

Document: 492982

6 August 2008

**Chairperson and Members
Taranaki Regional Council**

Notice of Meeting

Notice is hereby given that the **Ordinary Meeting** of the Taranaki Regional Council will be held in the Taranaki Regional Council Chambers, 47 Cloten Road, Stratford on:

Tuesday 12 August 2008 commencing at 10.30am

B G Chamberlain
Chief Executive

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

Agenda for the Ordinary Meeting of the Taranaki Regional Council to be held in the Taranaki Regional Council Chambers, 47 Cloten Road, Stratford on Tuesday 12 August 2008 at 10.30am.



Councillors

	D N MacLeod	(Chairperson)
	M G Davey	
	P D Horton	
	M A Irving	
	B R Jeffares	
	M P Joyce	
	D L Lean	
	B J Marsh	
	R F H Maxwell	
	N W Walker	

In Attendance

Messrs	B G Chamberlain	(Chief Executive)
	M J Nield	(Director-Corporate Services)
	G K Bedford	(Director-Environment Quality)
	R A Phillips	(Director-Operations)
	A D McLay	(Director-Resource Management)
	A W Young	(Financial Services Manager)
Mrs	K van Gameren	(Committee Administrator)
Mr	P Ledingham	(Information Officer)

Apologies Councillor M J Cloke

Notification of Late Items

	Pages
<u>Item 1</u> Confirmation of Minutes	1 - 5
Ordinary Meeting: Tuesday 1 July 2008	
Resolve	
THAT the Taranaki Regional Council	
1. <u>takes as read</u> and <u>receives</u> the minutes and resolutions of the Ordinary Meeting of the Taranaki Regional Council held in the Taranaki Regional Council Chambers, Cloten Road, Stratford, on Tuesday 1 July 2008 at 10.30am.	
Matters arising:	

Item 2 **Confirmation of Minutes**
Consents and Regulatory Committee:
Tuesday 22 July 2008

6 - 11

Resolve

THAT the Taranaki Regional Council

1. takes as read and confirms the minutes and recommendations of the Consents and Regulatory Committee meeting of the Taranaki Regional Council held in the Taranaki Regional Council Chambers, Cloten Road, Stratford, on Tuesday 22 July 2008 at 10.30am.
2. adopts the recommendations therein.
3. takes as read and receives the resolutions (under delegated authority) of the Consents and Regulatory Committee meeting of the Taranaki Regional Council held in the Taranaki Regional Council Chambers, Cloten Road, Stratford, on Tuesday 22 July 2008 at 10.30am.

Matters arising:

Item 3 **Confirmation of Minutes**
Policy and Planning Committee
Thursday 24 July 2008

12 - 17

Resolve

THAT the Taranaki Regional Council

1. takes as read and confirms the minutes and recommendations of the Policy and Planning Committee meeting of the Taranaki Regional Council held in the Taranaki Regional Council Chambers, Cloten Road, Stratford, on Thursday 24 July 2008 at 10.30am.
2. adopts the recommendations therein.

Matters arising:

Item 4 **Confirmation of Minutes**
Executive Committee
Monday 4 August 2008

18 - 23

Resolve

THAT the Taranaki Regional Council

1. takes as read and confirms the minutes and recommendations of the Executive Committee meeting of the Taranaki Regional Council held in the Taranaki Regional Council Chambers, Cloten Road, Stratford, on Monday 4 August 2008 at 10.00am.
2. adopts the recommendations therein.

Matters arising:



Pages

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Resolve

THAT the Taranaki Regional Council

excludes the public from the following part of the proceedings of the Ordinary Meeting of the Taranaki Regional Council, namely:

- Item 10: Confidential Minutes
Consents and Regulatory Committee
Tuesday 22 July 2008**
- Item 11: Confidential Minutes
Executive Committee
Monday 4 August 2008**

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of the resolution are as follows:

General Subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Grounds under Section 48(1) for the passing of this resolution
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Item 10 – Confidential Minutes	Where the disclosure of the information would likely prejudice the maintenance of the law, including the prevention, investigation and detection of offences, and the right to a fair trial.	NZS9202:2003 Incorporating Amendment No. 1 A1(a)
Item 11 – Confidential Minutes	Where the withholding of the information is necessary to protect information where the making of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.	NZS9202:2003 Incorporating Amendment No. 1 A2(b)(ii)



Pages

<u>Item 10</u>	Confidential Minutes Consents & Regulatory Committee Tuesday 22 July 2008	34 – 36
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**Minutes of the Ordinary Meeting of the
Taranaki Regional Council, held in the
Taranaki Regional Council Chambers, 47
Cloten Road, Stratford on Tuesday 1 July
2008 at 10.30am.**

ITEM ONE

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Present	Councillors	D N MacLeod M J Cloke M G Davey P D Horton B R Jeffares D L Lean B J Marsh R F H Maxwell N W Walker	(Chairman)
In attendance	Messrs	B G Chamberlain M J Nield A D McLay R A Phillips G K Bedford R Ritchie K Archer	(Chief Executive) (Director-Corporate Services) (Director-Resource Management) (Director-Operations) (Director-Environment Quality) (Senior Information Officer) (Education Officer)
	Mrs	K van Gameren	(Committee Administrator)
		Penny Lynne-Siebert (New Plymouth Girls High School) Hazel Swanson (New Plymouth Girls High School) Abbie Fowler (Inglewood High School)	

One member of the media.

Apologies The apologies from Councillor M A Irving and Councillor M P Joyce were received and sustained.

Notification of Late Items There were no late items of business.

Presentation Taranaki Regional Council Chairman, D N MacLeod, presented a Taranaki Regional Council 2008 Environmental Award to Bella Vita Restaurant (New Plymouth) for energy efficiency and waste minimisation (business/local authority category). Ms Cherie Bourgoise was in attendance to accept the award.

1. Confirmation of Minutes

Minutes of the Ordinary Meeting of the Taranaki Regional Council
Tuesday 20 May 2008

Resolved

THAT the Taranaki Regional Council

1. takes as read and receives the minutes and resolutions of the Ordinary Meeting of the Taranaki Regional Council held in the Taranaki Regional Council chambers, 47 Cloten Road, Stratford on Tuesday 20 May 2008 at 11.10 am

08/138

Marsh/Horton

Matters arising

There were no matters arising.

2. Confirmation of Minutes

Minutes of the Consents and Regulatory Committee
Wednesday 11 June 2008

Resolved

THAT the Taranaki Regional Council

1. takes as read and confirms the minutes and recommendations of the Consents and Regulatory Committee meeting of the Taranaki Regional Council held in the Taranaki Regional Council Chambers, 47 Cloten Road, Stratford, on Wednesday 11 June 2008 at 10.30 am.
2. adopts the recommendations therein.
3. takes as read and receives the resolutions (under delegated authority) of the Consents and Regulatory Committee meeting of the Taranaki Regional Council held in the Taranaki Regional Council Chambers, 47 Cloten Road, Stratford, on Wednesday 11 June 2008 at 10.30 am.

08/139

Lean/Marsh

Matters arising

There were no matters arising.

3. Confirmation of Minutes

Minutes of the Policy and Planning Committee
Thursday 12 June 2008

Resolved

THAT the Taranaki Regional Council

1. takes as read and confirms the minutes and recommendations of the Policy and Planning Committee meeting of the Taranaki Regional Council held in the Taranaki Regional Council Chambers, 47 Cloten Road, Stratford, on Thursday 12 June 2008 at 10.30 am.
2. adopts the recommendations therein.

08/140

Walker/Horton

Matters arising

There were no matters arising.

4. Confirmation of Minutes

Minutes of the Executive Committee
Monday 23 June 2008

Resolved

THAT the Taranaki Regional Council

1. takes as read and confirms the minutes and recommendations of the Executive Committee meeting of the Taranaki Regional Council held in the Taranaki Regional Council Committee Room, 47 Cloten Road, Stratford, on Monday 23 June 2008 at 10.00 am.
2. adopts the recommendations therein.

08/141

MacLeod/Maxwell

Matters arising

There were no matters arising.

5. Confirmation of Minutes

Minutes of the Regional Land Transport Committee
Tuesday 24 June 2008

Resolved

THAT the Taranaki Regional Council

1. takes as read and receives the minutes and recommendations of the Regional Land Transport Committee meeting of the Taranaki Regional Council held in the Taranaki Regional Council Committee Room, 47 Cloten Road, Stratford, on Tuesday 24 June 2008 at 10.30 am.

2. adopts the recommendations therein.

08/142

Maxwell/Horton

Matters arising

There were no matters arising.

6. Minutes of the Civil Defence Emergency Management Group

6.1 The confirmed minutes of the Civil Defence Emergency Management Group's meeting held on Tuesday 18 March 2008 were received and noted.

Resolved

THAT the Taranaki Regional Council

1. receives the confirmed minutes of the Civil Defence Emergency Management Group meeting held on Tuesday 18 March 2008.

08/143

Jeffares/MacLeod

7. Youth Environment Forum 2008

7.1 Mr K Archer, Education Officer, introduced Penny Lynne-Siebert (New Plymouth Girls High School), Hazel Swanson (New Plymouth Girls High School) and Abbie Fowler (Inglewood High School) who presented to Members a verbal presentation on their attendance at the Youth Environment Forum in Wellington held during April 2008.

Resolved

THAT the Taranaki Regional Council

1. receives the report from the Youth Environment Forum delegates.

08/144

Lean/Davey

8. Meeting Dates - June/July 2008

8.1 Members received and noted the memorandum providing information on the next six-weekly round of Council meetings for 2008.

9. General Business

There were no items of general business.

There being no further business, Chairman D N MacLeod, declared the Ordinary Meeting of the Taranaki Regional Council closed at 11.05 am.

Confirmed

Chairperson: _____
D N MacLeod

Date: **12 August 2008**

**Minutes of the Consents and Regulatory
Committee Meeting of the Taranaki
Regional Council, held in the Taranaki
Regional Council Chambers, 47 Cloten
Road, Stratford, on Tuesday 22 July 2008
at 10.30 am.**

ITEM TWO

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Present	Councillors	D L Lean M J Cloke M G Davey M A Irving B R Jeffares M P Joyce M B Marsh R F H Maxwell N W Walker	(Chairperson) (from 10.35am)
		D N MacLeod	(ex officio)
In attendance	Messrs	B G Chamberlain A D McLay G K Bedford M J Nield C H McLellan P D Ashe B E Pope C Fowles M Nager P Ledingham	(Chief Executive) (Director-Resource Management) (Director-Environment Quality) (Director-Corporate Services) (Consents Manager) (Monitoring Manager) (Compliance Manager) (Scientific Officer) (Investigating Officer) (Information Officer)
	Mrs	K van Gameren	(Committee Administrator)
	Ms	F Blyde	(Inspectorate Administration Officer)
	Mr	Wolfgang Leeb	(OMV New Zealand Limited)
	Mr	Nicholas Cavaye	(OMV New Zealand Limited)

Apologies There were no apologies.

**Notification of
Late Items** There were no late items of business.

**1. Confirmed Minutes: Consents and Regulatory Committee
- 11 June 2008**

Recommended

THAT the Taranaki Regional Council

1. receives the confirmed minutes of the Consents and Regulatory Committee meeting held on Wednesday 11 June 2008 at 10.30 am.

08/145

Lean/Irving

Matters Arising

There were no matters arising.

2. Non- notified resource consents and exercise of delegations

- 2.1 The Committee considered and discussed the memorandum advising the Committee of non-notified consents/certificates of compliance granted under delegated authority and of consent processing actions since the last meeting.
- 2.2 The exercise of delegations under the Resource Management Act 1991 was reported for information.

Recommended

THAT the Taranaki Regional Council

1. receives the schedule of non-notified resource consents/certificates of compliance granted under delegated authority
2. receives the schedule of consent processing delegations.

08/146

Cloke/Maxwell

3. Resource consents from other consent authorities

- 3.1 The Committee received and considered the schedule of notified and limited-notified resource consent applications forwarded to the Taranaki Regional Council from district councils.

Resolved

THAT the Taranaki Regional Council

1. receives the schedule of notified and limited-notified applications for resource consents forwarded from other consent authorities.

08/147

Lean/Marsh

5. Hearing Committee's report and decision and three resource consent applications by Normanby Power Limited

- 5.1 The Committee noted and discussed the memorandum to receive the report and decisions and recommendations of the Hearing Committee which heard three applications by Normanby Power Limited to recommission the Normanby Hydro Scheme. The applications relate to the damming of water, taking and use of water, and use of a weir and ancillary structures in the Waingongoro River for hydroelectric generation purposes. The Hearing Committee comprised Councillors Lean and Irving with the Hearing held 9 June 2008.

Recommended

THAT the Taranaki Regional Council

1. receives the report and decision of the Hearing Committee that heard three applications by Normanby Power Limited to recommission the Normanby Hydro Scheme in terms of the Resource Management Act 1991; and
2. notes that the Hearing Committee has, under delegated authority from this Council, granted the resource consents sought.

08/148

Walker/Davey

4. Maari Project Update and Presentation

- 4.1 Mr Wolfgang Leeb (OMV New Zealand Limited Maari Asset Manager) and Mr Micholas Cavaye (OMV New Zealand Limited Environmental Advisor) provided a powerpoint presentation to the Committee on the off-shore Maari oil field development 80 kms west of Hawera beyond the Council's 12 nm Resource Management Act boundary. The presentation provided members with some background to the project, the development undertaken so far and the environmental protection measures being employed by OMV New Zealand Limited as operator of the field.

Recommended

THAT the Taranaki Regional Council

1. receives the memorandum.

08/149

Marsh/Jeffares

6. Consent monitoring annual reports

- 6.1 Mr G K Bedford, Director-Environment Quality, spoke to the memorandum outlining eight tailored monitoring programme annual reports for the 2006-2007, 2005-2007 and 2007 monitoring periods. All reports indicated a high or good level of environmental performance.

Recommended

THAT the Taranaki Regional Council

1. receives the Methanex Motunui and Waitara Valley Combined Monitoring Programme Annual Report January-December 2007 and adopts the specific recommendations therein
2. receives the Waitara Marine Outfall Bacteriological Monitoring Programme Annual Report 2007 and adopts the specific recommendations therein
3. receives the Waitara Marine Outfall Ecological Monitoring Programme Annual Report 2007 and adopts the specific recommendations therein
4. receives the Waitara Waste Water Treatment Plant Monitoring Programme Annual Report 2007 and adopts the specific recommendations therein
5. receives the Hongihongi and Herekawe Streams Joint Monitoring Programme Annual Report 2006-2007 and adopts the specific recommendations therein
6. receives the New Plymouth District Council Water Supplies and Structures Monitoring Programme Annual Report 2002-2007 and adopts the specific recommendations therein
7. receives the Egmont Stone Limited Quarry Monitoring Programme Biennial Report 2005-2007 and adopts the specific recommendations therein
8. receives the Swift Energy NZ Limited Waihapa & Rimu Production Stations Monitoring Programme Annual Report 2006-2007 and adopts the specific recommendations therein

08/150

Cloke/Marsh

7. Unauthorised Incident Register 26 May 2008 to 30 June 2008

- 7.1 The Committee received and considered the Unauthorised Incidents Register for the period 26 May 2008 to 30 June 2008.

Recommended

THAT the Taranaki Regional Council

1. receives the Unauthorised Incidents Register for the period 26 May 2008 to 30 June 2008 and adopts the recommendations therein.

08/151

Lean/MacLeod

8. General Business

There were no items of general business.

9. Public Excluded

THAT the Taranaki Regional Council

resolves that the public be excluded from the following part of the proceedings of the Consents and Regulatory Committee meeting of the Taranaki Regional Council, held on Tuesday 22 July 2008, namely:

Item 10: Unauthorised Incident

Item 11: Unauthorised Incident

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Grounds under section 48(1) for the passing of this resolution
Item 10 - Unauthorised Incident	Where the disclosure of the information would likely prejudice the maintenance of the law, including the prevention, investigation and detection of offences, and the right to a fair trial.	NZS9202:2003 Incorporating Amendment No. 1 A1(a)
Item 11 - Unauthorised Incident	Where the disclosure of the information would likely prejudice the maintenance of the law, including the prevention, investigation and detection of offences, and the right to a fair trial.	NZS9202:2003 Incorporating Amendment No. 1 A1(a)

08/152

Lean/Joyce

There being no further business, the Chairperson Mr D L Lean declared the Consents and Regulatory Committee meeting closed at 11.50 am.

Confirmed

Chairperson: _____
D N MacLeod

Date: **12 August 2008**

**Minutes of the Policy and Planning
Committee Meeting of the Taranaki
Regional Council, held in the Taranaki
Regional Council Chambers, 47 Cloten
Road, Stratford, on Thursday 24 July
2008 at 10.30 am.**

ITEM THREE

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Present	Councillors	N W Walker M J Cloke P D Horton M A Irving M P Joyce	(Chairperson)
		D N MacLeod	(ex officio)
Representatives	Councillor Mr	A Hickey G Hight	(South Taranaki District Council) (Federated Farmers of New Zealand)
In attendance	Councillor Messrs	B J Marsh B G Chamberlain M J Nield G K Bedford A D McLay R A Phillips G C Severinsen P Ledingham	(Chief Executive) (Director-Corporate Services) (Director-Environment Quality) (Director-Resource Management) (Director-Operations) (Policy Manager) (Information Officer)
	Mrs	K van Gameren	(Committee Administrator)
	Mr	G Pittams	(Wrightson Consulting)
	Dr	Ants Roberts	(Ravensdown Fertiliser Company)
		One member of the media	
Apologies		The apologies from Councillor M G Davey, Councillor D L Lean and Councillor J Rowe (Stratford District Council) were received and sustained.	

**Notification of
Late Item**

General Business – Energy Efficient Lightbulbs

**1. Confirmed Minutes: Policy and Planning Committee Meeting
- 12 June 2008**

Recommended

THAT the Taranaki Regional Council

1. receives the confirmed minutes of the Policy & Planning Committee meeting held on Thursday 12 June 2008 at 10.30 am.

08/155

Horton/MacLeod

Matters Arising

There were no matters arising.

2. Community investment in environmental improvements in Taranaki

- 2.1 Mr B G Chamberlain, Chief Executive, spoke to the memorandum introducing a report prepared for the Council by Business and Economic Research Limited on community investment in environmental improvements in Taranaki, the findings of which will be included in the Council's next state of the environment report due for release later this year.
- 2.2 It was noted that the report indicates that over the past five years environmental capital investments on water resources, air and noise, land management, energy efficiency and environmental services totalled \$216.7 million – almost two and a half times the expenditure identified in 2002 for the previous five year period.

Recommended

THAT the Taranaki Regional Council

1. receives the memorandum and report on '*Community investment in environmental improvements in Taranaki (2008)*'
2. notes the considerable expenditure being made by the Taranaki community on environmental protection and enhancement between 2002-2007 which is conservatively estimated at \$85.1 million per annum
3. notes that information from the report will be included in the Council's next state of the environment report due to be released later this year.

08/156

Cloke/Irving

3. Exclusive Economic Zone Environmental Effects Legislation

- 3.1 Mr A D McLay, Director-Resource Management, spoke to the memorandum updating Members on the proposed legislation for regulating environmental effects of activities in New Zealand's Exclusive Economic Zone (EEZ). The new legislation will set out a new rules and consents regime for the EEZ and new controls are proposed to manage currently unregulated environmental effects of existing activities and the effects of new activities in the EEZ in future.

Recommended

THAT the Taranaki Regional Council

1. receives the memorandum
2. notes that legislation to manage the environmental effects of currently unregulated activities in New Zealand's Exclusive Economic Zone is to be drafted and a Bill introduced into Parliament before the end of August this year.

08/157

MacLeod/Irving

4. Hearing of submissions on the Proposed Regional Policy Statement for Taranaki

- 4.1 Mr G Severinsen, Policy Manager spoke to the memorandum seeking agreement from the Committee that a Hearing of submissions on the Proposed Regional Policy Statement for Taranaki take place following a scheduled meeting of the Policy and Planning Committee and to outline the format for the Hearing.
- 4.2 It was noted that the Hearing was originally scheduled to be held following the Policy and Planning Committee meeting on 4 September 2008. TrustPower Limited (a submitter to the Proposed Regional Policy Statement for Taranaki) has sought Council permission to extend the submission period to give them more time to consider their and others submission points. The Council agreed to extend the submission period resulting in the date for the Hearing changing to 16 October 2008.

Recommended

THAT the Taranaki Regional Council

1. receives the memorandum on the Hearing of submissions on the Proposed Regional Policy Statement for Taranaki
2. agrees that a Hearing of submissions on the Proposed Regional Policy Statement for Taranaki takes place on Thursday 16 October 2008 following the meeting of the Policy and Planning Committee scheduled for that day
3. agrees that the Policy and Planning Committee reconvene as the Hearing Committee to hear submissions on the Proposed Regional Policy Statement for Taranaki.

08/158

Joyce/Irving

5. Annual activity reports for 2007/2008

- 5.1 Mr R A Phillips, Director-Operations, and Mr G C Severinsen, Policy Manager, spoke to the Council's Policy and Planning and River Control and Flood Management annual activity reports for 2007/2008 outlining the progress made in the achievement of the Council's various programmes and activities.

Recommended

THAT the Taranaki Regional Council

1. receives the memorandum and annual reports for 2007/2008 on Policy and Planning and River Control and Flood Management
2. notes that the reports will be made available to key and interested stakeholders.

08/159

Cloke/Irving

6. Building Act 2004 for Dams: Transfer of Functions to Environment Waikato

- 6.1 Mr A D McLay, Director-Resource Management, spoke to the memorandum updating Members on the transfer of Building Act 2004 functions, duties and powers for dams and their appurtenant structures, under Part 2 of the Act, to Environment Waikato and the functions, powers and duties under the Act retained by the Council.

Recommended

THAT the Taranaki Regional Council

1. receives the memorandum
2. notes the Consents Section budget for Building Consent Authority accreditation was exceeded
3. notes Building Act 2004 transition arrangements are in place between the district councils and this Council
4. notes minor changes to delegations, consents, enforcement, officer warranting, and charging actions/procedures/policies will be made to incorporate the changes arising from new functions under the Building Act 2004 and the transfer of some of these functions to Environment Waikato
5. notes under the Building Act 2004 all the functions, powers and duties of a Building Consent Authority and some complementary non-Building Consent Authority functions were transferred
6. notes the transfer deed and memorandum of understanding were signed, under delegated authority by the Chief Executive on 22 June 2008, and the transfer is effective of 30 June 2008 as per the two documents;
7. notes under the Deed Environment Waikato are to provide a six monthly report on the exercise of the transferred functions and these will be available to Members as part of the Consents Annual Activity report
8. notes the Council will retain some Building Act 2004 functions and is working collaboratively with other councils to develop standard operating procedures and guidance material for staff to efficiently deliver these functions.

08/160

Joyce/MacLeod

7. An introduction to nitrification inhibitors

- 7.1 Dr Ants Roberts, Ravensdown Fertiliser Company, provided a powerpoint

presentation to the Committee on nitrification inhibitors and their potential place in nutrient budgeting, water and soil quality environmental management and the reduction of greenhouse gas emissions.

Recommended

THAT the Taranaki Regional Council

1. receives the presentation by Dr Ants Roberts on the current state of nitrification inhibitors.

08/161

Cloke/Joyce

Councillor B J Marsh left the Policy & Planning Committee meeting at 11.45 am.

8. Presentation - New Zealand Groundspread Fertilisers Association Conference

- 8.1 The memorandum providing for Members' information an address entitled 'Water Quality Management and the need for Good Practice - a Taranaki view' presented by Chief Executive Mr B G Chamberlain at the New Zealand Groundspread Fertilisers Association Conference held in New Plymouth on 7 July 2008, was received and noted by the Committee.

Recommended

THAT the Taranaki Regional Council

1. receives the memorandum on an address entitled 'Water Quality Management and the need for Good Practice - a Taranaki view' presented by Chief Executive Mr B G Chamberlain at the New Zealand Groundspread Fertilisers Association Conference held in New Plymouth on 7 July 2008

08/162

Horton/Irving

9. General Business

Councillor A Hickey (South Taranaki District Council) highlighted the recent trend towards the use of energy efficient lightbulbs requesting further information on how the lightbulbs are to be disposed of and the impacts of their disposal on landfills. A report would be prepared for the next Policy and Planning Committee meeting.

There being no further business, the Committee Chairman Councillor N W Walker, declared the Policy and Planning Committee meeting closed at 11.50 am.

Confirmed

Chairman: _____
D N MacLeod

Date: **12 August 2008**

**Minutes of the Executive Committee
Meeting of the Taranaki Regional
Council, held in the Taranaki Regional
Council Committee Room, 47 Cloten
Road, Stratford, on Monday 4 August
2008 at 10.00 am.**

ITEM FOUR

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Present	Councillors	D N MacLeod D L Lean R F H Maxwell R F H Maxwell	(Chairperson)
In attendance	Councillors	M J Cloke B J Marsh	
	Messrs	B G Chamberlain R A Phillips P Ledingham	(Chief Executive) (Director-Operations)(from 10.20am) (Information Officer)
	Mrs	K van Gameren	(Committee Administrator)

One member of the media

Apologies There were no apologies.

**Notification of
Late Items** There were no items of general business.

1. Financial and Operational Report

- 1.1 The Committee received and considered the Monthly Financial Report for May 2008 outlining the operational and financial performance of the Council for the month and year to date.
- 1.2 There were no documents signed under the Council's seal during the period to 4 August 2008.

Recommended

THAT the Taranaki Regional Council

1. receives this memorandum and adopts the Monthly Financial Report for May 2008
2. notes that the Common Seal was not affixed to any documents during the period to 4 August 2008.

2. Port Taranaki Limited – Draft Statement of Corporate Intent – 2008/2011

Taranaki Regional Council Chairman, Mr D N MacLeod, declared an interest in Agenda Item 2 (Port Taranaki Limited – Draft Statement of Corporate Intent 2008/2011) and took no part in the discussion or recommendations.

- 2.1 Mr B G Chamberlain, Chief Executive, spoke to the memorandum to receive and comment on Port Taranaki Limited's draft Statement of Corporate Intent for the period 1 July 2008 to 30 June 2011.
- 2.2 Members noted and discussed Port Taranaki's minor change of dividend payout policy to the Council (as shareholder). It is the intention of the directors of Port Taranaki to distribute 60% of net profit after tax each year with a minimum of \$2m provided there is no requirement to use the funds within the Company. Mr Chamberlain advised that feedback would be given to the Board of Port Taranaki Limited reiterating the Council's position in relation to the dividend payout policy whereby the Council would expect a full payout of surplus net profit after tax with an explanation of all funds that are retained by Port Taranaki Limited.

Recommended

THAT the Taranaki Regional Council

1. receives Port Taranaki Ltd's draft Statement of Corporate Intent for the period 1 July 2008 to 30 June 2011
2. forwards feedback on the dividend payout policy, plus any additional comments, for further consideration by the Directorate of Port Taranaki Ltd.

08/164

Walker/Maxwell

3. Regional Gardens – 2008 Asset Management Plans

- 3.1 The memorandum to receive, consider and adopt the 2008 regional garden asset management plans (Hollard Gardens and Tupare) for inclusion in the 2009/2019 Long-Term Council Community Plan was noted and discussed by the Committee.

Recommended

THAT the Taranaki Regional Council

1. receives this memorandum on the preparation of the 2008 asset management plans for Tupare and Hollard Gardens
2. notes that the 2008 asset management plans focus on the on-going maintenance of the properties and growing the regional community's use of the facilities
3. receives and considers the 2008 asset management plans for the Council's regional gardens
4. adopts the 2008 asset management plans for Tupare and Hollard Gardens

5. notes the 2008 asset management plans will be incorporated into the draft 2009/2019 Long-Term Council Community Plan which will be subject to separate public consultation in the first half of 2009.

08/165

MacLeod/Lean

4. 2009/2019 Long-Term Council Community Plan: Performance Management Framework

- 4.1 Mr B G Chamberlain, Chief Executive, spoke to the memorandum to receive, consider and adopt a new performance management framework for inclusion in the draft 2009/2019 Long-Term Council Community Plan.

Recommended

THAT the Taranaki Regional Council

1. receives the memorandum on a new performance management framework
2. provides feedback to the Chief Executive on the structure and content of the draft performance management framework
3. adopts the performance management framework for inclusion in the draft 2009/2019 Long-Term Council Community Plan

08/166

Lean/Walker

5. Inclusion of Ironside Vehicle Society Inc. in the Total Mobility Scheme

Mr R A Phillips, Director-Operations, spoke to the memorandum requesting approval from Members to include Ironside Vehicle Society Incorporated in the Total Mobility Scheme for Taranaki. The change is to provide consistency with the change in policies, delivery and funding of the Total Mobility Scheme by Land Transport New Zealand which aims to include community based groups, such as Ironside, in the Total Mobility Scheme.

Recommended

THAT the Taranaki Regional Council

1. agrees to the inclusion of the Ironside Vehicle Incorporated Society in the Total Mobility Scheme for Taranaki.

08/167

Lean/Maxwell

6. Central Government Response to the Rates Inquiry

- 6.1 The memorandum to receive and consider the Government's response to the Rates Inquiry (the Shand Report) was noted and discussed by the Committee.

Recommended

THAT the Taranaki Regional Council

1. receives and notes the Government's response to the findings of the Rates Inquiry.

08/168

MacLeod/Lean

7. Audit of the 2009/2019 Long-Term Council Community Plan: Letter of Undertaking

- 7.1 The memorandum to receive and consider Deloitte's letter of undertaking for the audit of the Council's 2009/2019 Long-Term Council Community Plan was noted and discussed by the Committee.

Recommended

THAT the Taranaki Regional Council

1. receives Deloitte's letter of undertaking for the audit of the Council's 2009/2019 Long-Term Council Community Plan.

08/169

Lean/Walker

8. Local Government Commission Review of the Local Government Act 2002 and the Local Electoral Act 2001

- 8.1 Members of the Committee received and noted the memorandum providing information on the Local Government Commission's review of the Local Government Act 2002 and the Local Electoral Act 2001.

Recommended

THAT the Taranaki Regional Council

1. receives and notes the Local Government Commission's review of the Local Government Act 2002 and the Local Electoral Act 2001.

08/170

Lean/Walker

9. Civic Assurance – 2007 Annual Report

- 9.1 The memorandum to receive Civic Assurance's Annual Report for the year ended 31 December 2007 was noted by the Committee.

Recommended

THAT the Taranaki Regional Council

1. receives the 2007 Annual Report of the New Zealand Local Government Insurance Corporation Limited (Civic Assurance).

08/171

Walker/Maxwell

10. General Business

There were no items of general business.

11. Public Excluded

THAT the Taranaki Regional Council

resolves that the public be excluded from the following part of the proceedings of the Executive Committee meeting of the Taranaki Regional Council, held on Monday 4 August 2008, namely:

Item 12: Annual Report

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Grounds under section 48(1) for the passing of this resolution
Item 12 - Annual Report	Where the withholding of the information is necessary to protect information where the making of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.	NZS9202:2003 Incorporating Amendment No. 1 A2(b)(ii)

08/172

MacLeod/Walker

There being no further business, the Chairperson Mr D N MacLeod, declared the Executive Committee meeting closed at 10.40 am.

Confirmed

Chairman _____
D N MacLeod

Date: **12 August 2008**

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ITEM FIVE

12 August 2008

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**Memorandum to
Chairperson and Members
Taranaki Regional Council**

Composition of new Regional Transport Committee

Purpose

1. The purpose of this memorandum is to:
 - provide an overview of the changes required to Regional Land Transport Committees [RLTC's] as a result of the requirements of the new Land Transport Management Amendment Act 2008; and
 - request endorsement for the composition of a new Regional Transport Committee.

Background

2. The Land Transport Management Amendment Act 2008 [the LTMA] implements the outcomes of the Government's review of the land transport sector known as the "Next Steps Review".
3. The key changes for transport planning and funding under this statute are:
 - All fuel excise duty, road user charges and motor vehicle registration fees are to be dedicated to land transport expenditure.
 - The government will set out, in a Government Policy Statement, its priorities, funding forecasts and the short to medium-term outcomes it wishes to achieve through the allocation of land transport funding.
 - There will be greater responsibilities and functions for the regional transport committees of regional councils.
 - Planning will be longer term, better aligned centrally, regionally and locally, and provide for greater integration across transport modes.
 - A new crown entity, the NZ Transport Agency (NZTA), has taken over the functions of Land Transport New Zealand and Transit New Zealand from 1 August 2008.
 - There will be three-year regional and national land transport programmes instead of annual programmes. These three-year programmes will have greater focus on:
 - integrated planning
 - strategic vision and planning
 - consultation
 - prioritisation of activities
 - affordability.
4. The Act also proposes several significant changes to the make up, function and responsibilities of what was previously referred to as Regional Land Transport Committees, including changing their name to Regional Transport Committee's [RTC's], and the context in which they operate.

5. Current regional council representation on the Regional Land Transport Committee for Taranaki includes Councillors Roger Maxwell (Chairman), Tom Cloke, Barry Marsh, Peter Horton and Brian Jeffares, along with David MacLeod and David Lean as ex-officio members.

Role of Regional Transport Committees

6. The role of the new Regional Transport Committee for Taranaki will therefore be to prepare for approval by the regional council a:
 - Regional land transport strategy for its region, or any variations to the strategy, or any reports on the strategy.
 - Regional land transport programme for its region or any variations to the programme.
 - Regional fuel tax scheme for its region, if the committee decides to recommend such a scheme.

New committee composition

7. Under the LTMA membership of the Regional Transport Committee in Taranaki is now restricted to:

Organisation	Number of members
▪ Taranaki Regional Council:	Two members
▪ Territorial Authorities:	One member each (3 in total)
▪ New Zealand Transport Agency:	One member
▪ New Zealand Transport Strategy Objectives: <ul style="list-style-type: none"> ○ Economic development ○ Safety and personal security ○ Public health ○ Access & mobility ○ Environmental sustainability 	One person for each objective (5 in total)
▪ Cultural Interests:	One member

Total number of Committee Members: 12
--

Note: A person appointed to represent one of the five NZTS objectives must be from the wider community and not be a representative of the regional council or territorial authority.

8. With regard to the three territorial authorities and New Zealand Transport Agency it is recommended that correspondence be sent to each requesting that a nominated representative be endorsed for membership on the Regional Transport Committee (along with an alternate representative).
9. With regard to obtaining nominations for each of the five NZTS objectives it is recommended that a public notice be prepared which requests:
 - feedback from the public on the process for obtaining these nominations (as noted in bullet point 10); and
 - any nominations that organisations/individuals may wish to submit for consideration which are consistent with the objectives of the NZTS.

10. As certain organisations are a good fit with regard to the five NZTS objectives it is also recommended that:
- The New Zealand Police is contacted for a nomination to represent the objective of 'safety and personal security'.
 - The Taranaki District Health Board is contacted for a nomination to represent the objective of 'public health'.
 - The Venture Taranaki Trust is contacted for a nomination to represent the objective of 'economic development'.
 - The Taranaki Disabilities Information Centre Trust and the Automobile Association are contacted for a nomination to represent the objective of 'access & mobility'.
 - The Taranaki/Whanganui Conservation Board is contacted for the objective of 'environmental sustainability'.
 - With regard to cultural interests it is recommended that Te Puni Kokiri is the most appropriate organisation to represent these interests in the Taranaki Region.

It is recommended that any nominations received in response to this correspondence be considered by Council in addition to the nominations received in response to the public notice (as noted in bullet point 9).

11. Please note that only one appointment will be accepted for each objective. Nominations received will be considered and endorsed by the Council. The Council has the right to accept or decline any nomination received.

New rules for Regional Transport Committees

General

12. Every Regional Council must establish a RTC before 1 October 2008, or by a later date agreed to by the Minister of Transport (which must be no later than 31 December 2008).
13. Two or more adjoining regional councils may establish a single regional transport committee. It is not recommended that this is necessary in the Taranaki region.
14. If the area of a Territorial Authority falls into the jurisdiction of more than 1 region the TA must decide which RTC to join. In Taranaki this rule applies to the Stratford District Council.
15. Only members of the Councils and the NZ Transport Agency can vote on the new Regional Land Transport Programme and any new Regional Fuel Tax scheme. However, all Committee members have speaking rights.
16. RTC's may propose a regional fuel tax on behalf of the regional council. This is an additional funding tool available to regions for high priority transport projects that will not reasonably be funded from any other source in the timeframe desired by the region.
17. The provisions of the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987 apply in respect of RTC meetings.
18. Legal advice obtained from the Ministry of Transport has also specified that the RTC is not to be an ordinary committee of the council appointed to act under the "general and special directions" of the council (clause 30 of Schedule 7 of the Local Government Act).

Instead it is to be a statutory committee established under a different Act (the LTMA) to exercise specific statutory functions.

19. Each regional council must appoint from its representatives the chair and deputy chair of the committee. The Chair or any other person presiding cannot have a casting vote. It is therefore necessary for the Ordinary Committee to make such decision at this meeting.

Regional Land Transport Programme preparation

20. Each RTC must adopt and publish a policy that determines the significance of requested or recommended variations to RLTP's and RLTS's (i.e. they must therefore adopt a policy on the term 'regional significance').
21. RTC's will prepare and undertake consultation on their draft three-year regional transport programmes, and can do this in conjunction with the regional council LTCCP process. Most of the territorial local authority roading activities will simply be listed (including maintenance and minor improvements). Other local road major capital works, all state highway activities, and improvements to public transport services and infrastructure will need to be prioritised.
22. Regional councils will receive the regional land transport programme from the regional transport committee and will approve it for submission to the NZTA.

Development of a Regional Transport Advisory Group

23. To assist the Regional Transport Committee in their various roles, a Regional Transport Advisory Group [RTAG] is being developed. This Group replaces what was previously named the Regional Technical Officers Group, to better reflect the Groups role and responsibilities under the Land Transport Management Amendment Act.
24. The role of this Group will be to support and provide advice to Regional Transport Committees on:
 - The development of regional land transport programmes
 - Prioritisation of projects in the regional programme
 - Technical guidance to Regional Council staff
 - Technical assistance with the development of a regional land transport strategy and regional passenger transport plan
 - Projects to be promoted for Regional Funding
 - Other relevant matters.

Timeline from here

25. For Members information, once a revised Regional Transport Committee is convened, the following steps occur with regard to the development of a regional land transport programme for the Taranaki region:

Task	Deadline
Constitute RTC	July to early Sept
Constitute Regional Technical Advisory Group to assist RTC	July to August
Set up meeting schedule for RTC	August
Develop a Terms of Reference for the new RTC	August
Develop a Terms of Reference for the new RTAG	August
Training held by NZTA on LTP online	August/September
Government Policy Statement and updated NZ Transport Strategy	August

released	
Agency guidelines for the preparation of the three-yearly NLTP released	August
Roadshow by the Ministry of Transport and NZTA	8 September
First official RTAG meeting held	Mid September
First RTC meeting held	Late September
MOT and NZTA advised of the reconstitution of a new RTC	Late September
RTC to agree regional priorities to inform transport programmes: <ul style="list-style-type: none"> • Identify key regional issues and constraints • Identify key issues to be addressed in LTP's • Identify key interventions: strategies, project packages and timing • Draft high level funding plan • Develop guidelines for land transport programme organisations 	August to September
Final date for RTC's to be formed under the Act	1 October 2008
Approved organisations to develop draft district, regional and state highway programmes <ul style="list-style-type: none"> • Review current drafts against regional priorities • Modify programme to reflect regional priorities, packages, programmes etc • Assess activities • Assess relationship of Police activities with RLTP • Review and adopt draft programmes 	July - October
Approved organisations to finalise and submit draft programmes on LTP online	1 November
Programmes available to regions	Nov/Dec
RTC to develop and draft RLTP: <ul style="list-style-type: none"> • Download submitted LTP's from LTP online • Review submitted LTP's, address any issues • Identify activities to be prioritised • Prioritise activities • Review draft funding plan • Develop draft RLTP • Develop regional perspectives • Assess draft RLTP • Adopt draft RLTP for consultation 	November to February
RTAG and RTC meeting to provide direction on regional prioritisation	Nov/Dec
RTC approves draft RLTP for consultation	Early February
LTCCP and RLTP consultation: <ul style="list-style-type: none"> • Prepare consultation material • Consult on RLTP – not on each activity • Consult identified parties • Consult Maori • Consult public 	Mid March to mid April
NZTA considers draft RLTP, negotiates funding, submits on RLTP's	Nov - March
RLTP hearings: <ul style="list-style-type: none"> • Consider submissions and national perspectives • Reflect changes arising from LTCCP or annual plan consultation • Finalise funding plan • RTC agree RLTP • Inform planning organisations of any activities omitted from RLTP • Submit RLTP to RC • RC approves, refers back or forwards RLTP • RTC finalised RLTP, if necessary • Submit/forward RLTP to NZTA using LTP online 	Early May

RC considers RLTP	Late May???
RLTP finalised by regional transport committees and submitted to NZTA	30 June 09
Local territorial authorities complete new LTCCP's.	30 June 2009
NZTA reviews regional programmes, develops national programme and prioritises items in the national programme.	July/ August 2009
NLTP adopted (subject to agreement by the Minister)	31 August 09

26. Please note that these timeframes are very tight. However this situation arose due to the later than scheduled enactment of the Land Transport Management Amendment Act 2008.

Passenger transport operational matters

27. Any operational transport matters funded by regional council rates are now to be considered by the Council's Executive Committee for approval and endorsement due to the financial implications that these have for the Taranaki Regional Council. Examples of such matters include: any passenger transport contractual arrangements, variations and costs; Total Mobility contracts and administrative matters; reporting on passenger transport patronage numbers and surveys; passenger transport registration matters; and end of year financial reports and significant activity reports

Decision-making obligations

28. 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

29. 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, Land Transport Act 1998, Land Transport Management Act 2003 and Land Transport Management Amendment Act 2008.

Financial considerations

30. 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

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

Recommendations

THAT the Taranaki Regional Council:

1. notes the changes required to the name and composition of regional land transport committees further to the implementation of the Land Transport Management Amendment Act 2008

2. dissolves the current Regional Land Transport Committee
3. constitutes a Regional Transport Committee pursuant to the requirements of the Land Transport Management Amendment Act 2008
4. notes that the key functions of the Regional Transport Committee will be to develop a:
 - Regional land transport strategy for its region, or any variations to the strategy, or any reports on the strategy.
 - Regional land transport programme for its region or any variations to the programme.
 - Regional fuel tax scheme for its region, if the committee decides to recommend such a scheme.Pursuant to the requirements of the Land Transport Management Amendment Act 2008
5. appoints two regional council representatives to the Regional Transport Committee;
6. endorses, from the two regional council representatives, a chair and deputy chair for the Regional Transport Committee;
7. agrees that correspondence be sent to each of the three district councils (New Plymouth, Stratford and South Taranaki District Council's) and the New Zealand Transport Agency requesting nominations for appointments to the newly formed Regional Transport Committee for Taranaki
8. agrees that correspondence be sent to Te Puni Kokiri requesting a nominated representative to be selected who will represent cultural issues on the Regional Transport Committee for Taranaki
9. agrees that Council invites, by public notice, feedback from the public on the process for obtaining these nominations and any nominations that organisations/individuals may wish to submit for consideration
10. agrees that correspondence be sent to the organisations and individuals listed in this agenda report requesting feedback on the process for seeking public input and nominations for each of the five New Zealand Transport Strategy objectives.

RA Phillips
Director - Operations

Approved:

B G Chamberlain
Chief Executive

Document: 493162

ITEM SIX

12 August 2008

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**Memorandum to
Chairperson and Members
Taranaki Regional Council**

2008 Local Government New Zealand Conference

A brief verbal report to Council from Members who attended the 2008 Local Government New Zealand Conference in Rotorua 28-30 July 2008.

ITEM SEVEN

12 August 2008

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**Memorandum to
Chairperson and Members
Taranaki Regional Council**

Meeting Dates – September 2008

Purpose

1. The purpose of this memorandum is to provide information on the next six-weekly round of Council meetings for 2008.

Meeting Dates

2. At the Council's Ordinary Meeting held on 12 December 2007, the 2008 schedule of Council meetings was adopted.
3. Member's attention is drawn to the next six-weekly round of meetings.
4. The six-weekly round of meetings for September 2008 will be as follows:

Consents and Regulatory Committee	Wednesday 3 September 2008
Policy and Planning Committee	Thursday 4 September 2008
Executive Committee	Monday 15 September 2008
Ordinary Meeting	Tuesday 23 September 2008
5. For information of Council, the next Civil Defence Emergency Management Group meeting will be held on Tuesday 9 September 2008 commencing at 10.30am at the Stratford District Council, Miranda Street, Stratford.

B G Chamberlain
Chief Executive