,368	27%	\$1,905,118
	Resource Consent Compliance	\$217,241	\$182,905	\$(34,336)	-19%	\$436,477	\$481,414	\$44,936	9%	\$1,818,512
	Environmental Incidents Response	\$85,922	\$78,593	\$(7,329)	-9%	\$201,742	\$194,518	\$(7,224)	-4%	\$750,342
	Hazardous Substances & Contaminated Sites	\$39,992	\$44,481	\$4,489	10%	\$115,319	\$115,573	\$254	0%	\$450,281
		\$497,358	\$501,923	\$4,565	1%	\$1,111,156	\$1,284,491	\$173,335	13%	\$4,924,253
Net Cost/(Surplus) of Service										
		\$292,349	\$294,003	\$1,654	1%	\$61,178	\$223,239	\$162,061	73%	\$1,991,758
Capital Expenditure										
		\$6,221				\$6,221				\$225,703

Revenue**Month results**

User fees and sundry is marginally behind budget for the month due to management fees revenue being less than expected, partially offset by increased revenue from infringement charges.

Year to Date results

Revenue is principally tracking to budget for the year to date.

Expenditure**Month results**

State of the Environment Monitoring is under budget due to staff vacancies in the department at present and expenditure on consultants not coming on stream as budgeted.

Resource Consent Compliance is overspent on consultants due to an unbudgeted payment to Fonterra to part fund a Sustainable Dairying Advisor, and, to a lesser extent, on other areas due to budget phasing.

Environmental Incidents Response is overbudget for the month due to increased vehicle costs and legal fees.

Hazardous Substances & Contaminated Sites variance is due to retirement of a long serving staff member.

Year to Date results

State of the Environment Monitoring is under budget due to staff vacancies in the department at present and expenditure on consultants not coming on stream as budgeted.

Resource Consent Compliance ends the quarter 9% under budget primarily due to commercial testing and air quality testing costs not coming on stream as budgeted. These are timing differences that are expected to even out in future periods.

Hazardous Substances & Contaminated Sites - variance not significant.

Monthly Report for		September 09							
Total Land and Rivers	September 09				YEAR TO DATE				Annual Budget ¹
	Actual	Budget	Variance	Var %	YTD Actual	YTD Budget	Variance	Var %	
Revenue									
Rates	250,867	254,323	(3,456)	-1%	752,600	762,969	(10,368)	-1%	\$ 3,051,875
User Fees and Sundry	0	0	0	-	55,000	0	55,000	-	\$ -
Grants and Subsidies	0	0	0	-	0	0	0	-	\$ 85,000
	\$250,867	\$254,323	\$(3,456)	-1%	\$807,600	\$762,969	\$44,632	6%	\$3,136,875
Expenditure									
Hazard Management	\$247,518	\$269,442	\$21,924	8%	\$443,736	\$502,321	\$58,585	12%	\$1,480,802
River Management	\$60,709	\$67,272	\$6,563	10%	\$210,451	\$184,059	\$(26,392)	-14%	\$721,058
Land and Biodiversity	\$100,804	\$99,999	\$(805)	-1%	\$236,178	\$266,019	\$29,841	11%	\$1,427,986
	\$409,030	\$436,713	\$27,683	6%	\$890,365	\$952,399	\$62,034	7%	\$3,629,846
Net Cost/(Surplus) of Service	\$158,163	\$182,390	\$24,227	13%	\$82,765	\$189,430	\$106,666	56%	\$492,971
Capital Expenditure	\$200				\$367				\$96,000

Notes

1. The Hazard Management Annual Budget is \$151,006 over that published in the 2009/19 LTCCP due to the carry over of \$151,006 for the Priority Rivers Project.

Revenue**Month and Year to Date results**

Revenue is tracking to budget in all areas.

Expenditure**Month results**

Hazard Management variance is not significant and is likely to be related to coding between departments within the Land operations area, the overall effect being minimal.

River Management variance is due to budget phasing, particularly of river clearance works costs.

Year to Date results

Hazard Management variance is not significant and is due to timing differences.

River Management overspend is due to variances caused by budget phasing in a number of cost areas. The net effect is a 14% unfavourable variance (\$26k) at the end of the first quarter. This is a timing variance and is expected to level out as the year progresses.

Land & Biodiversity variance is due to budget phasing in a number cost areas.

Monthly Report for		September 09								
		September 09				YEAR TO DATE				
		Actual	Budget	Variance	Var %	YTD Actual	YTD Budget	Variance	Var %	Annual Budget
Total Biosecurity Revenue										
	Rates	120,854	121,180	(326)	0%	362,561	363,541	(980)	0%	\$ 1,454,164.00
	User Fees and Sundry	4,583	4,750	(167)	-4%	13,492	14,250	(758)	-5%	\$ 379,164.00
	Grants and Subsidies	0	0	0	-	0	0	0	-	\$ -
		\$125,437	\$125,930	\$(493)	0%	\$376,053	\$377,791	\$(1,738)	0%	\$1,833,328
Expenditure										
	Biosecurity	\$191,383	\$147,008	\$(44,375)	-30%	\$381,187	\$435,484	\$54,297	12%	\$2,306,934
		\$191,383	\$147,008	\$(44,375)	-30%	\$381,187	\$435,484	\$54,297	12%	\$2,306,934
Net Cost/(Surplus) of Service		\$65,945	\$21,078	\$(44,867)	-213%	\$5,134	\$57,693	\$52,559	91%	\$473,606
Capital Expenditure		\$0				\$0				\$62,000

Revenue**Month and Year to Date results**

User Fees and Sundry variance is not material.

Expenditure**Month results**

Biosecurity expenditure is ahead of budget due to a bulk purchase of poisons to be used for both council work and the MAFBNZ wildrice containment programme. The cost of the poisons for this programme (\$31k) will be recovered during the course of the year.

Year to Date results

Biosecurity expenditure is behind budget for the year to date due to a staff vacancy in the department and the phasing of expenditure on consultants, contract and field work. The phasing of costs has been reviewed and more correctly aligned for next month.

Monthly Report for		September 09								
		September 09				YEAR TO DATE				
		Actual	Budget	Variance	Var %	YTD Actual	YTD Budget	Variance	Var %	Annual Budget
Total Emergency Management Revenue										
Rates		12,548	12,581	(33)	0%	37,643	37,745	(102)	0%	\$ 150,978.00
Grants and Subsidies		0	833	(833)	-100%	0	2,500	(2,500)	-100%	\$ 10,000.00
		\$12,548	\$13,414	\$(866)	-6%	\$37,643	\$40,245	\$(2,602)	-6%	\$160,978
Expenditure										
Emergency Management		\$18,858	\$21,485	\$2,627	12%	\$44,830	\$54,920	\$10,090	18%	\$210,150
		\$18,858	\$21,485	\$2,627	12%	\$44,830	\$54,920	\$10,090	18%	\$210,150
Net Cost/(Surplus) of Service		\$6,310	\$8,071	\$1,761	22%	\$7,187	\$14,675	\$7,488	51%	\$49,172
Capital Expenditure		\$0				\$0				

Revenue

Month and Year To Date results

Grants and Subsidies variance is not material.

Expenditure

Month and Year to Date results

Emergency Management variance is due to costs not coming on stream as budgeted, particularly consultants.

Monthly Report for		September 09								
		September 09				YEAR TO DATE				
		Actual	Budget	Variance	Var %	YTD Actual	YTD Budget	Variance	Var %	Annual Budget
Total Maritime Operations										
Revenue										
	Rates	33,065	32,910	155	0%	99,195	98,733	462	0%	\$ 394,931
	User Fees and Sundry	28,292	47,877	(19,585)	-41%	244,680	143,629	101,051	-26%	\$ 574,515
	Grants and Subsidies	0	9,541	(9,541)	-100%	0	28,622	(28,622)	-100%	\$ 114,489
		\$61,357	\$90,328	\$(28,971)	-32%	\$343,874	\$270,984	\$72,890	6%	\$1,083,936
Expenditure										
	Oil Pollution Response	\$12,858	\$12,624	\$(234)	-2%	\$29,489	\$37,028	\$7,539	20%	\$148,950
	Harbour Safety & Navigation	\$130,734	\$125,420	\$(5,314)	-4%	\$294,056	\$334,122	\$40,066	12%	\$1,292,826
		\$143,592	\$138,044	\$(5,548)	-4%	\$323,545	\$371,149	\$47,605	13%	\$1,441,776
Net Cost/(Surplus) of Service		\$82,235	\$47,716	\$(34,519)	-72%	\$(20,330)	\$100,165	\$120,495	120%	\$357,840
Extraordinary Items										
	Gain/(Loss) on Sale of Assets	\$0	\$0	\$0	0%	\$41,650	\$0	\$41,650	-	\$0
		\$0	\$0	\$0	0%	\$41,650	\$0	\$41,650	\$0	\$0
Net Cost/(Surplus) of Service after extraordinary items		\$82,235	\$47,716	\$(34,519)	-72%	\$(61,980)	\$100,165	\$162,145	162%	\$357,840
Capital Expenditure		\$28,997				\$41,432				\$56,600

Revenue**Month and Year to Date results**

User fees and sundry are showing an unfavourable variance this month due to the budget phasing of Navigation Bylaw Fees. These fees were invoiced last month and therefore a favourable variance was shown in August 2009.

Grants and Subsidies variance is a timing difference due to budget phasing of Maritime Transport Oil Subsidies. The phasing of this revenue source will be reviewed and adjusted if necessary next month.

Expenditure**Month results**

Harbour & Safety Navigation is marginally over budget for the month due to a bulk fuel purchase and overhaul work required on plant & equipment.

Year to Date results

Oil Pollution cost saving is due to budget phasing in a number of areas including oil spill control/management, environmental hotline and overtime costs.

Harbour & Safety Navigation is also under budget for the year to date due to budget phasing across a number of areas.

Extraordinary Items**Month and Year to Date results**

In July 2009 NorthPort Ltd vested 13 navigation aids at Kioreroa Reach to the Council at a value of \$41,650. This is shown as extraordinary revenue.

Monthly Report for		September 2009								
		September 2009				YEAR TO DATE				
		Actual	Budget	Variance	Var %	YTD Actual	YTD Budget	Variance	Var %	Annual Budget
Total Support Services										
Revenue										
Rates		3,400	0	3,400	-	3,510	0	3,510	-	\$ -
User Fees and Sundry		113	0	113	-	2,530	0	2,530	-	\$ -
Grants and Subsidies		0	0	0	-	0	0	0	-	\$ -
Investment Interest Income		173,167	237,661	(64,494)	-27%	554,593	712,982	(158,389)	-22%	\$ 2,851,929.00
Investment Property Income		0	0	0	-	0	0	0	-	\$ -
Forestry Harvest		0	0	0	-	0	0	0	-	\$ -
Dividend Income		664,287	683,856	(19,569)	-3%	664,287	683,856	(19,569)	-3%	\$ 1,367,712.00
		\$840,966	\$921,517	\$(80,551)	-9%	\$1,224,921	\$1,396,838	\$(171,917)	-12%	\$4,219,641
Expenditure										
Finance & Information Services		\$317,639	\$313,519	\$(4,120)	-1%	\$676,308	\$861,677	\$185,369	22%	\$3,367,443
Human Resources		\$57,349	\$34,060	\$(23,289)	-68%	\$119,347	\$89,642	\$(29,705)	-33%	\$316,007
Other Support		\$87,644	\$93,493	\$5,849	6%	\$364,538	\$256,094	\$(108,443)	-42%	\$995,797
Internal recharges		\$(483,232)	\$(441,087)	\$42,145	-10%	\$(1,160,192)	\$(1,207,467)	\$(47,275)	4%	\$(4,679,497)
		\$(20,600)	\$(15)	\$20,585	0%	\$(0)	\$(54)	\$(54)	100%	\$(250)
Net Cost/(Surplus) of Service before extraordinary items		\$(861,566)	\$(921,532)	\$(59,966)	7%	\$(1,224,921)	\$(1,396,892)	\$(171,971)	12%	\$(4,219,891)
Extraordinary Items										
Special Dividend		\$0	\$0	\$0	-	\$0	\$0	\$0	-	\$0
Tax on Special Dividend		\$0	\$0	\$0	-	\$0	\$0	\$0	-	\$0
Sales of shares		\$0	\$0	\$0	-	\$0	\$0	\$0	-	\$0
		\$0	\$0	\$0		\$0	\$0	\$0		\$0
Net Cost/(Surplus) of Service after extraordinary items		\$(861,566)	\$(921,532)	\$(59,966)	7%	\$(1,224,921)	\$(1,396,892)	\$(171,971)	12%	\$(4,219,891)
Capital Expenditure		\$94,364				\$179,754				\$3,233,549

Revenue**Month results**

Investment Interest Income shortfall reflects the downturn in interest rates available (average of 4.6%) compared to projections (7%).

Dividend Income unfavourable variance is due to a lower dividend rate payout by Northland Port Corporation than budgeted.

Year to Date results

Monthly interest revenue patterns also reflect in year to date results.

Expenditure**Month and Year to Date results****Finance & Information Services**

The favourable variance for the month is principally due to an underspend on computer operational costs, and the phasing of audit fees.

Human Resources unfavourable variance for the month is principally due to higher than budgeted recruitment and union/industrial relations costs.

Other Support unfavourable variance is due annual insurance costs charged in August but the budget is phased throughout the year.

Investment Schedule and Performance – Financial Report 30 September 2009

File 350.4

Report from Financial Systems Administrator Kym Ace dated 5 October 2009.

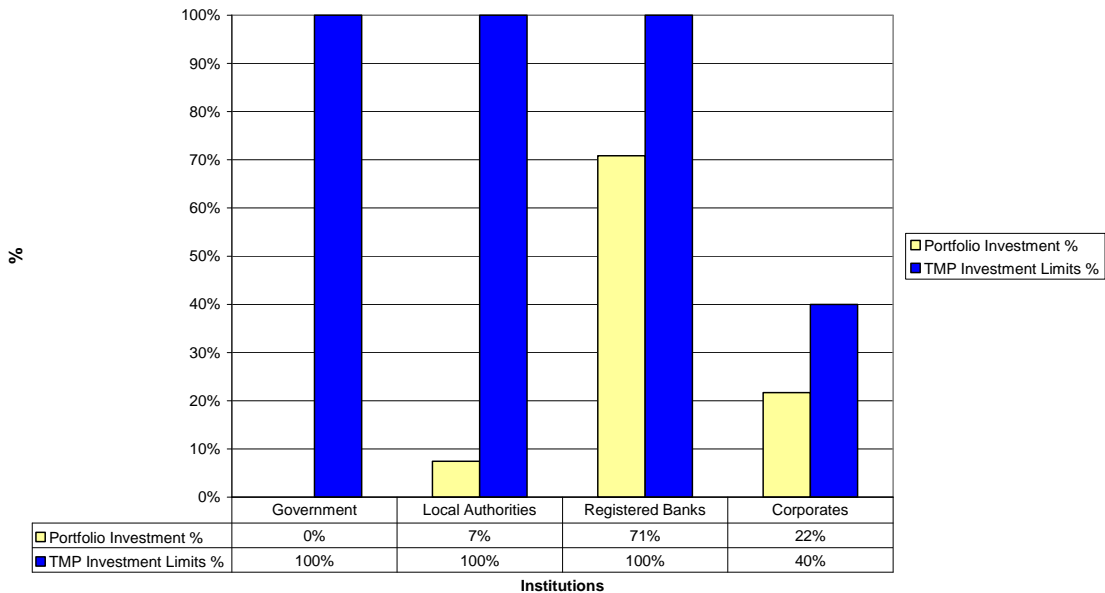
PURPOSE

This report provides a summary of investment performance for the three month period ending 30 September 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 2009-2019 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.

Treasury Management Policy - Portfolio Exposure to Institutions



CREDIT RATING OF INVESTMENT COUNTERPARTIES

Under Council's Treasury Management Policy (TMP) section 5.3 allows investments to be made in accordance with the following counterparty/issuer:

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

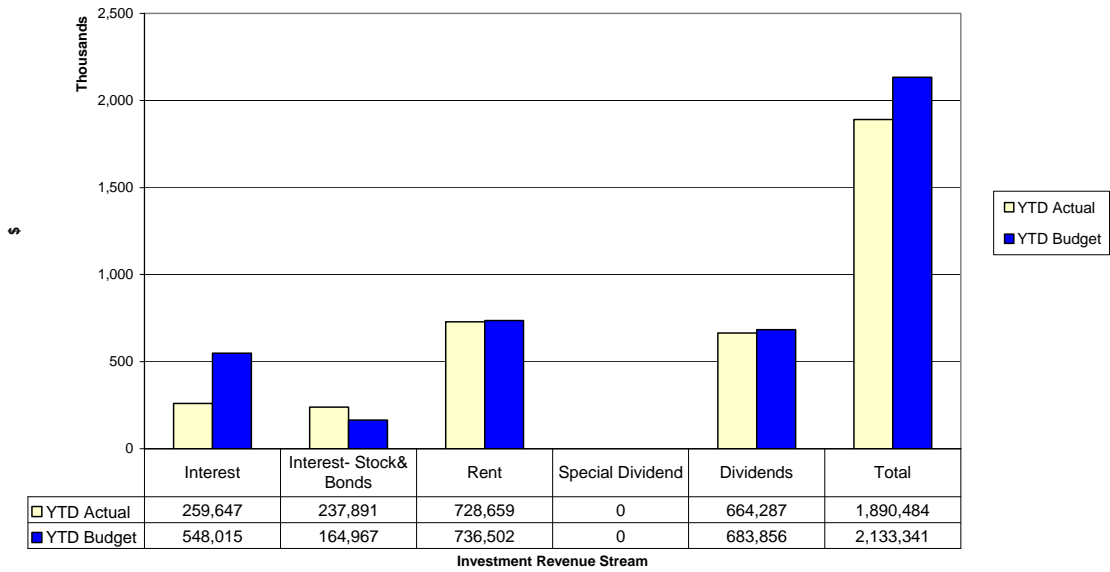
Council currently holds three investments with the same counterparty which are not provided with a credit rating. Council is maintaining a watching brief over these investments and intends to hold these investments to maturity.

FINANCIAL YEAR TO DATE PERFORMANCE

Year to date, the investment portfolio has made a return of \$1,890,484 against a budgeted return of \$2,133,341. On call funds are currently earning a return of 3.15% and short term deposits between 4.25 and 5.00%.

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

Fund Performance against Budget



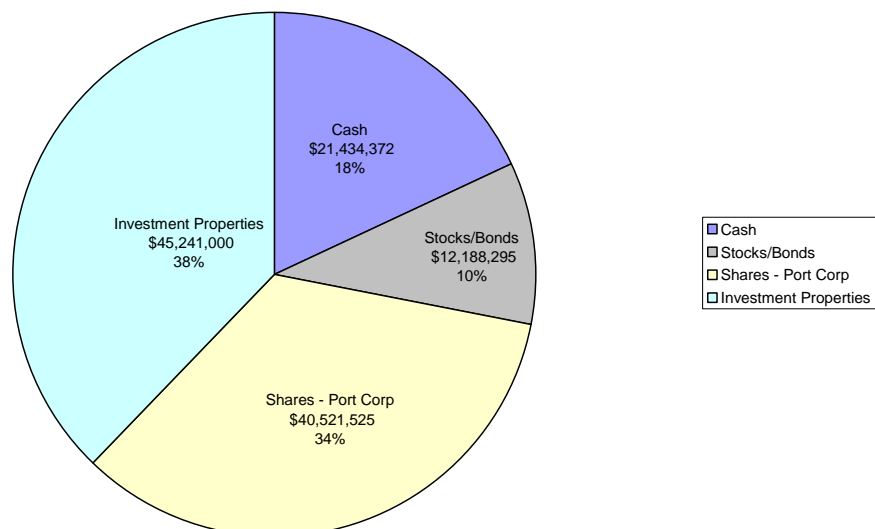
PORTFOLIO OF TOTAL FUNDS

The total value of the investment portfolio as at 30 September is \$119,385,191 and is comprised of:

- Cash \$ 21,434,372
- Stocks/bonds \$ 12,188,294
- Shares – Port Corp* \$ 40,521,525
- Investment Properties \$ 45,241,000

* 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 2009, the market price of these shares was \$2.12. As at 30 September 2009, the market price is \$1.83

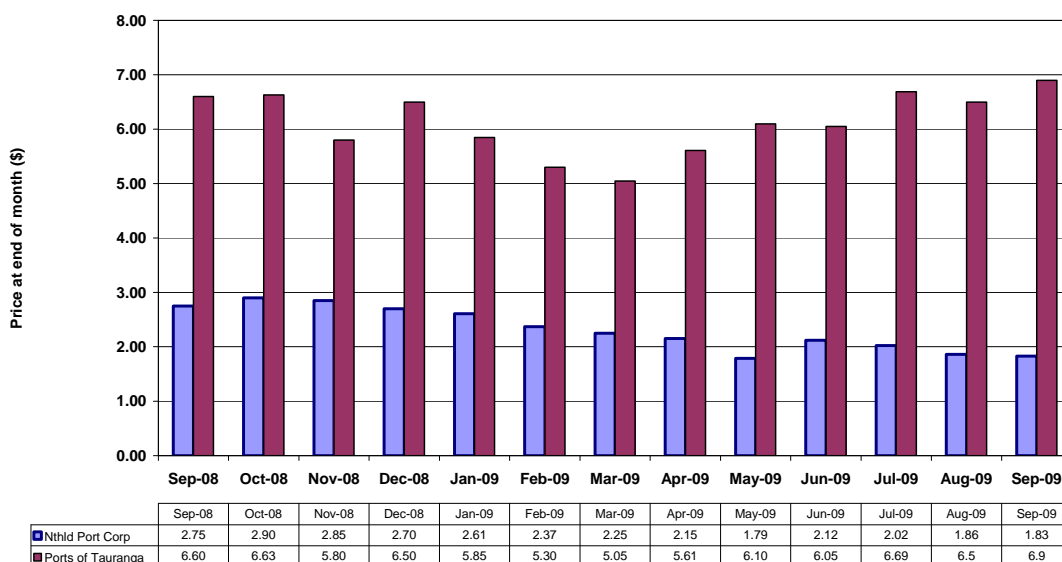
Portfolio of Total Funds



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



2008/2009

Recommendation

That the Investment Schedule and Performance Report from Financial Systems Administrator Kym Ace dated 5 October 2009 for the month to 30 September 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 September 2009.

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

Northland Regional Council General Account

Direct Debits	vouchers 101146 -101164	\$3,163,207.50
Computer Cheques	vouchers 19906 – 19934	\$126,841.06
Direct Credits	vouchers 1023537 – 1023833	\$1,166,815.07
Payroll Transactions		\$912,844.19
Total		\$5,369,707.82

Analyses of Expenditure Classes

Labour costs	\$912,844.19
Operating costs	\$2,470,244.88
Capital Expenditure	\$26,618.75
Call/Term deposits/Investments	\$1,960,000.00
Total	\$5,369,707.82

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 report from the Payments Officer, Rachel Hills dated 30 September 2009 be received and the payments for September 2009 be confirmed.

COMPLIANCE WITH DECISION MAKING PROCESS

The activities detailed in this report are provided for in the Northland Community Plan 2009-2019, 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: 215.108.1, 215.91

Report from General Manager Finance and IT, Lisa Aubrey dated 8 October 2009.

LEASE TRANSACTIONS

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

Files: 215.108.1 Deed of Covenant – Emm Three Limited – 19-21 Herekino Street.

215.91 Deed of Covenant – Segel Loft Limited – 1 Finlayson Street, Whangarei.

Recommendation

That the lease transactions in the report from General Manager Finance and IT Lisa Aubrey dated 8 October 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 2009-2019 Long Term Council Community Plan.

Consents Decisions and Applications in Process

File: 430.1

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

The Acting Consents Senior Programme Manager's report on resource consent decisions made since 1 September 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. Applicant has submitted revised application that limits works to original scheme. This has been sent to external consultant for peer review. Initial report from peer review is favourable to conclusions of amended hydraulic model. Awaiting clarification of some minor points from applicant. Application should be re-notified to submitters during October.
Far North District Council CON20070283501 CON20070283601 CON20071912101	Kaitaia Public Water Supply	9 August 2007 to 7 September 2007	Processing placed on hold at the Applicant's request to allow further consultation and for a draft recommendation to be formulated for circulation to submitters, with a view to informal resolution of issues.
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". The Applicant has requested more time to undertake an investigation, in conjunction with the local community, into alternative treatment and disposal options. Initial results of investigation expected by end of October.

Applicant	Proposal	Notification Period	Comment
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 2008 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 proposed for March 2009. The Applicant has subsequently been granted an extension until the end of February 2010 to allow for an amended application for a longer term proposal, and revised assessment of environmental effects.
Kerikeri Falls Investment Limited CON20071928901	Sewage, stormwater, and earthworks associated with proposed Country Club complex, Rainbow Falls Road, Kerikeri	9 October 2008 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 the Environment Court has made a decision on its appeal against the FNDC decision to not accept private plan change application. Court decision in August has upheld applicant's appeal and directed FNDC to notify Plan change within two months.
Borneo Investments Limited CON20082022101	Sewage associated with proposed 54 residential unit development, including clubhouse and recreational building, Cobham Road, Kerikeri	9 October 2008 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 the Environment Court has made a decision on its appeal against the FNDC decision to not accept private plan change application. Court decision in August has upheld applicant's appeal and directed FNDC to notify Plan change within two months.
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	Amended conditions are currently being discussed with the applicant prior to delegated decision.

Applicant	Proposal	Notification Period	Comment
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. Draft recommendations circulated to submitters for comment with a view to informal resolution of issues. Applicant is currently reviewing monitoring data for WWTP so that an agreed performance condition can be placed on new consent.
New Zealand Transport Agency CON20082147401	SH 10 upgrade at Bulls Gorge, Kerikeri	22 July 2009 to 20 August 2009	Submissions received by NRC, advise do not wish to be heard. Remaining submissions relate to access matters, therefore no requirement for NRC hearing. NRC decision issued under delegated authority on 30 September 2009.

Limited Notified

Applicant	Proposal	Notification Period	Comment
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 the Applicant to install the new production bore and assess water quality and yield. New bore information and pump test report has been received. Recommendation currently being drafted for decision under delegated authority.
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 given a time extension to attempt resolution of issues raised and investigate re-use of condensate. Results of investigation expected by December 2009.
Houhora Bay Marine Farms Limited CON20090629701	Replacement consent for existing mussel farm at Houhora Bay	28 April 2009 to 27 May 2009	One neutral submission and one from Te Taumata Kaumata o Ngati Kuri Research Unit, against, wishing to be heard. Discussions continue with the opposing submittor.
Westpac Mussels Distributors Limited CON20090722801	Replacement consent for existing mussel farm at Houhora Bay	28 April 2009 to 27 May 2009	One neutral submission, and one from Te Taumata Kaumata o Ngati Kuri Research Unit, against, continue with the opposing submittor.
Apatu Aqua Enterprises Limited CON20092329401	Air discharge from fish smoker at Coopers Beach	29 April 2009 to 27 May 2009	Only one submission, in support, decision will now be issued by delegated authority.

Applicant	Proposal	Notification Period	Comment
Doubtless Bay Water Supply Co Limited CON20000890801	Take groundwater from a bore at Protea Drive, Coopers Beach/Cable Bay	30 June 2009 to 30 July 2009	One submission received in support. Submitter not 'wishing to be heard'. Decision under delegated authority expected to be released 7 October 2009.
Doubtless Bay Water Supply Co Limited CON20010379601	Take groundwater from a bore at Taipa	30 June 2009 to 30 July 2009	Five submissions received, all in opposition. Three 'wishing to be heard'. Council Officer has undertaken discussions with submitters and a hearing date has been set down for 30 November 2009.
Doubtless Bay Water Supply Co Limited CON20080421301	Take groundwater from a bore at Wrathall Road, Mangonui	30 June 2009 to 30 July 2009	Three submissions received all in support. Decision under delegated authority expected to be released on 7 October 2009.

PRE-HEARING MEETINGS

Applicant	Proposal	Held	Outcome
Whangarei District Council CON20060257601	Replacement Ngunguru sewerage discharge consents	Pre-hearing held 13 December 2006	Applicant has requested that the 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. Applicant has forwarded a report on this assessment and proposed amended conditions of consent for the Council's consideration. General agreement by the Council with conclusions of report, which will now be circulated to heard submitter for their consideration. Hearing is not expected to be required.
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. Requested additional information received. Draft conditions are currently being formulated, which will then be circulated to submitters. It is anticipated that a pre-hearing meeting to discuss issues raised by submitters and draft conditions can be held in October, with a view to informal resolution.

Applicant	Proposal	Held	Outcome
Whangarei District Council – Wastes & Drainage Division CON20080450901	Waipu Wastewater Treatment Plant (upgrade to and extension of disposal system)	13 November 2008	All heard submitters have withdrawn wish to be heard based on draft recommendations. Delegated decision to be issued by end of October.
Whangarei District Council CON20092330601	Rock revetment at Helena Bay	28 July 2009	Discussions continuing post pre-hearing between Applicant and the one opposing submittor wishing to be heard.
Fonterra Co-op Ltd CON20090437315	Change to conditions to allow a discharge of treated wastewater to the Wairua River at lower flows	6 October 2009	Applicant to provide additional information on two outstanding matters. Very hopeful of resolving issues and avoiding a hearing.

HEARINGS

Applicant	Proposal	Date of Hearing	Decision Issued/Comment
J C W Robinson CON20060788201	Section 128 Review of quarrying consent conditions	Postponed to allow Consent Holder to review technical report	Confirmation of purchase of affected property received. Staff re-assessing the need for review of conditions.
Far North District Council CON200404369 (01-02) CON200407356 (01-08)	Consents associated with water supply for Omapere/Opononi. Existing water takes from Waitotemarama Stream and dam on Waiarohia Stream.	13 August 2009. Reconvened Hearing held.	Decision to grant issued 24 September 2009. Appeal period closes 15 October 2009.
Marine Farms transferred under Aquaculture Reform Act 2004 (ARA)	Review of consent conditions under Sections 10 and 20 of the ARA	6 April 2009 – reconvened on 13 July 2009 and 30 July 2009	Interim decision issued 20 August 2009.
Orange Centre Limited CON20071987601	Visitor centre, including accommodation and service station, SH 10 Kerikeri	9-10 November 2009	
Ontrack – New Zealand Railways Corporation CON20071988401	Oakleigh to Marsden Point rail link	1 September 2009	Decision issued 9 October 2009.
North Holdings Limited CON20082038401	Construction and operation of a wastewater treatment wetland, Ruakaka	27–29 October 2009	

APPEALS/OBJECTIONS

Applicant	Proposal	Progress
Advance Developments Ltd CON20061540301	Subdivision earthworks at Tutukaka	Consent Orders for Court approval now being prepared.

Applicant	Proposal	Progress
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 still seeking stay of hearing, pending receipt of flood model data to enable completion of application detail.
Goldpine Limited CON20061698001	Roundwood production and treatment plant, Flyers 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 40 lot subdivision at Cove Road, Langs Beach	Timetable for exchange of evidence provided. Environment Court hearing in Whangarei likely later this year.
Crest Energy Kaipara Limited CON20061607601	Proposed tidal power generation in Kaipara Harbour entrance	Environment Court hearing 8 June to 18 June 2009. Awaiting Court's determination.
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 the Russell area, and the Department of Conservation. Informal mediation meetings have been held between applicant respondent and appellant. Formal Court mediation held 22-23 September 2009. No agreement reached. Parties to file a memorandum on outstanding issues with the Court by the end of October.
Far North District Council CON20070266701	Replacement consents for Omapere/Opononi WWTP discharges	Two appeals received from local Iwi. Court appointed mediation held on 22 July 2009. One appeal resolved via agreed changes to conditions, other has not since it relates to Acts other than the RMA. Environment Court hearing set for 9-11 November 2009.
Westpac Mussels Distributors Limited CON20090722801	Application for replacement consent for mussel farm at Houhora Bay	Objection on process: resolution currently under discussion with Applicant.
Houhora Bay Marine Farms Limited CON20090629701	Application for replacement consent for mussel farm at Houhora Bay	Objection on process: resolution currently being under discussion 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. Court mediation scheduled for 14 October 2009.

Applicant	Proposal	Progress
Neil Construction Limited CON20082200401	Proposed 179 lot residential subdivision, Kapiro and Redcliff Roads, Kerikeri	Appeal from applicant relating to minor changes to a couple of consent conditions and a new condition relating to the lapsing of the consents. Draft Consent Order resolving appeal has been filed with the Court for the Judge's consideration.
Carter Holt Harvey Ltd CON20082102301	12 lot subdivision at Tinopai	Status of the only appeal is under review by the Environment Court.

Recommendation

That the report from the Acting Consents Senior Programme Manager, Allan Richards, dated 1 October 2009, 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 2009/2019 LTCCP, and as such are in accordance with the Council's decision-making process and sections 76-82 of the Local Government Act 2002.

Report on Environmental Monitoring for the Period 1 - 30 September 2009

Files 400.2 and 505.2

Report from Monitoring Senior Programme Manager Riaan Elliot dated 7 October 2009.

With the changed format providing a graphical view of monitoring results, for incidents and consent monitoring, only significant non compliances or incidents resulting in moderate to significant effects are reported in the tables below. This report is for the period 1-30 September 2009 and contains tables summarising the RC compliance monitoring events, state of the environment monitoring events and environmental and maritime incidents reported by the public and staff.

ABBREVIATIONS KEY:

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

CONSENT COMPLIANCE – AGENDA CODE DESCRIPTION:

This code indicates:

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

Impact to the Environment

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

Response of Regional Council

N	None Required or Warranted	It is a natural event or no impact has been detected. Source unknown further investigation is not warranted. Report resulting from a routine monitoring event where no follow up is required.
F	Further Investigation Required	To confirm impact, to assess impact, to locate source, or to determine compliance.
I	Information or Advice	Given on how to avoid future adverse effects.

R	Request	An explanation of the situation or how the situation arose, a statement of the mitigation measures proposed or request certain mitigation measures to be undertaken, maintenance or upgrading to prevent impacts occurring in the future.
W	Written Warning	Written warning to avoid recurrence.
C	Clean Up	Clean Up by Regional Council.
E	Formal Enforcement	Abatement Notice, Enforcement Order, Infringement Notice, Prosecution.

Status

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

Compliance Code Key

SNC1	Repeated Minor Non-Compliance or Significant Non-Compliance Resulting in Minor to Moderate Effects	SNC2	Significant Non-Compliance with Significant Effects	FUS	Follow up significant non compliance.
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ENVIRONMENTAL INCIDENTS

S	Significant Impact
M	Moderate Impact

MARITIME INCIDENT RESPONSE CODES**Response**

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

Status

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

Incidents Investigated September 2009

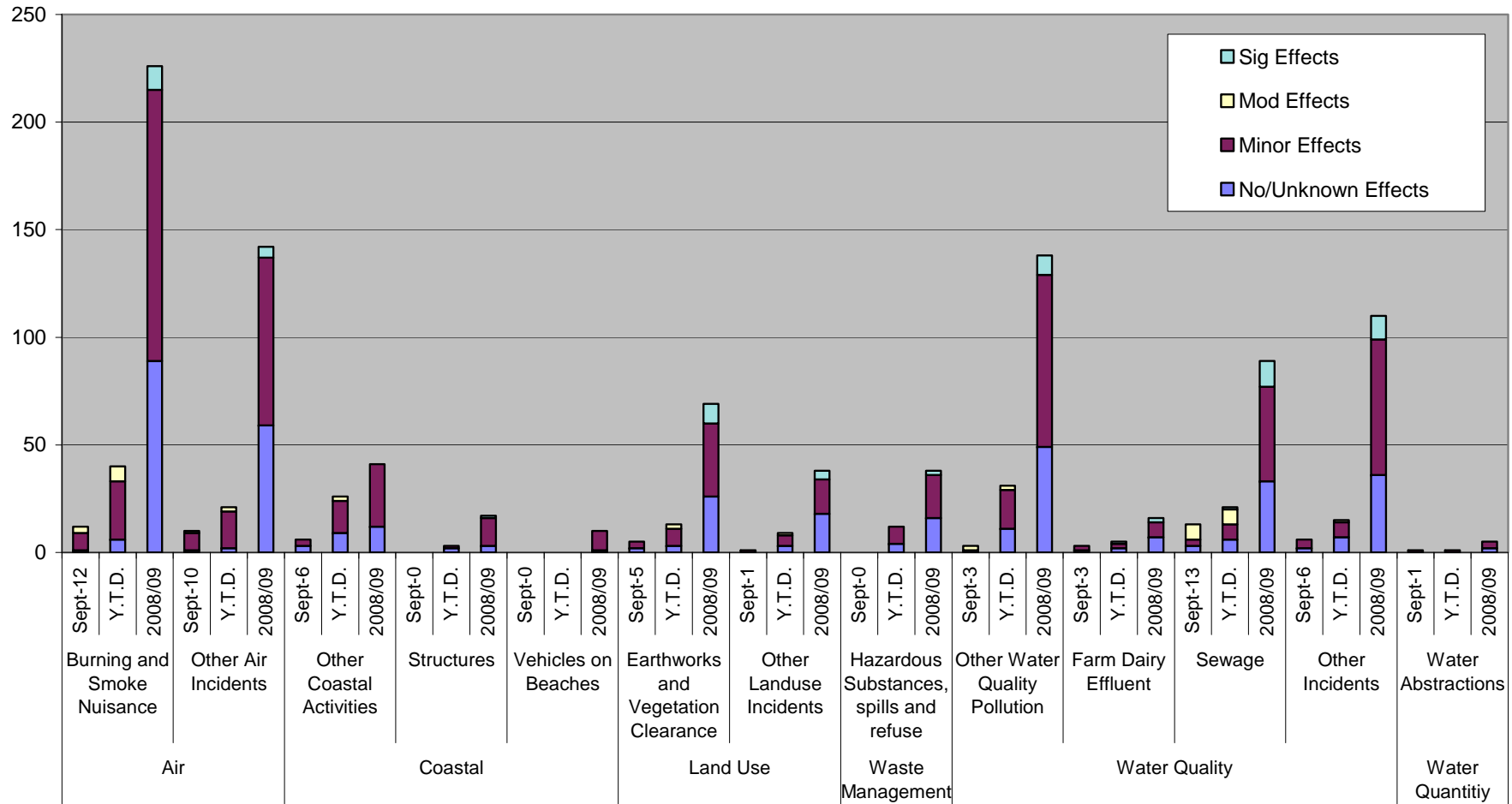


Figure 1: Environmental Incidents Investigated during September 2009
 (note – number of incidents *investigated* will differ from number of incidents *reported* during month)

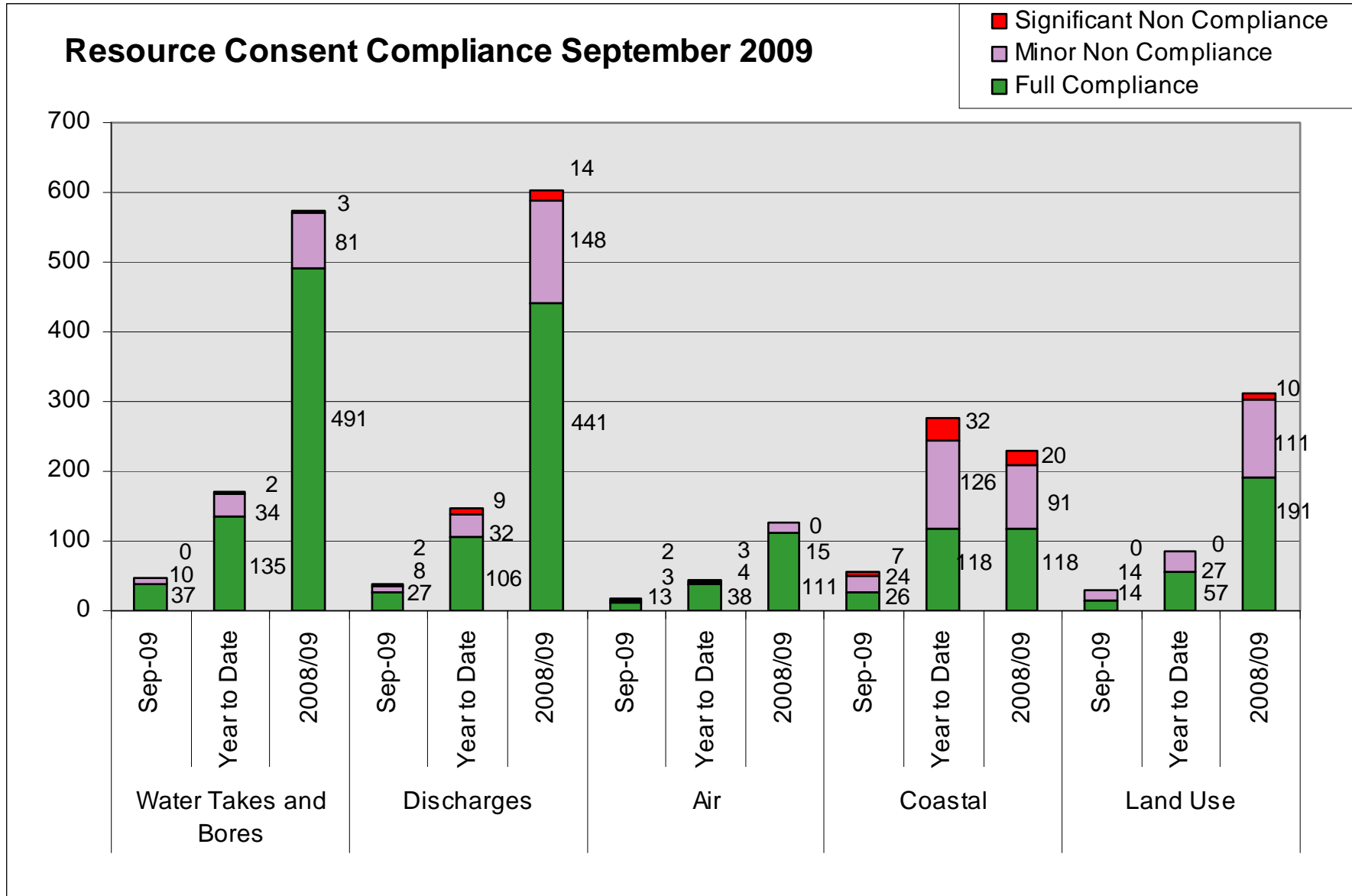


Figure 2: Compliance Monitoring September 2009

DISCHARGES TO AIR

Date	Consent	Details	Location	Comment	Code	Comp
28-Sep-09	706201	Juken Nissho Ltd: Discharge to air.	Northland Mill, Kaitaia	Results of recent isocyanate monitoring demonstrate measurable quantities of PMDI in the discharge. The results from the tests are considerably higher than those undertaken by the CH in 2007.	2RU	SNC1
28-Sep-09	897501	Juken Nissho Ltd: Discharge to air.	Whangatane Drive, Kaitaia	A malfunction of the emission control equipment has resulted in an increase in emissions from the plant. Recent stack emission testing has demonstrated that the plant discharge significantly exceeds RC requirements.	2RU	SNC2

COASTAL ACTIVITIES

Date	Consent	Details	Location	Comment	Code	Comp
19-Aug-09	623901	B Waitai: Oyster Farm.	Ngahararu Point, Parengarenga Harbour	Minor areas of structures in poor condition. There is major shell build-up and debris under farm. Farm structures not well marked. CH requested to undertake maintenance.	2RM	SNC1
19-Aug-09	713001	JTH Fisheries Ltd: Oyster Farm.	Waitiki Channel, Parengarenga Harbour	Major area of farm structure was in poor condition. There is major farm debris within farm. CH requested to undertake remedial actions.	2RM	SNC1
19-Aug-09	1297201	Parengarenga Fisheries Ltd: Oyster farm lease No. 227, Farm size 2.0234 Ha	Parengarenga Harbour	Minor debris was visible and two corner markers were missing. CH requested to undertake remedial actions.	1RM	SNC1
19-Aug-09	1297101	Brown J (Estate) Mrs Valerie M Brown: Oyster farm lease No. 225 Farm size 2.034 Ha	Parengarenga Harbour	There is minor debris visible and some navigational markers missing. CH requested to take remedial action.	1RM	SNC1
19-Aug-09	713201	Aotearoa Fisheries Ltd: Oyster Farm.	Kuanga Channel, (South Side), Parengarenga Harbour	Areas of farm are in poor and failed condition. There is debris associated with the failed structures and plastic trays which lie both within and around the farming area.	2RM	SNC1
19-Aug-09	1292101	Fleming M J and J M: Oyster farm lease No 57, Farm size 2.0234 ha.	Whangaroa Harbour	Major areas of structures in the southern lot are in a failed and derelict condition, with trays in area lying on the seabed causing minor seabed build-up. CH requested to undertake maintenance.	2RM	SNC1
14-Sep-09	1820401	WDC: Reclamation.	Paradise Point, Marsden Bay, Whangarei Harbour	Structure appeared in a bad condition. Requested CH to close of walkway as it posed a safety risk to the public, and to remove any loose	1RM	SNC1

				debris to prevent to it getting into the harbour before works start on structure.		
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LAND USE CONSENT

No significant non-compliant events were recorded during August.

DISCHARGES TO WATER OR LAND

Date	Consent	Details	Location	Comment	Code	Comp
18-Aug-09	739901	FNDC: Discharge treated municipal sewage.	Hihī STS	Ecoli and ammonia levels at the downstream sampling site are non-compliant RC. Further sampling is scheduled.	2RM	SNC1
04-Sep-09	272401	Ota Point Effluent Society Inc: Discharge treated communal sewage.	Ota Point, Whangaroa	Water samples taken from the final POD from the plant indicated that the faecal coliform level was not compliant with RC conditions. The UV efficiency was working under the effective limit. A new UV system is awaiting installation.	2RM	SNC1

FARM DAIRY EFFLUENT DISCHARGES - CONSENTED (MCO)

Date	Consent	Details	Location	Comment	Code	Comp
18-Aug-09	1126401	Donker Farms Ltd: FDE 3318	Wilson Rd, Parakao	Unauthorised discharge of silage leachate to water. Water quality test results outside RC limits.	2IU	SNC1
19-Aug-09	1434001	Beejay Stud Ltd: FDE 8574	Pukehuia Rd, Pukehuia	Unauthorised discharge from silage area. Maintenance poor. Water quality test results marginal.	2IU	SNC1
20-Aug-09	875601	Riverglen Farms Limited (McKay C J & D C): FDE 8565	Paradise Rd, Tangiteroria	Unauthorised discharge from irrigator to water. Water quality test results outside RC limits.	2IU	SNC1
20-Aug-09	2165501	Drinnan S R & E R P: FDE 8606	Pukehuia Rd, Tangiteroria	Effluent from a silage stack discharged to and caused discolouration in water.	2IU	SNC1
25-Aug-09	761503	Nedak Farms Ltd: FDE 8244	Waihue Rd, Waihue	Maintenance required. Water quality test results outside RC limits.	2IU	SNC1
25-Aug-09	947701	Totara Dale Farm Ltd: FDE 8278	Waihue Rd, Waihue	Management good. Water quality test results outside RC limits.	2IU	SNC1
25-Aug-09	876101	Campbell Chitty Trust: FDE 8256	Middleton-Waihue Rd, Waihue	Maintenance required. Water quality test results outside RC limits.	2IU	SNC1
26-Aug-09	1229501	Property Applications NZ Ltd: FDE 8417	Foster Rd, Tutamoe	Unauthorised discharges from a feedpad and a standoff pad. Water quality test results outside RC limits.	2IU	SNC1

28-Aug-09	1313501	Lyford Farms Ltd: FDE 8333	Waihue Rd, Mamaranui	Maintenance required. Water quality test results marginal.	2IU	SNC1
31-Aug-09	1224001	Ross & Elizabeth Pocklington Family Trust: FDE 8326	Opanake Rd, Dargaville	Unauthorised discharge from a feedpad to water.	2IU	SNC1
31-Aug-09	1131501	Opanake Farm Ltd: FDE 8328	Opanake Rd, Dargaville	Prohibited discharge from a feedpad to water.	2IU	SNC1
31-Aug-09	1160301	Pouto Farms Ltd: FDE 8349	SH 12, Kaihu	Major leak from pond to water. Major maintenance required.	2IU	SNC1
31-Aug-09	1177801	Lewis G C & M L: FDE 8235	Waihue Rd, Waihue	Management good. Water quality test results outside RC limits.	2IU	SNC1
01-Sep-09	1163201	Northland Ag Research Farm Soc Inc: FDE 8377	SH 12, Dargaville	Unauthorised discharge from irrigator to 200m beyond farm boundary.	2IU	SNC1
02-Sep-09	937101	Wallace H R: FDE 4213	Te Kowhai Rd, Ruawai	Unauthorised discharges from feedpad, standoff pad and wintering barns to water.	2IU	SNC1
02-Sep-09	1286401	Gatehouse B: FDE 4216	Whakatu Rd, Ruawai	Management good. Water quality test results outside RC limits.	2IU	SNC1
02-Sep-09	1216301	Zeff Farms Ltd: FDE 4207	Te Kowhai Rd, Ruawai	Maintenance required. Water quality test results outside RC limits.	2IU	SNC1
02-Sep-09	1049601	CMJ Trading Trust: FDE 8684	Arapohue Rd, Dargaville	Unauthorised discharge from a feedpad. Herd 75% above RC numbers.	2IU	SNC1
03-Sep-09	973201	Wairua Farms (Watkins N A & D E): FDE 4256	Simpson Rd, Ruawai	Unauthorised discharge from irrigator to water. Water quality test results outside RC limits.	2IU	SNC1
03-Sep-09	922001	Bellamy J & J: FDE 4255	Simpson Rd, Ruawai	Unauthorised discharge from wintering barns to water.	2IU	SNC1
03-Sep-09	1242101	Tuupari Farm Ltd: FDE 4236	SH 12, Ruawai	Unauthorised discharges from a feedpad and silage stacks.	2IU	SNC1
03-Sep-09	956301	Harris E E (C/- I J Beattie): FDE 4238	Wallace Rd, Ruawai	Unauthorised discharges from calf rearing area and a feedpad.	2IU	SNC1
03-Sep-09	1224501	Madsen B C & B Y: FDE 4240	Te Kowhai Rd, Ruawai	Unauthorised discharge of silage leachate to water.	2IU	SNC1
04-Sep-09	1065801	Gent G W & Flood A M: FDE 4469	Mitchells Rd, Ruawai	Unauthorised discharge from stormwater bypass to land and to water.	2IU	SNC1
04-Sep-09	1228101	Maw J J & C A: FDE 1412	Horniblow Rd, Matakohē	Management good. Water quality test results outside RC limits.	2IU	SNC1
07-Sep-09	965301	Waterson Partnership: FDE 4315	Tramline Rd, Ruawai	Unauthorised discharge from a feedpad and wintering barn to water.	2IU	SNC1
07-Sep-09	1729101	Double Two Dairies Ltd: FDE 4422	Tramline Rd, Ruawai	Unauthorised discharge from a feedpad to water.	2IU	SNC1

07-Sep-09	1153401	Wood & Lawrie Ltd: FDE 4316	Tramline Rd, Ruawai	Stormwater control required. Water quality test results outside RC limits.	2IU	SNC1
07-Sep-09	1230801	Hart Properties Limited: FDE 4415	Dunn Rd, Ruawai	Water quality test results outside RC limits.	2IU	SNC1
08-Sep-09	949401	Bowers B S & H: FDE 4402	Dunn Rd, Ruawai	Unauthorised discharge from irrigator to water.	2IU	SNC1
08-Sep-09	951601	Leon & Tracey Lugtigheid Family Trust: FDE 4454	Blong Rd, Tokatoka	Unauthorised discharges from a feedpad and wintering barns to water.	2IU	SNC1
10-Sep-09	1110201	Bellamy D Family Trust: FDE 8743	Island Rd, Dargaville	Dairy and pad not in use. Effluent to be contained before further use.	1IU	FUS
10-Sep-09	1247901	Lulich P L & C J: FDE 8744	Turiwiri West Rd, Turiwiri	Upgrade to be planned by consultant.	1IU	FUS
10-Sep-09	927401	Waterhouse J & J Ltd: FDE 3429	Tokiri Rd, Titoki	Management adequate. Water quality test results outside RC limits.	2IU	SNC1
10-Sep-09	1245801	Brown P L Farms Ltd: FDE 3436	Mangakahia Rd, Titoki	Water quality test results outside RC limits.	2IU	SNC1
10-Sep-09	1118801	McBeth Farms Ltd: FDE 3303	Mangakahia Rd, Titoki	Maintenance and stormwater control required. Water quality test results outside RC limits	2IU	SNC1
11-Sep-09	961801	Bickers D C: FDE 4442	Tokatoka Rd, Rehia	Maintenance required. Water quality test results outside RC limits.	2IU	SNC1
11-Sep-09	1220601	Lugtigheid A L R & T D: FDE 4451	Rehia Rd, Tokatoka	Maintenance required. Unauthorised discharge from standoff area.	2IU	SNC1
11-Sep-09	1290201	Dreadon L R & R E: FDE 4445	Ringrose Rd, Rehia	Maintenance required. Water quality test results outside RC limits.	2IU	SNC1
14-Sep-09	1086201	Griffiths M & L Family Trust: FDE 8808	Otara Rd, Tikinui	Maintenance required. Water quality test results outside RC limits.	2IU	SNC1
15-Sep-09	952401	Lea Rig Farms Ltd: FDE 7148	Whatmough Rd, Opuawhanga	Maintenance required. Water quality test results outside RC limits.	2IU	SNC1
15-Sep-09	962001	Bignell Brown Family Trust: FDE 7115	Jubilee Rd, Marua	Maintenance and stormwater control required. Water quality results outside RC limits.	2IU	SNC1
16-Sep-09	1245601	Brown P L Sharemilking Ltd: FDE 3409	McCardle Rd, Titoki	Feedpad pond leaked to water. Stormwater control required. Water quality test results outside RC limits.	2IU	SNC1
16-Sep-09	1139301	Moonrock Farm Ltd: FDE 8125	Pouto Rd, Aratapu	Maintenance required. Water quality test results outside RC limits.	2IU	SNC1
16-Sep-09	947501	Northern Dairy Lands Ltd: FDE 8330	Frith Rd, Mamaranui	Unauthorised discharge from sump. Maintenance required. Water quality test results marginal.	2IU	SNC1
16-Sep-09	1215301	Zwaans T & L Family Trust: FDE 8051	Pouto Rd, Te Kopuru	Water quality test results outside RC limits.	2IU	SNC1

18-Sep-09	1951001	Fluhler P W: FDE 4005	Chadwick Rd, Tinopai	Maintenance required. Upgrade of ponds had not been completed.	2IU	SNC1
28-Sep-09	1105401	Williamson P & B: FDE 8661	Bee Bush Rd, Arapohue	Unauthorised discharge from a feedpad to water.	2IU	SNC1
28-Sep-09	1982301	McInnes S C & P: FDE 8693	Morrison Rd, Arapohue	Maintenance required. Pond upgrade not done. No discharge at the time of inspection.	2IU	SNC1

FARM DAIRY EFFLUENT DISCHARGES – NON CONSENTED (MNC)

Date	Consent	Details	Location	Comment	Code	Comp
27-Aug-09	800812	Woollam L R & C E: FDE 8001	Creamery Rd, Tatarakaki	Unauthorised discharge to land. Gross over-application at irrigator.	2IU	SNC1
27-Aug-09	800815	Clanrye Trust: FDE 8012	Guy Rd, Tatarariki	Unauthorised discharge. Treated effluent discharged to land to water.	2IU	SNC1
27-Aug-09	800826	Rope R P Ltd: FDE 8043	Turkey Flat Rd, Te Kopuru	Unauthorised discharge. Effluent from irrigator discharged to land to water.	2IU	SNC1
27-Aug-09	800849	Pukewhero Partnership: FDE 8103	Cemetery Rd, Redhill	Unauthorised treated effluent discharged to water. RC application in process.	2IU	SNC1
28-Aug-09	800924	Hayes R P: FDE 8344	SH 12, Mamaranui	Permitted activity. Effluent from underpass discharged to water. Improvement required.	2IU	SNC1
01-Sep-09	800884	Nilsson G & T: FDE 8199	Baylys Coast Rd, Mangatara	Management good but evidence of entrance race discharge contaminating drain.	2IU	SNC1
01-Sep-09	800886	Welsh M & K: FDE 8203	Baylys Coast Rd, Mangatara	Unauthorised discharge. Effluent from irrigator discharged to land and to water.	2IU	SNC1
01-Sep-09	800327	Roberts C D & A M Family Trust: FDE 1625	SH 1, Waipu	Improvements made. Unauthorised discharge from herd home apron. Upgrade agreed by 31 December 2009.	2IU	SNC1
01-Sep-09	801097	Hartles D H & S: FDE 1529	Golden Stairs Rd, Mareretu	Unauthorised discharge. Treated effluent discharged to water. RC required.	2IU	SNC1
02-Sep-09	800625	Stewart L W R & C J: FDE 4225	Armstrong Rd, Ruawai	Unauthorised discharge. Effluent from feedpad and wintering barn discharged to water.	2IU	SNC1
02-Sep-09	800626	Double Creek Farms Ltd: FDE 4226	Smith Canal Rd, Ruawai	Effluent from a race near the dairy had discharged to and caused discolouration in receiving waters.	2IU	SNC1
03-Sep-09	800629	Tuupari Farms Ltd: FDE 4234	Wallace Rd, Ruawai	Unauthorised activity. Untreated effluent from irrigator and sump area discharged to land and water.	2IU	SNC1
04-Sep-09	800656	Bakersfield Ltd: FDE 4338	Robertson Rd, Ruawai	Unauthorised discharge from ponds to water.	2IU	SNC1
08-Sep-09	800410	Bowers J B: FDE 2506	Maungakaramea Rd, Puwera	Permitted activity. Over-application and ponding at irrigator. Improvement required.	2IU	SNC1

08-Sep-09	800412	J K D Farms Ltd: FDE 2513	Marshville Rd, Maungakaramea	Permitted activity. Limited storage. Very limited application area. Improvement required.	2IU	SNC1
09-Sep-09	800874	Harding H K & Smart P F: FDE 8174	Pouto Rd, Mt Wesley	Unauthorised discharges from pond and herd homes to water.	2IU	SNC1
09-Sep-09	800836	Northpower Ltd: FDE 8078	Redhill Rd, Redhill	Unauthorised discharges from pond and from irrigator.	2IU	SNC1
09-Sep-09	800837	Gillatt R A & B J: FDE 8079	Redhill Rd, Redhill	Unauthorised discharge of milk contaminated water.	2IU	SNC1
09-Sep-09	800857	Schick R K & D E: FDE 8144	Pouto Rd, Mt Wesley	Unauthorised discharge during commissioning of new system.	2IU	SNC1
09-Sep-09	800868	McCollum Farm Ltd: FDE 8166	Mahuta Rd, Mahuta	Unauthorised discharge. Treated effluent discharged to water.	2IU	SNC1
14-Sep-09	801068	Barfoote B S & E T: FDE 8815	Pouto Rd, Tikinui	Unauthorised discharge. RC required.	2IU	SNC1
14-Sep-09	801071	Pouto Topu A-Trust: FDE 8823	Opuna Rd, Pouto	Unauthorised discharge. Untreated effluent discharged to land and to water.	2IU	SNC1
16-Sep-09	800398	Long P J & M J: FDE 2222	Kaiatea Rd, Ngunguru	Unauthorised discharge. Untreated effluent discharged to water.	2IU	SNC1
18-Sep-09	800594	Paulsen L R: FDE 4001	Tinopai Rd, Tinopai	Unauthorised discharge. Untreated effluent discharged to land to water.	2IU	SNC1
21-Sep-09	800189	Agri-King Ltd: FDE 781	Ohuri Rd, Rawene	Unauthorised discharge. Treated effluent discharged to water.	2IU	SNC1
23-Sep-09	800162	Booth D R & R A: FDE 673	Forest Rd, Okaihau	Unauthorised discharge. Untreated effluent from a feedpad discharged to water.	2IU	SNC1
24-Sep-09	801090	Phillips J S & P T: FDE 8455	Awakino Point North Rd, Awakino	Unauthorised discharge. Treated effluent discharged to water.	2IU	SNC1
24-Sep-09	800887	Iain McCahon Trust: FDE 8212	Colville Rd, Dargaville	Unauthorised discharge. Pond three discharged overland to water.	2IU	SNC1
24-Sep-09	800953	Rowse D E & R R: FDE 8445	Awakino Point Rd, Dargaville	Unauthorised discharge. Untreated effluent from an entrance race discharged to water.	2IU	SNC1
25-Sep-09	801008	Mathews E A & C A: FDE 8635	Neck Rd, Okahu	Unauthorised discharge. Untreated effluent discharged to water.	2IU	SNC1
25-Sep-09	801030	Bradley K & M Ltd: FDE 8705	SH 12, Turiwiri	Unauthorised discharge. Effluent from a feedpad discharged to water.	2IU	SNC1
25-Sep-09	801036	Montgomery W B & M F: FDE 8740	SH 12, Arapohue	Unauthorised discharge. Untreated effluent discharged to water.	2IU	SNC1

WATER TAKES

No significant non-compliant events were recorded during August.

SOE MONITORING - Air, Lakes and Water

Date	MNC	Project	Location	Comment
04-Sep-09	700080	Whangaroa Harbour Contributing Streams	Whangaroa Harbour	Monthly water quality run completed.
10-Sep-09	801320	Lake Omapere Monitoring and Management	Lake Omapere	Routine monitoring of Lake Omapere and outlet. Lake water clarity average however algae appears to be low.
14-Sep-09	801427	Summer recreational bathing water quality surveys.		Catchment profile sampling of the Whangarei catchment to investigate the source of high bacterial concentrations.
15-Sep-09	801300	Whangarei Harbour Water Quality - Harbour Boat Run		Coastal water quality sampling was conducted at all 16 sites in Whangarei harbour. The results of this monitoring are pending.
15-Sep-09	801303	Regional Water Quality Monitoring Network - Western		Monthly water quality sampling of Kaihu, Waipoua, Waimamaku, Punakitere, Utakura, Mangakahia and Opouteke Rivers. River levels low at most sites and water clarity good.
16-Sep-09	801338	Regional Water Quality Monitoring Network - Eastern		Monthly water quality sampling of Waitangi, Waipapa, Kerikeri, Waiharakeke, Waiotu, Ngunguru, Hatea and Whakapara Rivers and two sites on Mangahahuru Stream.
16-Sep-09	801302	Regional Water Quality Monitoring Network - Far North		Routine monthly water quality monitoring carried out on the Mangamuka, Victoria, Awanui, Kaeo and Oruru Rivers.
16-Sep-09	801314	Regional Water Quality Monitoring Network - Southern		Routine water quality monitoring of Ruakaka, Hakaru, Manganui, Mangere and Waipao Rivers, Paparoa Stream and two sites on the Waiarohia Stream.
17-Sep-09	802032	Aupouri Lakes	Aupouri Peninsula	A fish survey was conducted at Lake Ngatu on 17/18 Sept to confirm the presence of redfin perch which were seen in April this year. No perch were caught during this survey. Another survey will need to be planned to target different areas of the lake. Fish species caught include Inanga, common bullies and mosquito fish.
23-Sep-09	700115	Waipu Catchment Water Quality Project.	Waipu	Routine water quality monitoring of the Waipu catchment. Water clarity fairly poor at most sites.
29-Sep-09	801427	Summer recreational bathing water quality surveys.		Faecal sterol sampling of the Otamure Bay bathing site and two sites above to investigate the source of high bacteria concentrations. All sites had very high E. coli levels well above the action guideline value of 550 per 100mls.
29-Sep-09	700045	Okiato Point & Opuia Surface Water Sampling	Okiato Point, Bay of Islands	Water samples collected from surface water sites.
30-Sep-09	801128	Otiria/Orauta Stream sampling.	Otiria, Moerewa	Monthly water quality run completed.

ENVIRONMENTAL INCIDENTS

Date	ICE No.	Description	Location	Comment	Code
01-Sep-09	418775	Smoke nuisance.	Cnr SH 1 & Loop Rd, Whangarei	Incident investigation confirmed burning on industrial premises. The site manager promised not to do any burning on site in the future and apologised for the event.	M
14-Sep-09	418867	Sewage spill.	Portland	A sewage spill to a tidal creek from the line leading to the Portland WWTP was discovered by WDC contractors. The spill was estimated to be 30 m3/day for an estimated period of 2-3 weeks, and was caused by willow roots partially blocking the pipe. Contractors cleared the roots. Samples taken 12 hours later showed no residual contamination within the creek.	M
16-Sep-09	418802	Smoke nuisance.	Fraser St, Whangarei	Open burning was confirmed at industrial premises. Warned the site manager about non compliance with the RAQP and asked not to repeat similar burning.	M
18-Sep-09	418948	Smoke nuisance.	SH 14, Maunu	A significant amount of smoke was causing a nuisance to neighbouring properties and also affecting visibility on the state highway. The offender ceased burning upon request by NRC contractor.	M
28-Sep-09	418776	Sewage spill.	Whatuwhiwhi	A spill had occurred due to a breakage in the line, the discharge entered a watercourse and subsequently entered the CMA. Northland Health erected signage along the beachfront. The telemetry system did not detect the break and it was only detected due to the odour from the discharge.	M
29-Sep-09	418792	Discharge & watertake from timber processing business.	SH10, Waipapa	This incident will be dealt with through the RC process. Application underway.	M
30-Sep-09	418841	Drift & odour from spray painting a boat.	Tuatahi PI, Kerikeri	Incident investigation confirmed spray paint drift in neighbouring properties but could not confirm the odour as the incident was reported after the event. Sent a warning letter to the person responsible.	M

MARITIME INCIDENTS

Date	ICE	Description	Location	Comments	Code
04-Sep-09	3293	Light reported extinguished.	S7 Kaipara harbour.	Light unit replaced.	RR
04-Sep-09	3294	Light reported extinguished.	Cocked hat beacon, Kerikeri.	Light unit replaced.	RR
04-Sep-09	3295	Light reported extinguished.	Veronica channel # 6.	Battery replaced, light operational.	RR

04-Sep-09	3296	Navigation sign defaced by taggers.	Ti Beach, Paihia.	Sign cleaned.	RR
09-Sep-09	3297	Vessel left unattended during cargo space fumigation.	Marsden Point	Precautions put in place by Northport until crew returned on board.	IR
10-Sep-09	3298	Small tanker suffered mechanical failure during berthing operation.	Marsden Point	Advice provided by Harbourmaster, tanker departed safely with precautionary tug escort.	IR
14-Sep-09	3308	Vessel exceeding 5 knots through a mooring area.	Mill Bay	Written warning issued with a copy of the Navigation Safety Bylaws.	WR
16-Sep-09	3299	Request to immobilise "M.V. Ocean Lohas" main engine.	Marsden Point #3	Permission to immobilise granted.	IR
16-Sep-09	3300	Request to immobilise "M.V. Lake Dany" main engine.	Marsden Point #2	Permission to immobilise granted.	IR
17-Sep-09	3304	Two logs lost overboard during ship loading.	Marsden Point	Log recovered by the stevedore.	OR
18-Sep-09	3301	Log secured to channel marker #15.	Whangarei Harbour	Log to be recovered by maritime team.	IU
19-Sep-09	3302	Unregistered jet ski reported speeding close to moored vessels and shore.	Parua Bay	Written warning issued with a copy of the bylaws and Jetski registration form.	WR
21-Sep-09	3303	Unregistered jet ski exceeding 5 knots.	Waipapa Inlet	Warning letter issued to offender.	WR
22-Sep-09	3305	Vessel reported to be exceeding five knots within 200m of shore.	Parua Bay	A verbal warning was given.	IR
22-Sep-09	3306	A potential navigational hazard caused by large log.	Tapeka Point	No further reports received, navigation warning lifted.	NU
25-Sep-09	3309	Oyster barge occupying a mooring without the owner's authorisation.	Tapu Point	Vessel owner instructed to remove vessel immediately.	IU
28-Sep-09	3310	Light reported extinguished.	#7 Beacon Ngunguru.	Light unit replaced.	RR
30-Sep-09	3312	Dead calf on the beach.	Mac's Bay, Opua	Carcass removed from the beach and disposed of by maritime staff.	RR
30-Sep-09	3313	Vessel refuelling operations were being carried out without an approved Oil Spill Contingency Plan.	Opua	Operator agreed to cease these refuelling operations until document is approved.	IU

Recommendation

1. That the report from the Monitoring Senior Programme Manager Riaan Elliot dated 7 October 2009 be received.
2. That the follow-up action taken by staff resulting from monitoring or environmental/maritime incidents during September 2009 be supported.

COMPLIANCE WITH DECISION MAKING PROCESS

The activities detailed in this report are provided for in the Council's 2009-2019 Long Term Council Community Plan, and as such are in accordance with the Council's decision-making process and Sections 76-82 of the Local Government Act 2002.

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Appointment of Hearing Committee

File: 110.8

Report from the Acting Consents Senior Programme Manager Allan Richards dated 7 October 2009.

DELEGATION TO HEAR AND DECIDE CONSENT APPLICATIONS

A Hearings Committee is required for the following application:

Doubtless Bay Water Supply Company Limited: CON20010379601 for a water take from a bore at Taipa. One Councillor sitting alone is suggested.

In discussion with the Chairperson of the Hearings Committee, it is suggested that Cr Lorraine Hill be appointed to hear and decide this application.

Recommendation

That Cr Hill be appointed to hear and decide the application by **Doubtless Bay Water Supply Company Limited CON20010379601** for a water take from a bore at Taipa.

COMPLIANCE WITH DECISION MAKING PROCESS

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

Appointment of Honorary Enforcement Officer for Pataua

File 700.17

Report from Deputy Harbourmaster Jim Lyle dated 24 September 2009.

BACKGROUND

Councillors recently appointed two new Honorary Enforcement Officers (harbour wardens) for Bream Bay and Whangarei Heads. These appointments were for vacancies caused by a retirement and a resignation.

The harbour warden system in Northland serves the maritime team and the general public well. However during the peak few weeks of the summer season there are a number of areas on the outskirts of existing warden areas, which receive a large influx of active water users.

The maritime team have been considering the idea of voluntary enforcement officers that are available for just these peak periods to provide advice on navigational safety for a few areas that have large seasonal influxes, and thus pose a safety risk.

One such area is Pataua, and the local residents at Pataua Fishing Club have approached the Council with a request for a local enforcement officer to be available for this peak period. After discussions they have nominated Hamish McKenzie. Mr McKenzie has lived in the area his whole life, has wide boating experience, and is an engineer by trade.

The Harbourmaster and Deputy Harbourmaster have interviewed Mr McKenzie and consider him an ideal candidate for the role. Although Mr McKenzie will have an active role only during the peak summer period, it is proposed that his warrant shall be bi-annually renewable in line with the other wardens. No honorarium is attached with this position at present, though any expenses incurred in the role will be covered by the Council.

NOMINATION FOR APPOINTMENT

Given that there is an ongoing requirement for navigation and safety education and enforcement in Pataua, the maritime team have no hesitation in supporting Mr McKenzie's appointment.

Recommendation

1. That Mr Hamish McKenzie be appointed and warranted as an Honorary Enforcement Officer for Pataua, under Section 650B(1) and (2) of the Local Government Act 1974.
2. That the appointment should commence on 1 November 2009. The appointment will be annually renewable in line with the other honorary enforcement officer warrants.

COMPLIANCE WITH DECISION MAKING PROCESS

The activities detailed in this report are provided for in the Council's 2009-2019 Long Term Council Community Plan, and as such are in accordance with the Council's decision making process and sections 76-82 of the LGA 2002.

Delegated Authority to take Action under the Building Act 2004 and Local Government Act 2002

File: 110.8

Report from the Consents Specialist David Roke dated 7 September 2009.

PURPOSE

The purpose of this item is for the Council to delegate to staff of the Northland Regional Council (the Council) and Environment Waikato (EW) regional council functions for dams (other than building consent functions) under the Building Act 2004 and powers of entry under the Local Government Act 2002.

POWERS TO BE DELEGATED

The various functions and powers are as set out in the **attached** schedule and are largely self explanatory. While some of the actions are very unlikely to be required, for example, the seeking of accreditation as a Building Consent Authority under sections 194 and 253 of the Building Act 2004, in the unlikely event that EW withdraws from the current transfer agreement, they are included for completeness.

High level functions and responsibilities remain with the Chief Executive Officer. More routine functions are delegated to appropriately trained staff.

BACKGROUND

At the February 2009 Council meeting the Council delegated to the Chief Executive Officer most of the Council's functions for dams under the Building Act 2004 pending the completion of training by other officers. That training has now been completed (given by the Council's delegated building authority, Mr Owen Smith of EW).

The Council transferred the functions of processing applications for building consents for dams to EW. This arrangement will continue in accordance with the agreements signed at the end of the 2007/08 financial year.

Recommendation

1. That the report on Delegated Authority to take Action under the Building Act 2004 and Local Government Act 2002 from the Consents Specialist dated 7 October 2009 (the report) be received.
2. That the Council delegate the powers functions and responsibilities detailed in the schedule of the report to the staff listed therein; and
3. That the Chief Executive Officer issue warrants as specified in that schedule; and
4. That the Building Act delegations, adopted in December 2008 and February 2009 be rescinded.

COMPLIANCE WITH DECISION MAKING PROCESS

The activities detailed in this report are provided for in the Council's 2009-2019 LTCCP. As such they are in accordance with the Council's decision making process and sections 76-82 of the Local Government Act 2002.

SCHEDULE OF BUILDING ACT 2004 AND LOCAL GOVERNMENT ACT 2002 DELEGATIONS

Functions and/or powers delegated to the Chief Executive Officer

Building Act 2004 Reference	Description
S194	To make an application for registration as a Building Consent Authority.
S208	To appeal a decision of the CEO of the Ministry responsible for the administration of the Building Act 2004.
All sections	Any other incidental matter not specifically delegated elsewhere in the delegation schedule.
S252(4)	To request to change the scope of accreditation.
S253	To make an application for accreditation to perform Building Consent Authority functions.
S276(2)(b)	To make submissions on a review of the regional authority.
S403(4)(b)	To make submissions as an "interested person" to proposed Orders in Council or regulations.

Functions and/or powers delegated to the Chief Executive Officer and Operations Director

Building Act 2004 Reference	Description
S145(2)	To allow a period beyond 15 working days for a dam safety assurance programme re-audit.
S154(1)	Decision whether a dam is dangerous in terms of s153.
S154(1)	Decision to require actions specified in s154(1) in relation to dangerous dams.
S155(1)(a)	To determine whether building consent is required in respect of notified work.
S156(1)	Decision to apply to the District Court for an order enabling the regional authority to carry out building work.
S156(3)(b)	Decision to recover costs of regional authority undertaking building work in accordance with s156(1).
S157(2)	Decision to take immediate action to remove danger.
S157(3)(b)	Decision to recover costs of regional authority taking action in accordance with s157(2).
S220(1)	To require a person to carry out building work.
S220(2)	To make an application to the District Court for an order in respect of building work required to be done.
s220(4)(b)	To seek recovery of costs associated with carrying out building work authorised under s220(2).
S221(2)(a)	To destroy, sell, or otherwise dispose of any materials that result from carrying out building work authorised under s220(2).

S229(1)(a)	To authorise officers to issue infringement notices under s372.
S315(1)	To make a complaint about a licensed building practitioner.
S371(2)	To commence proceedings where an infringement notice has been issued.
S381(1)	To make an application to the District Court for an injunction in respect of certain continuing breaches.

Functions and/or powers delegated to the Chief Executive Officer, Operations Director, Consents Senior Programme Manager, and Monitoring Senior Programme Manager

Building Act 2004 Reference	Description
S33(1)(b) or (c)	To require further information where there has been an application for a project information memoranda.
S34(4)	To re-issue a project information memoranda in certain circumstances.
S36	To attach a development contribution notice to project information memoranda.
S71(2)	To determine whether adequate provision has been made in respect of certain aspects relating to natural hazards.
S72	To determine whether the matters in s72 relating to natural hazards are satisfied.
S96(1) and s98(1)	Decision to issue a certificate of acceptance.
S97(c)	To specify the information that the regional authority "reasonably requires" to be lodged with an application for a certificate of acceptance.
S98(2)	To require further information in relation to an application for a certificate of acceptance.
S99(2)	To qualify a certificate of acceptance to the effect that only parts of the structure were able to be inspected.
S106(3)	To specify the information that the regional authority "reasonably requires" to be lodged with an application for an amendment to a compliance schedule.
S106(4)	Decision to amend a compliance schedule in response to an application to do so.
S107(2)	Decision to amend a compliance schedule on the regional authority's own initiative.
S109(c)	Decision to accept a recommendation to amend a compliance schedule arising from the annual warrant of fitness.
S110(c)	To require an owner of a dam to produce compliance schedule reports under s110(a).
S111(1)	Decision to inspect dam or specified systems where a compliance schedule has been issued.
S111(2)	To charge a fee for inspections under s111(1).
S115	Decision to allow the change of use of a dam.

S116(1) and (3)	Decision to allow the extension of life of a dam.
S116A	Decision to allow subdivision of land affecting a dam.
S136(1)	Decision to approve a dam safety classification.
S138(2)	To allow a period beyond 15 working days for a dam safety classification re-audit.
S143(1)	Decision to approve a dam safety assurance programme.
S148(a)(iii)	To agree on the location of the dam safety assurance programme.
S164(1)	Decision that a notice to fix should be issued.
S164(3)	Decision that another authority should issue a notice to fix.
S165(1)(b)	To determine a reasonable timeframe within which a notice to fix must be complied with.
S165(1)(c) and (d)	To determine whether a notice to fix should include a requirement to apply for a certificate of acceptance or a building consent (or amendment to an existing building consent).
S165(1)(f)	To determine whether a notice to fix should include a direction to cease building work and, if so, determining if and when work is able to resume.
S167(2)	To determine whether a notice to fix has been complied with.
S240(2)	To refuse to perform functions under the Building Act 2004 where fees, charges or levies are unpaid.

Functions and/or powers delegated to the following officers: Allan Richards, Owen Kingsford Smith (Environment Waikato Building Consents Officer)

Building Act 2004 Reference	Description
S96	Receive application for, process and issue a Certificate of Acceptance.
S34	To issue a PIM, Request further information, Suspend timeframe, Issue PIM in 10 days, Decision to reissue PIM.
S 37(2)	Attach certificate
S38	Advise network utility operator or statutory authority
S39(1)	Advise Historic Places Trust.

Functions and/or powers delegated to Allan Richards, Owen Kingsford Smith, Dale Hansen, Theresa Dacre, Tony Dwane, Peter Wiessing (warrants to be issued)

Building Act 2004 Reference	Description
S164	To issue a Notice to Fix.
S33(1)(b) or (c)	To require further information where there has been an application for a project information memoranda.

S34(4)	To re-issue a project information memoranda in certain circumstances.
S 229, 372	To issue Infringement Notices.

Functions and/or powers delegated to Allan Richards, Owen Kingsford Smith, Dale Hansen, Theresa Dacre, Tony Dwane, Peter Wiessing, Geoffrey Heaps, Janarie Jongkees (warrants to be issued)

Building Act 2004 Reference	Description
S222	To inspect building work, determine if a building (dam) is dangerous, earthquake-prone, or insanitary.
S33(1)(b) or (c)	To require further information where there has been an application for a project information memoranda.
S34(4)	To re-issue a project information memoranda in certain circumstances.
Local Government Act 2002 Reference, S 173	Power of Entry onto property.

Northland Sailor of the Year 2009

File 710.1

Report from Maritime Senior Programme Manager Ian Niblock dated 23 September 2009.

SELECTION PROCESS

It is once again the time of the year to call for nominations for a deserving recipient of the Northland Sailor of the Year Trophy. Northland Yachting Association has been contacted and a list of nominations is expected in the near future.

A condition of the award is that a selection panel comprising two representatives of the Northland Yachting Association, the Regional Harbourmaster and a Regional Councillor be available to select a suitable recipient. It is requested that the Council now nominates its representative for the 2009 selection panel.

Recommendation

That Councillor..... be appointed as the Northland Regional Council's representative on the selection panel to choose the recipient of Northland Sailor of the Year Trophy for 2009.

COMPLIANCE WITH DECISION MAKING PROCESS

The activities detailed in this report are provided for in the Council's 2009-2019 Long Term Council Community Plan, and as such are in accordance with the Council's decision-making process and Sections 76 to 82 of the LGA 2002.

Resource Management Planning Documents in Northland – An Analysis of Possible Future Options

File: 990.13

Report from Director of Strategy and Planning Lawrayne Hughes dated 6 October 2009.

PURPOSE

The purpose of this agenda item is to have the report entitled '*Resource Management Planning Documents in Northland – An Analysis of Possible Future Options*' received by the Council.

INTRODUCTION

The Council has stated in its Long Term Council Community Plan (LTCCP) that it intended to investigate combining planning documents in Northland with the aim of improving public usability of these documents and to improve the efficient and effective integrated management of Northland's natural and physical resources.

This reflects the perception that having seven planning documents in Northland is not as efficient and effective in managing the region's natural and physical resources as it could be. It has been suggested that a single planning framework would improve this by removing overlaps, identifying and addressing gaps, ensuring consistency in priorities, and removing public confusion and complexity.

Council staff have produced a report entitled '*Resource Management Planning Documents in Northland – An Analysis of Possible Future Options*'. The report identifies potential combined planning options for Northland's planning documents and analyses the resource management planning advantages and disadvantages of each option. The executive summary of this report is attached and the full document has been sent to Councillors.

SUMMARY AND RECOMMENDATIONS OF THE REPORT

Northland's four councils have produced a total of seven first generation resource management planning documents under the Resource Management Act 1991 consisting of a Regional Policy Statement (RPS), three regional plans (air, water and soil, and coastal), and a district plan for each of the three districts (Far North, Whangarei, and Kaipara). The Regional Policy Statement is due for its 10 year statutory review and this has been a catalyst for the Northland Regional Council to investigate whether combining some or all of Northland's planning documents is warranted. The report presents an analysis of the options available for combining the various plans and assesses their respective advantages and disadvantages from a resource management planning perspective.

A semi-quantitative evaluation was undertaken which was based on the results of a workshop which was attended by regional council and district council staff. This evaluation ranked each option using a number of assessment criteria.

A qualitative evaluation was also undertaken which examined the advantages and disadvantages of each option in terms of likely decision making drivers. The evaluation was based on a literature review, interviews with frequent users of the plans, discussions with planning staff of other councils that have combined planning documents, and comments made by the workshop participants. An analysis of the costs and timeframes of producing plans and undertaking plan changes is presented.

Four decision making drivers have been identified:

- 1) User-friendliness;
- 2) Integrated resource management;
- 3) Cost; and
- 4) Timeliness.

These drivers are considered to be the matters that any resource management planning document should ideally achieve. The evaluations were based on these four drivers.

In reviewing how the other regional councils in New Zealand have structured, or are proposing to structure, their planning documents, it is clear that many different approaches have been taken. However, it can be concluded that no one combination appears to have been consistently selected by all regional councils. This would suggest that there is no 'clear winner', because if there was one combination or option that 'ticked all the boxes' then it would be expected that most of the councils would have followed that combination or option.

Overall, developing a new 'one plan' (combined Regional Policy Statement, regional plan, and district plan) for Northland, together with a suite of user-friendly 'smart' technologies, would best 'tick all the boxes' and as such would be the best option from a pure planning perspective. However, for this option to be considered, and before such a process is embarked upon, it is critical that all four councils have 'buy-in' to the journey, particularly at a political level. Continued political support for such a project is paramount to its success and any political discontent between any of the four councils during the process could be disastrous and could render much of the previous work worthless.

COUNCIL WORKSHOP

Council staff held a workshop with Councillors on 24 August 2009 which was chaired by Councillor Walker and attended by Crs Jensen, Rossiter, Bain, and Carr. Mr Ken Paterson (CEO) was also in attendance. Council staff gave a presentation on the methodology used in assessing the various options and the recommendations of the report were presented. Robust discussions on the various combined planning options took place and the general view of those Councillors present was that the Council should prepare a separate Regional Policy Statement followed closely by a combined (single) Regional Plan. Those present were particularly interested in the Council exploring technological options to create a 'virtual one plan' (e.g. IT solutions via a front-end system which could allow the public to find out relevant regional and district rules that apply for a particular proposal).

FINAL RECOMMENDATION

On the basis of the workshop and the current political climate, it is recommended that the three district councils maintain their respective district plans and that the Northland Regional Council prepares a new (separate) Regional Policy Statement and then commence work on preparing a single regional plan (to replace the three existing regional plans).

Recommendation

1. That the report, Resource Management Planning Documents in Northland – An Analysis of Possible Future Options, dated 6 October 2009 be received.
2. That Council staff be authorised to prepare a separate Regional Policy Statement followed closely by a combined (single) Regional Plan.
3. That Council staff be authorised to undertake a detailed investigation into a “virtual” One Plan and produce a business case for presentation to Council by March 2010.

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.

Resource Management Planning Documents in Northland – An Analysis of Possible Future Options - Attachment One

EXECUTIVE SUMMARY

Northland's four councils have produced a total of seven first generation resource management planning documents under the Resource Management Act 1991 consisting of a Regional Policy Statement, three regional plans (air, water and soil, and coastal), and a district plan for each of the three districts (Far North, Whangarei, and Kaipara). The Regional Policy Statement is due for its 10 year statutory review and this has been a catalyst for the Northland Regional Council to investigate whether combining some or all of Northland's planning documents is warranted. This report presents an analysis of the options available for combining the various plans and assesses their respective advantages and disadvantages from a resource management planning perspective.

A semi-quantitative evaluation was undertaken which was based on the results of a workshop which was attended by regional council and district council staff. This evaluation ranked each option using a number of assessment criteria.

A qualitative evaluation was also undertaken which examined the advantages and disadvantages of each option in terms of likely decision making drivers. The evaluation was based on a literature review, interviews with frequent users of the plans, discussions with planning staff of other councils that have combined planning documents, and comments made by the workshop participants. An analysis of the costs and timeframes of producing plans and undertaking plan changes is presented.

Four decision making drivers have been identified:

- 1) user-friendliness;
- 2) integrated resource management;
- 3) cost; and
- 4) timeliness.

These drivers are considered to be the matters that any resource management planning document should ideally achieve. The evaluations were based on these four drivers.

In reviewing how the other regional councils in New Zealand have structured, or are proposing to structure, their planning documents, it is clear that many different approaches have been taken. However, it can be concluded that no one combination appears to have been consistently selected by all regional councils. This would suggest that there is no 'clear winner', because if there was one combination or option that 'ticked all the boxes' then it would be expected that most of the councils would have followed that combination or option.

Overall, developing a new 'one plan' (combined Regional Policy Statement, regional plan, and district plan) for Northland, together with a suite of user-friendly 'smart' technologies, would best 'tick all the boxes' and as such is the recommended option. This option is the best from a pure planning perspective. However, for this option to be entertained, and before such a process is embarked upon, it is critical that all four councils have 'buy-in' to the journey, particularly at a political level. Continued political support for such a project is paramount to its success and any political discontent between any of the four councils during the process could be disastrous and could render much of the previous work worthless.

In the event that political buy-in is unable to be achieved and guaranteed, it is recommended that the three district councils maintain their respective district plans and that the Northland Regional Council prepares a new (separate) Regional Policy Statement and then commence work on preparing a single regional plan (to replace the three existing regional plans).

E:\COUNCIL\COUNCIL AGENDAS\2009 COUNCIL AGENDAS\OCTOBER 2009\RESOURCE MANAGEMENT PLANNING DOCUMENTS IN NORTHLAND ATTACH 1.DOC

Climate Change – Local Government Leaders' Position Statement

File 900.5

Report from Kathryn Ross Local Government Senior Programme Manager dated 7 October 2009.

PURPOSE

To discuss the “Climate change – Local Government Leaders' Position Statement” and decide whether the Chairman should sign it on behalf of Council.

THE CLIMATE CHANGE – LOCAL GOVERNMENT LEADERS POSITION STATEMENT

The attached position statement on climate change is an output from the Regional Affairs Committee and has National Council approval.

The position statement is conservative¹. It builds from big overarching statements on climate change and local government’s role, to more specific statements about local government’s position on adaptation and mitigation. For example:

- “We commit to playing our part in helping New Zealand face the climate change challenge. The key role we will play is to lead community responses to the risks and opportunities of climate change.
- Councils provide a wide range of ratepayer funded services which will be impacted by climate change.
- We have a responsibility to help our communities prepare for and to adapt to the physical effects of climate change...”.

Local Government New Zealand has acknowledged that trying to establish this collective voice is a challenge. They highlight retaining one version, avoiding the temptation to edit and “in cases accepting that the wording may not quite fit with an individual leader’s or council’s perspective”, as being part of that challenge.

The position statement specifically provides flexibility for individual councils to make choices on climate change action. “Councils will individually show leadership and responsibility by adopting mitigation² and adaptation³ practices that will fit with their community’s needs and aspirations.” The position statement clearly states that one size will not fit all when climate change actions are being considered.

Alongside this flexibility the position statement does “begin to assist local government speak consistently on climate change issues”. It highlights that local government is prepared to play its part in preparing for the future and to respond to the challenges, risks and opportunities of climate change but it clearly places the responsibility for leadership on climate change mitigation on central government.

A number (eight) of Councils have already signed the position statement and others have agreed to do so. *Local Government New Zealand* will promote the position

¹ *Local Government New Zealand* report to National Council. The word “conservative” is used here in opposition to a word like radical, rather than to denote political affiliation.

² Mitigation is taking action to mitigate (avoid, moderate, alleviate) climate change (at scales that we cannot adapt to).

³ Adaptation is about adapting to changes in climate that are already happening (or will flow through the system). How can people or organisations “climate proof” their property, business, etc. A key adaptation question is how to deal with the risk of climate change?

statement. *Local Government New Zealand* intends to seek signatures through sector meetings and by communications to councils.

It is anticipated that the position statement will be reviewed in two years time to reflect any changing emphasis, central government policy, or new research. A review could therefore occur before the Council adopts its next Northland Community Plan (also known as the Long Term Council Community Plan or LTCCP) in 2012.

COUNCIL'S CLIMATE CHANGE POSITION

In the Northland Community Plan 2009-2019 the Council has stated that it will ensure "that mitigating and adapting to the effects of climate change is an integral part of day to day Council operations." The Council, under the Local Government Act 2002, has an important role identifying significant issues, such as climate change, facing the region and takes account of the growing uncertainties and potential risks that climate change brings.

The Council currently uses a number of adaptation and mitigation approaches to deal with climate change and has chosen to weave climate change considerations and action across its business. For example, the Council tackles climate change through its efforts on risk reduction, flooding and catchment management, water allocation, planning, research, transport and infrastructure, etc. The Council has also recognised the important role it has working with others, across different organisations and the community, to address climate change and meet its aims and add value to the work of others.⁴

Using the backdrop of the Northland Community Plan 2009-19, the position statement appears to fit neatly with the Council's current position on climate change. There is nothing on the face of the position statement that would constrain the Council's ability to make choices on behalf of Northland.

BACKGROUND

On 17 February 2009, the Regional Affairs Committee considered a report on Climate Change. From that report it was agreed to draft a climate change position statement to represent the views of regional government. The National Council Climate Change Subcommittee subsequently considered and agreed that the position statement could represent the view of all local government.

The position statement was then signed off at National Council on 2 October 2009.

Staff from a number of local authorities have contributed to the development of the position statement.

The following councils have already signed up to the position statement: Environment Bay of Plenty; Southland, and Horizons Regional Councils; Thames Coromandel, Marlborough, Tasman and South Waikato District Councils; and Dunedin City Council.

CONCLUSION

The position statement appears to fit well with the Council's stated position (in the Northland Community Plan 2009-2019) on climate change and the activities and levels of service the Council is currently pursuing. The position statement will be reviewed in two years time, prior to the next Community Plan. If the Council chooses to sign the position statement it would not be constrained in its ability to make future choices on climate change action on behalf of Northland's community.

⁴ See for example pages 13, 38 to 40.

Recommendation

1. That the Climate Change – Local Government Leaders' Position Statement report from Kathryn Ross, Local Government Senior Programme Manager, dated 7 October 2009 be received.
2. That the Chairman is/is not delegated authority to sign the position statement on behalf of Council.

COMPLIANCE WITH DECISION MAKING PROCESS

The activities detailed in this report are provided for in the Council's 2009-2019 Long Term Council Community Plan and as such are in accordance with the Council's decision making process and sections 76 to 82 of the Local Government Act 2002.

CLIMATE CHANGE

LOCAL GOVERNMENT LEADERS POSITION STATEMENT



This statement defines the position that Councils have collectively adopted on climate change. We commit to playing our part in helping New Zealand face the climate change challenge. The key role we will play is to lead community responses to the risks and opportunities of climate change.

Councils provide a wide range of ratepayer funded services which will be impacted by climate change. These include stormwater management, flood control, biosecurity, land-use and transport planning, civil defence emergency management and water supply. Council services need to be future proofed and made resilient to the impacts of climate change.

We acknowledge that the evidence shows that climate change is occurring and that our understanding of climate change impacts in New Zealand will continue to grow. We will work with our communities to prepare for the future.

OUR POSITION ON CLIMATE CHANGE

We recognise that we must respond to both the actual and potential physical impacts of climate change.

We understand that there are challenges, risks and opportunities for local communities in responding to and managing the impacts of climate change.

We recognise that action now will reduce the future threats and costs of climate change. We know we must plan ahead.

Solutions to climate change challenges will not be a matter of "one size fits all" and we recognise that climate change impacts on communities will vary around New Zealand.

Councils will individually show leadership and environmental responsibility by adopting mitigation and adaptation practices that fit with their community's needs and aspirations.

We have an active interest in shaping Central Government's mitigation policy. We will assist Central Government help local communities to prepare for climate change.

We will work with Central Government to make sure information and research is accessible to our communities. It should help them make informed choices about responding to climate change risks and opportunities.

OUR POSITION ON ADAPTATION TO CLIMATE CHANGE

We have a responsibility to help our communities prepare for and to adapt to the physical effects of climate change.

We will build on the existing work of Councils and communities – recognising that "business as usual" will not get us to where we need to be and that a community-wide effort will be needed to address the impacts of climate change.

Councils will support and actively engage with initiatives that provide guidance and expert advice on adaptation that can be applied at the regional and local level.

We will seek Central Government's support for the development of climate change information and modelling that delivers "local numbers" for local use.

We acknowledge that we will often need to lead on developing engineering and resilience responses to climate change impacts.

Councils will ensure that Resource Management and Local Government legislation is used to encourage adaptation to climate change – particularly when dealing with land-use change.

OUR POSITION ON CLIMATE CHANGE MITIGATION

It is Central Government's role to engage internationally on climate change and to lead mitigation action on behalf of New Zealand.

We have an active interest in providing advice to Central Government on the local consequences of, and the opportunities presented by, international and national policies to reduce green house gas emissions.

Councils will choose their own mitigation projects to meet Central Government requirements and to assist in delivering New Zealand's emission reduction targets.

Councils will support individuals, communities and businesses to lower their emissions and will advocate for Central Government to develop tools that will assist the development of low carbon options for goods and services.

THE FOLLOWING LOCAL GOVERNMENT LEADERS SUPPORT THIS POSITION STATEMENT:

Mayor of District Council	Mayor of District Council	Mayor of Unitary Authority	Mayor of City Council	Mayor of City Council
Chair of Regional Council	Mayor of District Council	Mayor of District Council	Mayor of District Council	Mayor of Unitary Authority
Mayor of City Council	Mayor of District Council	Chair of Regional Council	Mayor of District Council	Mayor of District Council
Mayor of Unitary Authority	Chair of Regional Council	Mayor of City Council	Mayor of District Council	Chair of Regional Council
Mayor of City Council	Mayor of City Council	Mayor of Unitary Authority	Chair of Regional Council	Mayor of City Council

DESIGN DRAFT

Business with the Public Excluded

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 confidential section of the Minutes of the Council Meeting held on 16 September 2009.

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

2. Northland Port Corporation (NZ) Limited - Annual General Meeting

The reason for excluding the public is to protect the privacy of natural persons as protected by section 7(2)(a).