

Document: 433979

26 March 2008

**Memorandum to
Chairperson and Members
Executive Committee**

Notice of Meeting

A meeting of the Executive Committee will be held in the Taranaki Regional Council Chambers, 47 Cloten Road, Stratford on:

Monday 31 March 2008 commencing at 10.00am.

B G Chamberlain
Chief Executive

**THE TARANAKI REGIONAL COUNCIL REQUESTS THAT THIS
AGENDA REMAINS EMBARGOED UNTIL COMMENCEMENT OF
THE MEETING**

**Agenda for the Executive Committee meeting of the
Taranaki Regional Council to be held in the Taranaki
Regional Council Chambers, 47 Cloten Road, Stratford on
Monday 31 March 2008 at 10.00 am.**



Councillors

D L Lean
R F H Maxwell
N W Walker

In Attendance

Messrs	B G Chamberlain	(Chief Executive)
	M J Nield	(Director - Corporate Services)
Mrs	K van Gameren	(Committee Administrator)

Apologies

Councillor D N MacLeod

Notification of Late Items

	Pages
<u>Item 1</u> Financial and Operational Report	1 - 3
• Recommendations	One Separate Report 3
<u>Item 2</u> Port Taranaki Limited - Half Year Report to 31 December 2007	4 - 5
• Recommendations	One Separate Report 5
<u>Item 3</u> Glenn Road Weir Biodiversity Enhancement	6 - 9
• Recommendations	9
<u>Item 4</u> General Business	

ITEM ONE

31 March 2008

[Back to index](#)

**Memorandum to
Chairperson and Members
Executive Committee**

Financial and Operational Report

Purpose

1. The purpose of this memorandum is to receive information on the operational and financial performance of the Council and to confirm the use of the Council's Common Seal.

Background

2. The Council produces a Monthly Financial Report outlining the financial performance for the month and year to date. This memorandum supports the Monthly Financial Report by providing additional supporting operational and financial information. The Council operates its Common Seal under delegated authority. Part of that delegated authority is the reporting back of all Seal transactions.

Financial report

3. Attached is the Monthly Financial Report for January 2008. The financial results so far are good and in line with the *2007/2008 Annual Plan*. Notable financial variances to date are:
 - Policy and planning under budget \$80,942 – time spent on other areas, in particular transport planning services.
 - Consent processing and administration over budget by \$59,296 due to higher than planned levels of activity.
 - Land management is over budget by \$75,001 due to deposits on this year's riparian plant purchasing programme and costs associated with the new nursery.
 - River control and flood protection under budget by \$73,378. There are significant maintenance works being undertaken in the first half of 2008.
 - Environmental enhancement grants under budget by \$55,483. The level of activity is lower than anticipated.
 - Pest animal management is over budget by \$45,293 due the timing of payments for initial control work (carry over of the Toko initial control project from last financial year).

- Regional gardens under budget by \$91,628. Implementation of the asset management plans will increase expenditure over the second half of the 2007/2008 year.
- Public information under budget by \$148,268 due to the timing of payment of the Puke Ariki annual project – see below.

Operational report

4. Operationally, all programmes are currently on target with the planned levels of activity established in the *2007/2008 Annual Plan*.
5. The Puke Ariki annual project for 2007/2008 has been agreed upon. This year's project is entitled "60 Springs: Environmental Education in Taranaki". The concept of "60 Springs" is for a long running educational programme that teaches kaitiakitanga through intermediate and high schools. It will utilise Taranaki resources to contribute to local understanding of environmental issues and engage students to research and publish specific projects relevant to their community. The programme will be more science based encouraging biodiversity and economic growth.
6. 60 Springs will provide an additional catalyst to support schools in Taranaki to raise the benchmark on pass rate and qualifications. The process will excite and raise the aspirations of young people and deliver learning outcomes in Taranaki schools to promote a sustainable economy. This will impact on cultural, social, economic and environmental areas.
7. Councillor Horton attended Local Government New Zealand's professional development programme entitled "Hiring and Managing Relationships with the Chief Executive". Approval for reimbursement of costs by the Council is being sought.

Councillor Induction and Training Programme

8. Further to the adopted induction and training programme some additions have been made to the programme for the next ordinary meeting (8 April 2008). Peter Ledingham will introduce Councillors to the websites run by the Council. There will also be a tour of the Council site.
9. Councillors are reminded of the expense reimbursement policy adopted by the Council at its last Ordinary Meeting. Specifically in relation to training the policy is as follows:

Section 9: Professional Development, Clubs and Associations

The Council will pay for Members to attend professional development courses, conferences and seminars subject to the prior approval of the Council.

No expenses are reimbursed or allowances provided for membership or subscriptions to clubs or associations.

Common Seal

10. The following documents were signed under seal during the period to 31 March 2008:
Nil.

Decision-making obligations

11. Part 6 (Planning, decision-making and accountability) of the Local Government Act 2002 has been considered and documented in the preparation of this agenda item. The recommendations made in this item comply with the decision-making obligations of the Act.

Policy considerations

12. This memorandum and the associated recommendations are consistent with the policy documents and positions adopted by this Council under various legislative frameworks including, but not restricted to, the Local Government Act 2002, the Resource Management Act 1991 and the Biosecurity Act 1993.

Financial considerations

13. This memorandum and the associated recommendations are consistent with the Council's adopted Long-Term Council Community Plan and estimates. Any financial information included in this memorandum has been prepared in accordance with generally accepted accounting practice.

Legal considerations

14. This memorandum and the associated recommendations comply with the appropriate statutory requirements imposed upon the Council.

Recommendations

THAT the Taranaki Regional Council:

1. receives this memorandum and adopts the Monthly Financial Report for January 2008
2. notes the Common Seal has been affixed to the following documents:
Nil
3. approves the reimbursement of expenses incurred by Councillor Horton in attending Local Government New Zealand's professional development programme entitled "Hiring and Managing Relationships with the Chief Executive".

BG Chamberlain
Chief Executive

ITEM TWO

31 March 2008

[Back to index](#)

**Memorandum to
Chairperson and Members
Executive Committee**

Port Taranaki Ltd—Half Year Report to 31 December 2007

Purpose

1. The purpose of this memorandum is to receive and consider Port Taranaki Limited's interim report on the operations and activities of the company for the six months ending 31 December 2007. Port Taranaki Limited's unaudited statement of financial performance for the six months ended 31 December 2007 is included in the interim report.

Background

2. The Port Companies Act 1988 and Port Taranaki Limited's statement of corporate intent require a six-month set of financial statements (unaudited) to be prepared and presented to the shareholder (Taranaki Regional Council).

Half Year Report to 31 December 2007

3. Attached is a copy of the interim report for the six months ended 31 December 2007 for Port Taranaki Limited. The financial statements contained in the interim report are unaudited.
4. The transition from a port reliant on petrochemical bulk liquid exports to a diversified container and log-based export port continues. All in all trade tonnages are higher than last year and the 2007/2008 budget.

	Six months ended 31 December 2007 Actual	Six months ended 31 December 2007 Plan	Six months ended 31 December 2006 Actual
Bulk liquids	1,152.8	1,067.3	931.9
Dry bulk	219.6	256.2	238.8
General	347.1	350.7	331.6
Totals	1,719.4	1,674.2	1,502.3

5. Net profit after tax (\$1,713,000) was ahead of last year. The Company notes that this profit is expected to be matched in the second half of 2007/2008.

6. The interim dividend has been established at \$1,000,000. This gives a total dividend of \$1,800,000 for the 2007/2008 financial year. This compares against the budget set in the 2007/2008 Annual Plan of \$1.6m. The additional income (\$200,000) will be used to reduce the planned transfer from the Dividend Equalisation Reserve.

Recommendation

THAT the Taranaki Regional Council:

1. receives Port Taranaki Limited's interim report for the six months ended 31 December 2007 including the unaudited financial report
2. notes the interim dividend of \$1,000,000.

MJ Nield
Director - Corporate Services

Approved:

B G Chamberlain
Chief Executive

31 March 2008

[Back to index](#)

**Memorandum to
Chairperson and Members
Executive Committee**

Glenn Road Weir Biodiversity Enhancement

Purpose

1. To seek approval for funding from the Council's Environmental Enhancement Grant Programme to assist in the construction of a fish pass on the Glenn Road Weir in the Kaupokonui River.

Environmental Enhancement Grant Programme

2. The objective of the Council's Environmental Enhancement Grant Programme as outlined in the Council's 2007/2008 Annual Plan *'is to promote the protection of the environment through a programme of enhancement grants'*.
3. The criteria for this enhancement grant programme includes, *'environmental enhancement grants for the protection of aspects of the environment identified as regionally significant'*.
4. The provision of adequate fish passage at structures on river and lakes beds has been clearly identified in both the Operative and Proposed Regional Policy Statement as a regionally significant issue [Issues 3.2.4 and 8.1 respectively].
5. Furthermore, the Kaupokonui River is identified in Appendix IA of the Regional Fresh Water Plan for Taranaki as a regionally significant River with high natural, ecological and amenity values.

Environmental Enhancement Grant Programme and barriers to fish passage

6. In 1991 the Policy and Planning Committee ratified the use of the Environmental Enhancement Grant Programme for works to modify structures to allow for fish passage.
7. Members agreed that in carrying out works to modify structures, funding proposals of \$5,000 or under were to be approved by the Chief Executive, with funding proposals over \$5,000 to be approved by the Executive Committee.

Background

8. The Glenn Road Weir is one of the most significant remaining barriers to fish passage in Taranaki, and a structure that is valued in terms of its historic heritage.
9. The weir is located above the Glenn Road Bridge, at an altitude of 50 metres, and is approximately 5 km from the coast. The weir was constructed in 1940 for power

generation for the former Kaupokonui Dairy Company. The factory is now in use by Pacific Natural Gut String Company to make synthetic strings.

Fish pass restoration programme

10. Since 1995, the Taranaki Regional Council ['the Council'] has been undertaking a programme of fish pass restoration in all rivers and streams in the Taranaki region. The programme has essentially resulted in a number of barriers being removed and the installation of fish passes throughout rivers and streams in Taranaki. This allows fish to move freely within catchments and between the river and the sea. This is important, as 15 of the 18 native freshwater fish found in Taranaki are diadromous, and must migrate between fresh and salt water to complete their lifecycle. Restoring this passage therefore improves biodiversity within the catchment.
11. The intake structure for the Lactose factory is approximately 9 km upstream and had a fish pass installed in 2002. Since that time, the Glenn Road Weir has been the last known barrier to fish passage in the Kaupokonui River. As it is so close to the coast, it restricts fish passage to a significant proportion of habitat in the Kaupokonui Catchment.
12. In 2000, the Council noted its intention to remove the Glenn Road Weir as it was a significant barrier to fish passage and an orphaned structure (i.e. no one owns the weir and the structure does not have a resource consent).
13. The Council contacted interested parties in the region (i.e. the South Taranaki District Council and Historic Places Trust) outlining the options available to improve fish passage, being:
 - a) identify an interested party who is willing to take ownership of the structure, and therefore install a fish pass; or
 - b) removal of the structure from the River.
14. The Council also requested clarification on the historic value of the weir.
15. In response, the South Taranaki District Council noted that the weir was not classified as a historic heritage item in their Proposed District Plan, and signalled no intention of taking ownership of the structure. Historic Places Trust noted the significant value of the weir and the need to retain the structure.
16. In 2003 the Resource Management Act was amended to include provision for the protection of historic heritage as a matter of national importance.
17. Since 2001, the Council has been working with Historic Places Trust and other interested parties (i.e. Fish & Game New Zealand) to enhance fish passage in the Kaupokonui River whilst maintaining historic heritage of the weir; with the eventual goal of the structure being consented and a fish pass installed. Progress has been slow due mainly to historic heritage interests wishing to retain the weir but not wishing to contribute in any way.
18. The Council and Historic Places Trust have recently agreed to a fixed timetable to move the project forward, with Historic Places Trust being the lead agency carrying out the required works (i.e. seeking funding, taking ownership of the structure), and the Council assisting in such works. The local hapu has also been involved in discussions.

19. The Council has informed Historic Places Trust that if the project is not settled by 31 December 2008 (i.e. ownerships of weir accepted, funding sourced for the fish passage) the Council will have no option but to consider applying for a resource consent to demolish the structure. If contested the cost of the resource consent process could be in the order of \$10,000.
20. If the Historic Places Trust cannot obtain the funding then the grant would be used to apply for resource consent to demolish the weir and the cost of the actual demolition. Demolishing the weir would do more to improve biodiversity in the catchment than the installation of a fish pass, as no fish pass is perfect (i.e. fish passage will not be ideal for all species, and not all fish will find and/or be able to negotiate the pass).

Legal ownership of River

21. The Kaipokonui riverbed is classified as unalienated Crown owned land, in other words crown land that has not been given a title, and under such circumstances Land Information New Zealand [LINZ] is generally the land owner on behalf of the Crown.
22. LINZ has been contacted regarding this matter and the Council has requested, at the very least, that they become party to proceedings as the owner of the land where the 'orphaned structure' is located.
23. As the weir is 'orphaned' and LINZ is the owner of the Kaipokonui riverbed, LINZ is essentially responsible for the weir and its ownership.
24. LINZ has responded noting that the riverbed is not on their property register, and at this stage they are uncertain if they are the land owner on behalf of the Crown or if the Department of Conservation is the land owner on behalf of the Crown. The Crown Land Commissioner is to confirm ownership of the riverbed. The Council should receive confirmation April/May 2008.

Proposed works

25. The total cost of the fish pass and its construction is approximately \$34,000. The funding requested from the Council is \$8,000. The requested \$8,000 dollars is based on the cost to demolish the structure.
26. Historic Places Trust is to apply for funding grants to make up the further \$26,000. The Council will assist them in preparing the applications to various bodies (e.g. TSB) for this process.

Decision-making obligations

27. Part 6 (Planning, decision-making and accountability) of the Local Government Act 2002 has been considered and documented in the preparation of this agenda item. The recommendation(s) made in this item comply with the decision-making obligations of the Act.

Policy considerations

28. This memorandum and the associated recommendations are consistent with the policy documents and positions adopted by this Council under various legislative frameworks including, but not restricted to, the Local Government Act 2002, the Resource Management Act 1991 and the Biosecurity Act 1993.

Financial considerations

29. This memorandum and the associated recommendations are consistent with the Council's adopted Long-Term Council Community Plan and estimates. Any financial information included in this memorandum has been prepared in accordance with generally accepted accounting practice.

Legal considerations

30. This memorandum and the associated recommendations comply with the appropriate statutory requirements imposed upon the Council.

Recommendations

THAT the Taranaki Regional Council:

1. receives this memorandum;
2. notes the legal ownership of the structure is being clarified;
3. approves an environmental enhancement grant of \$8,000 to contribute to the construction of a fish pass for the Glenn Road weir;
4. acknowledges Historic Places Trust are seeking sponsorship for their share of the cost; and
5. agrees that if sponsorship cannot be obtained then the grant shall go towards the cost of removing the weir.

AD McLay
Director - Resource Management

B G Chamberlain
Chief Executive