

# Minutes of the Operations, Monitoring and Regulation Committee Meeting held in The Cruise Deck, Club Mount Maunganui Inc, 45 Kawaka Street, Mount Maunganui on Tuesday, 3 May 2011 commencing at 9.35 a.m.

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## Present:

**Chairman:** M Whitaker

**Deputy Chairman:** P Sherry

**Councillors:** R Bennett, T Eru, J Mansell, J Nees, I Noble, N Oppatt, D Owens, L Thurston

**Ex Officio:** Council Chairman J Cronin

**In Attendance:** Prof. D Hamilton, S Park (Planning Consultant), Dr M Patrick (REM), Dr K Rutherford (NIWA), B Bayfield (Chief Executive), J Barber (Senior Environmental Scientist), A Bruere (Lake Operations Manager), B Crabbe (Operations Manager Environmental Hazards), R Donald (Water Science & Support Manager), C Grant (Planner), A Grayling (Rotorua Lakes Project Manager), E Grogan (Group Manager Water Management), S Iremonger (Environmental Scientist), W Murray (Group Manager Land Management), R Perry (Land Management Officer), K Tarboton (Group Manager Environmental Hazards), S Weiss (Project Implementation Officer), A Grenfell (Communications Advisor), S Cubbon (Committee Administration)

**Apologies:** Councillors Marr and Thompson

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## 1 Reports

### 1.1 ROTAN and Lake DC modelling for Lake Rotorua

*Refer Page 11 of the agenda and PowerPoint presentation from The University of Waikato and NIWA*

Andy Bruere introduced the report advising the ROTAN catchment land use model for Lake Rotorua and the Lake DC model had been completed by NIWA and the University of Waikato respectively. Members were told this work would be fed into work being done by BECA to enforce policy decisions that would be made on future lake restoration interventions.

PowerPoint presentations setting out the results of the ROTAN and Lake DC modelling work were provided by Dr Kit Rutherford and Professor David Hamilton. They showed the predicted outcomes on catchment nutrient loads and lake water quality in response to a range of land use scenarios and in-stream interventions.

Simon Park, Dr Rutherford and Professor Hamilton responded to numerous questions from members who were assured there would be further workshops and opportunities to review the work done.

## **Resolved**

**That the Operations, Monitoring and Regulation Committee under its delegated authority:**

- 1 Receives the report and presentations on ROTAN and Lake DC modelling for Lake Rotorua.**

**Whitaker/Nees  
CARRIED**

## **Adjournment**

The meeting was adjourned for morning tea at 10.48 a.m. and reconvened at 11.05 a.m.

## **Order of Business**

The Chairman advised there would be a departure from the order of business set down in the agenda in order to receive a late inclusion listed as Item 3.10 'Pilot Nutrient Reduction Fund for Lake Rotorua'.

### **1.2 Pilot Nutrient Reduction Fund for Lake Rotorua**

*Refer final report in the agenda.*

Land Management Group Manager, Warwick Murray introduced the report seeking delegation from the Committee to form a Council sub-committee to approve applications to the Lake Rotorua Nutrient Reduction Fund. Members were advised that progress was not being made fast enough to meet the expectations of the Deed of Funding with the Crown for the Rotorua Lakes programme, the purpose of the fund being to provide incentives for landowners to reduce nutrients on a permanent basis.

It was explained that the Pilot Nutrient Reduction Fund Project was intended as a one-off project to trial an innovative approach using currently budgeted funding, to be allocated on a best value for money basis. Applications would be assessed by independent experts and it was proposed that the panel would make recommendations to a sub-committee of Council for fund allocation. Members discussed options and agreed it was appropriate that the Operations, Monitoring & Regulations Committee approved funding applications.

## **Resolved**

**That the Operations, Monitoring and Regulation Committee under its delegated authority:**

- 1 Receives the report, Pilot Nutrient Reduction Fund for Lake Rotorua.**
- 2 Notes that the proposed pilot Nutrient Reduction Fund implements recommendations of the Regional Special Projects Committee to further explore reverse auctions as a means of encouraging land use change in the Rotorua Catchment.**

- 3 **Agrees to oversee the administration of the Council's Lake Rotorua Nutrient Reduction Fund, including the approval of funding applications.**
- 4 **Notes that sufficient provision has been made for land use change in the Lake Rotorua catchment, in the 2010/2011 and draft 2011/2012 Annual Plans to cover the establishment of this fund.**
- 5 **Confirms that the significance of the decision have been assessed as LOW, and under Section 79 of the Local Government Act 2002 (LGA) confirms that in light of the level of significance of the decisions it does not require: (a) Further identification and assessment of different options under section 77 LGA; (b) Further investigation or consideration of community views under section 78 LGA; (c) Any further written record of the manner in which section 77 and section 78 matters have been addressed.**

**Oppatt/Thurston  
CARRIED**

### 1.3 **Tauranga Harbour Navigation Safety Review**

*Refer Page 15 of the agenda.*

Eddie Grogan, Group Manager Water Management presented the report that provided the outcomes of the Tauranga Harbour ski area review as requested by Full Council at its 15 July 2010 meeting when it adopted the Regional Navigation and Safety Bylaw. This review focused on the location of water ski areas and the impacts these had on adjacent land. It also provided an opportunity to look at other navigation issues concerning the community. Tensions between user groups highlighted the need for harbour users to know the rules and for Maritime officers to be seen to enforce them.

#### **MOTION**

**Move: Councillor Bennett**

**Second: Councillor Owens**

**That** the ski lane at Rangiwaea Island be closed forthwith.

Extensive discussion took place about issues that included a lack of consultation with tangata whenua and the great deal of stress caused to the Rangiwaea Island community by hooligans. Mr Grogan advised that neither staff nor the community had been able to identify possible alternative water ski areas in the harbour that provided suitable and safe conditions. Members of the Committee noted most skiers were just families, happy to have a ski of a morning and return home, and to have a ski area closed without any consultation would not find favour with constituents.

#### **PROCEDURAL MOTION**

**Move: Council Chairman Cronin**

**Second: Deputy Chairman Sherry**

**That** the item of business being discussed does lie on the table and not be further discussed at this meeting.

The Procedural Motion was **PUT** and **CARRIED**.

#### **Resolved**

**That the Operations, Monitoring and Regulation Committee under its delegated authority:**

- 1 Leaves the report, Tauranga Harbour Navigation Safety Review, to lie on the table.**

**Cronin/Sherry  
CARRIED**

Councillor Bennett requested that her vote **against** the decision be recorded.

### **Attendance**

Councillor Bennett left the meeting at 12.10 p.m.

## **1.4 Deferment of Capital Works - Ford Road Pumping Station Reconstruction**

*Refer Page 27 of the agenda.*

The report called for approval to defer the planned Ford Road Pumping Station construction project pending a decision on the Kaituna River diversion through Maketu Estuary. Operations Manager Rivers & Drainage, Bruce Crabbe was in attendance to respond to questions.

### **Resolved**

**That the Operations, Monitoring and Regulation Committee under its delegated authority:**

- 1 Receives the report, Deferment of Capital Works - Ford Road Pumping Station Reconstruction.**
- 2 Recommends to Council that the Ford Road pumping station reconstruction be deferred.**
- 3 Notes that the timing for reconstruction of the Ford Road pumping station be defined in the Ten Year Plan to occur after the design and resource consent for the Kaituna/Maketu Diversion is finalised.**

**Oppatt/Thurston  
CARRIED**

## **1.5 Whakatane River stopbank proposal at Fishing Club/Wharf area**

*Refer Page 29 of the agenda.*

Operations Manager Environmental Hazards, Bruce Crabbe, introduced the report seeking approval to carry out capital works on the Whakatane River Scheme. Members heard that Whakatane District Council was planning works in an area that incorporated Whakatane River flood protection infrastructure. Hydraulic modelling had revealed that the flood protection system needed to be raised to meet the design level of service and this had been included in year 2014-15 of the Ten Year Plan. The Committee agreed there were cost and efficiency savings to be made in carrying out the works now in conjunction with the Whakatane District Council development, and considered it appropriate to bring funding forward.

## Resolved

That the Operations, Monitoring and Regulation Committee under its delegated authority:

- 1 Receives the report, Whakatane River stopbank proposal at Fishing Club/Wharf area.
- 2 Confirms that the significance of the decision has been assessed as LOW, and under Section 79 of the Local Government Act 2002 (LGA) confirms that in light of the level of significance of the decision it does not require: (a) Further identification and assessment of different options under section 77 LGA; (b) Further investigation or consideration of community views under section 78 LGA; (c) Any further written record of the manner in which section 77 and section 78 matters have been addressed.
- 3 Recommends to Council that \$90,000 loan funding be included in the 2011-12 Annual Plan capital works budget for the Whakatane-Waimana Rivers Scheme to carry out the proposed stopbank improvement works.
- 4 Notes that the TYP capital works programme for the Whakatane-Waimana Rivers Scheme in year 2014-15 will be reduced to account for this work being completed earlier than programmed.

Oppatt/Thurston  
CARRIED

## 1.6 Group Managers Report

*Refer Page 47 of the agenda.*

An update was provided by Group Managers covering operational items of interest. These included restoration work at Papamoa Hills Regional Park, public alerting systems being considered by Civil Defence Emergency Management, forestry and storm events, as well as mangrove mulching operations in the Tauranga Harbour.

## Resolved

That the Operations, Monitoring and Regulation Committee under its delegated authority:

- 1 Receives the report, Group Managers Report.

Whitaker Sherry  
CARRIED

## Adjournment

The meeting was adjourned for lunch at 12.45 p.m. and reconvened at 1.15 p.m.

## Attendance

Council Chairman Cronin and Councillor Owens left the meeting at 12.45 p.m.

## 1.7 **Mount Maunganui ambient sulphur dioxide monitoring**

*Refer to Page 23 of the agenda, Environmental Publication 2011/03 and PowerPoint presentation.*

Environmental Scientist, Shane Iremonger presented the results of the sulphur dioxide monitoring undertaken at Mount Maunganui by Council and Ballance Agri Nutrients Ltd. Members were told data suggested industrial emissions were currently in compliance with National Environmental Standard for New Zealand, however continued monitoring would ensure data was available should the Standard be lowered in the future.

### **Resolved**

**That the Operations, Monitoring and Regulation Committee under its delegated authority:**

- 1 **Receives the report, Mount Maunganui ambient sulphur dioxide monitoring.**

**Thurston/Whitaker  
CARRIED**

## 1.8 **Lake Tarawera Groundwater Investigation Phase I**

*Refer to Page 45 of the agenda and PowerPoint presentation*

Senior Environmental Scientist, Janine Barber informed the Committee of the completion and findings of the first phase in the investigation of groundwater movement and age within the greater Tarawera lake catchments. It was noted Phases 2 and 3 would extend to other catchments such as Rerewhakaaitu and the Okataina caldera.

### **Resolved**

**That the Operations, Monitoring and Regulation Committee under its delegated authority:**

- 1 **Receives the report, Lake Tarawera Groundwater Investigation Phase I.**

**Whitaker/Sherry  
CARRIED**

## 1.9 **Options to fund River Scheme flood damage**

*Refer Page 33 and PowerPoint presentation*

The report provided information on potential targeted rates as a result of August 2010 and January 2011 flood damage. Members discussed the implications arising from the damage sustained in the severe storms, the increase in costs if repair work was not carried out promptly and the ability of communities to pay. The community remained at greater risk until repairs were done and all river scheme liaison groups recognised the need to undertake work as soon as possible.

Council had made a LAPP claim of \$1.8m, but the Group Manager Environmental Hazards advised that, in view of the Christchurch earthquake disasters, there remained some doubt as to the ability of LAPP to pay for flood damage claims.

### **Attendance**

Council Chairman rejoined the meeting at 2.00 p.m.

Ken Tarboton presented funding options that may provide some relief to rate payers. The options engendered considerable discussion and members noted they would be considered during the Annual Plan deliberations.

### **Resolved**

**That the Operations, Monitoring and Regulation Committee under its delegated authority:**

- 1 Receives the report, Options to fund River Scheme flood damage.**
- 2 Notes that indicative rate increases are significant and that options have been presented that could provide some relief to rate payers.**
- 3 Notes that final scheme targeted rates will be based on decisions made during the Annual Plan consultation process.**

**Whitaker/Sherry  
CARRIED**

## **1.10 On-Site Effluent Treatment (OSET) Regional Plan 2006 Implementation Review**

*Refer Page 41 of the agenda and PowerPoint presentation*

Eddie Grogan introduced Dr Mike Patrick, Resource and Environmental Management Ltd, who addressed the meeting giving an update on work done on reviewing and implementing the OSET Plan. He noted most problem areas identified by the OSET Plan review four years ago were almost dealt with. The recommendations of the report were summarised for members.

### **Resolved**

**That the Operations, Monitoring and Regulation Committee under its delegated authority:**

- 1 Receives the report, “On-Site Effluent Treatment (OSET) Regional Plan 2006 Implementation Review”.**
- 2 Notes the recommendations in Dr Mike Patrick’s appended “OSET Plan Review – 2010–11 Follow up”, some of which require a future plan change and notes that the Strategy, Policy and Planning Committee will consider these at its 14 June meeting.**
- 3 Requests staff provide a future report with the cost and resourcing implications of carrying out the agreed operational recommendations in the REM report.**

- 4 Confirms that the significance of the decision has been assessed as LOW, and under Section 79 of the Local Government Act 2002 (LGA) confirms that in light of the level of significance of the decision it does not require: (a) Further investigation and assessment of different options under section 77 LGA; (b) Further investigation or consideration of community views under section 77 and section 78 matters have been addressed; (c) Any further written record of the manner in which section 77 and section 78 matters have been addressed.**

**Nees/Noble  
CARRIED**

**The meeting closed at 2.50 p.m.**