Notice is given that an ordinary meeting of the Environment and Planning Committee will be held on:

Date:	**Thursday 5 September 2019**
Time:	**9.30am**
Meeting Room:	**Tasman Council Chamber**
Venue:	**189 Queen Street**
	Richmond

Environment and Planning Committee

AGENDA

MEMBERSHIP

Chairperson	Cr T King	
Deputy Chairperson	Cr S Brown	
Members	Mayor R G Kempthorne	Cr S Bryant
	Cr P Canton	Cr M Greening
	Cr P Hawkes	Cr K Maling
	Cr D McNamara	Cr D Ogilvie
	Cr P Sangster	Cr T Tuffnell
	Cr A Turley	Cr D Wensley

(Quorum 7 members)

Contact Telephone: 03 543 8855
Email: julie.jar@tasman.govt.nz
Website: www.tasman.govt.nz

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

AGENDA

1 OPENING, WELCOME

2 APOLOGIES AND LEAVE OF ABSENCE

Recommendation
That apologies be accepted.

3 PUBLIC FORUM

4 DECLARATIONS OF INTEREST

5 LATE ITEMS

6 CONFIRMATION OF MINUTES

That the minutes of the Environment and Planning Committee meeting held on Tuesday, 6 August 2019, be confirmed as a true and correct record of the meeting.

7 REPORTS OF COMMITTEE

Nil

8 PRESENTATIONS

9 REPORTS

10 CONFIDENTIAL SESSION

Nil

8 PRESENTATIONS

8.1 MOTUEKA/RIWAKA PLAINS MODEL - STATUS UPDATE

Information Only - No Decision Required

Report To:	Environment and Planning Committee
Meeting Date:	5 September 2019
Report Author:	Joseph Thomas, Resource Scientist
Report Number:	REP19-09-1

PRESENTATION

1.1 This report provides an overview of the Motueka/Riwaka Plains integrated groundwater/surface water model up to the 2018 period and seeks Council endorsement to make the technical report publicly available.

1.2 The Motueka/Riwaka Plains Groundwater Model, which is an integrated surface water groundwater model, was an important contributor to decisions in 2010 on water allocation in the Motueka/Riwaka Plains zone plan changes, including water allocation for future urban supply. Parts of the plan were appealed to the Environment Court in early 2012 where the model was refined. The Environment Court decision supported the Council's allocation (quantity) provisions and provided for increased allocations, including that water for urban supply could be supplied up to Mapua. The Motueka/Riwaka Plains Water management provisions were made operative in August 2014.

1.3 The model has not been submitted to Council in its totality. Since 2014 staff have not invested a lot of effort but have nevertheless kept the model under review. There have been requests for the model to be released and it is appropriate that the technical report underpinning the model be made available on Council's website.

1.4 The current timeframe for a review of the allocations including any water quality provisions is provisionally set for 2022/2023.

1.5 The technical model will be uploaded onto the Council's website after this meeting.

Appendices

Motueka-Riwaka Plains Groundwater Model

Status Update to Council September 2019

Joseph Thomas

Contributed to by:

Julian Weir - Aqualinc
Andrew Fenemor – Landcare Research

Overview

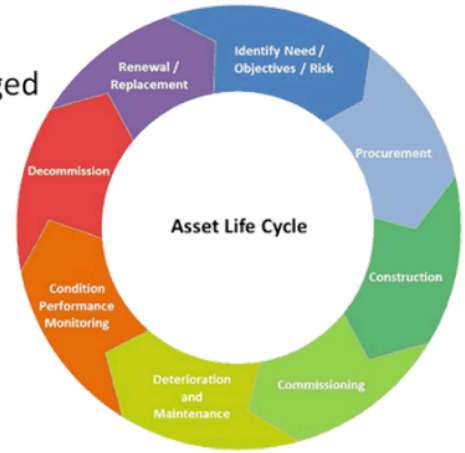
- Asset life-cycle management
- Model purpose and brief history of development
- Key model features
- Calibration examples
- Scenarios run to date (incl. Central Plains allocation)
- Allocation decision
- Nitrogen transport modelling
- Recommendations for future work

- Model documentation:

  Weir, J. and Thomas, J. (2018): *Motueka-Riwaka Plains Water Resources. Model Upgrade.* Prepared for Tasman District Council. Report C17050. 26/4/2018. Aqualinc Research Ltd.

Asset Life-Cycle Management

- Manage models as assets
  - ✓ Similar to how infrastructure assets are managed
- Natural life cycles
  - ✓ Schedule on-going updates and performance monitoring
- Avoid last-minute scramble when the model is needed urgently
  - ✓ Plan changes, consents, hearings, or other important decision making
- Allows careful, thought-out and defensible model development



Model Purpose

- Assist management of the aquifer system through:
  - ✓ Setting and adaptively reviewing zone water allocation limits
  - ✓ Testing sustainability of specific proposals, such as the Motueka and Coastal Tasman water supply
  - ✓ Adjusting water rationing in TRMP for future land use change and climate change
  - ✓ Informing river gravel management below Woodman's Bend (riverbed levels affect groundwater levels and flows through the plains)
  - ✓ Setting water quality limits for the aquifer system as required by NPSFM
  - ✓ Testing scenarios for land and water use changes, the results of which feed in to land use planning (etc.) ensuring quantity and quality limits can be met long-term

Model History

- Stage 1: Developed pre-1999 by Lincoln Environmental (LE)
  - ✓ In 2002, informed Tasman Regional Water Study regarding further groundwater availability
  - ✓ Additional 43,200 m^3/day (500 l/s) is possible, depending on location and management regime

- Stage 2: Updated by Aqualinc (same personnel from LE) 2003-2007
  - ✓ Work completed for TDC's Engineering Department
  - ✓ Motueka, Mapua and Coastal Tasman water supply
  - ✓ Extensive aquifer testing and well field design
  - ✓ AEE prepared for TDC hearing
  - ✓ Recommendations to enhance monitoring network (new bores installed)

Model History Continued

- Stage 3: Model further enhanced by Aqualinc 2008-2011
  - ✓ Work completed for TDC's E&P department
  - ✓ Multiple scenarios of water management tested
  - ✓ Management criterion targeted no saltwater intrusion beyond coastal margin
  - ✓ Restrictions in Hau Plains shown to be an effective means to reduce risk of saltwater intrusion while allowing additional groundwater use
  - ✓ 24,500 m^3/day from Central Plains and Te Matu zones (combined) added to TRMP limit at the time
  - ✓ Council hearing: February-March 2010

- Stage 4: Model Update 2011-2015
  - ✓ New monitoring data included and model further developed (including extending the simulation time)
  - ✓ Multiple management scenarios tested
  - ✓ Sustainable additional abstraction could be increased from 24,500 m^3/day to 30,000 m^3/day
  - ✓ Environment Court hearing: February 2012 (Wakatu)

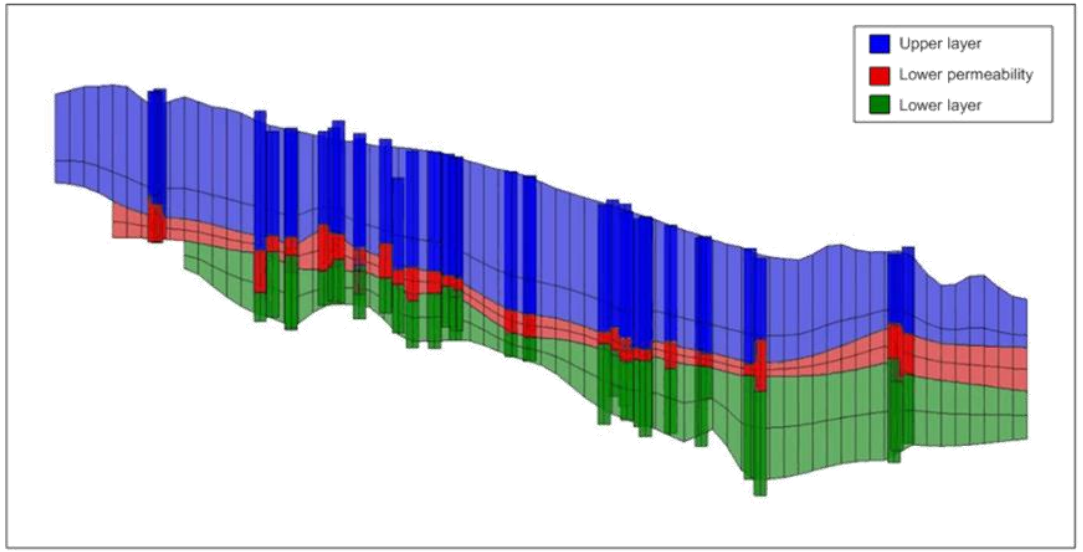
Model History Continued

- Stage 5: Model update by Aqualinc in 2015-2018
  - ✓ Minor changes to the model
  - ✓ Assessed effects of climate change and sea level rise scenarios
  - ✓ Preliminary development of nitrogen transport model
    - Utilised nitrate loss data from Waimea Plains
  - ✓ Current state of the model
- Current Status
  - ✓ Working towards TRMP plan review for NPSFM / PIP (Provisionally 2023/24 - Subject to review of other priority Catchments and any requirements from changes to the NPSFM)

Model extent

Key Model Features

- 3D structure, constructed from bore logs
- Cross section example approximately along Whakarewa Street from Woodman's bend to the sea



- Cell sizes: 100 m x 100 m uniform grid
- Land surface elevations from LiDAR surveys

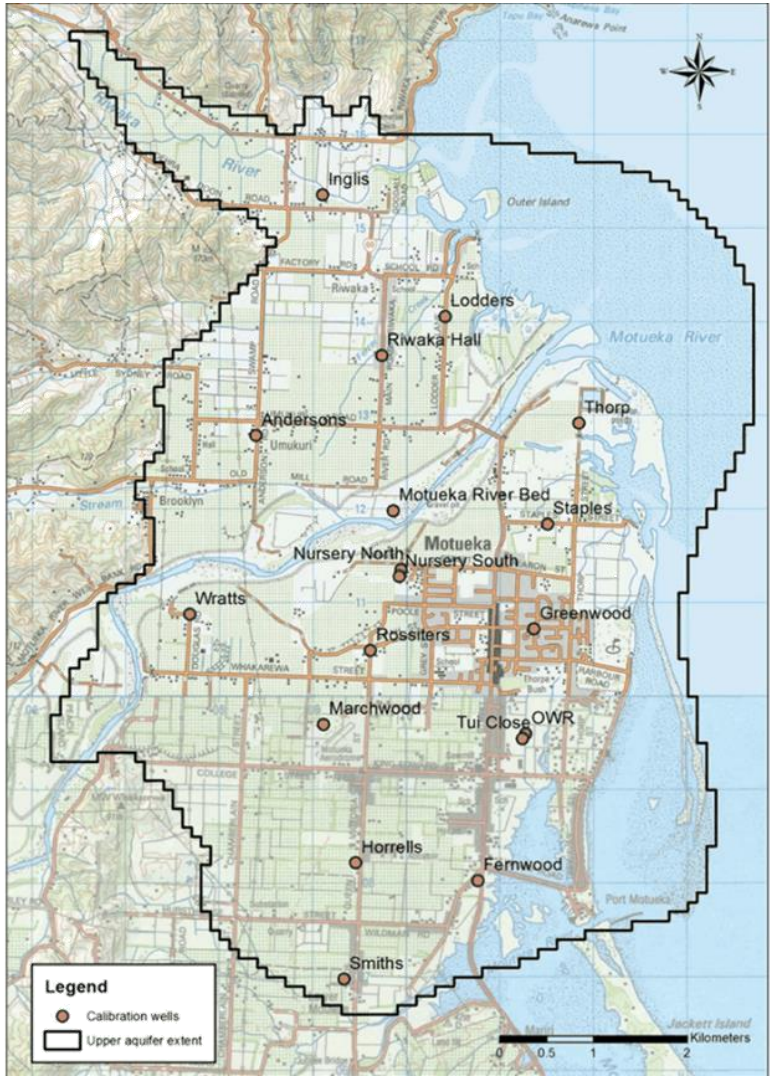
Key Model Features

- Land surface recharge and irrigation pumping calculated using:
  - ✓ Daily climate date (rainfall and evapotranspiration)
  - ✓ Soil properties
  - ✓ Irrigation techniques
  - ✓ Land use
- Time-varying land use in three steps:
  - ✓ 1998/99
  - ✓ 2004/05
  - ✓ 2011/12
- Model developed with daily time series of input data
  - ✓ 1/6/90 to 31/5/12 (22 years)

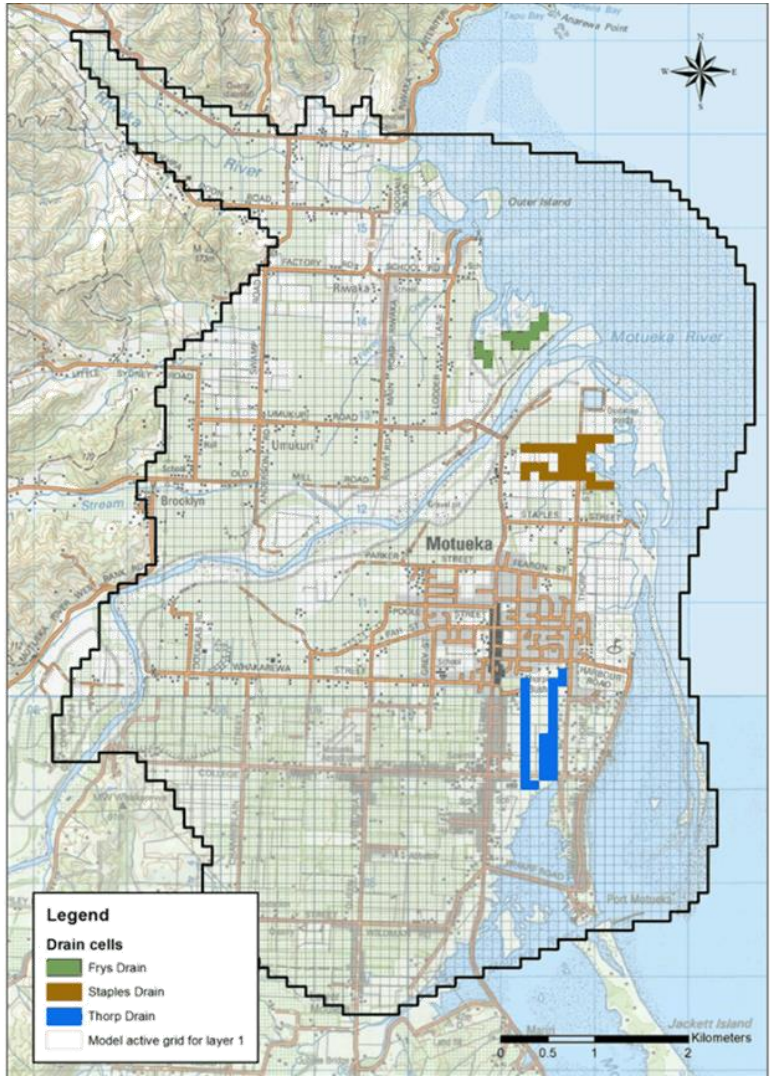
Key Model Features

- Rivers and streams
  - ✓ Motueka, Riwaka, Little Sydney and Brooklyn
  - ✓ Variable-shaped cross sections (measured)
- Drains
  - ✓ Thorpe, Staples and Frys
- Wells
  - ✓ Irrigation, individual domestic, community and industrial
- Sea
  - ✓ Off shore, surface and subsurface flow

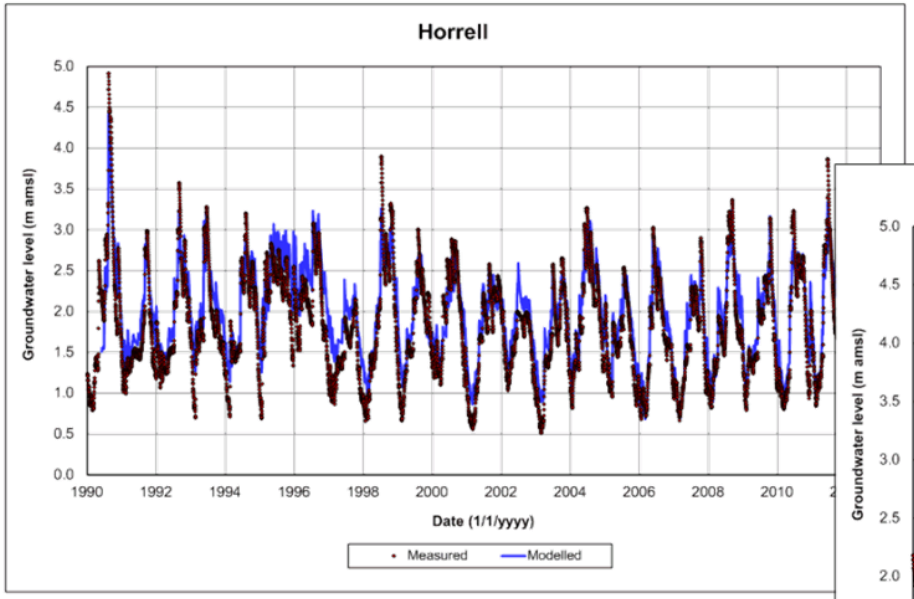
Calibration to data from 18 monitoring bores (shown)

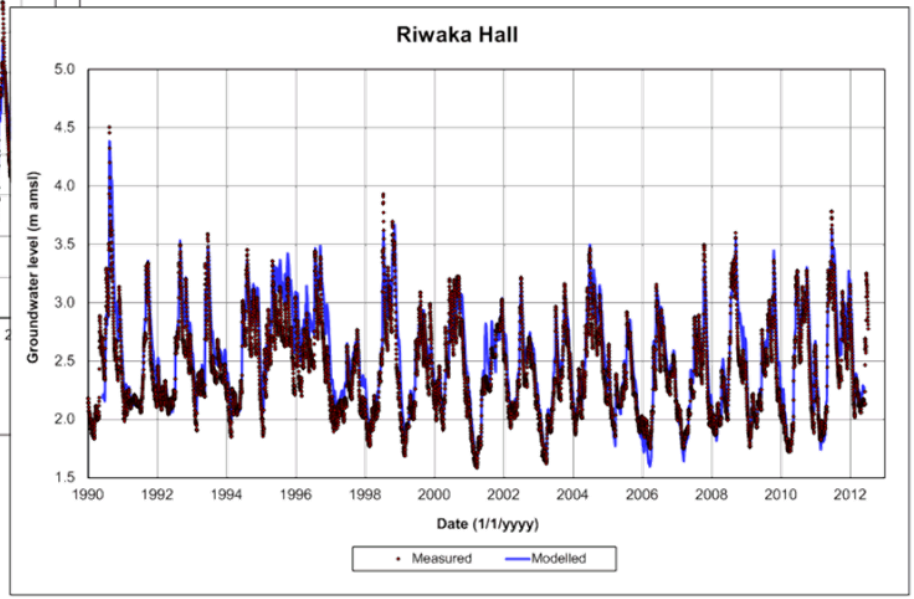


Calibration to gauged flows in Thorpe, Staples and Frys drains (shown)



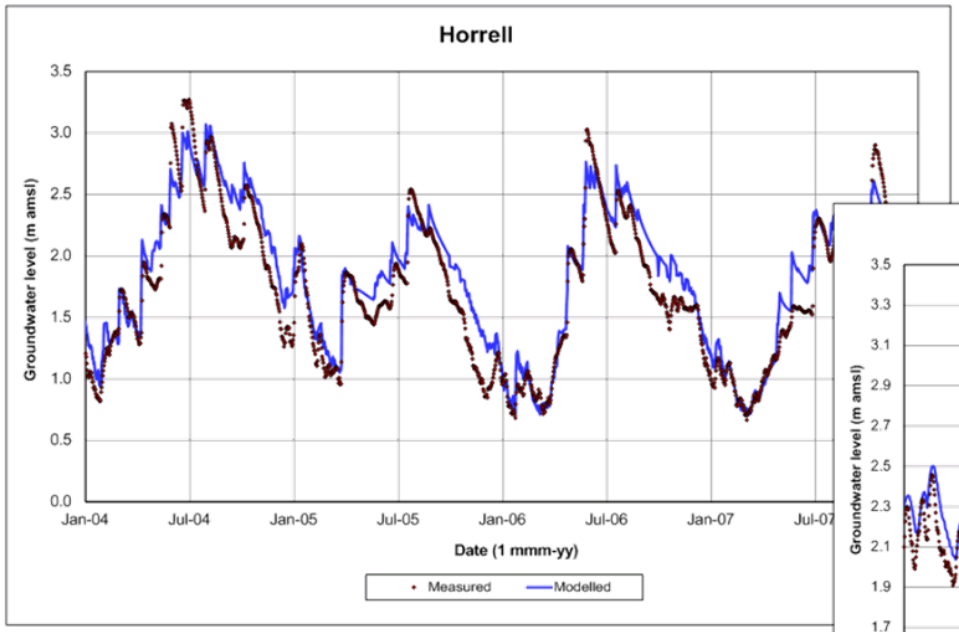
Example of groundwater level calibration

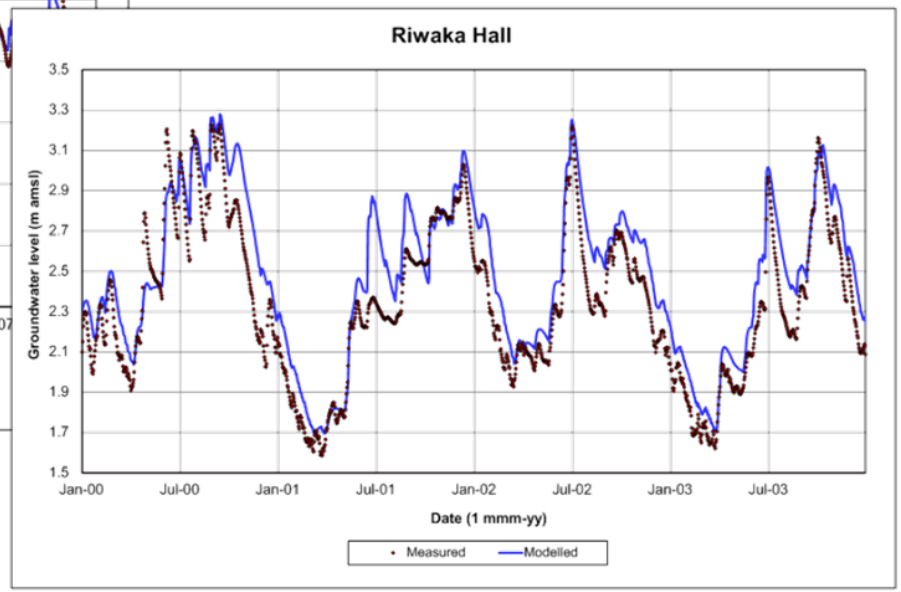




Excellent calibration achieved - good data and collective expert knowledge of TDC staff and consultants

Example of groundwater level calibration: zoomed in





Scenarios

- Multiple scenarios developed:
  - ✓ No groundwater pumping (quasi-natural)
  - ✓ Status quo: 2011 conditions (incl. land use) over full model period = baseline
  - ✓ 20,000 m^3/day from Parker St well field
  - ✓ 25,000 m^3/day from Parker St well field
  - ✓ 30,000 m^3/day from Parker St well field
    - Above 3 x scenarios both with and without Hau Plains restrictions
  - ✓ Motueka River bed degradation (0.3 m drop at Woodman's bend since 1978)
  - ✓ Projected sea level rise (1.0 m) [JT add date for projection]
  - ✓ 4 x scenarios considering climate change predictions (over a range of forecasted rainfall and temperature changes)
    - Incudes changes in land surface recharge, river flows and water demand

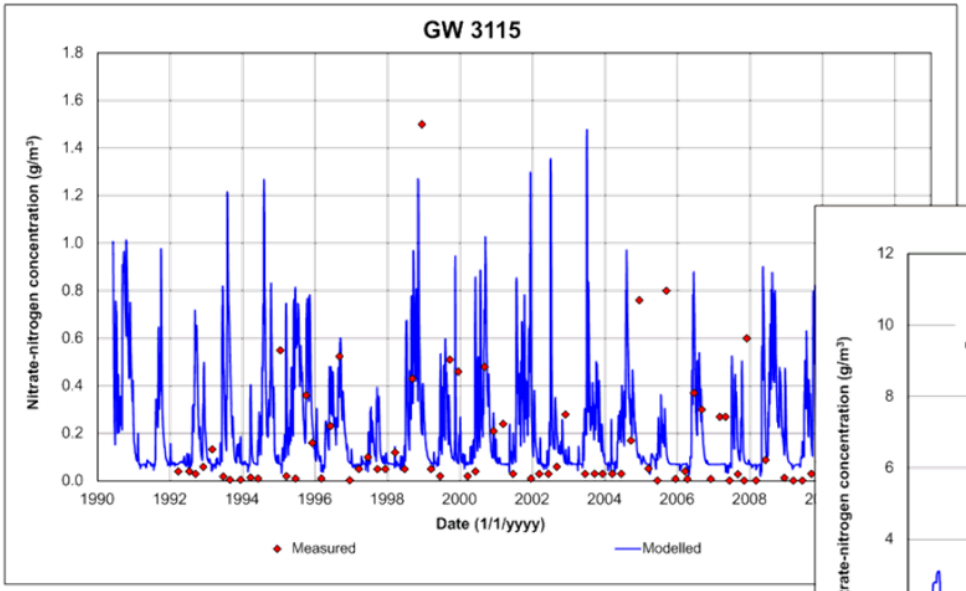
Allocation Decision

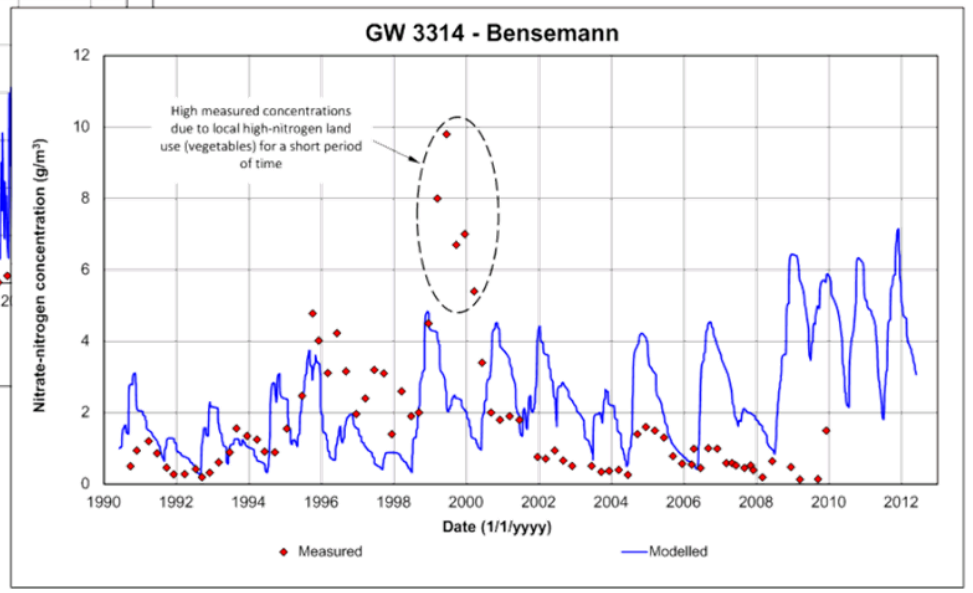
- Key decision criterion was saltwater intrusion:
  - ✓ Groundwater levels in the Fernwood monitoring bore; and
  - ✓ Flow at the coast
  - ✓ Both considered during droughts of 2001 and 2006 (naturally low groundwater levels)
- 24,500 m^3/day extra allocation in TRMP
- Up to 30,000 m^3/day additional abstraction currently sustainable, not allowing for sea level rise or climate change
  - ✓ Further research needed to quantify effects of climate change on allocation
- Informs next TRMP review

Nitrogen Transport Modelling

- Built on flow model, with addition of solute transport
- Specified nitrate-nitrogen losses (below root zone)
  - ✓ Used nitrate-nitrogen loss data from the Waimea Plains, applied to Motueka area based on land use, soil types and rainfall
- Transient nitrate-nitrogen losses (daily time steps)
- Calibration good in a few monitoring bores, but generally poor overall
  - ✓ Poor fit largely due to not using local nitrate-nitrogen loss model data
- Eventual application to land management for water quality outcomes under the NPSFM

Example groundwater nitrate conc. calibration





Recommended Future Work

- Continue monitoring:
  - ✓ Groundwater levels and nitrogen concentrations
  - ✓ River and drain flows
  - ✓ Land (and water) use
  - ✓ River bed levels
- Further mapping of historical land use
- Update model run period and incorporate new monitoring data
- More scenarios needed if additional abstraction is to be considered or if mitigating against climate change and sea level rise is to be investigated
- Calculate nitrate losses specifically for the area (rather than using data from Waimea Plains)

9 REPORTS

9.1 REJUVENATION OF FIRE DAMAGED NATURAL BUSH

Decision Required

Report To:	Environment and Planning Committee
Meeting Date:	5 September 2019
Report Author:	Adrian Humphries, Regulatory Manager
Report Number:	REP19-09-2

1 Summary

1.1 This report asks for Council support to seek Lotteries Commission funding to rehabilitate land with significantly high habitat value affected by the Pigeon Valley fires. About 2,450ha of land was affected by the fires. Within the burnt area were remnants of native vegetation, some of which were completely destroyed and others partially burned. Five areas were recorded as Significant Natural Areas (SNAs) on the Council SNA register. Two of the five SNAs were large, 54ha and 10ha, and the others no more than 1ha. In addition, there were smaller areas of riparian vegetation lost around streams.

1.2 Significant Natural Areas (SNAs) are sites that have been identified as having natural ecosystem values that are representative, rare, diverse, and provide important corridor connections or habitats for rare indigenous species.

1.3 The largest area affected was one of the most important in the Waimea Ecological District. It included alluvial valley bottom forest grading into beech forest on the hills. At least half of the 54ha was burned, including two wetlands, and most of the hill beech was burned. This large area is on land owned by Tasman Pine Forests Ltd and is in process to become subject to a Conservation Covenant in favour of the Department of Conservation. The 10ha block is on land owned by Carter Holt Harvey and is not legally protected. Further information on the value of these areas is provided in Appendix 1 of the attached report.

1.4 In addition, there are areas on small holdings where the land was burned or damaged in the fire control operations where the owners want to plant in more fire resistant native vegetation. This includes another covenant area. Some of the areas burned or disturbed offer opportunities to establish wetlands in an area where most have been lost.

1.5 A range of interest have been discussing how best to protect and enhance the damaged SNAs. Funding assistance will be needed to translate intentions into reality. Given the relationships built between the landowners, other interests, and the Lottery Commission, the Council is seen as being best placed to make an initial application to the Lotteries Commission for funding to start this project.

1.6 The Council is not being asked for any direct funding. Support to make the application and oversee the work is requested.

2 Draft Resolution

That the Environment and Planning Committee

1) receives the Rejuvenation of Fire Damaged Natural Bush report REP19-09-02; and

2) notes that there is community and land owners support to see what can be done to rehabilitate significant natural areas affected by the Pigeon Valley fires

3) agrees that Council should work with other stakeholders to apply for Lotteries Commission and/or Te Uru Rakau funding to assist in the restoration of significant natural areas affected by the Pigeon Valley fires

3 Purpose of the Report

3.1 This report seeks Council agreement to an application being made to the Lotteries Commission for funding to enable restoration of significant natural areas adversely affected by the Pigeon Valley fires.

4 Background and Discussion

4.1 The Pigeon Valley fires affected an area of around 2450Ha and destroyed a significant amount of plantation forestry. What is less well known is that within the burnt areas were five Significant Natural Areas (SNAs); these are sites that have been identified as having natural ecosystem values that are representative, rare, diverse, and provide important corridor connections or habitats for rare indigenous species.

4.2 The largest of the SNAs is located in the Teapot Valley area on 54Ha of land owned by Tasman Pine Forests Ltd (TPF). The other SNAs range in size, one being of 10Ha on Carter Holt Harvey land, the other three are less than 1Ha.

4.3 The level of damage sustained varies from site to site, however an opportunity exists to restore these to their previous condition or better.

4.4 Through the civil defence response and recovery, there is support from key landowners and agencies to work together and restore some (if not all) of the SNAs. In order for the project to be successful it would require coordination of a number of parties from land owners, workers, to external funders. It is anticipated that this project would take years and would need to be managed by a suitable person(s) with support from a number of agencies.

4.5 Funding for the project, including the costs of a project manager, could be provided by Lottery Grants and/or the Government's "Billion Trees" programme. Some work to explore these opportunities has been done on this.

4.6 Attached to this report is a report by Peter Lawless who was employed by Nelson/Tasman Civil Defence to coordinate the environmental pou (element) of the recovery effort following the Pigeon Valley fires. This report was informed by site investigations post-fire and earlier work carried out on behalf of council by Mike North on the SNAs in the area.

5 Stakeholders

5.1 In order for the project to be successful it is anticipated that a large number of stakeholders will need to be involved to some extent. The list below is not exhaustive:

5.1.1 Tasman District Council
5.1.2 The Lottery Commission
5.1.3 Te Uru Rakau – Ministry of Primary Industries Forestry
5.1.4 Landowners – Tasman Pine Forests, Carter Holt Harvey etc
5.1.5 Iwi
5.1.6 Department of Conservation
5.1.7 Forest & Bird
5.1.8 Fish & Game
5.1.9 Tasman Environment Trust

6 Options

6.1 There are several options open to the Council if it considers there is merit in supporting work to rehabilitate SNAs affected by the fires.

6.2 Council could support the project and coordinate it through existing staff. Some staff have had input into creating the SNAs so have knowledge of them. However, this was pre-fire and involved their classification as SNAs; restoration is a different challenge. There is also no capacity within current work programmes to allow this to occur. A staff ecologist with the required skill set could carry out the role, however, this position is currently due to come on line in year 4 of the Long Term Plan (2022/23). Due to lack of resource **this is not a preferred option.**

6.3 Council appoint a Project Manager or Agency to oversee the work. Council have contact with all of the agencies and stakeholders. It seems logical that council would have a central role in coordinating this project either directly or through proxy. Relationships have been formed with most, if not all of the stakeholders and it should be possible to construct a viable project brief and employ a suitable proxy to project manage. **This is the preferred option** in terms of delivering an outcome. Council would have oversight of a very significant project in our district whilst avoiding undue cost and effort.

6.4 Council could rely on others to coordinate the work. Indications are that none of the other stakeholders have the ability or resources to take this role on. **This is not a preferred option**.

6.5 The Council could elect to do nothing. The remaining areas of SNAs would be left as they are. As it is unlikely that they will recover well without management, t**his is not a preferred option.**

6.6 Council, as environmental manager for Tasman District, having identified these areas as SNAs, should try to find an affordable and effective means whereby these areas can be restored. Supporting an application for external funding is a **preferred option**.

7 Strategy and Risks

7.1 The success of the project is dependent on effective leadership and a collaborative effort by the land owners and several different agencies. All indications so show that the landowners and agencies listed in 5.1 above are engaged and supportive. Management of these relationships and a well-defined project are critical to success.

7.2 For the project to be successful, adequate funding will be required. If lottery funding is not available and no alternative source of funding secured, the project would not be viable in its current form. It has been made clear that council would not be the source of funding.

7.3 The project provides an opportunity to look at how to make natural areas more resilient to fire hazards and climate change generally.

8 Policy / Legal Requirements / Plan

8.1 The effects of the status of the land as a Significant Natural Area (SNA) may have some influence on what can occur, especially as a National Policy Statement on Biodiversity is

currently being drafted. However, it is unlikely that the project would conflict with the NPS as it would be enhancing the SNAs.

8.2 Agreements on the work to be carried out, access for agencies and possibly the public would have to be established.

8.3 A project plan to cover the life of the project and an end state would also need to be agreed.

9 Consideration of Financial or Budgetary Implications

9.1 As you will see in Mr. Lawless's report, the project is expected to cost in the region of $2.7 million. These costs would be sought from Lotteries Commission funding and/or Te Uru Rakau – Ministry of Primary Industries Forestry (Billion trees).

9.2 Other than staff time to act as partners, there are no obvious costs to council.

10 Significance and Engagement

10.1 This project is considered to be of moderate significance overall but at this stage, staff are only seeking agreement to seek funding. As stakeholders have been involved in discussing the best ways of rehabilitating the SNAs affected by the fires, no further engagement is required at this stage.

Issue	Level of Significance	Explanation of Assessment
Is there a high level of public interest, or is decision likely to be controversial?	Low	Most people are unaware of the existence of the SNAs. Contact shows those with the knowledge are very supportive of the project.
Is there a significant impact arising from duration of the effects from the decision?	High	If successful the project would protect our regions natural heritage for many years to come.
Does the decision relate to a strategic asset? (refer Significance and Engagement Policy for list of strategic assets)	No	
Does the decision create a substantial change in the level of service provided by Council?	No	
Does the proposal, activity or decision substantially affect debt, rates or Council finances in any one year or more of the LTP?	No	
Does the decision involve the sale of a substantial proportion or controlling interest in a CCO or CCTO?	No	
Does the proposal or decision involve entry into a private sector partnership or contract to carry out the delivery on any Council group of activities?	Yes	The project would see council acting as partners in an environmental enhancement project.
Does the proposal or decision involve Council exiting from or entering into a group of activities?	Yes	The activities are not new to council but involvement in this project would be new.

11 Conclusion

11.1 This project presents an opportunity for council to save Significant Natural Areas in our district. The project would have unique benefits for our region and enable us to work with partner agencies in a very positive manner. This would create ongoing assets for future generations at little or no cost to the ratepayer.

12 Next Steps / Timeline

12.1 An application would be made to the Lotteries Commission by Council for initial funding. This funding would be to appoint a project manager to bring the various agencies and elements of the project together. This would be done before end of October.

12.2 Contact has already been made with Te Uru Rakau – Ministry of Primary Industries Forestry (Billion Trees). They would be requested to indicate exactly what support they can give.

13 Attachments

Native Forest Revegetation- Tasman Fires

Version 4

10 April 2019
Peter Lawless – Natural Environment Pou Leader

Recommendations

It is recommended:

1. That applications are made to the Billion Trees Programme and to Lotteries to co-fund replanting:

Teapot Valley	Tasman Pine Ltd	$2,340,000
Eves Valley	Tasman Pine Ltd	$388,000
Total		$**2,728,000** + GST

2. That application is made to the Billion Trees Programme for a Partnership Programme for workforce development to provide the labour for to support tree planting and maintenance. This application to be jointly developed with the Tasman Environmental Trust and potential providers.
3. To use learning the Tasman Pine Ltd process to decide on whether to proceed with applications for the Carter Holt Harvey SNA, the private land holdings and/or other riparian margins.

Purpose

This paper sets out proposals for re-establishing native vegetation on land damaged by the Tasman fires in 2019.

Context

A report dated 10 April 2019 provided costings for soil stabilisation and for replanting native vegetation in the burned area.

Funding for the soil stabilisation was provided by Lotteries but no application has yet been made for funds for replanting native vegetation.

A meeting with Forestry NZ on 10 June 2019 provided information suggesting that the Billion Trees Fund would be open to co-funding such work and the criteria that they would apply. The current paper therefore sets out full costing for the work and proposals for how co-funding might be approached.

Issues

Within the 2,000ha of land that was burned were remnants of native vegetation. Some of these were completely destroyed and others partially burned.

Five were recorded as Significant Natural Areas (SNAs) on the registers of the Tasman District Council. Two of the five SNAs were large, 54ha and 10ha, and the others no more than 1ha. In addition, there were smaller areas of riparian vegetation lost around streams. The largest area affected was one of the most important in the Waimea Ecological District. It included alluvial valley bottom forest grading into beech forest on the hills. At least half of the 54ha was burned including two wetlands and most of the hill beech was burned. This large area is on land owned by Tasman Pine Forests Ltd and is in process to become subject to a Conservation Covenant in favour of the Department of Conservation. The 10ha block is on

land owned by Carter Holt Harvey and is not legally protected. Further information on the value of these areas is provided in Appendix 1.

In addition, there are areas on small holdings where the land was burned or damaged in the fire control operations where the owners want to plant in more fire resistant native vegetation. This includes another covenant area.

Some of the areas burned or disturbed offer opportunities to establish wetlands in an area where most have been lost.

Billion Trees

The One Billion Trees Programme provides direct landowner grants and partnership grants. There is potential to apply under both categories. Landowner grants must be applied for by the landowner while partnership grants might relate to a third party.

Landowner grants

Landowner grants are for areas over 1ha. The category in the programme is for "Indigenous mix" at a rate of $4,000 per ha with a top up of $2,000 per ha for ecological restoration partnership. However, the Tasman Environmental Trust and the Department of Conservation have applied for a grant for $15 per tree which at the standard planting rate of 4,000 to 4,500 stems per hectare gives a much higher real cost of $60,000 to $67,500 per ha. The $15 per stem is a realistic cost for full establishment of $3 per root trainer, $3 to plant and $3 x 3 visits to release the tree from weeds. This application has been approved in principle pending evidence of iwi consultation.

Partnership grants

Partnership grants can be applied for by a range of parties including councils and NGOS. There are no financial guidelines provided for these but work on the burned area could fall under a number of the favoured criteria including:

1. Labour and workforce development;
2. Advice to landowners;
3. Landscape scape restoration;
4. Contributing to more trees in the ground.

Lotteries

Lotteries provides grants environmental restoration. It has two categories, under $250,000 for small grants and over $250,000 for large grants. The Council has an established relationship with Lotteries in relation to the fire recovery process. Lotteries prefers that it funds no more than 2/3 of a programme with funds also coming from other providers. It also does not want to be approached for funding that is properly provided by central or local government.

Priorities

The highest priorities are to replant:

1. The burned margins of the SNAs;
2. riparian margins of seasonally flowing streams;

3. burned and newly created wetlands.

Priority 1 Teapot Valley SNA

The Teapot Valley SNA has the highest priority as:

1. It is the largest, most significant SNA at over 50ha;
2. It was severely damaged by the fire;
3. The owner, Tasman Pine Ltd is well disposed to replanting;
4. The area is in process to be protected under a conservation covenant with the Department of Conservation.

Figure 1 Teapot Valley SNA 6 weeks after the fire

Priority 2 – Upstream of Eve's Valley Scenic Reserve

The Eve's Valley upstream of the Eve's Valley Scenic Reserve is the second priority as:

1. It is connected to the Eve's Valley Scenic Reserve which is a regenerating beech-podocarp forest covering 28 hectares;
2. It was severely damaged by the fire;
3. Replanting work in this area connects to replanting by DOC in the Scenic Reserve;
4. The owner, Tasman Pine Ltd is well disposed to replanting;
5. Earthworks to create ponds for fighting the fire can be rehabilitated as wetlands allowing the rarest forest types to be established on the valley floor.

Figure 2 Margins of the Eve's Valley Scenic Reserve burning

A stream in Eves Valley was dammed and a deep pond cut into its bed to provide water for firefighting. This area needs to be re-contoured to return the stream to its course, shape the land back into an alluvial valley bed with some formation of wetlands that have been damaged and be replanted.

Priority 3 - Eves Valley – Carter Holt Harvey SNA and riparian margins

The Carter Holt SNA is the third priority. This 10ha SNA is an important area and, should CHH agree, the downstream riparian margins can also be planted. A covenant for legal protection could be sought over the area.

Priority 4 – Private blocks

The fourth priority is smaller areas on private blocks. Most of these are below the 1ha threshold and most do not have legal protection.

Priority 5 – Other riparian margins

The fifth priority would be to plant out further riparian margins in the burned area. Many of these had native vegetation that was destroyed in the fire and will not be replanted in pines.

Figure 3 Burned riparian margins upper Teapot Valley

Cost calculations

All cost calculations are GST exclusive.

Based on preliminary inspections we assume that:

1. Half the SNA areas have burned;
2. All riparian margins need replanting;
3. Land unaffected by the fire and fire control is not included;
4. The land remediation team that has inspected all the affected properties outside the forestry land has estimated that 50ha of land will be suitable for replanting in natives and that landowners are supportive.

Note that we have not yet been able to have a site visit with Carter Holt and are assuming they will be open to native replanting.

Replanting costs are provided for 111ha of disturbed lands covering the four priorities above. Priority five is not included as logistics of seedling production and planting would make this impractical.

The cost calculations were made up of:

- Tasman Pine 39ha
- Carter Holt 22ha
- Smaller blocks 50ha.

Replanting native vegetation involves the following steps:

1. Gather seed from native plants in the area;
2. Grow seedlings;
3. Remove pests and weeds that will kill your plants;
4. Plant out the seedlings with protection sleeves and gel;
5. Regularly remove weeds around your plants until they can survive on their own.

The first two steps are reflected in the price of the seedlings from the nursery at about $3.00 per plant. The planting comes to $3.00 per plant giving a total cost per plant and maintenance of $6.00 to establishment. Native trees are planted at about 1.5m centres giving 4,000 to 4,500 per hectare, or a total cost to low maintenance establishment of $60,000 per hectare.

Some weeds such as grasses, blackberry and Old Man's Beard, and some pests such as possums require ongoing control. Ongoing plant maintenance and control costs are estimated as $9 per stem allowing for 3 maintenance visits.

Estimated costs

Teapot Valley – Tasman Pine Ltd

1. Half of the SNA = 27ha
2. Two kms of riparian margin on Tasman Pine land at 30m each side = 12ha

Total area = 39ha

Total cost = $2,340,000

Eves Valley– Tasman Pine Ltd

1. Tasman Pine riparian margin 800m at 30m each side = 4.8ha
2. Wetland establishment $100,000 including remediation of temporary dam area

Total area = 4.8ha

Total cost = $388,000

Eves Valley – Carter Holt Harvey Ltd

1. Half the SNA = 5ha
2. Carter Holt riparian margin 2km at 30m each side = 12ha

Total area = 17ha

Total cost = $1,020,000

Small holdings

1. 50ha

Total cost $3,000,000

Stream remediation

Total cost of replanting and stream remediation

The total cost of replanting and remediation is estimated at $6,750,000. What is recommended to be sought from funders is the lower amount of producing plants and putting them in the ground together with the cost of stream remediation. This is: **$2,759,200**

Note landowners are absorbing $4M of ongoing maintenance and giving up land for public value in biodiversity, visual amenity and in some cases recreation.

Labour

There are fears the government's goal to plant one billion trees by 2028 could be toppled by a chronic labour shortage. Radio NZ 12 June 2019[1]. *A report carried out by Coyne and Co Consultants last year for the association showed that 74 per cent of contractors were experiencing major difficulties recruiting suitably skilled workers. The report said 88 per cent of contractors believed shortages would get worse, as demand for services increased over the next three years.* Stuff January 2019.[2]

The biggest risk in this programme is a lack of labour to plant and tend the trees.

Forestry workers plant 600 to 800 pine trees a day. Volunteers in public programmes manage more like 100 trees per day. The native trees and shrubs will take more time than pines, but professional workers will do better than volunteers. If we assume 500 stems per day with three return visits for releasing at a similar work rate then the programme would need about 5 FTE over three years. This could be done with a dedicated team or by enhancing the capacity of existing commercial teams already in the area.

[1] https://www.rnz.co.nz/national/programmes/checkpoint/audio/2018699315/how-hard-is-it-to-plant-trees-for-a-living-lisa-owen-finds-out

[2] https://www.stuff.co.nz/business/farming/110212861/400-a-day-forestry-industry-told-to-improve-pay-to-meet-one-billion-tree-planting-target

Developing such capacity would be suitable for a Partnership Grant under the Billion Trees Programme. The cost of such a programme would require research with appropriate providers and contractors.

Appendix 1 Significant Natural Areas

Teapot Valley SNA

MU55

Assessed by Michael North

December 2010

The site was assessed as being one of the more important sites in the Moutere Ecological District because of:

1. Being an unusually large remnant;
2. The juxtaposition of alluvial and hillslope forest on a larger scale;
3. Having one of the best examples of alluvial forest remaining in the district;
4. The presence of a small wetland;
5. The good condition of the vegetation with little ungulate browse;
6. Containing forest types that now almost extinct in the district;
7. The high number of plant species (106);
8. Containing unusual outliers of species and regionally rare species;
9. Being important for native birds.

Eves Valley SNA

MU 181

Assessed by Michael North

March 2012

The site was assessed as an important sites in the Moutere Ecological District because of:

1. Being a relatively large remnant;
2. The largest and best stand of Kahikatea remaining in the district;
3. Having one of the best examples of alluvial forest remaining in the district;
4. The good condition of the vegetation with little ungulate browse;
5. Containing forest types that now almost extinct in the district;

9.2 UPLIFT OF DEFERRED ZONE AT 405 LOWER QUEEN STREET

Decision Required

Report To:	Environment and Planning Committee
Meeting Date:	5 September 2019
Report Author:	Maxine Day, Team Leader - Urban and Rural Development Policy
Report Number:	REP19-09-3

1 Summary

1.1 This report seeks approval for the deferred zone at 405 Lower Queen Street, Richmond to be uplifted by resolution of Council.

1.2 The resolution will enable the removal of the 'Rural 1 deferred Mixed Business' zone status for Lot 1 DP 511566 (CT 786168) at 405 Lower Queen Street, Richmond. The land will become 'Mixed Business Zone' in accordance with Rule 17.14.2 of the Tasman Resource Management Plan (TRMP).

1.3 The Engineering Services Manager supports the removal of the deferred zone and has confirmed by letter dated 26 July 2019 that 'appropriate services have been installed to this site'.

1.4 The site was deferred for the following services: *Richmond West Development Area D – Reticulated water supply, wastewater and stormwater services (Borck Creek and Poutama Drain construction).*

1.5 Following approval of the recommended resolution contained in this report, the TRMP Schedule 17.14A and corresponding TRMP Zone and Area maps 23, 57, & 124 will be updated to reflect the removal of the deferred zone status.

1.6 The change takes effect from the date Council makes its resolution. The landowner has been advised by letter of the change.

1.7 For Richmond West Development Area, the deferred Fire Ban area will also be uplifted in accordance with Rule 17.14.2.

2 Draft Resolution

THAT the Environment and Planning Committee

1) receives the Uplift of Deferred Zone at 405 Lower Queen Street REP19-09-03; and

2) approves the removal of the Rural 1 Deferred Mixed Business zone status and associated Deferred Fire Ban Area for Lot 1 DP 511566 (CT 786168) at 405 Lower Queen Street and its rezoning in accordance with the following update to Schedule 17.14A, including consequential changes to the planning maps, pursuant to Rule

17.14.2(b)(viii) of the Tasman Resource Management Plan, effective over that land from the date of this resolution.

Schedule 17.14A amendment

Location of Area	Effective Zone until Removal of Deferral	Reason for Deferral	Expected Date of Resolution for Removal of Deferral	Where Services Proposed by Developer, Legal Description of any Part of Area where Deferral Removed	Where Services Proposed by Developer, References to Detailed Performance Requirements and Engineering Plans of Services Approved by Council	Effective Zone after Removal of Deferral
Richmond West Development Area (planning maps 23, 57, 121 - 125, 127, 128, 130)						
Areas notated D on the planning maps - Lot 1 DP 511566	Rural 1	Area D: Reticulated water, wastewater and stormwater (Borck Creek and Poutama Drain construction) services required.	5/09/2019			Mixed Business

3 Purpose of the Report

3.1 To seek a resolution from Council to uplift the deferred zone at 405 Lower Queen St, Richmond.

4 Background and Discussion

4.1 The property affected is located in the deferred zone area of Richmond West (Figure 1). These properties were deferred on the basis of a lack of infrastructure services.

4.2 Figure 1 – Location map: 405 Lower Queen St shown as hatched area.

4.3 The TRMP enables the deferred zone to take effect once the specified services outlined in Schedule 17.14A have been provided, in accordance with Rule 17.14.2:

> *17.14.2 Procedure for Removal of Deferral*
>
> *(a) Any area of land listed in Schedule 17.14A and shown on the planning maps that is zoned Rural 1, Rural 2, Rural Residential, or Residential and with a notation of Deferred Residential, Deferred Mixed Business, Deferred Light Industrial, Deferred Rural Residential, Deferred Tourist Services, Deferred Heavy Industrial, or Deferred Papakainga zone, becomes effective as the zone that is deferred, from the date that Council resolves that:*

(i) the relevant service being a reticulated water supply, wastewater, stormwater, or transportation service, as applicable, has been provided, or can be provided to the satisfaction of the Council, either for the whole or for any part of each area of land, including any part that is sought to be developed, to service the land; or

(ii) where applicable, the date until which the area remains deferred is now due.

(c) The removal of the deferred status and the commencement of the new effective zone as listed in Schedule 17.14A is effected by a resolution of Council when the required services have been provided, or can be provided, to the satisfaction of the Council and the Plan is amended without further formality from that date of resolution, to show the new effective zone. Council will advise landowners when it has made a resolution.

***Note:** The land subject to deferred zone rules in the Richmond West Development Area will become Fire Ban Area once the deferral has been removed.*

4.4 The Engineering Manager has provided a letter dated 26 July 2019 advising that the services have been installed as below:

- Wastewater reticulation for the development will be via connection to the low pressure sewer system in Lower Queen Street.
- Water will be via an interim supply that will serve a maximum of 10m^3/day.
- Stormwater will be via a discharge to the new 1200mm diameter pipe recently installed in Lower Queen Street.

4.5 As a consequence of the letter, and following a resolution of Council, Schedule 17.14A will be amended to reflect the uplifted zone on the land at 405 Lower Queen St as follows:

Location of Area	Effective Zone until Removal of Deferral	Reason for Deferral	Expected Date of Resolution for Removal of Deferral	Where Services Proposed by Developer, Legal Description of any Part of Area where Deferral Removed	Where Services Proposed by Developer, References to Detailed Performance Requirements and Engineering Plans of Services Approved by Council	Effective Zone after Removal of Deferral
Richmond West Development Area (planning maps 23, 57, 121 - 125, 127, 128, 130)						
Areas notated D on the planning maps - Lot 1 DP 511566	Rural 1	Area D: Reticulated water, wastewater and stormwater (Borck Creek and Poutama Drain construction) services required.	5/09/2019			Mixed Business

5 Options

5.1 The two options available to Council are to resolve to uplift the deferred zone or to leave the deferred zone in place.

5.2 As the land in question meets the conditions necessary for uplifting the deferred zone, and there are no outstanding servicing requirements, staff recommend the land becomes Mixed Business Zone.

6 Strategy and Risks

6.1 There are no material risks or strategy implications from this decision.

7 Policy / Legal Requirements / Plan

7.1 The planning process and requirements are set out in the TRMP. The correct process for uplifting the zone has been followed.

8 Consideration of Financial or Budgetary Implications

8.1 There are no new financial or budgetary implications for Council.

8.2 The affected property owner has been advised that the change in zoning may affect the rateable value of the land at the next valuation. The standard process for objecting to rates will apply.

9 Significance and Engagement

9.1 There is only low levels of significance for Council or ratepayers in this decision. No consultation is required.

Issue	Level of Significance	Explanation of Assessment
Is there a high level of public interest, or is decision likely to be controversial?	Low	
Is there a significant impact arising from duration of the effects from the decision?	Low	
Does the decision relate to a strategic asset? (refer Significance and Engagement Policy for list of strategic assets)	Low	
Does the decision create a substantial change in the level of service provided by Council?	Low	
Does the proposal, activity or decision substantially affect debt, rates or Council finances in any one year or more of the LTP?	Low	
Does the decision involve the sale of a substantial proportion or controlling interest in a CCO or CCTO?	N/A	
Does the proposal or decision involve entry into a private sector partnership or contract to carry out the deliver on any Council group of activities?	Low	
Does the proposal or decision involve Council exiting from or entering into a group of activities?	N/A	

10 Conclusion

10.1 Council can approve the uplift of the deferred zone at 405 Lower Queen St. The property will become Mixed Business Zone from the date of the resolution of Council.

11 Next Steps / Timeline

11.1 Update the TRMP and advise the landowner of the change.

12 Attachments

Nil

9.3 INTENSIFICATION ACTION PLAN (NELSON TASMAN FUTURE DEVELOPMENT STRATEGY)

Decision Required

Report To:	Environment and Planning Committee
Meeting Date:	5 September 2019
Report Author:	Jacqui Deans, Urban Growth Co-ordinator
Report Number:	REP19-09-4

1 Summary

1.1 The Joint Committee of Nelson City and Tasman District Councillors adopted the Future Development Strategy (FDS) on 26th July 2019. One of the resolutions of the Joint Committee requests officers to prepare an intensification action plan to enable and incentivise urban intensification.

1.2 The FDS is a high-level plan that sets out how Nelson City and Tasman District will accommodate the next 30 years of housing and business growth. The FDS provides for a significant proportion of the capacity for growth across the region through intensification of existing urban areas. This is a shift from past growth patterns that have tended to rely on lower density urban expansion to meet demand. Within Tasman, intensification currently occurs predominantly in Richmond and at a modest rate. During the drafting of the FDS, both councils acknowledged that they should investigate ways of facilitating and incentivising urban intensification.

1.3 This report identifies known issues that affect the uptake of intensification and recommends potential responses that would form a scope of work for the intensification action plan. The aim is to facilitate and incentivise urban intensification in areas highlighted in the FDS. The timeline is to complete the intensification action plan by mid-2020. It is proposed to be joint with Nelson City Council, although the degree of overlap between councils on particular initiatives may vary. Staff at Nelson City Council are taking a similar report to its Planning and Regulatory Committee in September.

1.4 Possible changes in the next Long Term Plan (2021-2031), because of the intensification action plan, would enable the future intensification areas in the FDS. The FDS and the action plan will inform the review of the Regional Policy Statement and rezoning of land, consistent with the FDS, will be realised through the review of the District Plan.

1.5 The intensification action plan will explore issues known to affect the take up of intensification options and in doing so may uncover some other issues that are not so obvious. This will be a cross departmental project and external agencies will be consulted such as estate agents, developers and landowners. The intensification action plan will provide recommendations to address the problems where council has some control or influence and will look at whether it should create incentives for the take up of intensification.

1.6 Current known issues include market led issues, commercial feasibility, required infrastructure not in place and the regulatory framework that affects intensification. There

are also possible opportunities to help facilitate intensification including exploring the availability of council land or housing stock for possible intensification.

1.7 This report suggests a scope of work that the action plan will focus on. Staff will undertake a comprehensive scan before recommending council specific actions. Once this exercise is complete, recommendations would be prioritised and staged.

2 Draft Resolution

That the Environment and Planning Committee

1) receives the Intensification Action Plan Report REP19-09-04 (Nelson Tasman Future Development Strategy); and

2) approves the proposed scope of work for the joint intensification action plan with Nelson City Council, as outlined in Section 4.12

3 Purpose of the Report

3.1 To obtain approval for the scope of work proposed for the intensification action plan, which is to be complete by mid-2020.

4 Background and Discussion

4.1 The Nelson Tasman joint committee of 26th July adopted the Nelson Tasman Future Development Strategy. The FDS is a high-level plan that sets out how Nelson City and Tasman District will accommodate housing and business growth over the next 30 years. One of the resolutions of the Joint Committee of 26th July requests officers to prepare an intensification action plan to enable and incentivise intensification.

4.2 Intensification can take many forms, from small scale accessory units and tiny houses on existing sites to redevelopment around the edges of town centres, with apartments above shops and workplaces. This may involve removal of an existing house and replacement by several new ones or 'infill' where the existing house remains and another is added to the site. Also amalgamation of a number of sites may form one large development site – this is comprehensive redevelopment.

4.3 The FDS provides for a significant proportion of capacity for growth across the region through intensification of existing urban areas. Within the Nelson Urban Area this equates to 60% of the total projected capacity, in terms of numbers of dwellings. Across the whole region, it is approximately 45%. Throughout the two rounds of public consultation held on the FDS, there was a consistent theme of strong support for intensification of existing urban areas (rather than expanding on to productive land, or creating new settlements) as a way of accommodating growth.

4.4 Since intensification alone would not provide enough capacity or ensure a range of housing choice is provided, (especially important for Tasman District), greenfield expansion sites and some rural residential options are also provided in the FDS, while protecting high quality rural land where possible.

4.5 Within Tasman, intensification currently occurs predominantly in Richmond and at a modest rate. This is in part due to the recently made operative Richmond Housing Choice plan change that simplifies the resource consent requirements for intensification in central Richmond. Recently, resource consents for intensive style housing in Richmond have either been issued or are currently submitted for Elizabeth Street (two in number), Dorset Street, Arbor-Lea Avenue, Oxford Street, Hunt Street, Chisnall Street, Talbot Street, William Street and Croucher Street. These have mostly comprised the removal of one dwelling on a large section and its replacement with 3 or more dwellings. There are also a further 4 sites in pre-application discussions exploring intensive proposals. These are in addition to the approximately three retirement villages (Olive Estate, Stillwater Gardens and Oakwoods) that have been developing/redeveloping intensively in recent times and some of the gazetted special housing areas that have plans for medium density housing.

4.6 During the drafting of the FDS, both councils acknowledged that they should investigate ways of facilitating and incentivising urban intensification. The FDS proposes new areas for intensification including Motueka, Brightwater, Wakefield and an enlarged area around Richmond town centre. This is to help provide for the long term housing needs of residents in these towns, such as the ability for people to 'age in place'. The FDS also proposes large

areas of intensification clustered around Nelson city centre, to the south of the city centre, around Stoke and a smaller area at Atawhai.

4.7 Nelson City Council is progressing a climate change mitigation/adaptation strategy, which will address and integrate with improving the resilience of key infrastructure in areas subject to coastal and freshwater inundation, and determine what type of development may occur. Depending on the outcome of this work, further areas including Weka, The Wood, Vanguard, Gloucester, Tahunanui Drive and Beach Road may also be proposed for intensification.

4.8 Intensification will not be limited to existing urban areas. Some of the larger greenfield locations in the FDS will also be promoted for higher density living. That is, at the time of subdivision, a more intensive pattern of development will be planned for. This could include space for apartments close to a neighbourhood centre, or terraced housing arranged around a local park, with vehicle access by way of a rear lane.

4.9 Most of the new intensification areas in the FDS are proposed in the period 2028-2038, although this will be reviewed as part of the regular 3-year review of the FDS. However, the intention is to implement a range of initiatives within the next five to seven years to incentivise intensification as soon as possible.

4.10 The Nelson Tasman FDS states at page 7 that its successful implementation will require ongoing collaborative planning and aligned investment by Nelson and Tasman. This planning may include Central Government agencies such as the NZTA. One of the four key implementation tools identified is the intensification action plan to incentivise uptake of intensification options. While District Plan zoning will need to change in areas identified by the FDS to enable higher density development, the uptake of the opportunities provided is dependent upon a wide range of factors, some of which are beyond the control of Councils. Such factors include landowner circumstances, development feasibility, market demand, capacity of skilled labour, construction costs and methods, and banks' lending policies.

4.11 The intensification action plan will identify the levers available to the Councils and suggest incentives to encourage intensification in the identified areas. These may include a range of possible initiatives that Council can take that can contribute to making areas earmarked for intensification more desirable and attractive to prospective residents.

4.12 The following are known issues affecting intensification and there are likely to be more uncovered as work progresses. Potential responses (scope of work) to be explored through the intensification action plan, are also highlighted below:

4.12.1 Market led issues – understanding who our audience is for this type of housing; demographics, cultural familiarity and conservatism; high pricing of such housing. Potential scope of work - understand housing preferences and the popularity of denser living as well as what it can offer; engage with developers, estate agents, landowners etc; explore scope for synergies with mixed use development in town centres.

4.12.2 Commercial feasibility issues– two storey development in Tasman is apparently not economically feasible. Potential scope of work - explore why it is apparently not feasible to build two storey residential development in Tasman.

4.12.3 Required infrastructure issues – existing servicing deficiencies; expensive outlay for additional infrastructure and slow take up; development contributions and special assessments; providing the right type of reserve space; health and education deficiencies. Potential scope of work – find resolutions to existing

deficiencies; consider ways in which all types of new council infrastructure can incentivise take up of intensification; consider ways in which council can co-ordinate with central government on centrally funded community infrastructure in areas of intensification; and review the 2018 development contributions policy amendment for special assessments and consider alternatives including other funding and delivery models.

4.12.4 Regulatory framework issues - – plan rules for intensification – Plan Change 66 (operative in 2018) sought to enable intensification with cost effective and relatively simple rules but these may need reviewing; complex building consent requirements may deter applicants. Potential scope of work – referring back to the outcomes of the work with the Richmond Residential Advisory Group (2014) set up for Plan Change 66 – Richmond Housing Choice – to help determine whether existing objectives, policies and rules on intensive housing may need review, while still securing good urban design outcomes. (Note any review would be undertaken by the District Plan Review); preparation of a guide on common Building Act/Code requirements associated with intensification to make the process more understandable for applicants; review resource consent fees, building consent fees, and development contributions; and better understand how the release of greenfield expansion sites affects take up of intensification and make recommendations with regard to the release of capacity in the FDS.

4.12.5 Revenue and financing policy issues and potential impacts on intensification, including the effectiveness of the rates remission policy for rezoning of denser areas. Potential scope of work - consider revenue and financing policy impacts further as well as rates remission policy impacts on intensification proposals.

4.12.6 Issue of availability of council housing stock (relatively dense). Potential scope of work - Nelson City Council has highlighted this option but we could explore acquisition of sites to help catalyse development and explore collaboration with private sector housing providers on possible pilot projects.

4.12.7 Urban design issues – good urban design outcomes from intensification may encourage its uptake. Potential scope of work – consider ways council can assist with ensuring good urban design outcomes in common areas e.g. planting, ‘walking corridors’, kerb and road changes.

4.13 The initial research will take a broad scope to identify a long list of levers and initiatives that might be available to facilitate and incentivise intensive development. That list can then be refined to determine those relevant to local government. Once this exercise is complete, recommendations will be prioritised and staged and implications for the next LTP considered.

5 Options

5.1 The adopted FDS is a non-statutory plan that will inform a wide range of statutory plans at both councils. The FDS acknowledges that its success will depend on its joint council implementation through statutory plans and tools, such as, an intensification action plan.

5.2 There are three options in relation to the intensification action plan – to prepare a joint plan, to prepare a plan relevant only to Tasman, or not to prepare a plan. These are set out below:

Option	Pros	Cons
1. Prepare a joint intensification action plan with Nelson City Council **(recommended option)**	FDS was prepared jointly and it is critical that its implementation is joint also. Issues affecting intensification are likely to be very similar in both districts and a joint approach to encouraging intensification should provide benefits for the councils and the community. It is likely that as in previous work, two separate reports would eventuate (one from each council) and a joint overarching report that ties common areas together.	The degree of overlap between councils on particular initiatives may vary, depending on each council's decisions in relation to particular incentives. A joint plan may commit both councils to each incentive.
2. Prepare an intensification action plan relating to Tasman District Council only (not recommended)	This option would see the same proposed scope of work but would be undertaken in isolation from Nelson City Council and its recommendations and incentives would apply to Tasman District Council only.	In addition to not realizing the benefits provided above under option 1, this option could effectively lead to competition between the two jurisdictions that could undermine any measures to incentivise intensification. Some actions, for example improved provision of public transport, require joint working in order to deliver across the broader Nelson-Richmond urban area. This would be foregone if both councils don't work together.
3. Not to prepare an intensification action plan (not recommended)	Delay the preparation of the intensification action plan.	This option remains open to council, although the resolution of 26 July requests staff to prepare an intensification action plan to enable and incentivise intensification.

		The capacity identified in the FDS (new intensification areas) in Nelson and Tasman is proposed in the period 2028-2038, although this will be reviewed regularly. Ideally, plans should be put in place to enable the first phase of intensification within the next five to seven years. Given the length of time it currently is taking for intensification in Richmond to eventuate, deferring work on the intensification action plan, is not recommended.

6 Strategy and Risks

6.1 Section 5 of this report recommends preparing an intensification action plan jointly with Nelson City Council. A risk in this approach may be that the individual incentives (whatever they may be), are to be provided by both councils. A way of overcoming this risk is to make clear that some incentives only apply to one council. It is likely that a number of more general incentives will be common to both councils.

6.2 The uptake of intensification options in the FDS may be less or more than anticipated, given the 30 year time frame. The estimate of total housing capacity across the region provided by intensification is relatively conservative at 40%, and seeks to be realistic. There is considerable scope for the FDS to accommodate faster rates of intensification, should that transpire. Development of the intensification action plan may mitigate the risk of slow or no uptake of intensification. However should the demand for intensification be less than anticipated, then ample greenfield development options exist in the FDS. However such phasing and timing decisions will place demands on infrastructure and reserves in future LTPs.

6.3 Recommendations in the intensification action plan may raise the community's expectations and council may struggle to deliver on some of these, especially if there are infrastructure deficits. Staff will therefore prioritise and stage any such recommendations and ensure at least that they are within the control of the councils and other agencies e.g. NZTA.

6.4 The FDS acknowledges Tasman's emerging climate change strategy/action plan as one of the key implementation tools. The intensification action plan itself will also consider climate change impacts.

7 Policy / Legal Requirements / Plan

7.1 The FDS is a non-statutory plan that will inform a range of statutory plans at both councils, including the Regional Policy Statement, the District Plan, the Infrastructure Strategy, the Long Term Plan and the Regional Transport Plan.

7.2 The intensification action plan is a recommendation of the joint committee that adopted the FDS on 26 July 2019, to assist with its successful implementation. It also has no statutory weight. Recommendations of the intensification action plan may have implications for the next LTP (2021-2031), these will need to be considered.

8 Consideration of Financial or Budgetary Implications

8.1 The intensification action plan will be prepared using existing staff resources across a number of departments and led by the Growth Coordinator.

8.2 Potential changes to the next LTP (2021-2031) to fund initiatives identified through the development of the intensification action plan will need to be considered by Council. These initiatives may enable future intensification areas.

9 Significance and Engagement

9.1 The decision to agree to commence work on the intensification action plan is of low significance. The decision can be made without the need for public engagement as that has happened already under the RDS and there will be further engagement opportunities as the project occurs.

Issue	Level of Significance	Explanation of Assessment
Is there a high level of public interest, or is decision likely to be controversial?	low	
Is there a significant impact arising from duration of the effects from the decision?	low	
Does the decision relate to a strategic asset? (refer Significance and Engagement Policy for list of strategic assets)	no	
Does the decision create a substantial change in the level of service provided by Council?	no	
Does the proposal, activity or decision substantially affect debt, rates or Council finances in any one year or more of the LTP?	no	The decision is to approve scope of works for a plan that seeks to incentivise intensification. The plan itself, to be complete mid 2020 may contain servicing recommendations and potential implications for the next LTP
Does the decision involve the sale of a substantial proportion or controlling interest in a CCO or CCTO?	no	
Does the proposal or decision involve entry into a private sector partnership or contract to carry out the deliver on any Council group of activities?	no	
Does the proposal or decision involve Council exiting from or entering into a group of activities?	no	

10 Conclusion

10.1 The joint committee that adopted the FDS on 26 July 2019 also resolved to request staff to develop an intensification action plan. The plan will be complete by mid-2020 to inform the next Long Term Plan 2021-2031 and to enable implementation of the FDS and any relevant intensification measures through the review of the Tasman Regional Policy Statement and the Tasman Resource Management Plan.

10.2 The preferred recommendation is for a joint Nelson Tasman intensification action plan. The issues affecting intensification are likely to be similar in both districts and a joint approach to encouraging intensification should provide benefits for the councils and the community that are unlikely to be realised if separate plans are developed. The degree of overlap between

councils on particular initiatives may vary, depending on each council's decisions in relation to particular incentives.

10.3 Some issues that discourage uptake of intensification are known and these are identified in this report. More issues are likely to be uncovered during further investigation. This report suggests a scope of work that the action plan will focus on, in the form of responses to the known issues. Staff will undertake a comprehensive scan before recommending council specific actions. Once this exercise is complete, recommendations will then be prioritised and staged.

11 Next Steps / Timeline

11.1 If the scope of work for the intensification action plan is approved, investigations will start immediately. A cross-departmental team will work on the plan and regular discussions will take place with staff at Nelson City Council. Staff will seek Councillor guidance and input via workshops. Committee will consider the intensification action plan itself in mid 2020, in order to consider potential implications for the next Long Term Plan 2021-2031.

12 Attachments

Nil

9.4 NELSON TASMAN ANNUAL MONITORING REPORT (YEAR ENDING JUNE 2019) UNDER THE NATIONAL POLICY STATEMENT ON URBAN DEVELOPMENT CAPACITY

Information Only - No Decision Required

Report To:	Environment and Planning Committee
Meeting Date:	5 September 2019
Report Author:	Jacqui Deans, Urban Growth Co-ordinator
Report Number:	REP19-09-5

1 Summary

1.1 The National Policy Statement on Urban Development Capacity (NPS-UDC) requires local authorities with medium or high-growth urban areas to monitor a range of indicators on a quarterly basis. The purpose is to ensure that local authorities (including Tasman and Nelson) are well-informed about the property market and urban development activity.

1.2 The first five reports were prepared on a quarterly basis, between January 2017 and June 2018. Following an MfE workshop in November 2018, medium growth councils were advised by MfE that instead of producing quarterly reports, councils could produce one annual report, (while monitoring data on a quarterly basis), to make the process less resource-intensive. EPC approved the preparation of annual rather than quarterly reporting on the NPS-UDC monitoring at its meeting of 7 March 2019.

1.3 Tasman District Council and Nelson City Council staff have jointly produced the sixth monitoring report on housing and business market activity covering the period July 2018-June 2019.

1.4 In addition, the NPS-UDC itself is currently being reviewed, with a draft for consultation on the new NPS on Urban Development released on August 21st 2019. Staff will report separately to both councils about the implications of this revised policy statement and will incorporate any changes in future monitoring reports.

1.5 The main findings for the year ending June 2019 are:

1.5.1 Demand and supply of housing – in 2018 for the regions overall, housing supply is meeting demand. Between 2016-2017 this was not the case. It is unclear whether this is due to an increase in building consents (supply) or a decrease in households, due to insufficient census data currently available

1.5.2 Median house prices in Nelson and Tasman continue to increase relatively strongly. Compared with 5 years ago, median prices in both regions have increased by nearly 50%

1.5.3 The number of applicants on Ministry of Social Development's housing register has more than doubled for both Nelson and Tasman, compared with 2 years ago

1.5.4 Affordability has worsened. For the year to March 2018, approximately 85% of first home buyers in Nelson and Tasman could not comfortably afford a typical 'first home'

priced house. Tasman is the second least affordable region in the country and Nelson is the third

1.5.5 Approximately 63% of rental households in Nelson and Tasman cannot comfortably afford typical rents

1.5.6 Total building consents for dwellings has increased in Nelson and Tasman in recent years. 30% of consented new dwellings in the year ended June 2019 were attached dwellings, compared with an average of 15% in the previous ten years

1.5.7 Both Nelson and Richmond have seen an increase in the number of sections created in the year ending June 2019, compared with the previous year. This has led to an increase for the Nelson Urban Area overall of 372 (year ending June 2019) compared with 291 for the previous 12 months.

1.6 The NPS-UDC requires monitoring only for the Nelson Urban Area. However one of the resolutions from 26 July 2019 Joint Nelson Tasman Committee for the adoption of the FDS is that officers are requested to monitor and report back to the councils on progress of actual residential growth versus projections annually. Therefore one option for consideration after the next local body elections may be that the NPS-UDC monitoring covers the entirety of both regions on an annual basis, instead of for the Nelson urban area only.

2 Draft Resolution

That the Environment and Planning Committee receives the Nelson Tasman Annual Monitoring Report (year ending June 2019) under the National Policy Statement on Urban Development Capacity REP19-09-05.

3 Purpose of the Report

3.1 To consider the findings of the sixth joint Nelson-Tasman monitoring report, as required under the National Policy Statement on Urban Development Capacity. (NPS-UDC) This report covers the year ending June 2019.

4 Background and Discussion

4.1 The NPS-UDC came into effect in late 2016. The aim of the NPS-UDC is to ensure that planning decisions of growth areas enable an adequate supply of housing and business land, to meet current and future demand.

4.2 There are comprehensive monitoring requirements under the NPS-UDC. Policy PB6 of the NPS-UDC states that the range of indicators shall include:

4.2.1 Prices and rents for housing, residential land and business land by location and type; and changes in these prices and rents over time;

4.2.2 The number of resource consents and building consents granted for urban development relative to the growth in population; and

4.2.3 Indicators of housing affordability.

4.3 Policy PB7 of the NPS-UDC requires local authorities to use information provided by indicators of price efficiency in their land and development markets, such as price differentials between zones, to understand how well the market is functioning. This information can in turn be used to assess how planning decisions may affect this, and when additional development capacity might be needed. These indicators were considered in the last monitoring report (June 2018) but have not been updated since by Central Government so are excluded from this report.

4.4 The NPS-UDC itself is currently being reviewed, with a draft for consultation on the NPS on Urban Development released on August 21st 2019. Staff will report separately to both councils about the implications of this revised policy statement and will incorporate any changes in future monitoring reports.

4.5 The Ministry of Housing and Urban Development's dashboard of data[3], which this report partly relies on, is updated approximately 8 weeks after the quarter ends, hence the reports lag on this basis.

4.6 This is the sixth monitoring report (provided at Attachment 1) required by the NPS-UDC and covers the period year ending June 2019. Previous monitoring reports were produced quarterly but following an MfE workshop in November 2018, medium growth councils were advised by MfE that instead of producing quarterly reports, councils could produce one annual report with data updated quarterly to make the process less resource-intensive. Tasman's Environment & Planning Committee approved the preparation of annual rather than quarterly report on the NPS-UDC monitoring at its meeting of 7 March 2019.

[3] https://www.hud.govt.nz/urban-development/national-policy-statement-on-urban-development-capacity-nps-udc/urban-development-capacity-dashboard/

4.7 Reporting for a 12 month period rather than a 3-month period means any consistent changes to the trends in the data are likely to be more reliable. The following observations can be made for year ending 30th June 2019:

4.7.1 The most recent Stats NZ population projections for Main Urban Areas (September 2017) found that Nelson Urban Area would be medium growth at 9.95% between 2013 and 2023. There have not been any projections since but the most recent population estimates from Stats NZ found that Nelson Urban Area's population grew by almost 7% between 2013 and 2018.

4.7.2 Demand and supply of housing – In 2018 for the regions overall, housing supply is meeting demand. Between 2016-2017 this was not the case. It is unclear whether this is due to an increase in building consents (supply) or a decrease in households, due to insufficient census data currently available.

4.7.3 Median house prices in Nelson and Tasman continue to increase relatively strongly. Compared with 5 years ago, median prices in both regions have increased by nearly 50%

4.7.4 The number of applicants on Ministry of Social Development's housing register has more than doubled for both Nelson and Tasman, compared with 2 years ago

4.7.5 Affordability has worsened. For the year to March 2018, approximately 85% of first home buyers in Nelson and Tasman could not comfortably afford a typical 'first home' priced house. Tasman is the second least affordable region in the country and Nelson is the third

4.7.6 Approximately 63% of rental households in Nelson and Tasman cannot comfortably afford typical rents

4.7.7 Total building consents for dwellings has increased in Nelson and Tasman in recent years. 30% of consented new dwellings in the year ended June 2019 were attached dwellings, compared with an average of 15% in the previous ten years

4.7.8 Both Nelson and Richmond have seen an increase in the number of sections created in the year ending June 2019, compared with the previous year. This has led to an increase for the Nelson Urban Area overall of 372 (year ending June 2019) compared with 291 for the previous 12 months.

5 Options

5.1 The production of this report is required by the NPS-UDC. The NPS-UDC also guides its content.

5.2 The Full Council on 27 July 2017 approved similar monitoring reports to continue to be produced jointly with Nelson City and to be made publicly available, in accordance with Government advice.

5.3 EPC approved the preparation of annual rather than quarterly report on the NPS-UDC monitoring at its meeting of 7th March 2019.

6 Strategy and Risks

6.1 The current strategy is to apply the policies of the NPS-UDC to the boundaries of the Nelson Main Urban Area, which only comprises Richmond and Hope for Tasman District. Under the NPS-UDC, Richmond can look to other settlements to offset demand.

6.2 The recently adopted Nelson Tasman Future Development Strategy (FDS) 2019 has undertaken a cross regional scan of demand and capacity opportunities and has considered different growth scenarios. The FDS now adopted will inform revised versions of the Regional Policy Statement, the Tasman Resource Management Plan (TRMP), the Infrastructure Strategy, the Long Term Plan and the Regional Land Transport Plan.

6.3 The NPS-UDC requires monitoring only for the Nelson Urban Area. However one of the resolutions from July 26th Joint Nelson Tasman Committee for the adoption of the FDS is that officers are requested to monitor and report back to the councils on progress of actual growth versus projections annually.

6.4 Therefore one option for consideration after the next local body elections may be that the NPS-UDC monitoring covers the entirety of both regions on an annual basis.

7 Policy / Legal Requirements / Plan

7.1 The Council is required by the sections 30 and 31 of the Resource Management Amendment Act 2017 to ensure there is sufficient development capacity in relation to housing and business land to meet the expected demands of the region/district.

7.2 The NPS-UDC requires the Council to provide sufficient housing and business capacity for the Nelson Main Urban Area which includes Richmond and Hope.

7.3 The annual monitoring reports will assist in informing the Council about market trends for housing and business development, as well as urban development activity. In turn, this will help inform decisions about demand for housing and business capacity and implementation of the FDS.

8 Consideration of Financial or Budgetary Implications

8.1 The monitoring, reporting and planning obligations under the NPS-UDC created additional work and budgetary implications for the Council. Additional resourcing was provided to meet the increasing needs of the Council to plan for and manage growth in the District. This included the creation of an “Urban growth coordinator” role in mid- 2017 to coordinate Council’s response to growth across both strategic and operational issues. The role also leads on Government reporting including the compilation of these monitoring reports, the three-yearly full assessment of capacity and demand for both residential and business land and implementation of the adopted Future Development Strategy 2019.

9 Significance and Engagement

9.1 As this report is for information only, it is of low significance and no engagement is required. The NPS-UDC encourages Local Authorities to publish the results of these monitoring reports and Council resolved to do so on 27 July 2017.

Issue	Level of Significance	Explanation of Assessment
Is there a high level of public interest, or is decision likely to be controversial?	Low	
Is there a significant impact arising from duration of the effects from the decision?	No	
Does the decision relate to a strategic asset? (refer Significance and Engagement Policy for list of strategic assets)	No	
Does the decision create a substantial change in the level of service provided by Council?	No	
Does the proposal, activity or decision substantially affect debt, rates or Council finances in any one year or more of the LTP?	No	
Does the decision involve the sale of a substantial proportion or controlling interest in a CCO or CCTO?	No	
Does the proposal or decision involve entry into a private sector partnership or contract to carry out the deliver on any Council group of activities?	No	
Does the proposal or decision involve Council exiting from or entering into a group of activities?	No	

10 Conclusion

10.1 The monitoring report for the year ending June 2019 shows that housing supply is meeting demand for the Nelson Urban Area. House prices and rents continue to increase and affordability is relatively poor, with Tasman as the second least affordable region in the country.

10.2 Numbers of residential building consents have increased and 30% of consented new dwellings in the year ended June 2019 were attached dwellings, compared with an average of 15% in the previous ten years.

10.3 Both Nelson and Richmond have seen an increase in the number of sections created in the year ending June 2019, compared with the previous year.

11 Next Steps / Timeline

11.1 Once both Councils have considered this June 2019 annual monitoring report it will be placed on each Council's website.

11.2 Future monitoring reports will be prepared annually and may extend to cover the whole of the Tasman region in due course, to assist implementation of the FDS.

11.3 The Nelson Tasman FDS is now adopted and is a pivotal strategy for informing many other council plans, including future development and zoning patterns as part of the review of the Tasman Resource Management Plan.

12 Attachments

National Policy Statement on Urban Development Capacity

Nelson-Tasman Monitoring Report

July 2018 - June 2019

Table of Contents

Summary

The National Policy Statement on Urban Development Capacity (NPS-UDC) requires local authorities within a Medium or High Growth Area to ensure they are well-informed about urban development activity by monitoring property market indicators.

The most recent Stats NZ population projections for Main Urban Areas (September 2017) found that Nelson Urban Area would be medium growth at 9.95% between 2013 and 2023. There have not been any projections since but the most recent population estimates from Stats NZ found that Nelson Urban Area's population grew by almost 7% between 2013 and 2018.

This is the sixth monitoring report prepared jointly by Nelson and Tasman staff to report to both Nelson City and Tasman District Councils. The first five reports were prepared on a quarterly basis, between January 2017 and June 2018. Following an MfE workshop in November 2018, councils were advised by MfE that instead of producing quarterly reports, councils could produce one annual report with data updated quarterly to make the process less resource-intensive.

In addition, the NPS-UDC itself is currently being reviewed, with a new draft NPS on Urban Development released for consultation in August 2019. Staff will report separately to both councils about the implications of this revised policy statement and will incorporate any changes in future monitoring reports.

The indicators that are monitored in this report are housing supply, demand, prices and affordability, new sections created, and building and resource consents for both housing and business.

Updates on current trends in Nelson and Tasman in the last 12 months can be summarised as follows:

Reporting for a 12 month period rather than a 3-month period means any consistent changes to the trends in the data are likely to be more reliable. The following observations can be made:

- Demand and supply of housing – In 2018 for the regions overall, housing supply is meeting demand. Between 2016-2017 this was not the case. It is unclear whether this is due to an increase in building consents (supply) or a decrease in households, due to insufficient census data currently available.
- Median house prices in Nelson and Tasman continue to increase relatively strongly. Compared with 5 years ago, median prices in both regions have increased by nearly 50%
- The number of applicants on Ministry of Social Development's housing register has more than doubled for both Nelson and Tasman, compared with 2 years ago
- Affordability has worsened. For the year to March 2018, approximately 85% of first home buyers in Nelson and Tasman could not comfortably afford a typical 'first home' priced house. Tasman is the second least affordable region in the country and Nelson is the third

- Approximately 63% of rental households in Nelson and Tasman cannot comfortably afford typical rents
- Total building consents for dwellings has increased in Nelson and Tasman in recent years. 30% of consented new dwellings in the year ended June 2019 were attached dwellings, compared with an average of 15% in the previous ten years
- Both Nelson and Richmond have seen an increase in the number of sections created in the year ending June 2019, compared with the previous year. This has led to an increase for the Nelson Urban Area overall of 372 (year ending June 2019) compared with 291 for the previous 12 months.

The data that is collected to measure housing supply, demand and pricing naturally varies between quarters. While it is useful to monitor these datasets on a quarterly basis, care needs to be taken when looking for trends in the data over such a short period. Any changes to the trends in the data are unlikely to be seen and reliably assessed until there has been a consistent change for at least 12 months.

Introduction

This is the sixth monitoring report implementing the National Policy Statement on Urban Development Capacity (NPS-UDC) for the Nelson Urban Area. The report provides updated data and analysis of changes to the housing market for the 12 months ending June 2019.

The NPS-UDC requires local authorities within a Medium or High Growth Area to ensure they are well-informed about demand for housing and business development capacity, urban development activity and outcomes. Local authorities are required to monitor a range of indicators on a quarterly basis including:

a. Prices and rents for housing, residential land and business land by location and type; and changes in these prices and rents over time;

b. The number of resource consents and building consents granted for urban development relative to the growth in population; and

c. Indicators of housing affordability.

The Ministry of Housing and Urban Development's dashboard of data[4], which this report partly relies on, is updated approximately 8 weeks after the quarter ends, hence the reports lag on this basis. The NPS-UDC also requires local authorities to use information provided by indicators of price efficiency in their land and development markets from December 2017. However, the price efficiency indicators have not been updated since June 2018 and therefore are not included in this report.

The first five monitoring reports were prepared on a quarterly basis, between January 2017 and June 2018. Following an MfE workshop in November 2018, medium growth councils were advised by MfE that instead of producing quarterly reports, councils could produce one annual report with data updated quarterly to make the process less resource-intensive. Tasman's Environment & Planning Committee approved the preparation of annual rather than quarterly report on the NPS-UDC monitoring at its meeting of 7 March 2019.

The NPS-UDC itself is currently being reviewed, with a new draft NPS on Urban Development released for consultation in August 2019. Staff will report separately to both councils about the implications of this revised policy statement and will incorporate any changes in future monitoring reports.

Nelson Urban Area

Under the NPS-UDC, this report covers the Nelson Urban Area only, not the whole of Tasman. The "Nelson Urban Area", as defined by Statistics New Zealand's classification of urban areas includes most of Nelson City's area and the following area units in Tasman - Richmond East and West, Aniseed Hill, Bell Island, Best Island, Hope and Ranzau. Due to the nature of the source data, some of the results

[4] https://www.hud.govt.nz/urban-development/national-policy-statement-on-urban-development-capacity-nps-udc/urban-development-capacity-dashboard/

contained within this report relate to the whole of both Territorial Authorities and some relates to the Nelson Urban Area only.

Population Trends

The most recent population estimates from Statistics New Zealand indicate that Nelson's population reached 51,900 as at June 2018 and Tasman's reached 52,100. Tasman's population growth in recent years has been significantly higher than during the previous decade. In the five years between 2013 and 2018, both regions and the Nelson Urban Area experienced population growth of almost 7%. Statistics NZ had previously projected that the Nelson Urban Area's population was likely to grow by 9.95% in the ten years between 2013 and 2023, meaning it was classified as 'medium growth', according to the NPS-UDC, falling just below the ten percent threshold defining 'high growth' urban areas.

The 2018 Census results are expected in late September 2019. There has been a delay in releasing these and consequently a knock on effect on the release of sub-national population projections. These are now expected in 2020. As a consequence, both councils intend to commission their own bespoke population projections in November 2019.

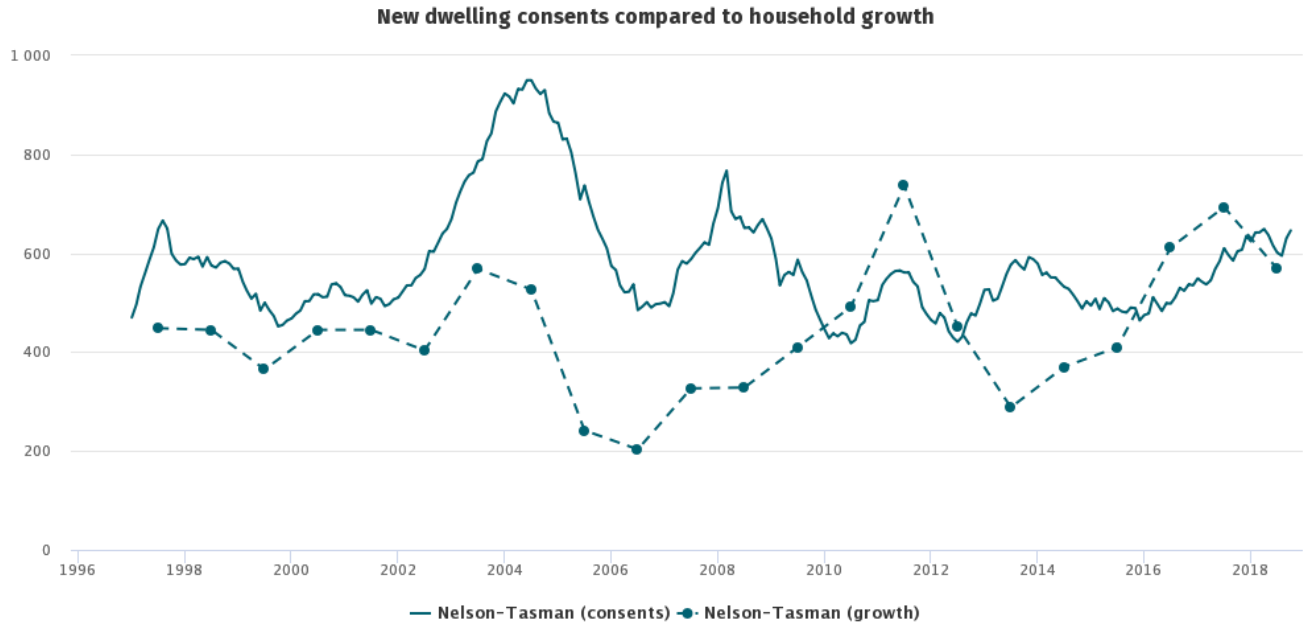
Residential Development Trends

Market Indicators

The purpose of monitoring the market indicators is to support analysis and understanding of local housing markets by local authorities and support implementation of the NPS-UDC.

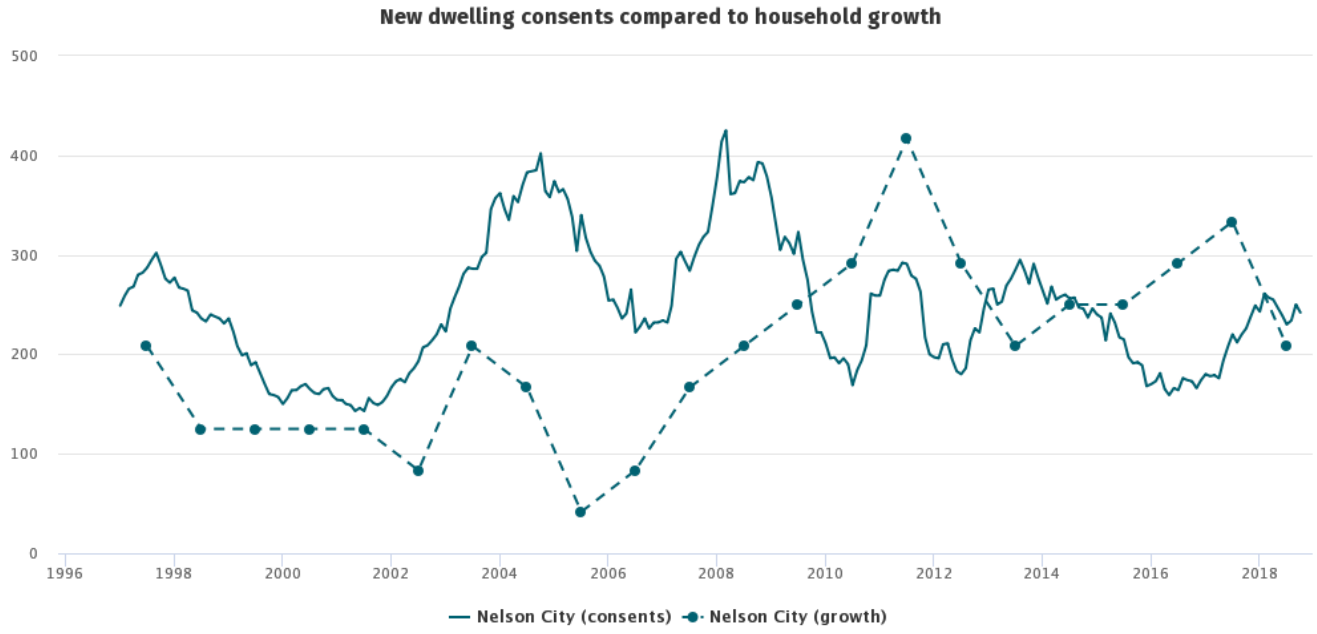
1. Demand and Supply

Over the last two decades, Nelson and Tasman have generally had sufficient new housing to meet population and household growth (Graph 1). However, demand outstripped combined supply of both regions around 2011, when both regions experienced population growth following the Canterbury earthquakes, and again in 2016 - 2017. In 2018 for the two regions overall, housing supply is meeting demand. It is unclear whether this is due to an increase in building consents (supply) or a decrease in households, due to insufficient census data currently available.

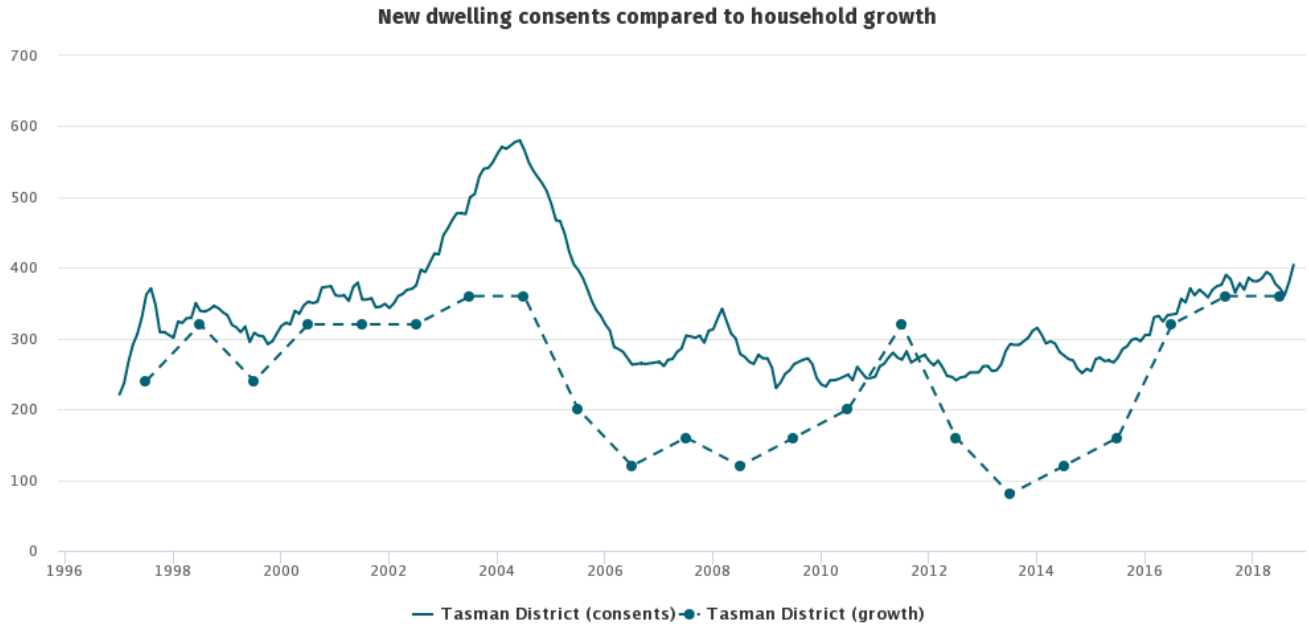


Graph 1. New dwelling consents compared to household growth – Nelson-Tasman Regions Combined.

In reality there are a number of market dynamics involved that affect the supply of housing, including cost of infrastructure, financing packages for low income home owners, the market's limited provision of smaller housing, timing of release of land by developers/owners, and building costs.



Graph 2. New dwelling consents compared to household growth – Nelson City



Graph 3. New dwelling consents compared to household growth –Tasman District

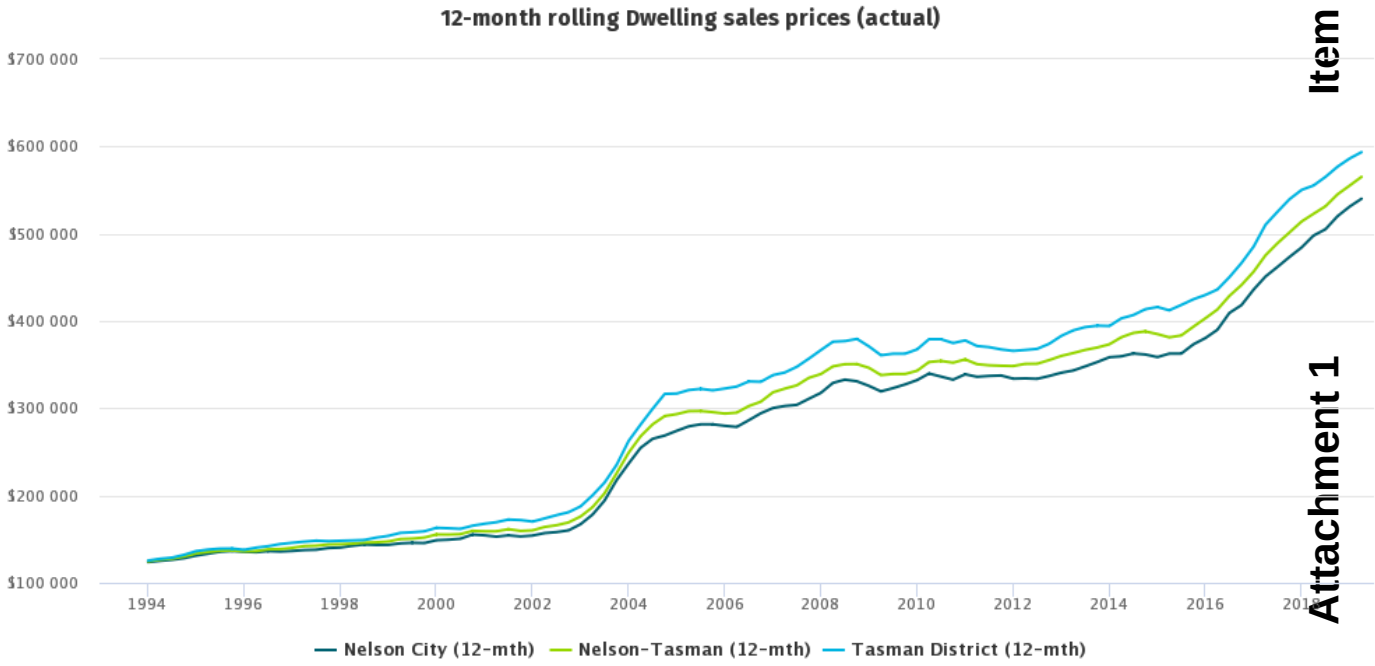
Household growth is used within the MHUD dashboard as a proxy for determining demand. It is calculated from the estimated resident population, divided by the local average household size. The actual resident population and household numbers are confirmed after each Census. Previous Census's have resulted in revisions of Nelson's population estimates by +/- 4% and Tasman's by +/- 2%.

The number of new dwelling consents is used within the dashboard as a proxy for determining supply. Both sets of data for supply and demand are sourced from Statistics New Zealand (presented as a 12 month rolling average), with a lag of six months for building consents to account for the time taken from consenting to completion.

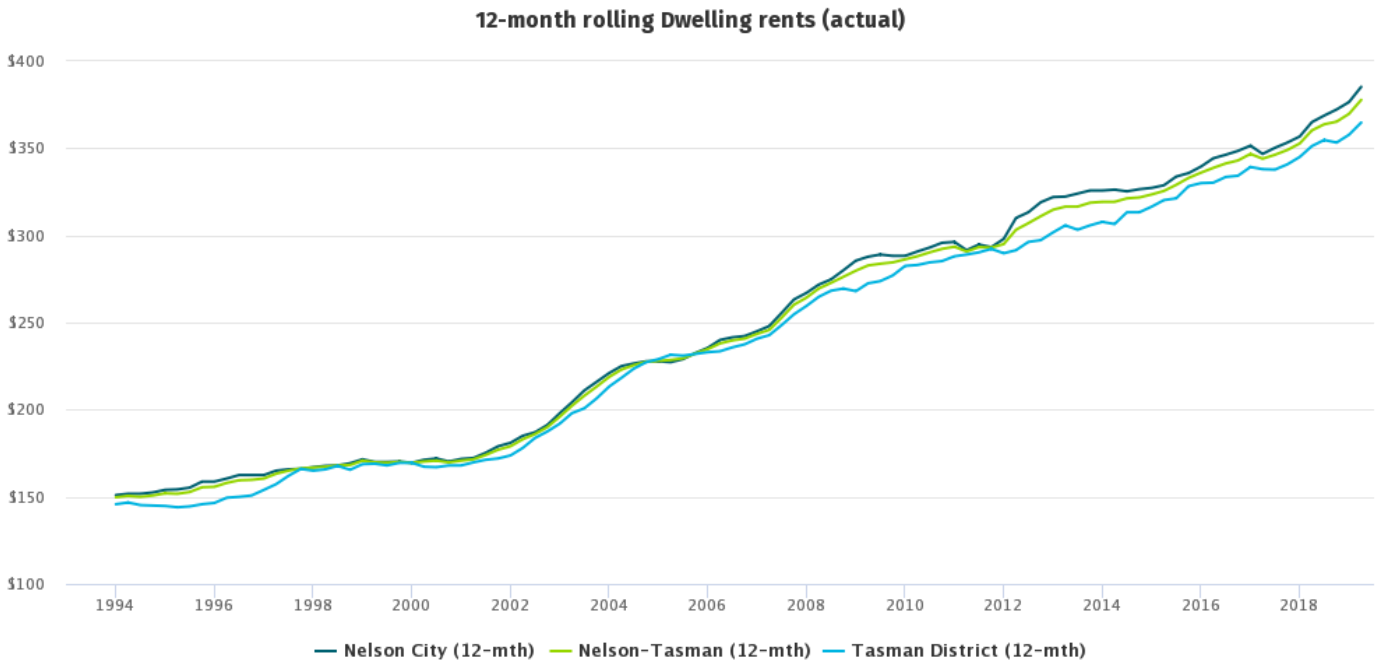
Prices and Rents

House prices continue to increase relatively strongly in both Nelson and Tasman (Graph 4). The median sale price for the year ended March 2019 was $540,083 in Nelson and $593,500 in Tasman. Compared with March 2018, house prices have increased 8.5% in Nelson and 6.9% in Tasman. Compared with five years ago, since March 2014 median house prices in both regions have increased by almost 50%.

Residential rents continue to increase at a slower rate than house prices over time (Graph 5). This increase may suggest that there is a shortfall in rental properties.



Graph 4: Dwelling sales prices – actual, rolling average, Nelson-Tasman combined, Nelson City, Tasman District



Graph 5: Dwelling rents – actual, rolling average, Nelson-Tasman combined, Nelson City, Tasman District

Ministry of Social Development's Housing Register

As at June 2019, the number of applicants on MSD's Housing Register is 142 for Nelson and 94 for Tasman. The numbers in both regions have more than doubled since two years ago. The Housing Register represents applicants not currently in

public housing who have been assessed as eligible, and who are ready to be matched to a suitable property.

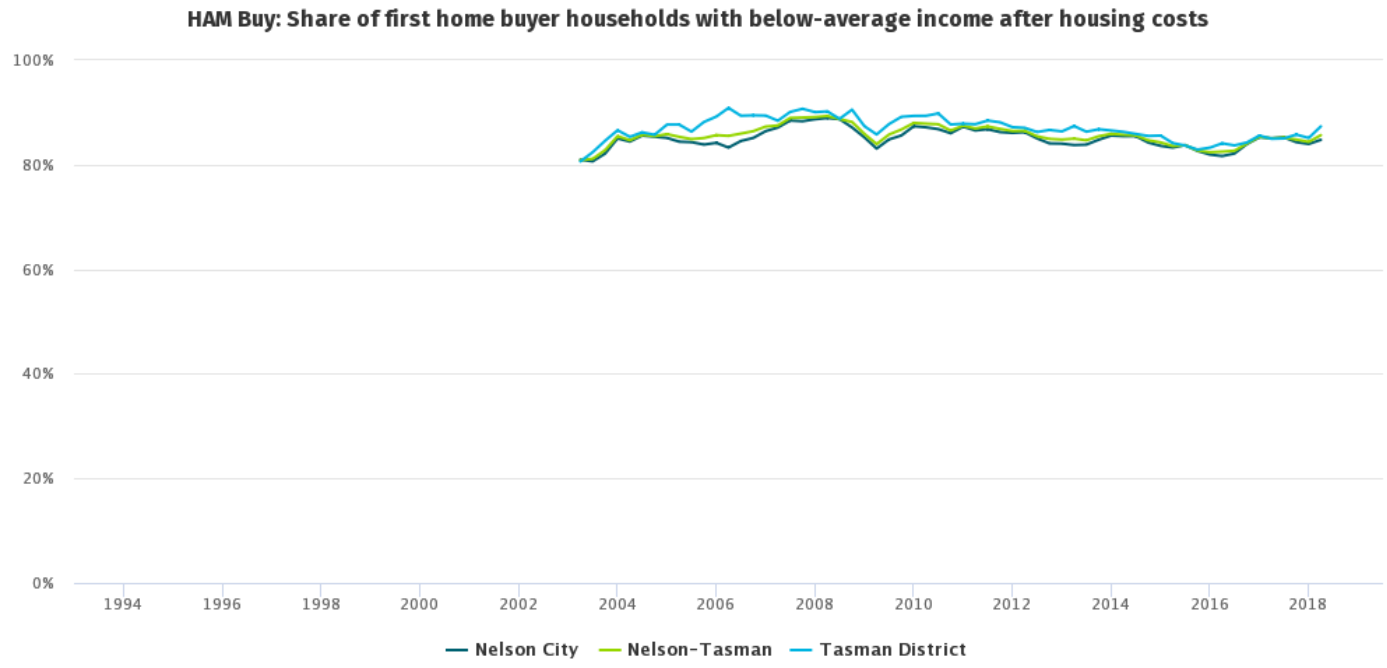
2. Housing Affordability

MBIE Housing Affordability Measures

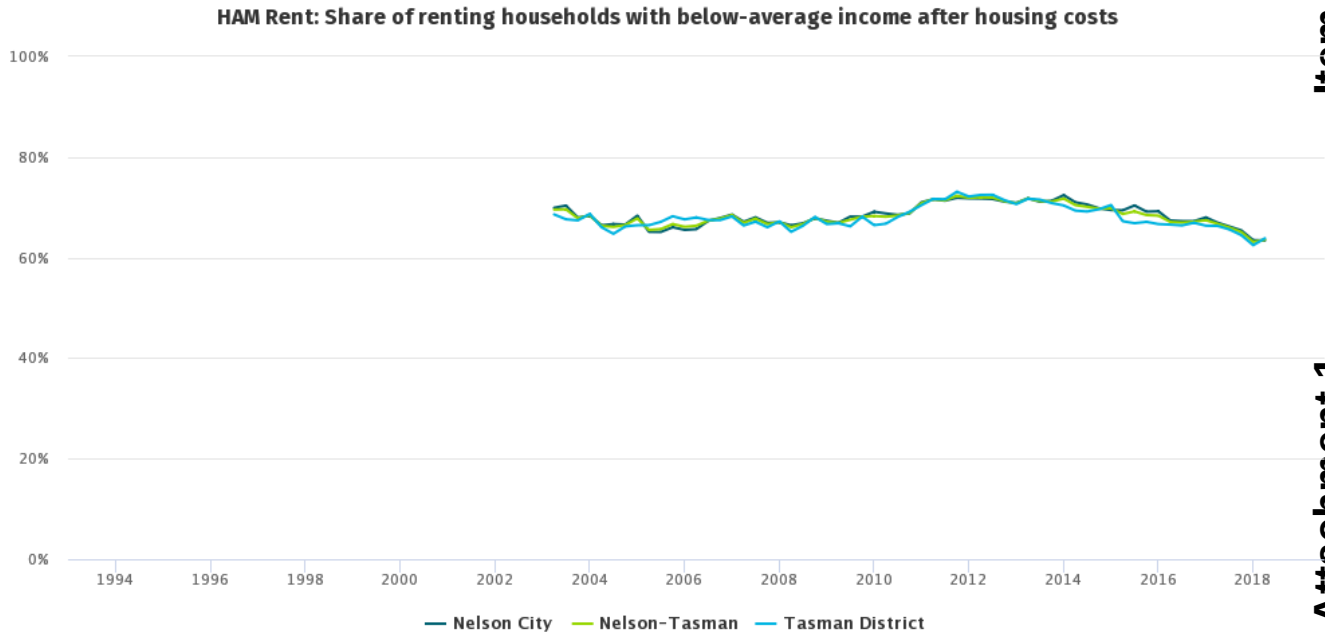
The MBIE derived Housing Affordability Measures (HAM), HAM Buy and HAM Rent, measure trends in affordability of house prices and rents relative to income. The HAM uses data on household incomes of rental households, house prices, and rents. The HAM is designed to map shifts in affordability over time, showing whether there are more or fewer households that have more or less income left over after paying for their housing costs.

The measure indicates that for the year to March 2018, 84.7% of first-home buyer households in Nelson, and 87.3% for Tasman, could not comfortably afford a typical 'first-home' priced house. This is defined as the lower quartile price point of housing in the area. For both regions, this measure has worsened in the last two years (Graph 6).

The HAM Rent measure for Nelson and Tasman Districts indicates that at March 2018, 63.4% of rental households in Nelson, and 63.5% for Tasman, cannot comfortably afford typical rents, being below the 2013 national affordability benchmark (Graph 7). However, both regions indicate some improvement in this measure over the last five years.



Graph 6: HAM Buy: Share of first-home buyer households below the affordability benchmark, Nelson-Tasman combined, Nelson City, Tasman District



Graph 7: HAM Rent: Share of renting households below the affordability benchmark, Nelson-Tasman combined, Nelson City, Tasman District

Massey University Aggregate Home Affordability Index

HOME AFFORDABILITY INDEX				PERCENTAGE CHANGE IN HOME AFFORDABILITY IN THE LAST 12 MONTHS		PERCENTAGE CHANGE IN HOME AFFORDABILITY IN THE LAST 3 MONTHS	
Region	May 2018	February 2019	May 2019	Improvement	Decline	Improvement	Decline
Northland	22.5	22.6	20.0	11.0%		11.6%	
Auckland	34.0	32.8	31.7	6.9%		3.3%	
Waikato	22.8	22.8	22.1	3.1%		3.0%	
Bay of Plenty	26.4	24.5	24.0	8.9%		1.9%	
Gisborne	14.1	18.2	20.4		44.1%		11.7%
Hawke's Bay	19.3	19.8	18.5	4.5%		6.9%	
Manawatu/Whanganui	13.7	15.0	13.9		1.2%	7.6%	
Taranaki	13.6	14.0	13.1	4.1%		6.6%	
Wellington	22.0	23.5	21.6	2.0%		8.2%	
Tasman	29.7	27.2	27.4	7.9%			0.5%
Nelson	22.6	24.8	25.1		11.0%		1.3%
Marlborough	21.2	20.2	19.5	7.8%		3.6%	
West Coast	9.7	8.2	7.5	22.5%		8.6%	
Canterbury	19.1	18.5	17.6	7.9%		5.1%	
Otago	20.3	20.1	20.0	1.8%		0.6%	
Southland	10.9	12.4	11.4		4.1%	8.1%	
All Regions	23.5	22.5	22.2	5.4%		1.2%	

Table 2: Home Affordability Index (Massey University[5])

The Massey Home Affordability Index (June 2019) shows that Tasman and Nelson continue to experience affordability challenges. In recent monitoring, Tasman and Nelson are listed separately whereas previously they have been with Marlborough. Similarly, Central Otago Lakes has been separated from the rest of Otago in the past but the region Otago as a whole is now monitored. This change in classifications is apparently due to a response to a change in boundaries of the datasets that Massey University uses.

The effect of this change in datasets means Tasman is now the second least affordable region in the country (behind Auckland) and Nelson is the third.

The index this quarter shows a 0.5% decline in home affordability in the 3 months to the end of June 2019 in Tasman although there has been an improvement of 7.9% over the 12 months to June 2019. For Nelson there has been a 1.3% decline in home affordability in the 3 months to the end of June 2019 and a larger 11% decline over the 12 months to June 2019.

As with the HAM, the Massey Home Affordability Index takes into account the cost of borrowing as well as house prices and wage levels. The mortgage interest rate figures are drawn from Reserve Bank New Zealand data. The Reserve Bank series is based on a 2-year fixed new residential average mortgage interest rate which was revised from 5.08% to 5.05. Unlike the HAM measure, the income data provided directly from

[5] Source: Home Affordability Report - Quarterly Survey June 2019

Statistics New Zealand is for both renting and owner-occupier households. Housing prices are released by the Real Estate Institute of New Zealand (REINZ).

The combination of this data provides the opportunity to calculate a reliable and useful summary index. The lower the index the more affordable the housing. The index allows for comparisons over time and between regions of relative housing affordability in New Zealand.

Council data

In addition to the MBIE data, both Nelson and Tasman councils have additional data on residential development trends that can provide further detail on the type and location of development. The following measures are for the Nelson Urban Area, the parts of Nelson and Tasman that are within the Nelson Urban Area, and for the whole of each District.

3. Building Consents Issued

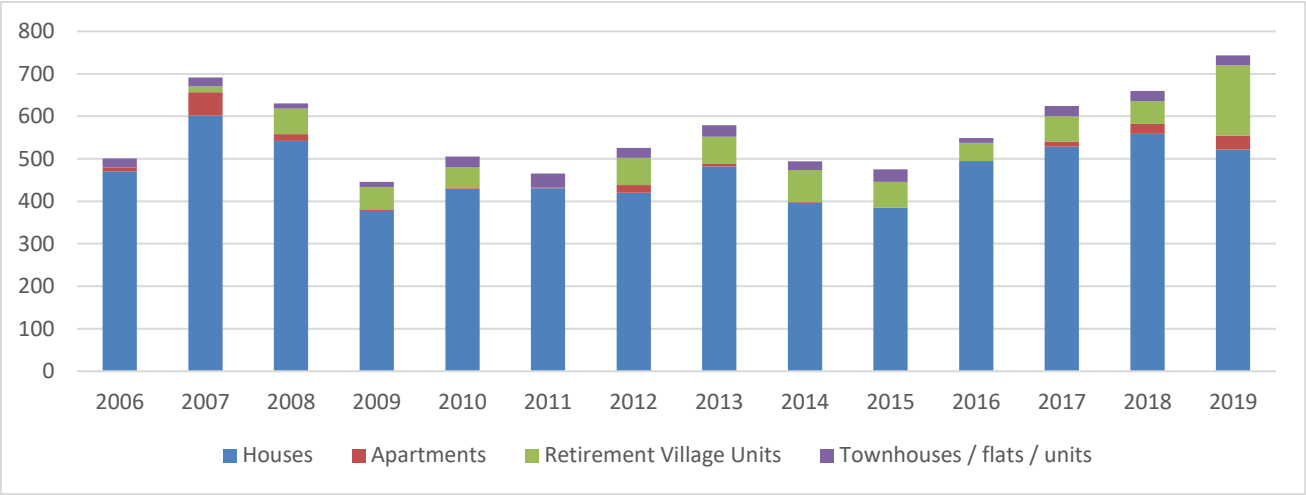
The total number of building consents issued for new dwellings in Nelson and Richmond has increased in recent years. Nelson experienced a relatively high number of consents in the March 2019 quarter, due to a large number of consents associated with a new retirement village. Table 4 details the number of new dwellings granted building consent every quarter over the last 18 months.

	Quarter					
	Mar-18	Jun-18	Sep-18	Dec-18	Mar-19	Jun-19
Nelson Urban Area	132	124	112	131	168	106
NCC area units within Main Urban Area	63	75	86	79	122	58
TDC area units within Main Urban Area	69	49	26	52	46	48
NCC – all District	63	75	86	79	122	61
TDC – all District	116	102	76	100	105	114

Table 4. Building consents for new dwellings, actual numbers (Statistics New Zealand[6])

In recent years, there has been a trend towards attached dwelling, such as apartments, retirement village units, townhouses, or flats. In the year ended June 2019, 30% of consented new dwellings were attached dwellings, compared with an average of 15% in the previous ten years.

[6] Source: Statistics New Zealand Website – Building Consents Issued: June 2018



Graph 7: Building consents for new dwellings, Nelson and Tasman, by type, 2006-2018 (June Year)

4. Yield of Serviced Residential Sites from Residential Zoned Land

Numbers of new sections can vary significantly between quarters, as it is a relatively short period of time to measure. Both Nelson City and Richmond have seen more building consents in the year ending June 2019 than the previous 12 months.

Nelson

Nelson has seen 97 sections created in the June 2019 quarter. On a 12-month basis, there were 221 sections created in the year ending June 2019, compared with 154 in the previous year.

New residential titles	Quarter			
	Sep-18	Dec-18	Mar-19	Jun-19
Nelson	65	51	8	97

Tasman

Tasman's figures represent the area units which fall within the Nelson Urban Area only which essentially are Richmond and Hope. Richmond and Hope saw 65 sections created in the June 2019 quarter. For the year ending June 2019, there were 151 sections created, compared with 137 in the previous year.

	Quarter							
	Sep-17	Dec-17	Mar-18	Jun-18	Sep-18	Dec-18	Mar-19	Jun-19
NCC area units within Main Urban Area	38	35	39	42	65	51	8	97
TDC area units within Nelson Urban Area (Richmond/ Hope)	0	64	70	3	39	46	1	65

	Year ended June 2018	Year ended June 2019
Nelson Urban Area	291	372

Table 5: Summary of sections created .

5. Resource Consents for Residential Units

The table below shows the number of new residential lots granted subdivision resource consent each quarter over the year to end June 2019.

Residential Lots granted resource consent	Quarter			
	Sep-18	Dec-18	Mar-19	Jun-19
Nelson	121	327	135	120
TDC area units within Nelson Urban Area (Richmond/Hope)	59	21	4	74

The quarters with larger resource consents granted in Richmond reflect the ongoing development at Richmond West – in this period, the Arvida development and the Fields. The spike in resource consents in Nelson in the December 2018 quarter was driven primarily by the Marsden Park development.

Non-residential Development Trends

6. Building Consents Issued for New Buildings – Total Floor Area (m2)

	Quarter					
	Mar-18	Jun-18	Sep-18	Dec-18	Mar-19	Jun-19
Nelson Urban Area	9,216	3,933	2264	4817	1521	8813
NCC area units within urban area	2,934	1,700	1227	1168	32	7997
TDC area units within Nelson urban area	6,282	2,233	1037	3649	1489	816
All Nelson City	2,934	1,700	1227	1168	32	7997
All Tasman District	27,578	2,718	7103	9885	4306	3454

Table 5: Summary of non-residential resource consents.

This data is for consents for new buildings that are either commercial buildings, or factories, industrial, and storage buildings, or hotels, motels, boarding houses, and prisons.

7. Yield of Serviced Industrial/Commercial Sites from Industrial/Commercial Zoned Land

The table below shows the number of new commercial lots granted title each quarter over the year to end June 2019 for both Nelson and Richmond (TDC area units within Nelson urban area).

New industrial or commercial titles	Quarter			
	Sep-18	Dec-18	Mar-19	Jun-19
Nelson	3	2	1	10
TDC area units within Nelson urban area	0	0	14	0

8. Resource Consents for Industrial/Commercial Units

The table below shows the number of new commercial and industrial lots granted resource consent each quarter over the year to end June 2019.

Industrial/commercial Lots granted resource consent through subdivision	Quarter			
	Sep-18	Dec-18	Mar-19	Jun-19
Nelson	0	4	0	2
TDC area units within Nelson urban area	18	0	0	0

Price Efficiency Indicators

Central Government has not updated the price efficiency indicators (price-cost ratio, land ownership concentration, rural-urban land value differentiation and the industrial zone differentiation) since 2018. MHUD has advised that once the revised NPS-UDC comes into force next year, they will do a full dashboard re-fresh, which will include fixing some technical issues, improving usability and potentially re-looking at the measures. We have therefore been advised to exclude them from this monitoring report.

9.5 ANNUAL COMPLIANCE AND ENFORCEMENT SUMMARY REPORT

Information Only - No Decision Required

Report To:	Environment and Planning Committee
Meeting Date:	5 September 2019
Report Author:	Carl Cheeseman, Co-ordinator Compliance Monitoring
Report Number:	REP19-09-06

1 Summary

1.1 Tasman District Council has a statutory obligation to monitor and enforce its legal duties and responsibilities under the Resource Management Act and other Acts it administers.

1.2 The council operates a tailored monitoring programme which is underpinned by a strategic risk based priority-setting framework. This identifies the range of activities seen as significant to the district and where the monitoring effort should be directed.

1.3 These tailored monitoring programmes not only allow for structured and consistent effects based monitoring but also allows Council the ability to identify trends and respond appropriately to non-compliance and/or environmental effects with appropriate resources or enforcement strategies.

1.4 The need to take enforcement action may arise following routine monitoring or through complaint investigation. In either case, the need to take enforcement action will arise because a breach of rules or conditions of consent has occurred.

1.5 The process of undertaking enforcement is a staged one of promoting awareness and providing assistance, warnings, issuing of enforcement notices and in serious cases, prosecution, depending on the nature of the offending. The purpose of this spectrum approach is to encourage positive behaviour change but also a strong deterrent message where appropriate.

1.6 This report summarises the Council's monitoring and enforcement activities for the period 1 July 2018 to 30 June 2019

1.7 Council responded to 2,631 complaints in the year. Complaints were up 3% on the same period last year (2,562). While some complaint categories decreased these were offset by the increase in water and discharges complaints. The summer drought was responsible for the increase in water issues as severe restrictions began to bite and the public became sensitive to what they considered inappropriate water usage or poor irrigation practices. Discharges was the other category seeing an increase and this has been the trend in recent years. Complaints were mostly associated with smoke effects from late autumn outdoor burning. Odour complaints also featured highly in Motueka. As always complaint response continues to be first priority and a considerable amount of time is spent responding to public concerns.

1.8 Despite the impact complaint response has on Council, effort is still put into consent and permitted activity monitoring and a total of 1870 resource consents and targeted permitted activities were recorded as monitored. This was up on the 1505 last year. The actual

number may have been higher but our current system does not count all district land use consents where monitoring occurs through the building consent process.

1.9 Compliance was reasonably high this year, with 1216 (64%) of the activities monitored found fully complying with consent conditions. Of the 645 activities that failed to achieve full compliance, 79% were minor and required no further action. Generally, in these cases the approach was to provide some education or a warning where that was appropriate. The remaining 21% had non-compliance at a level sufficient to require some type of action. These were addressed through a formal enforcement process depending on the circumstances and included either a written direction or abatement notice and associated fines.

1.10 While none of the significant non-compliances this period was of a level that warranted prosecution or enforcement orders before the court during the year, Council undertook a number of other enforcement actions for breaches of consent conditions, plan rules or regulations. The type of response depended on the circumstances behind the offending and the level of adverse effect caused by those actions. Over the year, 67 abatement notices and 79 infringement notices were issued. This was up sharply on last year and is attributed to the enforcement response during the drought.

1.11 Much like complaint response, the requirement to undertake enforcement actions to remedy adverse effects and provide a suitable deterrence does, in itself, have a direct impact on our resources and ability to proactively monitor and provide other key services. This is due to the fact that gaining compliance and ensuring the appropriate response to offending can take a considerable amount of staff time.

1.12 Despite that and the impacts of the two emergency events encountered this summer, it is pleasing to report that the Compliance section had a great deal of success in executing its monitoring and enforcement responsibilities this period.

2 Draft Resolution

That the Environment and Planning Committee receives the Annual Compliance and Enforcement Summary Report REP19-09-06

3 Purpose of the Report

3.1 This report summarises Tasman District Council's Compliance section programme of work and achievements for the period 1 July 2018 to 30 June 2019. The report outlines consent monitoring performance and compliance and enforcement response over the period and serves in part to meet Council's obligations under section 35 of the Resource Management Act 1991.

3.2 This annual report does not attempt to report on effectiveness and implementation of the Tasman Resource Management Plan (TRMP) rules, resource consents, or state of the environment monitoring.

3.3 The structure of the report is as follows:

Section 4 Outlines current compliance structure and programmes
Section 5 Reports on performance with consent/permitted activity monitoring
Section 6 Reports on complaint response for the period
Section 7 Reports on enforcement activity for the period.

4 Compliance Monitoring Programmes

4.1 Tasman District Council's monitoring programme is delivered using a strategic risk based priority-setting framework. This focuses monitoring efforts according to the activities risk to our natural resources and community wellbeing.

4.2 Targeted monitoring programmes allow for structured and consistent effects based monitoring and more efficient use of limited resources. They also provide the ability to report on the individual's compliance performance with rules or resource consents as well as the behaviour of the sector as a whole.

4.3 This programme is reviewed every two years to allow us the ability to identify and respond to trends with either a reduction or additional resourcing or enforcement strategies as required.

4.4 Currently the section consists of nine warranted officers and an administrator under the direction of a Team Leader. Additional administrative resource is provided from the regulatory department and amounts to approximately 0.6 FTE. Compliance Monitoring Officers have direct responsibility for managing and reporting outcomes under their individual portfolios. Each Compliance Officer holds a number of portfolios.

4.5 The current suite of monitoring programmes under their priority settings are listed below in Table 1:

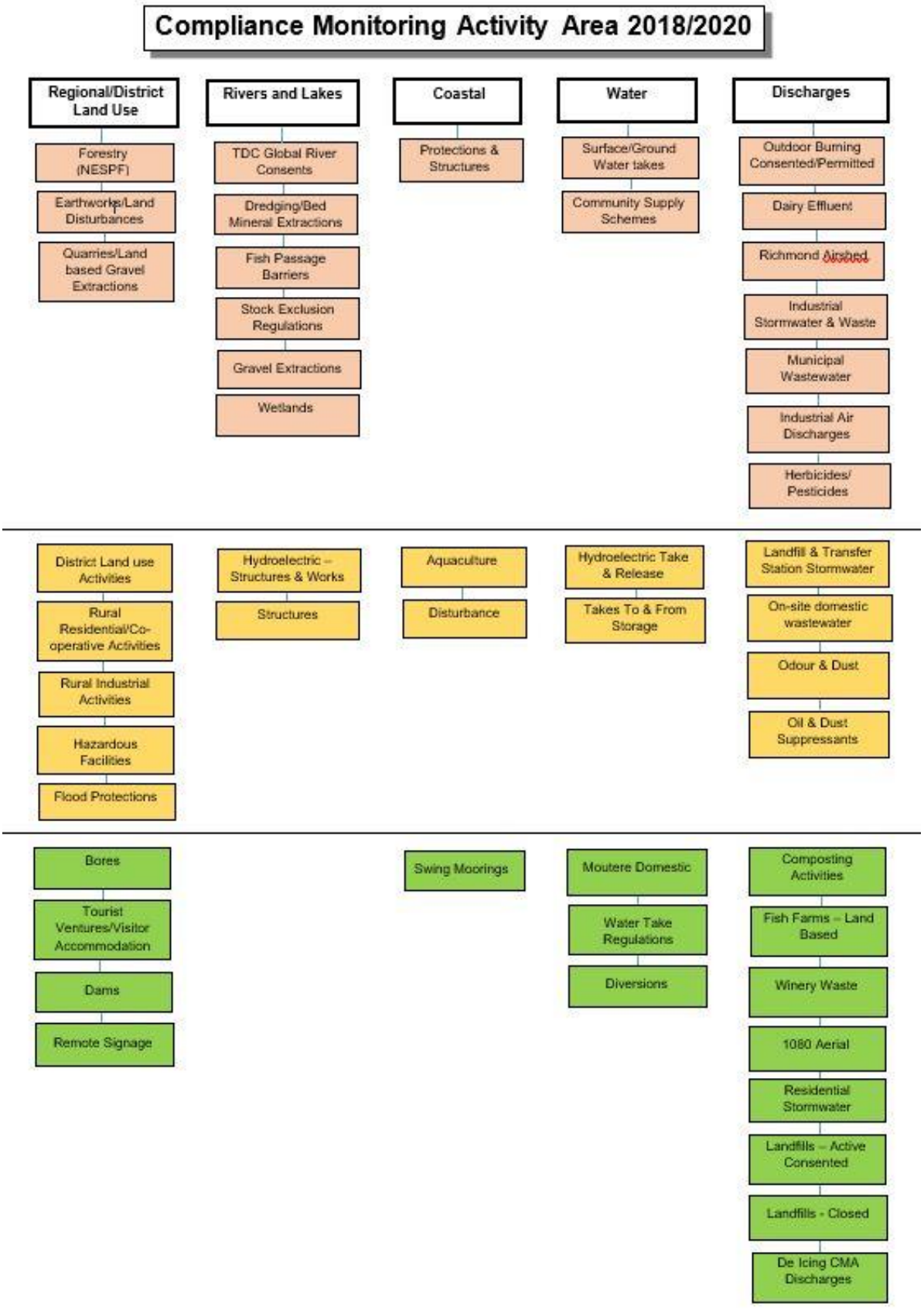


Table 1: Current monitoring programme in Tasman District

4.6 The colour coding in the above table represents where the activity sits in the priority-setting matrix. Monitoring intensity is determined by this priority status and associated monitoring policy.

Aggregate total score	Priority *
Total score of 30 - 50	1 - High
Total score of 20 -29	2 - Moderate
Total score of 0 - 19	3 - Low

Compliance officers responsible for these programmes develop a strategy of programme and data management in accordance with these settings. They are also required to develop an effective working relationship with industry and users and participate in liaison committees if set up.

Compliance Grading

4.7 At the completion of any inspection a grade is assigned to each condition monitored reflecting the level of compliance achieved at that time. This grading determines the level of enforcement response for those non-complying and also assists in mapping future monitoring through our monitoring strategy.

1	**Full compliance**	Compliance with all relevant consent conditions achieved at time of inspection or audit.
2	**Non Compliance: No action**	Non-compliance with consent conditions with no or minor actual environmental effects and no action required.
3	**Non Compliance: Action**	Non-compliance with consent conditions with minor to moderate adverse effects and where action is required.
4	**Significant Non-compliance**	Non-compliance with conditions where there is actual or potential significant adverse effects and action is required.
5	**Not Monitored**	Consent not monitored at time of being exercised and compliance with conditions unable to be determined or not required.

Table 3: Compliance gradings

5 Summary of Consent and Permitted Activity Monitoring in Tasman District 2018/19

5.1 Over the 2018/19 year a total of 1,870 resource consents and targeted permitted activities were monitored. Due to the unique set of circumstances occurring over the summer with the Tasman wildfire and region wide drought consent monitoring was affected as staff were diverted into response to these events. Despite this, monitoring of consents in the key programme areas was higher than the previous year where 1505 were monitored.

5.2 As stated, all consents monitored are assigned a performance grade against their conditions. A summary of the compliance monitoring outcomes for the consents that received monitoring is contained in the following graph.

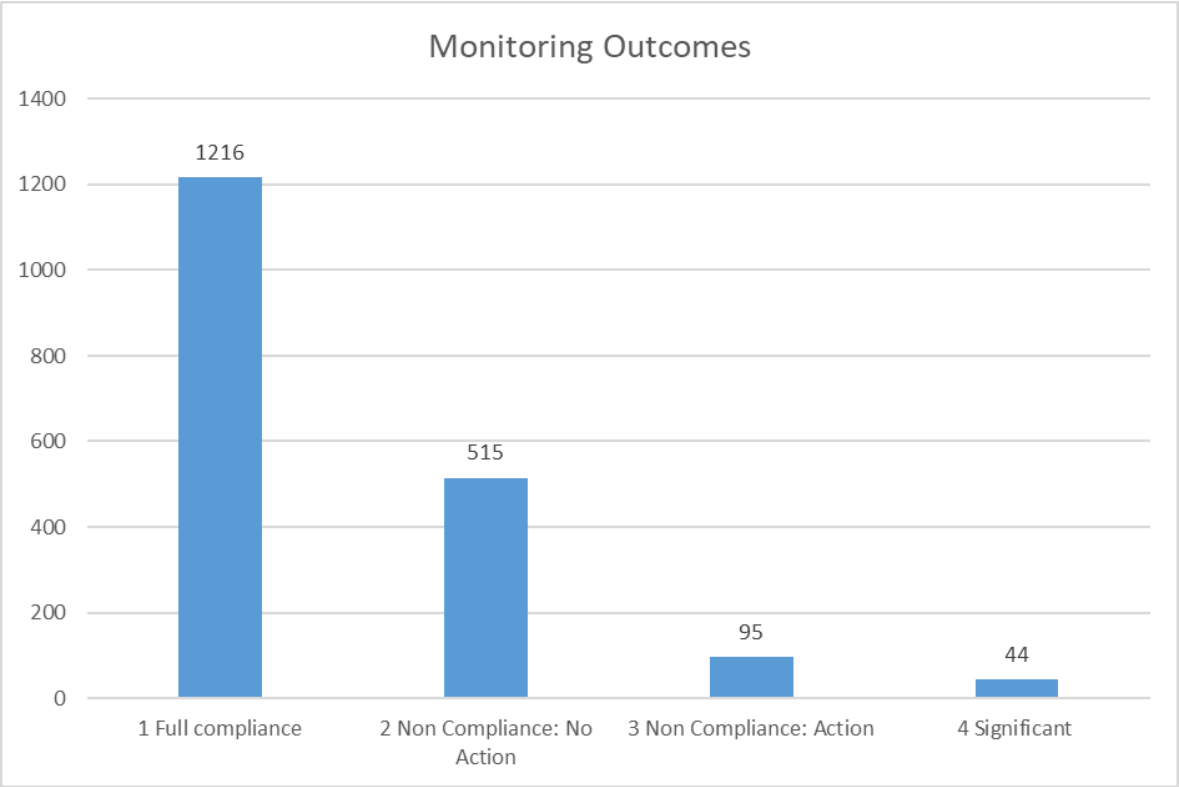


Figure 1: Consent and targeted permitted activity compliance performance for monitoring period

5.3 Compliance with conditions or plan rules was relatively high with 65% being recorded as fully compliant at time of inspection. Of the 645 that failed to achieve full compliance with one or more consent conditions, 79% of these were minor and required no further action. In most of these cases, the approach was to provide some education around the need to comply or a warning issued where that was appropriate. The remaining 21% had non-compliance at a level sufficient to require some type of action given the circumstances and actual or potential for adverse environmental effects. These were often addressed through a formal enforcement process depending on the circumstances and were likely to include a written direction or abatement notice and associated fines. None of the significant non-compliances this period was of a level that led to initiation of a prosecution or enforcement orders before the court although some are on final warnings.

Notable Regional Consents

5.4 The following section summarises the monitoring of some of the larger or more notable consented activities that occurred around the district during the period.

Herbicide Spraying Programmes

5.5 Both Tasman District Council and NZ Transport Agency undertook a range of roadside vegetation spraying operations around the districts roads. Both consent holders exercised these consents over the period and met all conditions.

Wastewater Treatment Plants (WWTP)

5.6 The largest wastewater treatment plant operating in Tasman district is on Bells Island, managing effluent from Nelson and Tasman. The consent holder is the Nelson Regional Sewage Business Unit (NRSBU), a joint venture between Nelson City Council and Tasman

District Council. Treated effluent is discharged into the Waimea Estuary and biosolids are applied onto Tasman District Council forested land on Rabbit Island.

NRSBU Bells Island - Discharge to Waimea Estuary

5.6.1 This resource consent allows the discharge of up to 25,000 m^3 of treated effluent per day into the Waimea Estuary. Conditions of the resource consent require sampling of effluent quality on a monthly basis. Routine sampling reports were received as required and full compliance achieved.

NRSBU Bells Island - Discharge to Air

5.6.2 All reports received. Some complaints have been received over the period from residents of Best's Island with regard to odour. These have been dealt with at the time and no action is forthcoming.

NRSBU - Discharge of Biosolids

5.6.3 Resource consent allows the discharge of stabilised sludge to approximately 1000 hectares of forest land on Moturoa/Rabbit Island on a rotational basis. Consent conditions require sampling of effluent, groundwater quality, and soil contaminant concentrations on the irrigated land. This activity met all its conditions in the 2018/119 period.

A full report including trends is required to be submitted every six years of the anniversary of consent. The next report is due 2020.

Collingwood WWTP

5.6.4 The Collingwood township WWTP discharges treated effluent into the Burton Ale Stream. The resource consent requires a range of monitoring including discharge quality and periodic surface water monitoring. An annual report is required by 30 November each year covering the period 1 September to 31 August.

All sampling data and annual reports for the period received. Non-compliance was recorded over the reporting period due to a failure of the UV system. No formal enforcement action has been required as the matter was rectified quickly.

Takaka WWTP

5.6.5 The Takaka WWTP currently serves Takaka Township and surrounds. A consent allows the discharge of 700 m^3 of effluent via rapid infiltration basins. An annual report is required by 30 November each year covering the period 1 September to 31 August.

All sampling data and annual reports for the period received. Fully compliant.

Upper Takaka WWTP

5.6.6 Upper Takaka Wastewater Treatment Plant is a small system that services approximately 26 households and discharges treated effluent into land via a single pond and marsh cell system. The consent holder is required to provide sampling data and report non-compliance. An annual report is required by 30 November each year covering the period 1 September to 31 August.

Single event of non-compliance recorded due to rainfall causing exceedance in daily flow limits. Given the work going into upgrades on this system to prevent storm water intrusion no action required.

Motueka WWTP

5.6.7 The Motueka WWTP services the township of Motueka and surrounding areas, the resource consent allows for a maximum of 10,000 m^3 of effluent per day to be discharged through a newly commissioned outfall.

Annual reports and sampling results received. Some non-compliance recorded during this period mostly associated with dissolved oxygen levels and E.Coli above consent limits.

Tapawera WWTP

5.6.8 Tapawera's wastewater treatment plant is a small system servicing the township. The consent allows a maximum discharge of up to 500 m^3 per day. Annual report and all sampling results received. Fully compliant.

Murchison WWTP

5.6.9 The resource consent allows for a maximum of 500 m^3 of effluent per day to be discharged into the ground via infiltration trenches. Five bores monitor for groundwater effects and consent conditions require a range of monitoring including plant performance and ground water monitoring.

The annual report and all sampling results have been received as required. Non-compliant E Coli readings from bore testing. Additional testing has been done in the area which indicates source not from WWTP but more from the agricultural run off. Monitoring continuing.

St Arnaud WWTP

5.6.10 The resource consent allows the discharge of up to 290 m^3 per day of effluent from a single aerated oxidation pond feeding a two-stage marsh cell and discharge to land.

Annual report and all sampling results received. Fully compliant.

Landfills and Transfer Stations

5.7 Tasman District Council operates a single landfill and a number of transfer stations in the District under various resource consents.

Eve Valley Landfill

5.7.1 Eves Valley has been operating as an engineered, sanitary landfill since 1989. Stage 1 was capped and closed in 2001. Stage 2 of the landfill covering 4.5 ha was operational up until 30 June 2017 when it was closed and the site moved to a maintenance programme.

Monitoring continues with respect to discharges and covers the range of performance conditions including ground, leachate and surface water sampling.

All sampling and reporting conditions met over the period. Issues of non-compliance with respect to several leachate discharges into the Eves Valley stream during high rainfall events were recorded although carrying minor effects in the receiving environment. No action required.

Scott's Quarry Transfer Station: Takaka, Golden Bay

5.7.2 Scott's is subject to two resource consents for the land use for a transfer station and discharge of stormwater. Consents require a comprehensive range of ground and surface water quality sampling and site management.

All sampling received as required. Technical non-compliance with receipt of a late report. All discharges were compliant.

Richmond Transfer Station

5.7.3 Richmond transfer station is the largest transfer station in the district. The site is subject to the conditions of a consent allowing the discharge of stormwater to the Coastal Marine Area.

Quarterly sampling results and annual report received. Fully compliant.

Mariri Transfer Station: Motueka

5.7.4 Mariri transfer station services the area of Motueka and surrounding areas of the Moutere and Mapua/Ruby Bay. The site is subject to a discharge of stormwater consent with conditions requiring sampling and annual reporting. Full compliance achieved.

5.7.5 **Murchison Recovery Centre**

This site is on the former landfill and operates two consents for discharge to air and stormwater. Full compliance achieved.

Timber Treatment Plants

5.8 There are a number of timber treatment plants in the district.

Nelson Pine Industries Ltd

5.8.1 Nelson Pine Industries (NPI) Limited operates MDF and LVL plants at Lower Queen Street, Richmond; they hold a suite of consents including air, stormwater and hazardous facility.

During the 2018/19 year, NPI undertook all monitoring as required under their consents and supplied the results to Council in reports. Fully Compliant.

Carter Holt Harvey

5.8.2 Carter Holt Harvey (CHH) operates a sawmill complex at Eves Valley. The company holds a suite of consents including air, stormwater and hazardous facility. These consents are due for renewal and applications are now in with Council.

All monitoring and reporting has been complied with and sampling programmes have shown all discharges are within the consent parameters. Fully compliant.

AICA Limited

5.8.3 AICA Limited operates a phenol and formaldehyde resin plant at Lower Queen Street, Richmond. The company holds resource consent to discharge contaminants into the air from the production of phenol and formaldehyde resins and resource consent to discharge stormwater into the Waimea Estuary. During 2018/19 fully complied.

Goldpine Industries

5.8.4 Goldpine Industries operates a CCA and Alkaline Copper Quat (ACQ) timber treatment plant in the Golden Downs area. The company holds a suite of consents for this site including, discharge of stormwater, air discharge, hazardous substance and other land use consents.

All reports and sample data received. No non-compliance reported for this period.

Halswell Timbers

5.8.5 This site was previously Hunters Laminates 2014 Limited until that company went into liquidation last year. The site is still a timber processing facility now run by Halswell Timbers.

The company holds resource consents to discharge stormwater and hazardous substance storage. Resource consent conditions for this site include a comprehensive range of tiered sampling and reporting clauses. The site is currently under abatement notice and the timber treatment is undertaken off-site. Compliance staff continue to deal with the new owners towards full compliance.

Prowood Limited

5.8.6 Prowood Limited now operates the timber processing and treatment facility in the Little Sydney Valley previously owned by Primepine.

This site is a CCA treatment plant and holds a suite of consents associated with the operation including stormwater discharge, air and hazardous facility. New consents were granted for this site in 2017.

All monitoring and reporting requirements have been met however the site has been subject to a series of complaints from local residents in the last year associated with noise and hours of operation. These matters are being worked through with Council, the consent holder and complainants.

Dairy Processing Factories

5.9 The Fonterra Co-operative Group Limited own and operate two milk-processing factories located in Brightwater and Takaka.

Fonterra - Takaka Plant

5.9.1 The Takaka factory holds a suite of consents related to its operation including:

- Consent to discharge combustion products, odours and particulate matter into the air;
- Consent to discharge wastewater and whey onto land;
- Consent to discharge wastewater and whey into the Takaka River during flood flow;
- Consent to take groundwater.

As part of the resource consent conditions authorising the various discharges, the company is required to supply reports on performance at specified periods. The company has complied with reporting during 2018/19.

Non-compliance recorded in the stormwater discharge consent as a result of dissolved Zinc levels exceeding the trigger value specified in the consent. Further assessment and remedial being undertaken by the company.

Brightwater Plant

5.9.2 The Brightwater factory produces hold consents for:

- Resource consents to discharge combustion products, odours and particulate matter into the air;
- Resource consent to discharge stormwater and uncontaminated cooling water;
- Resource consent to store hazardous substances;
- Resource consent to take groundwater.

The company is required to supply reports on performance at specified periods and has provided the required reports in 2018/19. Fully compliant.

Fish Processors

5.10 There are two types of fish processors operating within the district:

Talley's: Port Motueka

5.10.1 Talley's operate a fish processing, fishmeal and ice cream factory at Port Motueka under a new suite of resource consents including to discharge to the Costal Marine area and air.

During this period, the company undertook a range of plant upgrades and implemented changes to recognise the new consent conditions. This work is continuing.

Unfortunately, during this period the Council has been required to respond to a range of non-compliance with respect to discharges to air and the Motueka estuary. There has also been a raft of public complaints around odour from the fishmeal plant.

While Council continues to work with the company on its environmental obligations it is also now subject to final warnings.

Salmon Farms

5.10.2 Two freshwater salmon farms operate in Golden Bay. New Zealand King Salmon (NZKS) is located on the banks of Waikoropupu (Pupu springs) River and Anatoki Salmon is located on the banks of the Anatoki River. Both companies have a suite of resource consents relating to:

- Diverting and taking of water;
- Structures in waterways; and
- Discharge of water and contaminants into receiving waterways.

Both salmon farms are required as part of their discharge consent conditions to supply annual reports on discharge quality. The reports detail what effects the discharge may be having on the receiving water quality and macroinvertebrate communities.

During the 2018/19 year both companies undertook all monitoring as required under the consent and supplied annual reports.

NZKS fully compliant. Anatoki Salmon continue to have problems meeting water quality measures and several complaints have been received from the public regarding discharge effects.

The compliance department is working with the farm to resolve these issues and they have renewal and a new consent application with Council.

Other Industries

Higgins Contractors Limited

5.11 Higgins operates a concrete and hot mix asphalt plant on Beach Road, Richmond. The company holds a number of resource consents including discharge to air associated with the manufacture of asphalt.

The company is currently under abatement notice due to non-compliance as a result of odours from the manufacture of asphalt creating adverse effects on the local community.

The company has now engaged its national advisers to resolve this matter and new plant is in the process of being secured for this site.

6 Complaints Action 2018/2019

6.1 The Compliance section provides 24-hour complaint response. Each year it investigates a wide range of activities as a result of public complaints.

6.2 During the reporting period, 2631 complaints were received relating to environmental incidents or rubbish dumping. This was an increase of 69 complaints on the previous year or a 3% increase. This continues the trend of steadily climbing numbers since 2014.

6.3 Figure 2 charts the current year's complaint numbers in Tasman district against the last six years.

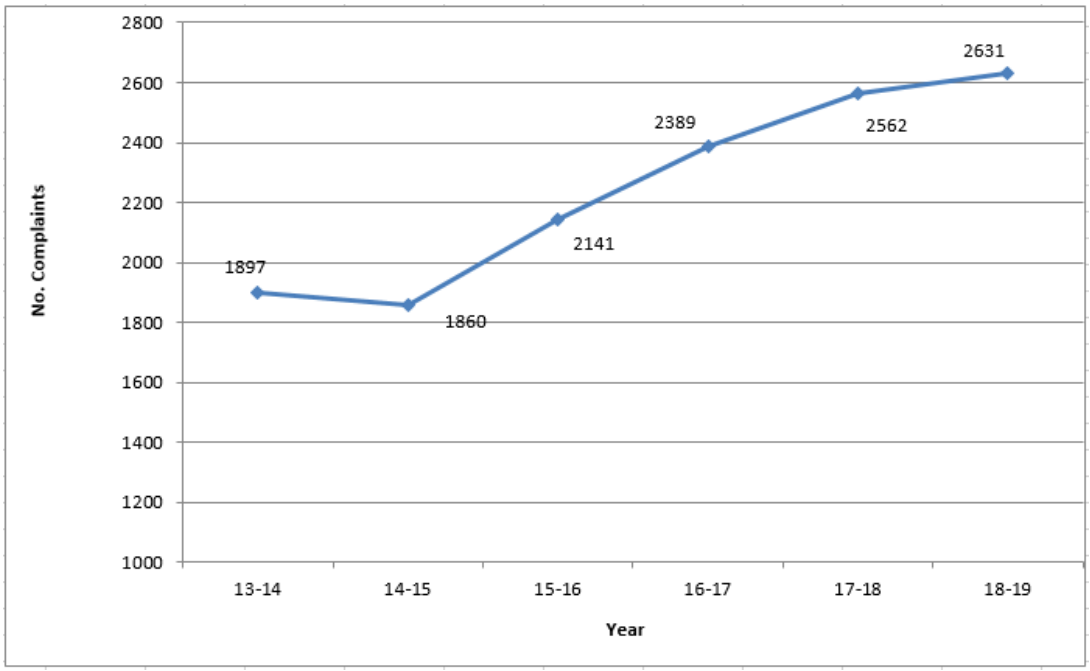


Figure 2: Trend in complaint numbers in Tasman district over last six years

6.4 The following graph provides a breakdown summary of complaints against the eight broad complaint categories used in this annual report summary.

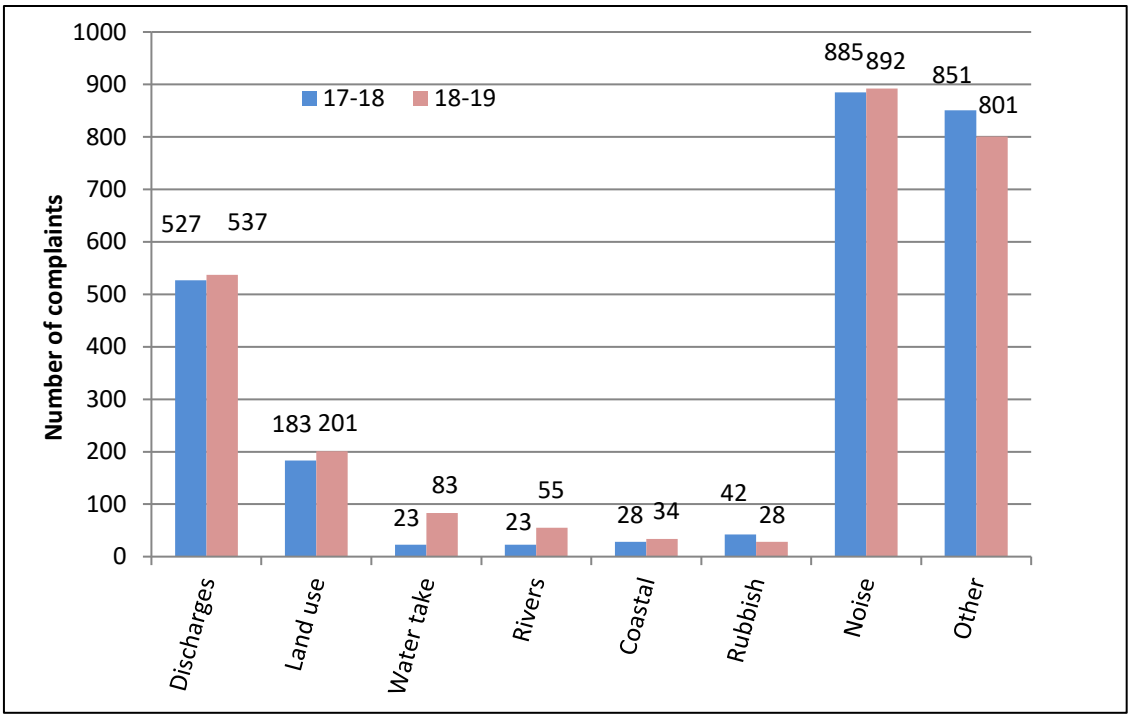


Figure 3: Number of complaints received in comparison to previous year by general category

6.5 Generally, this year saw most categories record a small to moderate increase in complaint numbers, however significant increases were seen in two categories those being rivers and water takes.

6.6 Given the summer saw the district under a severe drought, the increase in complaints around water were associated more or less solely with the severe rationing and cease takes that were imposed. The majority of these complaints were from the public observing irrigation occurring in rural areas while urban watering bans were in place or where they felt the irrigation practice was inefficient.

6.7 The complaints with regard to rivers were to a certain extent also associated with drought with some concerns on surface water extractions and associated river works. There was however a number of enquires or contacts associated with gravel extractions over the year although these were not complaint based.

6.8 As is common in Tasman district, Council did receive a high number of complaints in the autumn and early winter as outdoor burning of orchard waste and other vegetation clearance began. Outdoor burning along with storm water and odour make up a significant proportion of all the complaints Councils receives each year.

6.9 Complaints were dealt with on a case-by-case basis and any action taken as and when it could be established that a breach had occurred.

7 Enforcement Action

7.1 One of Council's measures of performance is timely resolution of significant non-compliance with respect to breach of resource consent conditions. Significant non-compliance is graded as a four. Timely resolution is defined as 80% of all significant non-compliance resolved within nine months and 95% resolved with 12 months.

7.2 During the 2018/19 year, a total of 44 resource consents were subject to this measure in the reporting year. There were no carryovers from the last period (see Table 6).

7.3 The vast majority of these significant non-compliances were associated with water takes and occurred during the drought when rationing restrictions were at their greatest. All were resolved within nine months mostly through abatement notices and infringement fines. Some of the abatement notices remain in force.

	Number of actions	Resolved (nine months)	Resolved (12 months)
Non compliances recorded and resolved this current period	44	44	N/A
Non compliances carried over from the previous year subject to measure*	N/A	N/A	N/A
Non compliances with nine and 12 month deadline beyond this reporting period**	N/A	N/A	N/A
Total	44	44 (100%)	N/A

Table 6: Resolution of non-significant compliance with respect to breach of consent conditions

NOTES

*Significant non-compliances carried over from the previous year report are those non-compliances that were identified in that period but resolution dates fell beyond.

**This represents significant non-compliances recorded in the reporting period, not yet resolved and where the 9 and 12 month measures fall beyond this current reporting period. These would be reported on in the next annual report.

7.4 During the 2018/19 year, Council compliance officers undertook a range of enforcement actions in response to detected non-compliance or breaches. Table 7 provides an overall summary of enforcement action taken and compares this to the same period in the previous year. It should be noted that enforcement action includes response to breaches of consent conditions, non-compliance with rules for a permitted activity in the TRMP, or infringements against the Litter Act.

Enforcement action	**2018-19**	**2016-17**
Abatement notices	67	33
Infringement notices	79	46
Enforcement orders	0	0
Prosecutions	0	1

Table 7: Summary of Enforcement action during the 18/19 year including comparison data for previous year

Abatement Notices

7.5 67 Abatement notices were issued by the Compliance section over the period, the details of which are contained in the following table. It should be noted that this data excludes those abatement notices issued under Section 16 of the RMA (noise), but does include those issued by this section in relation to consent condition breaches where noise was the non-complying factor if applicable.

7.6 Abatement notices for unauthorised extraction of ground and surface water dominated the statistics this year. During the months of January and February when the drought was reaching critical stages Council was responding to numerous incidents of overtakes. As a result abatement notices and infringement fines were issued where that was appropriate to manage the effects and get the message out.

As with previous years a reasonable number of abatement notices were also issued for non-complying discharges over this period either as consented or permitted activities. Again, the causes varied widely without any particular pattern and ranged from failure to comply with wastewater conditions, poor outdoor burning practices through to unauthorised discharge of sediment from land disturbance.

Finally, the only other area of enforcement action was land use breaches mostly associated with failure to comply with resource consent conditions and where an adverse effect occurring. Earthworks, people using their property for activities outside of zone rule restrictions and breach of resource consents associated with building were predominant themes.

RMA Section	Number issued
Section 9 - Land use	18
Section 12 - Coastal	-
Section 13 - Rivers/Lakes	2
Section 14 - Water	25
Section 15 - Discharges	21
Section 17	1
Total	**67**

Table 8: Number of Abatement Notices relative to each section of the RMA (Sec 9 - 17)

Infringement Fines

7.7 During the period 51 infringement fines were issued for breaches against the Resource Management Act or Litter Act as outlined in the following table including method of recovery. The column headed outstanding shows those fines not paid in the statutory time frame and subsequently lodged in the Court for recovery.

Resource Management Act 1991	Number issued	Paid	Outstanding	Withdrawn
Contravention of section 9 - (Land use)	2	2	-	-
Contravention of section 13 - (Rivers)	1	-	1	-

Contravention of section 14 - (Water)	51	35	1	15
Contravention of section 15(1) (a) or (b) (Discharge contaminant to water or land)	2	2	-	-
Contravention of section 15(1) (d) (Discharge - Industrial Premises to land)	1	1	-	-
Contravention of section 15(2A) - (Discharge Air - breach rule or regulation)	3	2	1	-
Contravention of an abatement notice	2	-	2	-
Contravention of a water shortage direction	1	1	-	-
Contravention of an excessive noise direction	1	-	1	-
Litter Act 1979				
Deposit and Leave Litter	15	3	8	4
Total	**79**	**46**	**14**	**19**

Table 9: Infringement notices by type and outcome

Enforcement Orders

7.8 No enforcement orders were initiated during this period however, one granted enforcement order went back before the Court as a result of a high court appeal.

7.8.1: Tasman District Council v Gary Baigent

The Council had sought and been granted Enforcement Orders in the Nelson Environment Court to address damage to two mapped wetlands in Golden Bay as a result of illegal drainage work. The respondent subsequently appealed the decision to the High Court where after hearing the appeal was dismissed. The orders are now in effect and require compliance.

Costs applications in favour of the Council have been allowed in both Courts and these await settlement.

Prosecutions

7.9 No prosecutions were initiated in this period. One prosecution carried over from the previous year was finalised.

Amberglen Farms and H J Pomeroy were sentencing in the Nelson District Court on 30 November 2018.

Amberglen Farms was sentenced to a total fine of $76,500.

Mr Pomeroy was convicted and discharged.

8 Future Strategies

8.1 The topic of winter grazing has reared its head in this district and Council is being questioned over its strategies to deal with the environmental effects from this practice. Compliance is developing a strategy to incorporate this into its monitoring programmes for the future. The shape of it including how we engage is yet to be developed however, it will need to be in co-ordination with other agencies and industries groups. A working group of key players is meeting to scope this strategy for the top of the south.

8.2 The Essential Freshwater NPS changes and potential NES for farm management plans will have a direct impact on us at the regional level. Depending on the final shape, resourcing including use of technologies are factors we will need to consider in order to put these to effect on the ground. Once it becomes clear what these regulations will impose, a revision to the monitoring and enforcement strategy will need to be developed.

9 Conclusion

9.1 Complaint response continues to be our first priority and a considerable amount of time is spent responding to the public and their concerns. This does have a detrimental impact on the more proactive consent monitoring work; however, it is essential that Council responds to community concerns first and foremost.

9.2 This year complaints continued to track upwards as they have done over the last six years. This year we received a lot of complaints during the summer drought which helped to push up the total numbers despite a drop in some of the other categories we record. As with every year smoke and odour complaints dominate, particularly as the outdoor burning starts late autumn. Odour from Talley's fish meal processing was also prominent in complaint data.

9.3 Council has a defined pathway in respect to monitoring and enforcement to provide for a consistent, fair and proportional approach. Fundamentally, that pathway is to promote awareness and encourage positive behavioural change through a process of engagement, education and assisting wrongdoers to achieve best practice to meet their obligations. Enforcement, while an important part of this process is usually reserved for those unwilling or unable to change. Council's approach in this area is designed to be entirely objective and consistent with national regulatory enforcement protocols and practices

9.4 This year we were very busy in the area of enforcement particularly as a response to drought where many water consent holders were facing severe restrictions. While we spent a great deal of time over the year working with individuals to resolve issues, abatement and infringement notices were also employed to good effect gaining compliance, addressing adverse environmental effect and providing low level deterrence in the more minor cases. There were no significant enforcement responses initiated in this period, which was pleasing.

9.5 On the monitoring side despite the effects of the two emergency events that occurred over the summer the Compliance Department managed to achieve an increased level of consent and permitted activity monitoring in the key programme areas. While full compliance was lower than last year, the non-compliance was mostly of a minor nature and did not require any further action or significant enforcement response.

10 Attachments

Nil

9.6 CONTACT RECREATION WATER QUALITY REPORT FOR 2018-19 SUMMER

Information Only - No Decision Required

Report To:	Environment and Planning Committee
Meeting Date:	5 September 2019
Report Author:	Trevor James, Resource Scientist
Report Number:	REP19-09-7

1 Summary

1.1 Tasman District Council has monitored swimming holes and coastal beaches since the mid-1990s in accordance with national guidelines and responsibilities under Section 35 and the National Policy Statement for Freshwater Management (2017) under the Resource Management Act. Councils around New Zealand report these data along with recreation site grades annually to the Ministry for the Environment.

1.2 A total of 10 sites (five freshwater and five marine) were sampled for faecal indicator bacteria between mid-November 2018 and March 2019. A site on the Takaka River at Waitapu Bridge was brought into the programme this year as the site has not been sampled before and the site is used by the public for swimming (particularly by freedom campers).

1.3 Out of a total of 222 samples taken, there were a total of 18 ("Alarm/Red") exceedances of national microbiological water quality guidelines at swimming sites. 94% of samples meet the required levels during fine weather. Over all samples in all weather conditions, approximately 92% of samples meet (Alarm level) guidelines. This rate of compliance is similar to last year but is below the Long Term Plan (stretch) target of 98%. The average dry weather compliance rate for the last 10 years is 97%.

1.4 The main reason for higher rate of non-compliance across all sites compared to the medium-term average is the high faecal indicator bacteria levels recorded at Rototai Beach (seven exceedences) and three exceedences at Pohara. The Rototai site appears to be affected by high faecal contamination in the Motupipi catchment. However, several farmers in that catchment are continuing to invest in measures to reduce faecal discharges. The three exceedances at Pohara were during fine weather.

1.5 Using the Ministry for the Environment "Suitability for Recreation Grade" for core marine sites criteria including rainfall-affected samples, Rabbit Island Main Beach continues to be graded "Very Good". Mapua Leisure Park Beach was upgraded to "Very Good" from "Good" and Pohara Beach was graded "Poor" due to occasional very high faecal indicator bacteria results. Rototai had the most exceedances of guidelines of any marine site (seven).

1.6 For freshwater sites: Takaka at Paynes Ford, Roding at Twin Bridges and Lee Reserve were all 'Blue/Excellent' when assessed against the attributes in the National Policy Statement for Freshwater Management, even when rain-affected samples were included. Tukurua Stream (near the mouth) had a much lower number of exceedances (three, of which two were rain-affected) than the previous season.

1.7 Sampling was undertaken to determine whether there is an effect of bathers on *E.coli* concentrations in swimming holes in rivers. The pattern determined to date was inconclusive.

1.8 Toxic algae levels were above interim guidelines in the Wai-iti for just over a week in the Wai-iti/Waimea in early January and in the lower Takaka in mid-February. No dog deaths were recorded that were likely to be due to toxic algae.

2 Draft Resolution

That the Environment and Planning Committee receives the Contact Recreation Water Quality Report for 2018-19 Summer REP19-09-7;

3 Purpose of the Report

3.1 To present information from the regular Contact Recreation Water Quality Monitoring Programme over the 2018-19 season, toxic algae issues and any other related investigations or issues.

4 Background and Discussion

Sampling for Faecal Indicator Bacteria at Contact Recreation Sites

4.1 Water contaminated with human or animal faeces may contain a range of disease-causing organisms and when even small amounts are consumed by mouth, or through ears or nose, can cause gastro-enteritis and respiratory health effects, as well as a small chance of more serious diseases such as hepatitis A, cryptosporidiosis, campylobacteriosis and salmonellosis. The health risk from contact recreation in natural waters increases as the concentration of disease causing organisms increase. The National Policy Statement for Freshwater or Microbiologic Water Quality Guidelines for coastal water used in New Zealand effectively allow for a low rate of illness risk (2-3% infection rate per contact recreation event). Contact recreation involves full immersion of a person's head and includes swimming, water skiing and whitewater kayaking.

4.2 Monitoring of waters used for contact recreation in Tasman District has been ongoing since the mid-1990s. During that time seven of the sampling sites in the programme have been sampled consistently since 2000, with three of those sites being sampled every year (Mapua Leisure Park Beach, Kaiteriteri Beach and Rabbit Island at Main Beach). Another four sites have been sampled annually since 2010 (Takaka at Paynes Ford, Pohara Beach, Roding at Twin Bridges and Lee at Reserve). A further 60+ sites have been surveyed for short periods and then discontinued because of either consistently good water quality or relatively low popularity, or both. To ensure we get some water quality information at additional lesser-used sites or sites with lower risk of faecal pollution, additional short-term investigations have been carried out. The more popular swimming sites were visited more often: twice-weekly during December to January and weekly for the rest of the season. The locations of the contact recreation water quality monitoring sites sampled this season are shown in Figure 1. Where it is found that there are on-going issues, such as in the Tukurua catchment, those sites may then be brought into the programme until such time as the issue is resolved.

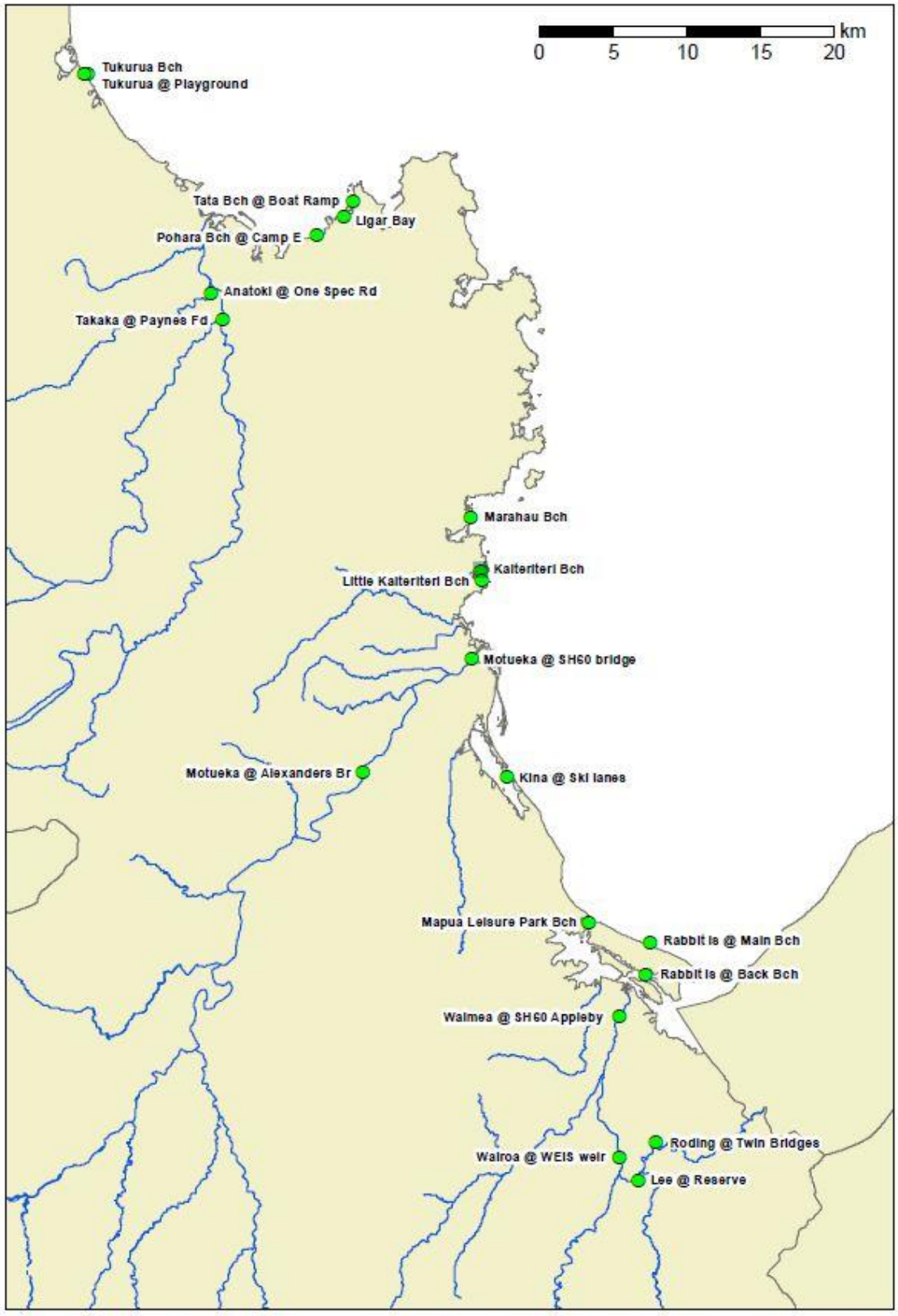


Figure 1: Contact recreation water quality monitoring sites sampled in Tasman District.

4.3 The contact recreation water quality sampling season begins in November and ends in March. While generally few people swim in November, we start sampling then because knowing about faecal contamination a few weeks out from the Christmas holidays means

that we are more likely to be able to address any problems in time, for the very high use swimming spots.

4.4 Sampling follows accepted best practice guidelines and results of the contact recreation water quality sampling were posted on the Council website at http://www.tasman.govt.nz/environment/water/swimming-water-quality/. There is also information on this website about the sampling sites and background to the monitoring programme. To enable a swift response after an exceedance of the microbiological water quality guidelines, all staff involved in the sampling programme are sent a text message alert from the lab as soon as the data becomes available.

4.5 For most sites, particularly freshwater sites, an exceedance of the standards or guidelines is likely after more than 20mm of rainfall in 24 hours. For a few sites, more than 10mm of rainfall within 48 hours can be enough to produce an exceedance, particularly if there is intensive farming or urbanization in the upstream catchment (eg Pohara Beach). To keep the public aware of this risk, Council issues standard guidance for people to avoid swimming within 48 hours of rain. Standard warning signs are only installed after two consecutive samples are found over alarm levels, or at the instruction of the Public Health Office of the District Health Board. These signs are taken down as soon as there are two consecutive samples under alarm levels. Sampling frequency is very high in these situations.

Predicting Faecal Indicator Bacteria Concentrations in Golden and Tasman Bays

4.6 The aim of this project is to develop a model that will successfully predict faecal indicator bacteria in Golden and Tasman Bays and efficiently assist in aquaculture and beach water quality management. In particular, this would include being able to warn people of the risks of contact recreation at the time of the risk occurring and not two days later when the lab results are provided. We are lucky to have this model be developed for our region under the Sustainable Seas funded programme. Council provided data for the model.

Toxic Algae (cyanobacteria)

4.7 In New Zealand, cyanobacteria have been implicated in numerous dog deaths. Cyanobacteria in the genus *Microcoleus* (previously *Phomidium*) are the main toxin-producing algae in New Zealand rivers. The toxins produced by *Microcoleus* are some of the most toxic in the natural world. The toxins produced are diverse and can cause liver, nerve and skin damage, as well as nausea, diarrhoea, gastroenteritis and possibly cancer. *Microcoleus* is native and is found in many of our district's pristine rivers such as the upper Wangapeka. Fortunately, there have been very few reported health effects of *Microcoleus* in humans in New Zealand, most likely because people rarely consume water directly from rivers. There remains, however, a reasonable risk for poorly-supervised toddlers due to their habit of exploring their environment by putting things in their mouth.

4.8 Toxic algae coverage was also sampled at all freshwater contact recreation sites weekly from November to February. In addition, we regularly surveyed using the national protocol for assessing algal coverage in the lower Waimea River at River Road and Wai-iti River at Brightwater Bridge. Toxic algal coverage information was posted within three days of sampling on the following webpage: http://tasman.govt.nz/environment/water/rivers/river-water-quality/monitoring-toxic-algae/ Very low cover of toxic algae was present this season.

5 Results and Discussion

Sampling for Faecal Indicator Bacteria at Contact Recreation Sites

5.1 A total of 10 sites (five freshwater and five marine) were sampled for faecal indicator bacteria between mid-November 2018 and mid-March 2019. All sites were sampled weekly, except during the peak season (December to January) when they were sampled twice weekly. Rototai Beach was brought into the programme last year based on comment from several members of the public that the site is reasonably well used for swimming, albeit that the site is much less popular han sites like Pohara and Tata Beaches.

5.2 Out of a total of 222 samples taken there were a total of 18 ("Alarm/Red") exceedances of national microbiological water quality guidelines at swimming sites. 13 samples exceed "Alarm/Red" levels microbiological guidelines (the level we are required to meet) during fine weather.

Table 1: Bathing Season Statistics 2018-19	
Total number of samples	222
Total number and % of exceedances in **all** weather (alarm only)	18 / 92%
Total number and % of exceedances in **dry** weather (alarm only)	13 / 94%
Exceedances – Freshwater	3/111
Exceedances – Coastal	10/111

5.3 The rate of compliance of 94% during dry weather is similar to last year, and only slightly below the average dry weather compliance rate of 97% over the last 10 years. However, is below the Long Term Plan (stretch) target of 98%.

5.4 The statistics shown in Table 1 do not include the results from Kaiteriteri Stormwater outlet because these are not primary swimming sites but used as survey for potential issues. However, they are sites used for secondary contact recreation. Additionally they do not include: Colingwood Boatramp, Port Riwaka, Motueka Beach, Ruby Bay, as samples were only taken at these sites this season at high risk times (after flooding) and therefore were considered biased. In addition there were usually too few samples on which to base any conclusion.

5.5 This season, three of the 10 sites were fully-compliant: Mapua Leisure Park, Rabbit Island Main Beach (refer Figure 2), and Lee Reserve (refer Figure 3).

5.6 **Marine Sites.** Data for all coastal beaches monitoring programme for the 2018-19 season are presented in Figure 2 below

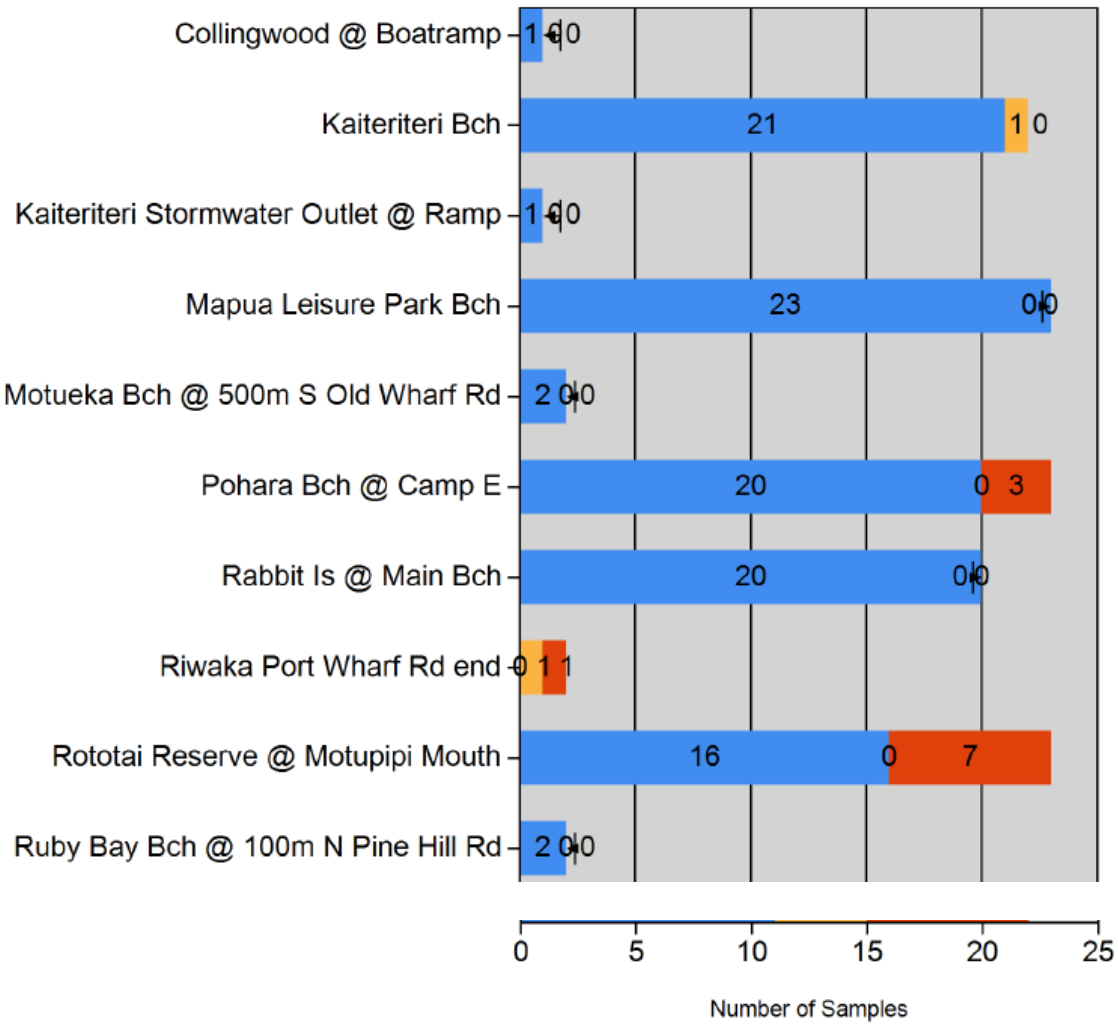


Figure 2: Number of samples exceeding national guidelines for contact recreation water quality at coastal beaches for the 2018-2019 season. **Red** results are over alarm levels (>280 *Enterococci*/100ml) and **orange** results are in the alert range (140-280 *Enterococci*/100ml).

Note: Kaiteriteri Stormwater outlet and Little Kaiteriteri Creek are not regarded as a swimming site as base flows are very low (<100ml/sec). These sites are included as they are investigation sites related to this monitoring programme.

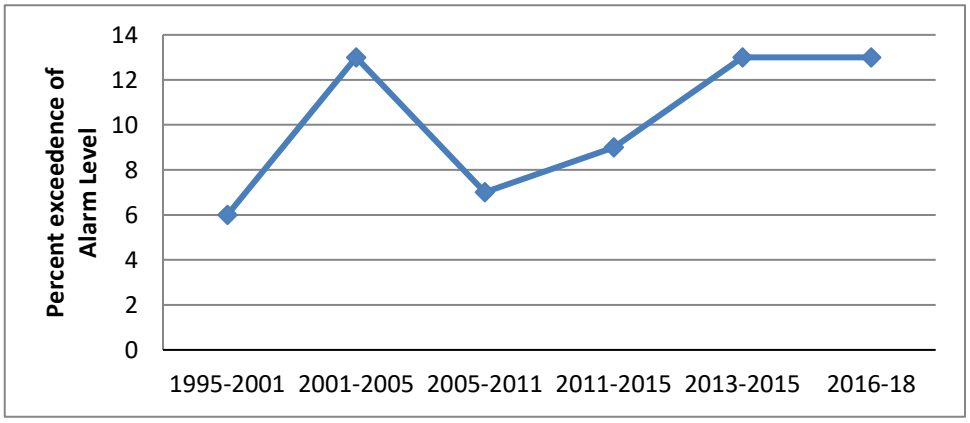
5.7 **Rototai Beach** near the mouth of the Motupipi River and Inlet exceeded guidelines the most of any site (seven Alarm level out of 23 samples). This site had by far the highest rate of non-compliance, approaching double that of the previous year (2017-18: 4 of 22 samples). This site is affected by water quality in the intensively-farmed Motupipi catchment. A reasonable amount of work aimed at reducing faecal contamination of waterways has been completed by farmers over the last decade or so. Nearly all waterways in the catchment have stock access prevented. Some farmers are going beyond expected practice, doing things such as installing riparian wetlands to filter pasture discharges. A major project to reduce faecal contamination is gaining momentum in this catchment. It is supported by most farmers, as well as funding from the Catchment Enhancement Fund, Tasman Environmental Trust and NZ Landcare Trust. However, improvements in water quality in this catchment will be a long-term project. Note that this coastal site was estimated to have "very low" use in 2010-11 (report on the Tasman's Natural Swimming Holes and Beaches; Popularity and

Effects on the Recreational Experience). However, this estimate was based on relatively little data.

5.8 Across the sites this season, very few of the exceedances were related to rainfall (eg one of the seven at Rototai and none at Pohara). These typically presented as a single spike then the faecal indicator bacteria concentration returned to low levels once again.

5.9 **Pohara Beach** typically has 2-3 exceedences each year, often with one particularly high faecal indicator bacteria spike. The long term rate of exceedance at the Pohara site is just over 10% of samples (see trends in Figure 3 below). This season a result of 2610 *Enterococci*/100ml was recorded on 22/1/19 at the exact time of a 4.2m high tide. It is common for such high levels at high tides with the sea resuspending and mixing with the detritus at the top of the beach. The next follow-up sample, taken two days later (this time about an hour after another 4.2m high tide) were much lower (285 *Enterococci*/100ml) but still over alarm levels. Warning signs were not erected as there have been many notices in the media about avoiding swimming during and within 1-2 days after rain and on high tide. Another reason is that it is likely to be naturalized non-pathogenic faecal bacteria existing at the top of the tide line.

Figure 3: Rate of exceedence of alarm levels at Pohara Beach (Camp East site)



A permanent warning sign exists at the outfall of Pohara Creek onto Pohara Beach due to the prevalence of high faecal bacteria concentrations in that creek. However, the flow in this creek is very low during base flows and so the disease risk is very localized. No sicknesses have been reported for a few years.

5.10 Again the desired investigation to determine whether the faecal indicator bacteria (Enterococci) were “naturalized” using methods currently available, was dismissed due to cost (greater than $50k). In July 2019 ESR was notified that it was successful in obtaining funding for developing pathogen markers that, when available in early 2020, will be affordable and explicitly answer the main question we want to know: “Is there a significant health risk when faecal indicator bacteria concentrations are high?”. On that basis samples will be taken during high risk times (at or within one hour after high tide) during the coming season and held pending analysis and then reporting later in 2020.

5.11 It is concerning that of each of the samples taken at Port Riuwaka exceeded the guidelines, and one sample by a considerable amount (1112 *Enterococci*/100ml). Given that this was the first time samples have been taken at this site (at least in the last 15 years), it would be prudent to sample the full 20 samples during the coming season.

5.12 With the exception of the permanent warning signs at Tukurua and the stormwater outlets on Kaiteriteri and Pohara Beaches, no warning signs were erected this season.

Beach Grades.

5.13 In the absence of a National Policy Statement for coastal water, we use the Ministry for the Environment "Suitability for Recreation Grade" (2003) criteria and have assessed this using data over the last five years. The Mapua site improved from a "Good" to "Very Good" grade since last season with the remaining core sites retaining their grade from last year (Rabbit Island Main Beach continues to be graded "Very Good", both Kaiteriteri Beach and Pohara Beach was graded "Poor" (see Table 4). For the other beach sites only interim gradings are available as there were fewer than the recommended 100 sample results collected over five years.

Table 2. Assessment of Suitability for Recreation Grade (**all samples in all weather**) for the **Marine sites** in the contact recreation bathing water quality programme.

***** Indicate interim gradings.

Hazen 95th percentiles for coastal sites, all samples:

Site	From	To	N	Hazen 95th Percentile	Microbiological Assessment Category	Sanitary Inspection Category	Suitability for Recreation Grade	Change since 2017-18
Pohara Bch @ Camp E	2014-11-25	2019-03-11	110	886	D	Moderate	**Poor**	NC
Kaiteriteri Bch	2014-11-25	2019-02-26	117	207	B	Low	**Good**	NC
Mapua Leisure Park Bch	2014-11-25	2019-02-26	115	89	A	Moderate	**Very Good**	↑
Rabbit Is @ Main Bch	2014-11-25	2019-02-12	108	40	A	Very Low	**Very Good**	NC

5.14 The long-anticipated hydrodynamic (computer) model for predicting the "swimmability" of coastal beaches has been completed, apart from an additional validation step. This has been a collaboration of some of the country's top modellers from Cawthron, NIWA and MetOcean Solutions as part of the National Science Challenge, Sustainable Seas. The model is set to provide a huge advance to this Council's ability to assess and communicate risk to human health of contact recreation, including swimming. No longer will the public have to wait 2-3 days for the results to come back from the laboratory before knowing the risk. Instead they will know real time, and even be able to predict the situation in the coming couple of days.

5.15 It is anticipated that this model will be available for loading on the Council website prior to the coming bathing season (November).

5.16 There will an annual cost for hosting and maintaining this model. We are yet to finalise this but we are communicating with the aquaculture industry as they too will benefit from this information.

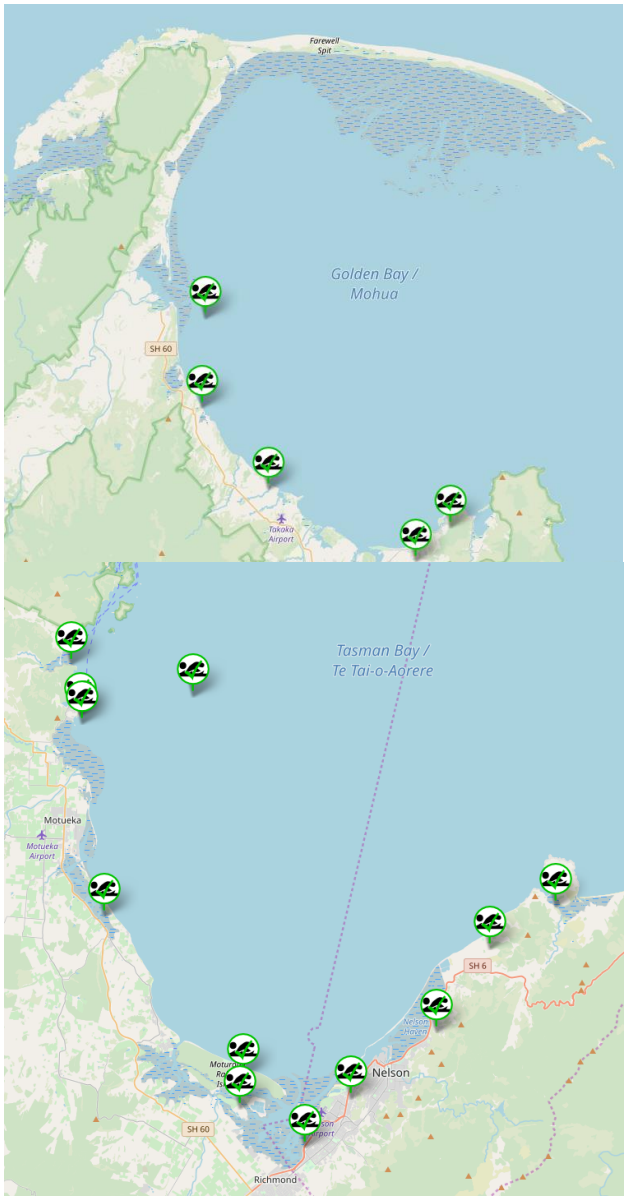


Figure 4: Output of the hydrodynamic model for predicting “swimmability” at coastal beaches in Tasman and Nelson. In this case all the sites are showing in green indicating it is safe to swim. The icons will turn orange or red if there is a need for caution or a full warning against contact recreation respectively. In addition to these icons, the faecal indicator bacteria risk could be shown using different colours representing low to high risk. This could either be provided as a static image for the current situation, or a “movie” of the changes over the following few days. Each of these options is likely to have a different cost implication.

5.17 **Freshwater Sites**

Data for the freshwater site monitoring programme for the 2018-19 season are presented in Figure 5 below.

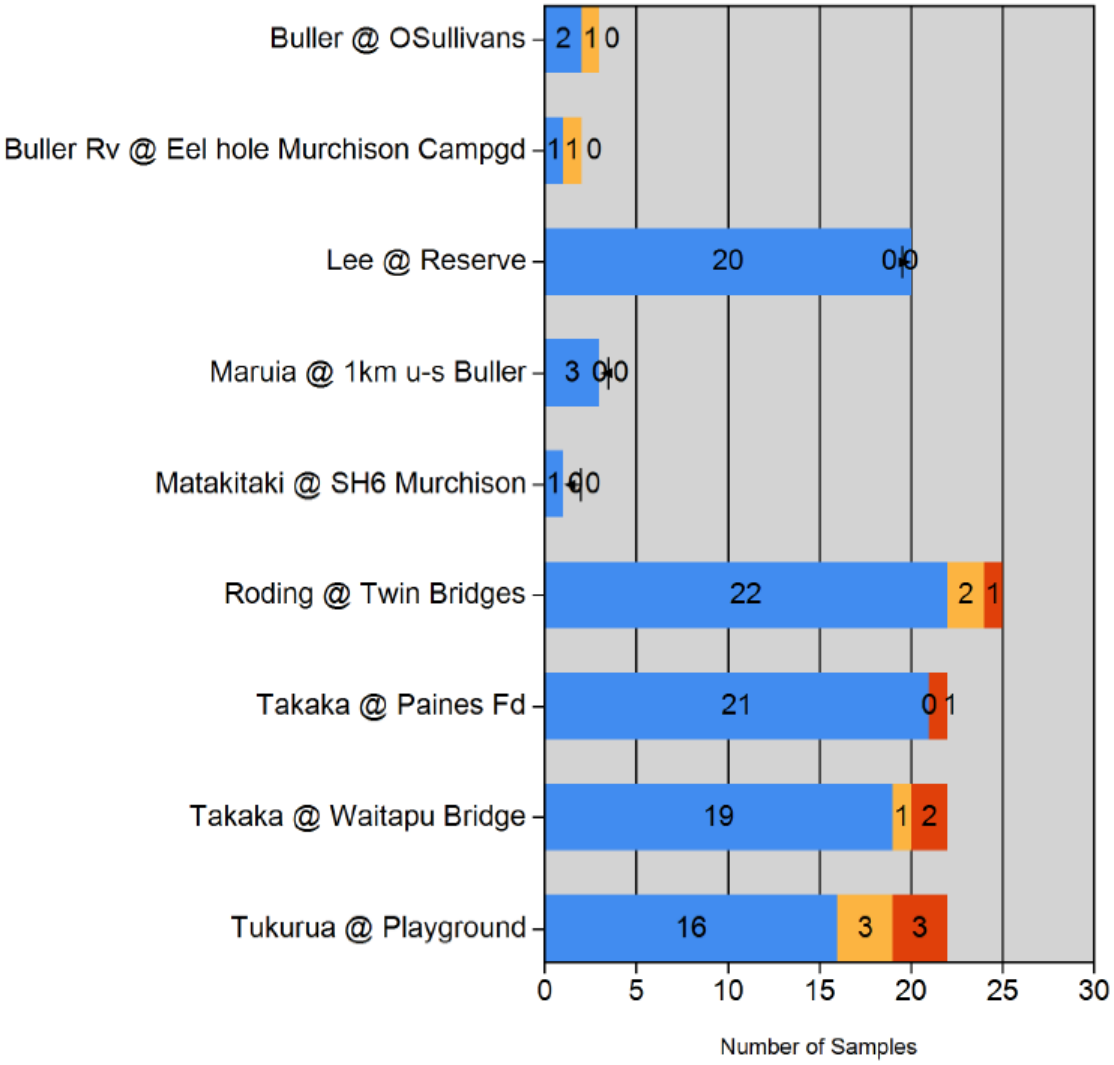


Figure 5: Number of samples exceeding national guidelines for contact recreation water quality at freshwater swimming holes for the 2018-2019 season. **Red** results are over alarm levels (>550 *E.coli*/100ml) and **orange** results are in the alert range (260-550 *E.coli*/100ml).

5.18 The exceedance in the Roding was due to rain (20/12/18; almost 30mm in the 24 hours prior to sampling). The only exceedance at Paines Ford was also due to rain (20/12/18; almost 30mm of rain in 36 hours prior to sampling). In addition to the rain-related exceedance at Takaka River at Waitapu Bridge on 20/12/18, there was a very high result unrelated to rain (1733 *E.coli*/100ml on 19/2/19) when the concentration at Paines Ford was very low (19 *E.coli*/100ml). The site at Waitapu Bridge has been sampled in the past as part of Council's monitoring of the Takaka wastewater treatment plant but not for faecal indicator bacteria.

5.19 The Tukurua Stream site only had three exceedences, which is significantly fewer than the seven last year. Two of the three exceedances (*E.coli*) at Tukurua were due to rainfall (which is expected to greatly increase the likelihood of exceedences). This will be the last year of sampling at this site as it has very little patronage and the swimming hole is signposted to warn of the health risk.

Table 3: Ministry for the Environment proposed *E.coli* "swimming categories" (attribute states).

CATEGORY	PERCENTAGE OF EXCEEDANCES OVER 540: E. COLI PER 100 ML	MEDIAN: E. COLI PER 100 ML	95TH PERCENTILE: E. COLI PER 100 ML	PERCENTAGE OF SAMPLES ABOVE 260: E. COLI PER 100 ML
Blue	< 5 per cent	⩽ 130	⩽ 540	< 20 per cent
Green	5-10 per cent	⩽ 130	⩽ 1000	20-30 per cent
Yellow	10-20 per cent	⩽ 130	⩽ 1200	20-34 per cent
Orange	20-30 per cent	>130	>1200	>34 per cent
Red	> 30 per cent	>260	>1200	>50 per cent

Swimmability Categorisation

5.20 Based on data over the last five years against the criteria shown in Table 2, all of our core monitored freshwater swimming sites are very suitable for contact recreation. Tukurua Playground is in the Orange (Intermittent) risk category, corresponding to a predicted average infection risk of at least 3% (see Table 3). Of the seven sites shown on the LAWA website (https://www.lawa.org.nz/explore-data/swimming/; as at 9/8/19) four are shown as "suitable for swimming" based on the last three years of data. Pohara Beach is the only site listed as "unsuitable for swimming" (red). As indicated earlier in this report this is partly related to a number of samples taken at high tide with the consequent interaction with flotsam and this faecal indicator bacteria is likely to be 'naturalised', rather than those that cause disease in humans. Kaiteriteri Beach - "caution advised" (orange). This was because of a particularly bad season last year with sewer overflows, storms and the stream discharge to the beach. Roding River at Twin Bridges - "caution advised" (orange). This is mostly because of rain- affected samples. Tukurua River is not listed on LAWA.

5.21 All freshwater sites in the monitoring programme had a predicted average infection risk of 2% or lower (Blue category) (see Table 4). For freshwater sites it is the 95th percentile that is the most likely statistic to cause a site to fail. Most of the other statistics are highly correlated and all have relevance to assessing suitability for swimming.

Table 4. Analysis of *E.coli* at Council's core freshwater monitoring sites against the swimming categories in the National Policy Statement for Freshwater Management 2017. Statistics over five sampling seasons (November 2014 to March 2019 inclusive). This is for samples taken in all-weather including wet weather.

Site	From	To	N	Percentage of samples over 260 E.coli/100ml	Percentage of samples over 540	Median E.coli/100ml	95th percentile E.coli/100ml	Category
Tukurua @ Playground	2014-12-16	2019-03-11	90	33.3	20	178	2268	Orange

Takaka @ Paines Fd	2014-11-25	2019-03-11	105	4.8	2.9	21	249	Blue
Lee @ Reserve	2014-11-25	2019-02-12	106	4.7	2.8	28.5	201	Blue
Roding @ Twin Bridges	2014-11-25	2019-02-12	112	8	4.5	45	459	Blue

5.22 Two rounds of sampling was undertaken on particularly popular days (eg >20 people) for swimming at the sites on the Lee and Roding Rivers to determine whether there is an effect of bathers on *E.coli* concentrations. Samples were collected upstream, downstream and close to the swimmers during the Christmas-New Year period. We had hoped to collect more samples around the busy Waitangi Weekend, but access to these sites was prevented due to fire risk. From this preliminary assessment, there was no clear pattern of effect from swimmers.

Toxic Algae in Rivers

5.23 There has not been a reported dog death suspected to be caused by toxic algae since 2014. Toxic algae levels were above interim guidelines (>20% bed coverage) for just over a week in each of the Wai-iti-Waimea (in early January) and in the lower Takaka (in mid -February). No dog deaths were recorded that were likely to be due to toxic algae.

5.24 One complaint this season pertained to the Motueka River where a dog almost died. However, it turned out there was reasonable evidence to suggest that the cause was not from *Microcoleus* (formerly *Phormidium*) in our rivers.

5.25 We occasionally get concerned dog owners suggesting that we monitor and place signage at a large number of access points up and down our rivers. Our response is along these lines:

> *Unfortunately we cannot be monitoring in every catchment but we may be able to sample in the location you are concerned about if, in the first instance, you were able to email us some good quality photos of the wetted river bed in the area concerned. We can then determine whether it is likely to be Microcoleus autumnale (the only species living on the bed that produces toxins in our region).*
>
> *We regret that we are not able to monitor and maintain signage for toxic algae throughout our district. Most of our monitoring in rivers is carried out under s35 of the RMA and therefore is related to resource management issues. At this stage there is no definitive evidence that relates toxic algae cover or toxin production in our rivers to a particular resource management issue that we can manage, apart from the occasional sediment discharge. If it is related to the latter, we really want to know and ensure that discharge is stopped or greatly reduced.*
>
> *We expect that dog owners (or parties responsible for dog minding) know how to recognise the toxic algae (it is relatively easy to identify) and the risks. Information about this is on our website https://www.tasman.govt.nz/my-region/environment/environmental-management/water/river-water-quality/toxic-algae-frequently-asked-questions/ Maintaining a comprehensive network of signs throughout our region's river access points will be very expensive and, even then, it is unlikely to satisfy everyone as we are bound to miss some access point or the sign be vandalised.*

6 Strategy and Risks

6.1 This work aligns with Council's strategic challenge for managing the impact of growth on the Tasman environment and stewardship for the environment. State of the Environment reports provide an assessment and discussion about whether the impacts of that growth are being well managed.

6.2 There is the risk to people, particularly during rainfall events, of disease-causing organisms discharged to waterways including sewage discharges, particularly from unsewered settlements and dog faeces as people go about their work and recreation.

6.3 By way of building trust and confidence between Council and the community, we can work to improve the way our rivers and coasts are managed and the way in which environmental threats and risks are minimised.

7 Policy / Legal Requirements / Plan

7.1 This report is one means of the Council meeting its duty under section 35 of the Resource Management Act (RMA) to monitor the state of the environment particularly in relation to the coastal and biodiversity management functions it has under the RMA.

8 Consideration of Financial or Budgetary Implications

8.1 Laboratory costs of around $12,000 make up the vast majority of the annual budget apart from staff time and vehicle running costs. Summer student employees do most of the fieldwork required. If the Council hosts the new coastal model on Council's website, there is likely to be a cost which we will seek to minimise through third party support but the advantage could also be recovered through adjustment to the annual charges if required.

8.2 Otherwise, all costs are within budget provision.

9 Significance and Engagement

9.1 This report is not a decision report but the monitoring and management of our waterways and coast for contact recreation is of interest to a large number of people. Whenever Council becomes aware of undue risk to contact recreation, other than associated with rainfall, signage is immediately erected, local businesses (eg campgrounds and accommodation) are informed as soon as possible and, if the risk continues, a notice is placed in the local newspaper.

10 Conclusion

10.1 Over all weather conditions approximately 92% of samples meet the regulations or guidelines. When only dry weather conditions are considered, the rate of compliance for both marine and freshwater sites over the past summer was almost 94%. This rate of

compliance is below the Long Term Plan (stretch) target of 98%. The average dry weather compliance rate of 97% over the last 10 years.

10.2 Some reasons for the higher rate of non-compliance include: a return to high levels of faecal indicator bacteria at Tukurua Stream, the addition of a new sampling site this season at Rototai (that has a higher risk of faecal contamination), more sewer overflows and debris entraining faecal indicator bacteria after large storm events.

10.3 A predictive (hydro-dynamic) model for faecal indicator bacteria at beaches in Tasman and Golden Bays is planned to be completed by late 2019. Moves to make our own website ready to receive the model output have begun.

10.4 Toxic algae coverage was very low at all monitored sites.

11 Next Steps / Timeline

11.1 Next summer, sampling will occur at the full suite of 18 bathing water quality sites, with the addition of a site during high tide at Port Riuwaka. While it is proposed to sample at the Rototai site this coming season, after that it will only be sampled every second year.

11.2 Survey local residents from the vicinity of the Rototai and Riuwaka sites about the popularity for swimming at these sites.

11.3 Work with Council's Information Service Section for the development of a system to tag samples affected by wet weather so we can more efficiently present fine weather data. This is an analysis tool that would save staff 1.5 days each year for this programme alone and could potentially reduce river water quality reporting effort.

11.4 Survey of faecal indicator bacteria concentrations along a transect of Pohara Beach during high risk periods (particularly around high tide or soon after) and hold samples recording high concentrations for subsequent analysis of faecal source tracking and for pathogen markers (this analysis and reporting may only be possible mid-way through 2020).

11.5 Once final validation of the hydrodynamic model for Tasman and Golden Bays has been completed, we will work towards the model output being available on Council's website showing the predicted "swimmability" at all coastal beaches.

12 Attachments

Nil

9.7 CHAIRMAN'S REPORT

Information Only - No Decision Required

Report To:	Environment and Planning Committee
Meeting Date:	5 September 2019
Report Author:	Tim King, Environment & Planning Committee Chair
Report Number:	REP19-09-8

1 End of Council Term – Thank You All

1.1 I would like to extend my thanks to Councillors and all E&P staff for their effort and support over the last three year term.

3.2 While the last three years has predominately been focused on business as usual across the wide range of activities that Environment & Planning covers, much of it forms the groundwork for what is likely to be an extremely challenging next three years. Particularly the TRMP review and responding to and implementing the various national policy statements and environmental standards that are either being reviewed or in some cases are entirely new. There are a couple of key areas that will need significant focus as we try improve the service that we provide to our community, these are Building Consents and Resource Consents. Both are very challenging balancing the needs and expectations of applicants with the concerns of neighbours and submitters and trying to ensure that future property owners can rely on the outcomes of the processes that Council manages.

3.3 I would like to wish Councillors Canton and Hawkes who are not seeking re-election all the best as they begin their new directions.

3.4 To those putting their names forward for re-election good luck with whatever the future brings.

3 Any other Items

3.1 Items from members requiring brief discussion can be raised but no decisions can be taken.

2 Draft Resolution

That the Environment and Planning Committee receives the Chairman's Report REP19-09-8;

4 Attachments

Nil

9.8 ENVIRONMENT AND PLANNING MANAGER'S REPORT

Decision Required

Report To:	Environment and Planning Committee
Meeting Date:	5 September 2019
Report Author:	Dennis Bush-King, Environment and Planning Manager
Report Number:	REP19-09-9

1 Summary

1.1 This report covers a number of general matters concerning the activities of the Environment and Planning Department since our last meeting on 25 July 2019.

2 Draft Resolution

That the Environment and Planning Committee

1) **receives the Environment and Planning Manager's Report REP19-09-9; and**
2) **approves the commencement of a review of the whole of the Tasman Resource Management Plan in accordance with section 79(4) of the Resource Management Act, noting the Committee has previously approved a review of part II of the plan; and**
3) **notes that staff will report regularly on the efficiency and feasibility of the work programme for the review of the TRPS and TRMP.**
4) **notes the submission lodged on the proposed Dam Safety Regulations contained in Attachment 2 of Report REP 19-09-09**
5) **agrees that the current Tasman District Council Licensing Committee shall continue to operate and discharge the full range of functions of a district licencing committee as defined in section 187 of the Sale and Supply of Alcohol Act 2012 until 7 November 2019; and**
6) **appoints Mr David Ogilvie as a commissioner pursuant to section 193 of the Sale and Supply of Alcohol Act 2012 for the period 12 October 2019 until 7 November 2019.**

3 National Policy Statement on Highly Productive Soils

3.1 The Government has proposed a National Policy Statement for Highly Productive Land (NPS-HPL) to prevent the loss of more of the country's productive land. The overall purpose of the proposed NPS-HPL is to improve the way highly-productive land is managed under the Resource Management Act 1991 (RMA) to:

- recognise the full range of values and benefits associated with its use for primary production
- maintain its availability for primary production for future generations
- protect it from inappropriate subdivision, use, and development.

3.2 The Ministry for Primary Industries and the Ministry for the Environment are calling for submissions on the proposed NPS-HPL until 10 October.

3.3 The real test will be what constitutes "inappropriate" subdivision and development of Class 1, 2, and 3 land under the Land Use Capability (LUC) mapping system. The LUC system was originally used to classify land for soil erosion potential. We have, since the 1990s, moved to a Productive Land Classification (PLC) system which is much more 'fit for purpose'. The NPS should give us the opportunity to continue with this so hopefully there will not be too much change following Plan Change 60.

4 National Environmental Standard – Outdoor Storage of Tyres

4.1 National Environmental Standard – Outdoor Storage of Tyres4.1. This is a proposal that we have previously not been involved with. There are really only four regions where this has been an issue. However, the Government is keen to introduce a National Environmental Standard and comments were invited on the latest round by 28 August. Because it will only relate to stockpiles in excess of 200m^3, staff have again decided not to participate.

5 Biodiversity Strategy

5.1 On 5 August, Minister of Conservation, Hon Eugenie Sage and Associate Minister for the Environment, Hon Nanaia Mahuta launched a new "action" plan for biodiversity which included a new strategy led by the Department of Conservation. It replaces the current strategy which does not seem to have been very successful in reversing the decline in endangered species and important habitats.

5.2 The discussion document proposes five system shifts:

- getting the system right to help enable and deliver our goals with clear roles at all levels (local, regional and national)
- empowering kaitiakitanga and mātauranga Māori by embedding Te Ao Māori perspectives throughout our work and enabling kaitaki at all levels
- empowering communities to take action so all New Zealander's can be well-connected stewards of nature

- connecting ecosystems from the mountain tops to the ocean depths and managing them in a joined-up way

- innovating for the future by using technology and science to transform how we manage our nature's health.

5.3 Submissions close 22 September. Why this is important is that it links with work on a proposed National Policy Statement (NPS) on Indigenous Biodiversity, led by the Ministry for the Environment, to be released shortly. The proposed NPS will incorporate RMA requirements to identify, map and protect significant areas of indigenous biodiversity, including the use of standardised criteria, a suite of policies on managing effects, and targets to encourage restoration of biodiversity.

6 Annual Report 2018-2019

6.1 Attached as Attachment 1 is the text that the Environment and Planning Department has contributed to the Annual Report this year. It details achievements against the performance targets and other matters. Also included is a summary of approvals, licenses, and notices issued in the last financial year.

7 Resource Management Reform

7.1 On 24 July the Government announced plans to overhaul the RMA and in the short term make some targeted amendments. Minister for the Environment, Hon David Parker said during the announcement "Our aim is to produce a revamped law fit for purpose in the 21st Century that will cut complexity and cost while better protecting our environment."

7.2 A **stage 1 review** will make some targeted amendments and focus on reversing changes made by the previous Government in 2017 alongside additional mechanisms to expedite plan making and consent reviews. Changes are expected to be released before the end of the year. Matters within scope include:

- restoring the ability for sub-dividers to appeal conditions on subdivision consents
- reducing complexity in the Act
- restoring public participation
- increases to maximum fines and increases to the time allowed for filing prosecutions
- repeal of regulation making powers by central government (note powers to make NPS etc remain)
- changes to support delivery of Essential Freshwater package
- strengthened EPA powers.

7.3 **Stage 2** is a comprehensive review of the Resource Management Act. The review will be supported by a budget of $8 million and will take a first principles look at the effectiveness of the current Resource Management system. The review will be led by an independent panel chaired by Hon Tony Randerson QC. An options/issues paper is expected to be delivered at the end of 2019 to inform a report including recommendation to the Minister by May 2020. Drafting is unlikely to be completed before the General Election in 2020.

8 Dog Control Bylaw

8.1 The Golden Bay Community Board passed the following resolution at its August meeting:

Moved Chair Langford/Deputy Chair Knowles

GBCB19-08-1

That the Golden Bay Community Board recommends to the Environment and Planning Committee that it introduce amendments to the Dog Control Bylaw early in the term of the next Council:-

Allowing dogs under leash control to come back into Commercial Street, Takaka; and

Allowing dogs back onto Tata Beach all year round except one hour before and after sunrise and sunset.

8.2 Direction is sought from the Committee on whether it wishes staff to programme amendments of the type suggested.

8.3 The Dog Control Bylaw is not due for review until 2024 but the Community Board has received representations to amend the bylaw and, despite views to the contrary from some members of the community, has taken this position. Councillors will also remember the public forum item at the last meeting.

8.4 Staff will have to add any bylaw amendment to the current work programme and unless the Committee directs otherwise, would not report back until April 2020.

9 Review of TRPS and TRMP

9.1 In November 2018 the Environment and Planning committee agreed to commence a review of the Tasman Regional Policy Statement (TRPS) and part II (District Plan) of the Tasman Resource Management Plan (TRMP). The review process, which is anticipated to take 6-10 years, includes the following steps:

- Review effectiveness and efficiency of the current plan
- Issues and options for new plan: development, review, consultation and feedback
- Draft Plan (optional): development, review, consultation and feedback
- Proposed Plan Change: refined draft, review, formal consultation
- Submissions and hearings
- Decisions
- Appeals
- Plan Operative

9.2 The review of the effectiveness and efficiency of TRPS and TRMP is well underway. The district plan chapters of the TRMP (15 in total) and the whole of the TRPS are currently being reviewed. The initial findings of the review will be tested with Staff and Councillors ahead of going out to iwi and then the community in 2020.

9.3 Early findings from the review work has highlighted the integrated nature of the plan and benefits of looking at the plan as a whole – once. This will be particularly relevant when it is time to work with the community on the plan review.

9.4 The regional parts of TRMP will be coming up for review in coming years. Given the integrated nature of the plan, it is recommended that the review is extended now to include the regional chapters. This will mean the whole plan is reviewed at the same time which will address the integrated nature of the plan and it will allow us to work with the community on the whole plan rather than doing so in a piecemeal way over a number of years. It is better for the community to go out once – they will ask about all parts of the plan (not just Part II), and seek outcomes across all aspects of the environment.

9.5 Extending the review to cover the whole plan will also help to achieve the agreed project goals of:

- A single plan that is easier to use for all
- Better integrated management of Tasman's resources
- Greater community understanding of the key issues in our District and the role of the RPS and TRMP
- Tasman meets its legal requirements
- Any changes are supported by evidence of a "need for change";

9.6 The initial review of the whole plan can be achieved without impacting on current timeframes. We will still progress the plan changes previously discussed but will absorb them into the combined review.

9.7 While enlarging the scope of the review may result in input and submissions across a broader front, on balance staff consider the advantages identified above make a compelling case for an all-in-one review. As we move into the review process this decision can be monitored from a workload and feasibility perspective, but staff seek Councillor endorsement to approach the review in an integrated way.

Resolution

That the Environment and Planning Committee

1) approves the commencement of a review of the whole of the Tasman Resource Management Plan in accordance with section 79(4) of the Resource Management Act, noting the Committee has previously approved a review of part II of the plan; and

2) notes that staff will report regularly on the efficiency and feasibility of the work programme for the review of the TRPS and TRMP.

10 Rainfall Totals

10.1 Attachment 2 displays the current monthly and cumulative rainfall totals for the last year. As can be seen we are tracking reasonably well below what would normally be expected. Thankfully aquifer levels, especially in the unconfined aquifers, have responded to where we would expect. The exception is the Dep Lower Moutere which still has a little way to go but should recover under normal rainfall.

10.2 The Wai-iti Dam at Kainui is approximately 51.2 % full (as at Wednesday 21 August 2019). It is unlikely the dam will be full by end of October (start of irrigation season is 1 November) if we consider the average rainfall at the dam site is 86 mm for September and 109 mm for October respectively, a total of 195 mm. We would need exceptional rain in the next two months to get more than 400 mm of rain for it to get to full and spill. (we have previously experience record monthly highs of 197 mm for September and 218mm for October respectively, ie a total maximum of 415 mm). Anything under 70% at the beginning of the irrigation season is likely to see restrictions introduced very early.

10.3 Council Staff will continue to monitor the dam filling and will continue to work with the Wai-iti Water User Committee if any early water management actions need to be considered. The low filling has been predominantly the result of the large water releases from the dam, the drought, including low soil moisture. The dam got down as low as 18%.

11 National Policy Statement on Urban Development

11.1 The Government has also released a discussion document on a proposed new National Policy Statement on Urban Development (NPS-UD). The new NPS has a particular focus on six major urban centres (MUCs) - Auckland, Hamilton, Tauranga, Wellington, Christchurch and Queenstown. While Tasman may not have to incur the level of effort required of MUCs, it is not exempt as many proposals also apply to all urban centres. The NPS-UD is one part of the Government's Urban Growth Agenda. The stated aim of that Agenda is to remove unnecessary restrictions on development, and to allow for growth 'up' and 'out' in locations that have good access to existing services and infrastructure.

11.2 The new NPS-UD is intended to replace the existing National Policy Statement on Urban Development Capacity and to broaden its reach. As with the existing NPS, local authorities for urban areas experiencing high growth will be required to produce Future Development Strategies and Housing and Business Development Capacity Assessments but all other centres “are encouraged to give effect to these policies”. The NPS encourages higher density developments and plan changes have to be notified within 18 months of gazettal!

11.3 The NPS-UD also includes measures to support growth in existing urban areas by recognising that amenity values can change over time and enabling a range of dwelling types and locations. There is a suggestion of removing some rules such as minimum lot sizes and height in relation to boundary setbacks.

11.4 There are also provisions requiring local authorities to collaborate with “providers of development and infrastructure” and iwi, hapu, and whanau.

12 Dam Safety Regulations

12.1 A submission was lodged with MBIE on proposed Dam Safety Regulations by the 6 August deadline. A copy is attached as Attachment 3.

13 District Licensing Committee Delegations

13.1 The District Licensing Committee (DLC) is a Committee of Council. As of Election Day 12 October 2019, the provisions of the Schedule 7, Clause 30(7) Local Government Act 2002 (LGA) require that the DLC: “…is, unless the local authority resolves otherwise, deemed to be discharged…”

13.2 The new DLC will not be established until Thursday 31 October 2019, and pragmatically, is unlikely to be able to perform its statutory functions until later the following week.

13.3 At least three weeks will elapse between the time that the current DLC is deemed to be discharged, and the time that a new DLC will become effective.

13.4 It is anticipated that a number of licence applications will require determination after the discharge of the DLC on Election Day. That is likely to include applications received after election day, as well as applications received in the weeks prior to that time that have not been able to be determined by the DLC due to impediments such as statutory objection or reporting periods involving parties outside of the Council.

13.5 It would not be the desire of Council to prevent licensed businesses opening, or changing hands, or members of the public from obtaining special licences during this period, simply because the DLC was not properly constituted.

13.6 It is recommended that the transition period is managed without disruption by the Council resolving, pursuant to Schedule 7, Clause 30(7) of the LGA to allow the current DLC to continue to operate until 7 November 2019.

13.7 Additionally, it is recommended that Council makes a recommendation to the Chief Executive, that Councillor David Ogilvie is appointed as a commissioner pursuant to section 193 of the Sale and Supply of Alcohol Act 2012 for the period 12 October 2016 until 7 November 2019, regardless of the result of the election.

Recommendation

That the Environment and Planning Committee

1. **agrees that the current Tasman District Council Licensing Committee shall continue to operate and discharge the full range of functions of a district licencing committee as defined in section 187 of the Sale and Supply of Alcohol Act 2012 until 7 November 2019; and**
2. **appoints Mr David Ogilvie as a commissioner pursuant to section 193 of the Sale and Supply of Alcohol Act 2012 for the period 12 October 2019 until 7 November 2019.**

14 Financial Accounts

14.1 Two months into the financial year, there is no published accounts to provide as effort is directed to completing the 2018-2019 annual report.

15 Action Sheet

15.1 Attachment 4 is the Action Sheet which updates Councillors on action items from previous Environment & Planning Committee meetings.

16 Thanks

16.1 As this is the last meeting for this term of Council, I extend my thanks to members for the governance provided to the Environment & Planning Department and the cordial relations that have existed between members and Council staff. For those members intending to

return my best wishes; for those who have decided not to return all the best for your future outside of Council.

17 Attachments

ENVIRONMENTAL MANAGEMENT

OUR LEVELS OF SERVICE AND HOW WE MEASURE PERFORMANCE

LEVELS OF SERVICE (WE PROVIDE)	WE WILL KNOW WE ARE MEETING THE LEVEL OF SERVICE IF:	CURRENT PERFORMANCE
We provide an appropriate policy framework that effectively promotes the sustainable management of the District's natural and physical resources by: • identifying and responding to resource management policy issues; and • providing a sound and appropriate policy planning framework that is responsive to our changing environment, will protect and enhance our unique environment and promote healthy and safe communities.	For those residents that are aware of the Council's role in resource management policy and planning work. At least 65% of respondents are fairly or very satisfied with Council's resource management policy and planning work, as measured via the annual residents' survey. **Target:** 65%	 In the 2019 annual residents' survey, a question asked residents if they are aware of Council's role in resource management policy and planning work, which was explained to mean managing Tasman District's natural resources like water, air quality, zoning land for various uses, but not resource consents. Of those surveyed, 72% were aware of Council's role in resource management. Of those residents who are aware of our role in resource management, 69% are satisfied, while 25% are not very satisfied and 16% are unable to comment. Council has recently commenced a review of the Tasman Regional Policy Statement (RPS) and the Tasman Resource Management Plan (TRMP). The objectives of the review include: • A single plan that is easier to use for all, • Better integrated management of Tasman's resources, • Greater community understanding of the key issues in our District and the role of the RPS and TRMP, and • To meet all legal requirements.
	Council meets the Air Quality National Environmental Standard (NES) by 2020 (i.e. no more than one day per year when air quality is > 50 µg/m3 PM10). Air quality at the Richmond Central monitoring site will be reported on Council's website, including any air quality breaches. **Target:** Number of exceedances of the Air Quality National Environmental Standard is no more than	 In Richmond, there were nine days with exceedances of the daily threshold concentration of 50 µg/m3 (24-hour average) over the year 1 July 2018 to 30 June 2019 period. There were 12 exceedance days over the 2018 winter season, as reported in the air quality report to Council at the 29 November meeting, with a maximum daily PM10 concentration of 76 µg/m3. Note that at the time of this reporting,

LEVELS OF SERVICE (WE PROVIDE)	WE WILL KNOW WE ARE MEETING THE LEVEL OF SERVICE IF:	CURRENT PERFORMANCE
	three.	as at 30 June 2019, we have had only one exceedance in 2019. This compares with two exceedances of the trigger level in the winter of 2017. The distinct up-swing in exceedances for the 2018 winter was the result of continued calm weather conditions at the time. The 2019 winter is not showing the same trend. Continuous air quality monitoring data is reported on the Council's website and air quality breaches are notified in Newsline articles. Note: Following a data audit, some of the previous yearly exceedance numbers have changed and will be different to the numbers reported in previous Annual Reports.
	One issue based State of the Environment report to be released each year. **Target:** One report released by 30 June.	 A number of state of the environment reports were released including: • Moutere Catchment stream health survey reported to Council 29 November 2018. *This report highlights issues in much of the catchment with high water temperatures, low dissolved oxygen, high levels of fine sediment (much of which originates from forestry and subdivision) and high cover of filamentous green algae, as well as ecological damage due to the way rock rip-rap has been used for bank protection. The solutions to many of these problems is riparian tree planting and wetland establishment, as well as better sediment and erosion control and methods of bank protection (such as using groynes).* • Freshwater Fish Communities of Tasman District 2018 – reported to Council 18 October 2018. *This report highlights information gained from fish surveys in the district since the last such report 2010. The threat status of NZ's freshwater fish is getting worse and indications of trends in Tasman District seems to reflect the national trend. The report highlights more examples of the importance of providing fish passage (even in 6-8m vertical drops on Totaranui Road), diverse channel morphology and riparian tree cover.* • Lamprey Survey of Tasman and Nelson. NIWA. June 2019. *This report presents the*

LEVELS OF SERVICE (WE PROVIDE)	WE WILL KNOW WE ARE MEETING THE LEVEL OF SERVICE IF:	CURRENT PERFORMANCE
		results of a survey of this cryptic fish species by analyzing river water samples for unique pheromones (chemicals the fish produce to influence the physiology or behaviour of other members of the species). Hotspots for lamprey in Tasman include Aorere River catchments and south to Parewhakaoho Rivers and Wangapeka/Motupiko. • Coastal Birds of Tasman/Nelson, February, 2019. *This report provides the most up-to-date information on the distribution, population, threats and indications of trends (where available) for terns, gulls, rails, cormorants and herons. This report is a companion to the 2013 report on shorebirds including arctic migrants (Godwits, Knots, Turnstones), oystercatchers, wrybills, stilts, and banded dotterel.* All reports are published to Council's website.
	An annual Recreational Bathing Water summary report is drafted and reported to Council or a Committee by 31 July each year. **Target:** Report prepared and reported to Council or Committee by 31 July.	 It is anticipated that the 2018/2019 report will be presented to the Environment and Planning Committee on 5 September, 2019. The Contact Recreation Water Quality Annual Report 2017/2018 was published in November 2018.
	Swimming beaches and rivers are suitable for contact recreation, all or most of the time. **Target:** 98% of swimming beaches and rivers are suitable for contact recreation using fine weather samples.	 This target was not achieved in 2018/2019, with 94.4% of the samples from swimming beaches and rivers suitable for contact recreation. The new site at Rototai Beach was responsible for over half the exceedances recorded in the 2018/2019 season (without which almost 96% of samples would have been compliant). This target was not achieved in 2017/2018, with 88.6% of swimming beaches and rivers suitable for contact recreation.

LEVELS OF SERVICE (WE PROVIDE)	WE WILL KNOW WE ARE MEETING THE LEVEL OF SERVICE IF:	CURRENT PERFORMANCE
	Swimming beaches and rivers are suitable for contact recreation, all or most of the time. **Target:** 92% of swimming beaches and rivers are suitable for contact recreation using all weather samples.	 In 2018/2019, 92.7% of swimming beaches and rivers were suitable for contact recreation using all weather samples. Dryer weather than last year explains some of this results. This target was not achieved in 2017/2018, with 83.3% of swimming beaches and rivers suitable for contact recreation.
We provide a responsive and efficient process for assessing resource consent applications and ensuring compliance obligations are fairly and appropriately enforced.	At least 80% of survey respondents rate their satisfaction with Council's resource consent processing work as fairly satisfied or better. **Target:** 80%	 There was less satisfaction in 2018/2019 at 76.5% from respondents with processing costs being a driver for dissatisfaction. However, actual median costs did not change markedly overall. In 2017/2018, 82% of survey respondents stated they were satisfied or very satisfied with Council's service.
	Consent applications are processed within statutory timeframes (where they exist). **Target:** Notified consents 100%	 In 2018/2019, we processed 100% of five publicly notified applications within statutory timeframes. In 2017/2018, we processed 97% of publicly notified applications within statutory timeframes.
	Target: Non-notified consents 100%	 We received an improved result of 92% for 2018/2019. Delays were caused mainly by staff shortages during a period of high growth in the District. In 2017/2018, we processed 89% of non-notified applications within non-statutory timeframes.

LEVELS OF SERVICE (WE PROVIDE)	WE WILL KNOW WE ARE MEETING THE LEVEL OF SERVICE IF:	CURRENT PERFORMANCE
	Target: Limited notified consents 100%	 We processed 46% of limited notified consents in 2018/2019 within time. However, 54% (13 of 24) of limited notified applications that went over time were bundled consents for two subdivision developments. In 2017/2018, we processed 81% of limited notified applications within statutory timeframes.
We undertake monitoring of environmental trends and conditions and maintain reporting systems that protect and inform the community about environmental conditions, changes, and risks.	An annual report is prepared and presented to Council or a Council committee each year. This report details the level of compliance with consent conditions or plan rules for those undertaking activities under resource consents or permitted activities, as described under tailored monitoring programmes. **Target:** Annual report tabled to Council or a Council committee by 30 September, showing that all resource consents that are monitored are assigned appropriate compliance performance grades.	 The Annual Compliance and Enforcement summary report will be released on 5 September 2019. Over the 2018/2019 year, we achieved our target through active monitoring and reporting on 1,870 resource and targeted permitted activities occurring in our District* Of note was the drought that had a significant influence on day-to-day work over the summer. This affected many monitoring programmes as staff were diverted into the drought response. This also had an effect on our overall compliance results as water users grappled with the water restrictions imposed on their consented water takes. Where we detected non-compliance, action was taken in accordance with our Enforcement Policy, which ranged from education and advice through to enforcement action. While we dealt with many minor matters through warnings and infringements, the year saw some significant and successful enforcement actions concluded in the Environment Court. *We do not monitor all resource consents that are granted in a calendar year. Instead, we undertake a targeted monitoring programme that reflects Council's monitoring strategy for resource consents and permitted activities. This allows for structured and consistent effects-based monitoring of resource consents. Our monitoring is prioritised according to a set of key factors including risk to the environment, level of public interest, and regional and national policy objectives. Monitoring may also be targeted where Council requires a comprehensive understanding of the performance of a sector to assess and report on risk. Operating a

LEVELS OF SERVICE (WE PROVIDE)	WE WILL KNOW WE ARE MEETING THE LEVEL OF SERVICE IF:	CURRENT PERFORMANCE
		targeted monitoring programme allows for efficient use of the Council's limited staff resources. This target was fully achieved in 2017/2018.
	Where significant non-compliance is recorded, that resolution is achieved within appropriate timeframes. **Target:** 80% resolved within nine months.	 For the resource consents and targeted permitted activities that were monitored during this 12-month period, 44 received a grade of significant non-compliance that required direct enforcement action. All (100%) of these were resolved quickly and within the nine-month period using a range of enforcement options. This compares with the 100% rate of resolution within nine months in 2017/2018.
	Target: 95% resolved within 12 months.	 As all these matters were resolved within the nine-month period, this meant that all (100%) were also resolved within 12 months. This compares with 100% within 12 months in 2017/2018.
	An annual report is prepared and presented to a Council committee or a Council meeting on Water Metering Compliance detailing the performance of consented and permitted activity ground and surface water abstractions requiring monitoring as defined in the Tasman Resource Management Plan. **Target:** Annual Report tabled to Council or a Council committee by 31 October.	 We presented the 2018/2019 Water Metering Compliance Monitoring report to the 25 July 2019 Environment & Planning Committee. The Tasman District witnessed a record breaking drought which evolved in the January and February months to a critical level which required a multi-agency response to its effects. For the Compliance Section, monitoring and regulating the use of ground and surface water required a significant amount of additional resourcing and new strategies to respond to issues as they arose. This came in the form of increased on-site audits and enforcement responses through to adapting Council's water monitoring database to cope with the water management strategies that were implemented. The Dry Weather Taskforce convened on 10

LEVELS OF SERVICE (WE PROVIDE)	WE WILL KNOW WE ARE MEETING THE LEVEL OF SERVICE IF:	CURRENT PERFORMANCE
		occasions to impose or continue restrictions under Section 329 of the Resource Management Act 1991. In some affected zones this reached stage 4 restrictions. Cease takes were also implemented for certain catchments over this period. On 28 March 2019, all rationing was removed due to wet weather, except for Dovedale where rationing was removed 02 April 2019. To aid water users significantly affected by the drought, Council adopted strategies such as temporary water allocation sharing arrangements where these could be applied. The Compliance Section took on the responsibility for administering these agreements once processed and approved. During the drought Council granted 21 informal water allocation-sharing arrangements across 75 resource consents. Resource Consents and Permitted Activity takes administered under the water metering project in the 2018/2019 season increased to 1,530 from the previous 1,464. Of these, 1,397 were resource consent authorisations and 133 domestic use in the Moutere Surface Water zone. There were 979 active users providing weekly water usage returns this season. Overall, compliance behaviour was good. However, this season did have the highest instance of non-compliance on record due to the drought. There were 301 instances where water abstraction exceeded allocation limits. This resulted in the issue of warnings, Infringement fines and Abatement Notices in accordance with Council's enforcement policies. Council issued 40 Infringement fines and 17 Abatement Notices for various offences associated with taking of water. End of water year summaries have been sent to all consent holders. This target was fully achieved in 2017/2018.
	An annual Dairy Monitoring report is prepared detailing the performance of the District's dairy farms against the Council's dairy effluent discharge rules and relevant national legislation. **Target:** 98% fully compliant.	 We presented the 2018/2019 Annual Dairy Effluent Discharge report to the 25 July 2019 Environment & Planning Committee. The report disclosed that in the 2018/2019, a total of 130 farm dairies had active discharges in the Tasman District. Of those, 125 farm dairies operated as Permitted Activities and the remaining five held Resource Consents to discharge treated

LEVELS OF SERVICE (WE PROVIDE)	WE WILL KNOW WE ARE MEETING THE LEVEL OF SERVICE IF:	CURRENT PERFORMANCE
		effluent to water, although four of these routinely apply effluent to land as well. Each and every year Council aims to complete a full assessment of every farm in regards to dairy effluent disposal. All 130 active farms in Tasman were inspected at least once during the 2018/2019 season. At these inspections each farm was assessed against Resource Consent conditions for the discharge of treated dairy effluent to water, or against the Permitted Activity Rule 36.1.2.3. The final compliance results were: • 95% - Fully Compliant • 5% - Non- Compliant • 0% - Significantly Non-Compliant All farms that hold Resource Consents fully complied with all conditions of their respective consents. No significant enforcement action was required during the season with all non-compliance resolved through lower level enforcement responses. Each year, a national audit of all regional council's farm dairy effluent compliance monitoring is undertaken by an appointed peer review panel. Tasman District Council participates in this process and our farm dairy effluent compliance assessments have achieved a 100% pass rate at each and every audit. No other regional authority matched this standard. This target was fully achieved in 2017/2018.
The Operational Plan outlines the objectives and activities to be undertaken in implementing the Tasman-Nelson Regional Pest Management Plan for the present financial year. **Target:** Annual Operational Plan tabled to Council or a Council committee by 30 November		 The Review of the 2017/2018 Operational Plan was reported to Council 29 November 2018. A busy year with business as usual activity as well as response activity in both the terrestrial and marine environments (Myrtle rust and Sabella), and a significant work stream to prepare a new Regional Pest Management Plan under the National Policy Direction for Pest Management 2015.

LEVELS OF SERVICE (WE PROVIDE)	WE WILL KNOW WE ARE MEETING THE LEVEL OF SERVICE IF:	CURRENT PERFORMANCE
	Timely reporting of pest management operations for the previous financial year, in accordance with requirements of the Biosecurity Act. **Target:** Annual reports tabled to Council or a Council committee by 30 November.	 The 2018/2019 Operational Plan for the Taman-Nelson Region was reported to Council 29 November 2018.

MAJOR ACTIVITIES

PLANNED	ACTUAL 2018/2019
Implementing the Resource Policy work programme, including: • Reviews of, and changes to, the Tasman Resource Management Plan. • Review of the Tasman Regional Policy Statement and consideration of combining it with the TRMP. • Planning for and responding to urban growth pressures. • Development plans for various settlements within the District.	Six plan changes were completed and made operative. In November 2018, Council resolved to prioritise the review of Tasman's planning documents and a number of other key projects. The review has commenced and represents the first step in what will be a significant project over the new six to ten years. This will include development plans for various settlements in Tasman. Growth and demand for new housing continues to put pressure on Council resources. This is being addressed through the plan review, a new growth strategy, and a specific role to coordinate the Council's response to growth pressures (see below).
Implementation of the National Policy Statement for Urban Development Capacity.	The National Policy Statement for Urban Development Capacity (NPS-UDC) has brought with it a number of monitoring and reporting requirements. There is an obligation to work collaboratively with Nelson City to implement the NPS-UDC. The current project to develop a combined Future Development Strategy with Nelson City commenced in November 2018 and was essentially completed by 30 June 2019. There is a requirement to publish three-yearly housing and business capacity assessments, with the first assessment published December 2018.
Implementation of the National Policy Statement for Freshwater Management.	The Takaka Freshwater and Land Advisory Group (FLAG) completed their work reviewing the management of freshwater in the Takaka catchments. The culmination of nearly five years' work, the FLAG formally provided their recommendations report to Council on 24 June 2019. Manawhenua ki Mohua (MKM) also formally provided a mātauranga report to Council on 24 June 2019. This report outlines the freshwater

PLANNED	ACTUAL 2018/2019
	management principles and values held by MKM, their aspirations for the future, and specific review of the FLAG work.
Natural hazards strategic policy review.	Coastal inundation and land disturbance are the current focus of the hazards work programme. Staff have developed a model to illustrate the impact of various increments of sea-level rise and the impact of storm surges on the Tasman coastline. Community engagement to discuss the modelling commenced in July 2019.
Provision of policy advice.	Staff have been actively involved in a number of central government policy work streams including the draft Biodiversity NPS, productive soils NPS, National Planning Standards, Air quality NES amendments, and urban development. Working closely with central government officials helps to ensure new legislation and regulation is fit for purpose and can be better implemented.
Review of the combined Nelson/Tasman Land Development guidelines.	The Nelson-Tasman Land Development Manual (NTLDM) was adopted by Council on 9 May 2019 and replaced Council's Engineering Standards 2013. The NTLDM is Council's primary document for setting network infrastructure standards. It guides how infrastructure such as roads, wastewater, stormwater, water, and reserves are designed and constructed. In association with the NTLDM, an Inundation Practice Note was developed to provide developers and planning practitioners with a process to determine minimum ground and floor levels for development on land potentially subject to flooding hazard.
Rural policy reviews (including landscape protection).	The purpose of Plan Change 60: Rural Land Use and Subdivision Policy Review was to review and update the policy and rules for rural land use and subdivision. The amendments ensure greater protection of productive capacity, allow for flexibility of use and maintain rural character - offering greater choices for landowners. The Plan Change was approved on 18 April 2019 to commence as Operative Changes from 15 June 2019.
Land disturbance review.	The Land Disturbance portfolio includes a number of related projects and also has key links to Freshwater and the Nelson Tasman Land Development Manual (NTLDM). The portfolio includes four key streams, namely: a review of the land disturbance rules; creation of a good practice Tasman Erosion and Sediment Control guideline; review of the Slope Instability Risk Area; and review of the NES for Plantation Forestry and any need for rules in Tasman that are more stringent than the controls imposed through the NES. The portfolio

PLANNED	ACTUAL 2018/2019
	has experienced a number of delays due to geotechnical advice sought on thresholds for land instability and erosion and sediment transport risk. Upon completion of this work, the key streams will be progressed. The Erosion and Sediment Control guideline was released with the NTLDM in May 2019.
Undertake compliance activities to enforce planning rules, bylaws and resource consent conditions, and undertaking enforcement action when needed.	The Compliance Department continues to carry out consent monitoring in accordance with the monitoring strategy, which targets activities in accordance with their risk to the environment. We continue to undertake annual surveys of the District's dairy farms and report on this. We also monitor the abstraction of ground and surface water and ensure consent holders comply with their allocation limits. Council also spends a lot of time working with other users of our natural resources and monitoring compliance with their consents. A lot of effort is put into ensuring activities don't create adverse effects on our waterways, air quality and amenity. When activities are found to be non-complying, Council uses a range of tools to gain compliance from education right through to prosecution before the Court for serious cases. A summary of the Councils activities in compliance and enforcement are published each year. Staff also provide a 24-hour seven day a week service responding to public complaints. All complaints are recorded and actioned accordingly. The following breakdown records the type of complaints received over the year.

Type of Complaint	Number of Complaints
Noise	882
Land-use	201
Discharges – Air	403
Discharges - Water	61
Discharges – Land	73
Water takes	83
Rivers	55
Coastal	34
Rubbish Enforcement	28
Abandoned Vehicles	307
Other	494
Total	**2,631**

(Compared with 2,562 in 2017/2018).

The results show an increase of 273 complaints from the previous year. While most categories were up, if only slightly in some cases, 99 were instances of noise, 65 complaints about air quality, 51 abandoned vehicles and 40 discharges to land. Smoke from outdoor burning and odour accounted for the majority of the air complaints. The discharge to land was mostly sediment run-off and stormwater complaints.

PLANNED	ACTUAL 2018/2019
Undertaking environmental monitoring of the District's resources, state of the environment reporting, hydrology and flood warning monitoring, and provision of environmental information.	In the 2018/2019 financial year, the River and Stream Management Fund achieved 28.8km of waterway fencing in Tasman. The average length of fencing per project was 1.06 km, and the average contribution per project was $3.36 per metre. The fund is capped at $5.38 per metre. The fund has been tremendously successful as a way of incentivising the protection of waterways, and is key in establishing a definitive riparian zone where plants can be established (often a subsequent step taken by conscientious landowners). In the 2018/2019 financial year, a partnership between Tasman District Council, Ngāti Tama ki Te Waipounamu Trust and Ngāti Rārua Settlement Trust was awarded $144,000 from the Ministry for Primary Industries' (MPI) Hill Country Erosion Fund (HCEF) to revert 114ha of pine forestry on highly erodible land above Marahau and Otuwhero to permanent native cover. The HCEF bid also attracted an additional $600,000 from the HCEF for a new employee (fully funded for four years, and Council funded thereafter), who will guide a unified and consistent approach to forestry management across the top of the South Councils. Their role focuses on issues that arise during the post-harvest erosion window, in particular around highly erodible land, and areas that are poorly suited for commercial forestry. In the 2018/2019 financial year, the Catchment Enhancement Fund was initiated. The intent of the fund is to provide local catchment groups and larger land holdings with funding to make water quality and habitat improvements at a large scale. This fund provides $100K/yr and is currently split five ways. Four large projects (around $20K each), and multiple smaller projects with the remainder. Potential projects are prioritised using a matrix that awards points according to the potential ecological, human health or cultural improvements that could be gained. Tasman participated in the national pesticide survey that was coordinated by the Institute of Environmental Science and Research (ESR) which is carried out about every four years. In Tasman, 22 sites were sampled between November and December 2018. This round of pesticide sampling also included testing of a subset of sites for Glyphosate and Emerging Organic Contaminants. We are still awaiting the results from ESR. For the first time, this survey included samples from Golden Bay/Murchison and Upper Motueka. Council has been doing small updates and upgrades to the Motueka/Riwaka Plains groundwater and Surface Water model over the last few years (2015 – 2018). A summary report is to be presented to the Council in before December 2019 which will outline

PLANNED	ACTUAL 2018/2019
	this work and document information derived from the model. The drought and Pigeon Valley fire had a significant impact on environmental monitoring work streams this year, with a number of planned projects unable to be finished. On the plus side, considerable drought flow measurements were completed across the District in support of new water management plans and general resource information. Many of these were in new locations, particularly in Golden Bay and the West Coast. Monitoring of 78 irrigation water meters by telemetry was successfully completed over the irrigation season. New monitoring stations were constructed in the Upper Lee River to support the WCD, and in the lower catchment to allow better on-going monitoring of river flows. New equipment was also installed at a number of sites to measure flood flows, and support was given to the NCC hydrology team. There was only moderate flood warning activity for the year. There were 29 occasions when Metservice notified Council of heavy rain, and 39 distinct early alarms were generated from remote monitoring stations, none of which resulted in high flows in the large rivers. The Takaka flood warning model was updated to incorporate information from Cyclone Gita.
Providing advice to potential applicants for resource consents and processing resource consent applications and development contribution notices.	Advice was provided by way of Duty Planner appointments at Council's Richmond, Motueka and Takaka offices; and by way of customer service requests responded to by email or phone calls. During 2018/2019, Council received 1,400 applications for resource consents and related permissions, and completed 1,023 decisions. To assist developers, Council created a new role of Development Contributions Administrator in 2018. This person has been available to assist all developers in assessing their DC contributions on any qualifying development proposed.
Undertaking plant and animal pest management planning and operations, including in Nelson City through a contractual arrangement with Nelson City Council.	The contract with Nelson was delivered and substantially reviewed as part of the Regional Pest Management Plan review for following financial years.

PUBLIC HEALTH AND SAFETY

OUR LEVELS OF SERVICE AND HOW WE MEASURE PERFORMANCE

LEVELS OF SERVICE (WE PROVIDE)	WE WILL KNOW WE ARE MEETING THE LEVEL OF SERVICE IF	CURRENT PERFORMANCE
We will provide building control services in a professional and timely manner to ensure building work is safe and in accordance with the New Zealand Building Code.	100% of applications for building consents (BC) are processed within statutory timeframes. **Target:** 100%	 95% of building consents have been processed within statutory timeframes in 2018/2019. This compares with 99% of building consents issued within statutory timeframes in 2017/2018.
	98% of applications for code compliance certificates (CCC) are processed within statutory timeframes. **Target:** 98%	 98% of code compliance certificates have been processed within statutory timeframes in 2018/2019. This compares with 94% issued within statutory timeframes in 2017/2018.
	The average time taken to process a Building Consent is 10 working days. **Target:** 10 working days.	 The average time taken to process a building consent was 12 working days in 2018/2019. The increase in average processing days, which is still well below the statutory 20 working day allowance, was the result of capacity and workload issues. This compares with an average of 11 days' processing in 2017/2018.
	We maintain Building Consent Authority Accreditation. **Target:** Accreditation maintained.	 Achieved, with the next assessment planned for October 2019. This target was fully achieved in 2017/2018.

LEVELS OF SERVICE (WE PROVIDE)	WE WILL KNOW WE ARE MEETING THE LEVEL OF SERVICE IF	CURRENT PERFORMANCE
	At least 80% of survey respondents rate their satisfaction with Council's building control work as fairly satisfied or better. **Target:** 80%	 In 2018/2019, 64% of survey respondents were satisfied with our building assurance work. While overall satisfaction increased slightly, many respondents expressed concerns over the costs and complexity of the consenting process. This compares with 62% of survey respondents were satisfied with our building assurance work in 2017/2018.
We will provide an environmental health service that in association with other agencies, fosters the responsible sale and consumption of liquor	In conjunction with the New Zealand Police, we detect no sale of liquor to minors through random controlled purchase operations (CPOs) run annually. **Target:** At least two annual operations with no offences detected.	 Two Controlled Purchase Operations (CPOs) were carried out with NZ Police and the District Health Board. In total, 30 premises were visited, and one premise in Golden Bay sold to an underage person. This target was fully achieved in 2017/2018.
We will provide an environmental health service that ensures that food provided for sale is safe, free from contamination and prepared in suitable premises.	All food premises are inspected at least once annually for compliance and appropriately licensed. **Target:** 100%	 The Food Safety regime has changed due to new legislation coming into full effect in March 2019. Council is no longer required to visit all food premises and those that it does visit are not all required to be visited annually. In short, Council has met the requirements set by the Ministry of Primary Industries regarding auditing and transition of businesses to the new regime. Due to these changes in legislation, in 2017/2018, this target was not measured, but Council fulfilled auditing requirements in the transition to the new Food Safety regime.
We will provide animal control services to minimise the danger, distress, and nuisance caused by dogs and wandering stock and to ensure all known dogs	All known dogs are registered or otherwise accounted for annually by 30 June. **Target:** 100%	 All known dogs were accounted for. This year our new contractor was directed to be more active in

LEVELS OF SERVICE (WE PROVIDE)	WE WILL KNOW WE ARE MEETING THE LEVEL OF SERVICE IF	CURRENT PERFORMANCE
are recorded and registered.		chasing up unregistered dogs and seizing them where necessary. This resulted in all known dogs (100%) being registered or otherwise accounted for. This compares with 99.88% of known dogs registered in 2017/2018.
	We respond to high priority dog complaints within 60 minutes, 24 hours a day, seven days a week. **Target:** 100%	 In 2018/2019, all high priority complaints were responded to within 60 minutes. Sometimes initial response will be by telephone to assess the necessary response. Although the contractor has changed, the service is maintained at a very high level. In 2017/2018, all high priority complaints were also responded to within 60 minutes.
A civil defence and emergency management system that is designed to promote the safety of people and a resilient community in the event that emergencies occur.	The level of community support for Council's civil defence emergency management (CDEM) activity is rated as fairly satisfied or better through the annual residents' survey. **Target:** 70%	 In the annual residents' survey this year, 78% stated they were very or fairly satisfied with our civil defence and emergency management services, whilst 9% were not very satisfied. This compares with 59% of residents fairly or very satisfied, and 15% were not satisfied in the 2018 survey. The increase in satisfaction from residents may be attributed to the coverage of Council's involvement in CDEM during the fires earlier this year.
	Target: The Nelson Tasman CDEM Group Plan is reviewed and kept up to date.	 This target was fully achieved in 2018/2019 as well as the previous financial year. A review of the associated Recovery Plan is close to completion, it was hoped to be completed by 31 March 2019. However, the Pigeon Valley Fire has caused delays.
We will provide Maritime Administration services	All known commercial vessel operators are licensed.	

LEVELS OF SERVICE (WE PROVIDE)	WE WILL KNOW WE ARE MEETING THE LEVEL OF SERVICE IF	CURRENT PERFORMANCE
to ensure Tasman's regional waters are safe and accessible and that all known commercial vehicle operators are licensed.	**Target:** 100%	 All 26 commercial vessel operators are registered, three other operators have been granted exemptions. In 2017/2018, 100% of all known commercial operators were licensed.
We will provide parking control services to facilitate the public's access to urban retailers and services, respond to any misuse of disabled parking, and remove reported abandoned vehicles.	Compliance by not less than 85 out of every 100 vehicles parking in time controlled areas within the Traffic Bylaw, based on an annual snap survey. **Target:** 85%	 The parking survey this year showed 79% of customers complied with the parking rules. Although this is better than last year by 6%, not meeting the standard is disappointing. This is despite an increase in parking enforcement effort and an increase in the number of tickets issued. Some factors leading to this are are likely to be: • a reduction in numbers of all-day parking spaces in Richmond, • the inclusion of nearby areas in the time restricted regime, and • strict enforcement of the parking rules by a private supplier in the Richmond Mall, which issues a $65 fine. This compares with 73% of people complying with parking time limits in 2017/2018.

MAJOR ACTIVITIES

PLANNED	ACTUAL 2018/2019
Respond to enquiries, process permits and consents, and undertake inspectorial responsibilities under the Health Act, Building Act, Sale and Supply of Alcohol Act, Food Act, Gambling Act, Dog Control Act, Land Transport Act, Maritime Transport Act, the Hazardous Substances and New Organisms Act, and associated regulations and Council bylaws.	Inspectorial responsibilities under the Health, Building, and Sale and Supply of Alcohol Acts and Council bylaws continue to be carried out by professionally-trained and qualified staff and contractors. We processed 95% of 1,298 building consents within the statutory processing time limit (compare this to 1,520, at 99%, in 2017/2018). Our average processing time was 12 days (11 days in 2017/2018). We issued 368 consents for new dwellings, which resulted in 429 new houses being built in the District. In addition, 127 out of 158 applications for Schedule 1(2) exemptions from requiring a building consent were approved (compare this with 90/165 applications in 2017/2018).

PLANNED	ACTUAL 2018/2019
	All technical building staff are engaged in training to meet the legal requirements of the Building Act Accreditation regulations. Health licensing has been steady as per the previous year, with no significant issues. The Environmental Health team ensured that all food businesses that had to transition to the new Food Act regime managed this within the time frame. Council have directed staff to conduct a review of the Gambling Venues Policy and the preparation relating to this has been done. Consultation for this policy opened in August 2019. Council continues to work closely with partner agencies to prevent alcohol harm. All managers and premises have been reviewed at least once under the Sale and Supply of Alcohol Act. Despite one premise providing alcohol to an underage patron on a Controlled Purchase Operation, there has been no increase in alcohol related harm in the last 12 months. Dog numbers in the District have risen to a new high with approximately 11,600 dogs registered last year. All known dogs were accounted for before 30 June and the customer satisfaction survey indicates that the public are very supportive of our services in this area. The Harbourmaster team continue to operate at a very high level. Effective liaison with Maritime New Zealand (MNZ) and other agencies such as Police, Coastguard and NCC continues to bear fruit. The use of cameras and the involvement of commercial vessel managers has also greatly reduced incidents of speeding in the Abel Tasman National Park. Issues with freedom camping during the summer were still evident, however, complaints dropped and there appears to be more acceptance amongst the public that this activity will continue. Some public facilities were improved over the year i.e. pay showers, additional toilets and waste bins were installed in problem areas.
Carry out navigation and safety functions including implementation of the Joint Oil Spill Contingency Plan (with Nelson City Council).	Council staff responded to a maritime oil spill in Port Motueka, cleaned up the spilt oil and prevented it escaping further. We also exercised the response team twice in the period and were assessed by the Maritime Pollution Response Service as being capable and competent in our roles. We maintain numbers of responders at over 100% capacity and have kept the associated equipment correctly maintained. Four members of Council staff are also part of the National Response Team for oil spill.
Carry out animal control responsibilities.	We changed our contractor in September 2018. The effectiveness of the service has been maintained at previous level or improved (100% of known dogs accounted for).

PLANNED	ACTUAL 2018/2019
Carry out civil defence and emergency management responsibilities.	The Pigeon Valley Fire tested our Civil Defence capabilities to the extreme. The feedback from national agencies and others indicate that we performed at a very high level.
Carry out parking control responsibilities under Council's Parking Bylaw.	Parking enforcement responsibilities are carried out under contract. We issued 5,810 infringement notices this year (In 2017/2018, we issued 3,401 notices). Parking in Kaiteriteri during the summer is still problematic despite very good signage and additional enforcement.

Environment and Planning Department
Applications Processed
1 July 2018 to 30 June 2019

1. Resource Management Act

Type of Consent	Outcome2017/18	Outcomes 2018/19
Land Use	610	551
Water	70	108
Discharge	157	146
Coastal	26	10
Subdivision	140	141
Title Plans	124	111
Completion Certificates	113	110
Certificates of Compliance	1	8
Deemed Permitted Boundary Notices	20	51
Marginal or Temporary Exemption Notices	41	38
Resource Consent (Permit) Transfers	201	145
Right of Way (s348 Local Govt. Act 1974)	17	16

2. Building Act

	2017/18		2018/19	
Type of Consent	No. Issued	Value ($)	No. Issued	Value ($)
Dwelling	428	136.5M	368	150.9M
Commercial	56	37.9M	59	36M
Other	1,036	32.5M	871	41M
Totals	**1,520**	**$206.9M**	**1298**	**$227.9M**

3. Licences

Type	2017/18 No. of Certificates Issued	2018/19 No. of Certificates Issued
Food Premises/Operators	221	363
Hairdressers	41	44
Camp Grounds	39	36
Hawkers/Mobile Traders	52	48
Others	8	6
Commercial Vessel Operators	30	28

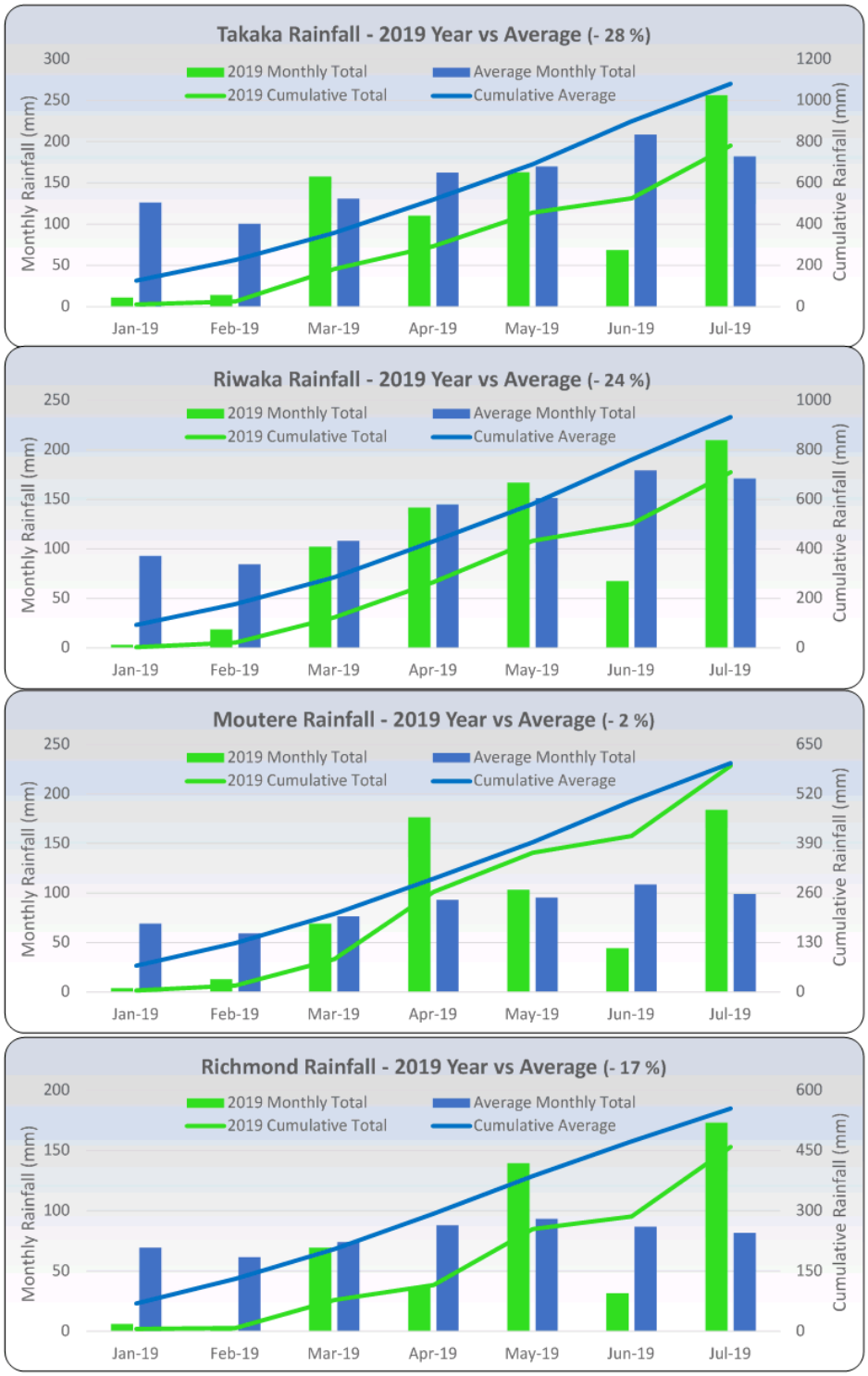
4. Sale of Alcohol

Type of Licence	2017/18 No. of Licenses Issued	2018/19 No. of Licenses Issued
Manager's Certificate	265	270
On and Off Licences	79	65
Club Licence	10	11
Special Licence	69	65
Temporary Authority Order	13	6

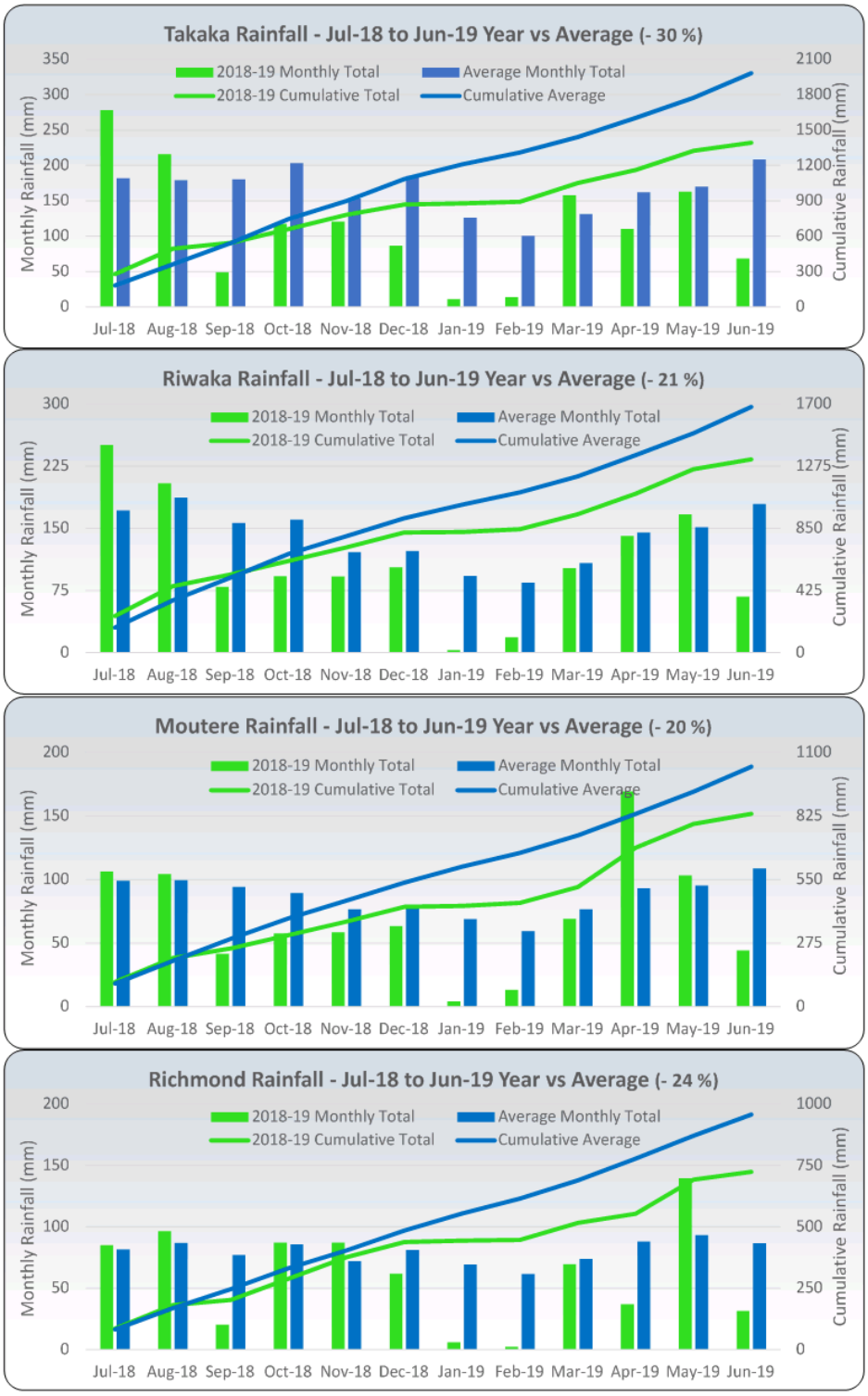
5. Other

Type	2017/18	2018/19
Land Information Memoranda	771	664
Complaints Received	2562	2631
Abatement Notices Issued	53	67
Infringement Notices Issued	49	79
Enforcement Orders	0	1
Excessive Noise Directions	151	189

Calendar Year (2019) Cumulative Rainfall



Hydrological Year (2018-19) Cumulative Rainfall



Submission on the *Proposed Regulatory Framework for Dam Safety* discussion paper

Your name, Email address, phone number and organisation

Name	Dennis Bush-King
Email address	Dennis.Bush-King@tdc.govt.nz
Phone number	03 543 8400
Organisation	Tasman District Council

☐ The Privacy Act 1993 applies to submissions. Please tick the box if you do not wish your name or other personal information to be included in any information about submissions that MBIE may publish.

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I do not want my submission placed on MBIE's website because… [Insert text]

Please check if your submission contains confidential information:

☐ I would like my submission (or identified parts of my submission) to be kept confidential, and **have stated** my reasons and grounds under the Official Information Act that I believe apply, for consideration by MBIE.

Responses to discussion paper questions

Proposed definitions of key dam safety terms

1	Do you think the proposed definitions of key dam safety terms are appropriate?
	No
2	If you do not think any of the proposed definitions are appropriate, can you make suggestions on how any of them can be improved?

	1. *"Moderate flood", "flood threshold event", "other fluid" – the language adopted throughout the proposal (especially in section 6) is specific to dams built in riverbeds/natural valleys and appears to exclude dams not built in-stream, even if the definition of dam in the BA (2004) is broader. The great majority of dams in the Tasman District (TD) capture water from ephemeral streams and are technically not located in a river bed. The current wording is likely to lead to uncertainty and challenge during implementation. For example, does the definition include debris flow or land sliding into the dam (arguably neither fall under "water or other fluid")? We urge MBIE to revise the language in this proposal so that it includes dams built out-of-stream.* 2. *"Moderate earthquake", "earthquake threshold event" – we request that the regime currently in place for the Earthquake Prone Buildings (EPB) process (risk zone based, locally tailored for z-scores) is also applied to dams to avoid confusion and reduce complexity.* 3. *"Designated area" – is a term under the Building Act (BA) (2004) that has never been formally defined and this continues to cause uncertainty in the implementation of the BA. The terminology has not been used here (but could be used if defined). There is an opportunity to rectify this situation through this proposal.*
3	Do you have any comments on how these proposed terms will work in practice?
	See response to Questions 20, 22, 25, 27.

Proposed 'Recognised Engineer' requirements

4	Do you agree with the proposed qualification requirements for a 'Recognised Engineer'?
	Yes
5	Do you agree with the proposed competencies for a 'Recognised Engineer'?
	In part.
6	If you do not agree with the proposed qualifications and competencies, please comment on what they should be.
	The list of competencies is stringent and very high on experience. Our concern is that, in practice, this may mean only very few engineers will qualify as "Recognised Engineers (RE)". This, combined with the (very appropriate) requirement to use an independent RE, could result in a limited capability pool. This, in turn, will lead to inflated prices, and/or long waiting times, especially in more rural and sparsely populated regions/districts. *We suggest that provision is made for the use of supervised, non-recognised engineers, whose process and output needs to be signed off by an RE.*
7	What evidence should be attached to the certificate provided by the engineer (for example a CPEng registration number) to show the engineer is a 'Recognised Engineer'?
	The new framework relies on Engineering NZ developing an accreditation process for REs. "CPEng" registration number alone is insufficient, the RE must also have a certificate/registration number to demonstrate they are recognised under the future accreditation scheme. If non-recognised engineers are working under the supervision of a RE, the credentials of the RE need to be clearly identified.

Implementing the proposed dam safety regulations

8	The proposed timeframe for regulations to come into force is 12 months after they are gazetted. Do you think this timeframe is adequate?
	Potentially.
9	If you do not think the timeframe is adequate, please tell us how much time you would prefer.
	With gazetting the proposed timeframe may be adequate, but due to scarce resources it is possible that it may not be. We would prefer 24 months after gazetting.

Core elements: step 1 of the dam safety regulations

10	Do you agree with the proposed classification threshold to determine if a dam is a classifiable dam?
	Yes
11	If you do not agree, what other measure could be used?
	N/A

12	Do you agree that it is unnecessary to have a separate category for referable dams (considering the proposed classification threshold and regional authorities' powers under section 157 of the Building Act)?
	Any classification based scheme will incentivise dam owners to build or consider their dams as "just under the limit" (= with a "non-classifiable" status) to avoid compliance costs. We believe that there could be significant cumulative risks due to multiple existing/future dams that are "just under the limit" located upstream of a vulnerable area. To understand this risk, RAs need to have a mechanism that will lead to a robust record of such dams in their region. The 'referable dam' category could help with this. *We propose MBIE conduct further investigation to define referable dams for situations where cumulative impact may provide a reason to classify smaller dams.*

Core elements: step 2 of the dam safety regulations

13	Do you agree with the proposed Potential Impact Classification system in step 2?
	In part. We <u>support</u> the requirement to select the highest damage level across categories.
14	If you do not agree with the proposed Potential Impact Classification system, what alternative system, or changes, do you suggest for classifying the potential impact of a dam's failure?
	We suggest three areas for improvement: *1. The proposed PIC system uses terms that are open to variable interpretation. It is unclear what qualifies as a "minor" and a "major" infrastructure component. "Time to restore operation", "community recovery time", and the "population at risk" can be extremely difficult to determine prospectively. The proposal states that the recognised engineer has to sign off the assessment. It is important that recognised engineers are provided with nationally standardised guidance regarding the terminology in the proposed Potential Impact Classification System.* *2. Due to the implications of a "medium/high" PIC versus a "low" PIC, the crucial distinction to get right is that between the "low" and "medium" PIC categories. Although the highest level of damage needs to be selected when levels vary across subcategories, when there is doubt over "low" or "medium", it is likely that there will be considerable pressure on recognised engineers to sign off a "low" PIC classification. Reducing the number of categories and/or the amount of overlap in the categories that lead to either a "low" or, say, a "moderate or above" PIC would leave less room for subjective interpretation, would be safer, and reduce costs and administrative overhead.* *3. It is unclear why the anticipated loss of one human life should result in a "medium" classification whereas the anticipated loss of two human lives results in a "high" classification. This sounds as if it was somewhat acceptable to lose one human life, but we are drawing a line at two. We believe this is not in keeping with the philosophy underpinning the Health and Safety Act, and suggest revision so that any anticipated loss of a human life is classified in one category, for example, "moderate or above"*

Core elements: steps 3 and 4 of the dam safety regulations

15	Do you agree with the proposed content of a Dam Safety Assurance Programme?
	Yes
16	Do you think there are any elements in the Dam Safety Assurance Programme that are missing or are too onerous?
	We <u>support</u> the stringency of the DSAP, however, the level of compliance for medium and high PIC dams appears to be very similar and this may be perceived as unfairly onerous by medium PIC dam owners. The perception of unfairness may disappear if the "medium" and "high" categories are merged as we suggested above (response to Question 14). Alternatively, the frequency of reviews could be reduced for medium PIC dams.
17	Do you agree that there is no need for an accreditation regime at present?
	The certification of Recognised Engineers will go some way to giving us confidence that an accreditation scheme for dam owners will not be required, but it will put a lot of pressure on a small number of people. We recommend MBIE investigate in mechanisms than can help to alleviate this pressure (see Respnse to Question 6 – supervised non-recognised engineers).

Dangerous, earthquake-prone and flood-prone dams

18	Do you agree with the proposed definition of 'moderate earthquake'?
	No
19	Do you agree with the proposed definition of 'moderate flood'?
	No
20	If you do not agree with the proposed definitions of 'moderate earthquake' and 'moderate flood', what definitions do you consider more appropriate, and why?
	<u>Context/test for triggering regulations:</u> *For a dam to be considered "prone" or "dangerous", two conditions must be fulfilled:* *1. It must be a medium/high PIC* *AND* *2. It must be likely to fail in a "moderate earthquake" or an "earthquake/flood threshold event".* *<u>Definition of "moderate earthquake:</u>* *We suggest that the existing, risk zone based and regionally tailored, z-scores in the EPB process be used in the definition of 'moderate earthquake' for dams, and that false positive dams are identified on a case-by-case basis.* *It is proposed that the Building Code minimum standard z-score (0.13) be used as a single, nationally applicable, z-score that underpins the definition of "moderate earthquake" and "earthquake threshold event". The rationale for introducing a single minimal z-score into the framework is that this avoids the identification of false positives (dams that are not actually dangerous). Under the proposed framework, any structures built to the current minimum standard are unlikely to be considered dangerous as they will not meet the second condition. While this framework is internally consistent, it is inconsistent with the existing regulations under the EPB process. We believe the introduction of a low z-score just for dams will lead to confusion and extra administrative overhead during implementation of the proposed regulations and may lead to challenge of the EPB process.* *<u>Definition of "moderate flood":</u>* *We suggest the term "moderate **flow**" and "a **flow** of water or other **material**" as a broader alternative for the definition of "moderate flood" to capture other natural processes that could impact on dams that are built in-stream as well as dams that are not built in-stream.* *The reason for our suggested alternative is that we believe the proposed definition for "moderate flood" is too narrow in that it appears to exclude a "flood" where the mechanism is not strictly "water or other fluid". For example, is a "flood" of debris, or a "flood" of mud and rocks from land sliding into a dam included or excluded from the definition? Either are plausible, especially for dams that are not built in-stream, and either could result in overtopping and destabilisation of the structure.*
21	For owners of dams: What impacts (if any) would the proposed definitions of 'moderate earthquake' and 'moderate flood' have on the management of your dams?

	There will be no impact
22	For regional authorities: What (if any) potential issues do you see in applying the definitions of 'moderate earthquake' and 'moderate flood'? *We believe the proposed introduction of a separate z-score regime for dams increases the complexity of earthquake related legislation for built structures. After testing with experienced practitioners, we believe the proposed regime based on a single, nationwide, z-score of 0.13 is likely to result in confusion and in additional administrative overhead. It is likely that people will attempt to "cherry pick" z-scores and/or may challenge the necessity of the existing (risk zone based and locally tailored) z-score approach used in the EPB process. The proposed new z-score for dams appears to not be in keeping with principles set out for this scheme on pg. 22 of the proposal ("consistent", "efficient").* *We believe the definition of "moderate flood" appears to exclude dams that are built out-of-stream. The majority of dams in the TD is not technically located in river beds or natural valleys. The proposed definition is open to challenge when applied to these dams and is therefore problematic. We urge MBIE to revise the language of the section on "flood prone" dams, "flood threshold event", and across the remainder of the proposal so that it captures dams that are built in-stream and out-of-stream.*
23	Do you agree with the proposed definition of 'earthquake threshold event'?
	No
24	Do you agree with the proposed definition of 'flood threshold event'?
	No
25	If you do not agree with the proposed definitions of 'earthquake threshold event' or 'flood threshold event', what definitions do you consider more appropriate and why?

	<u>Definition of "moderate earthquake:</u> *We suggest that the existing, risk zone based and regionally tailored, z-scores in the EPB process be used in the definition of 'moderate earthquake' for dams, and that false positive dams are identified on a case-by-case basis.* *It is proposed that the Building Code minimum standard z-score (0.13) be used as a single, nationally applicable, z-score that underpins the definition of "moderate earthquake" and "earthquake threshold event". The rationale for introducing a single minimal z-score into the framework is that this avoids the identification of false positives (dams that are not actually dangerous). Under the proposed framework, any structures built to the current minimum standard are unlikely to be considered dangerous as they will not meet the second condition. While this framework is internally consistent, it is inconsistent with the existing regulations under the EPB process. We believe the introduction of a low z-score just for dams will lead to confusion and extra administrative overhead during implementation of the proposed regulations and may lead to challenge of the EPB process* *<u>Definition of "flood threshold event":</u>* *We suggest "**flow** threshold event" and "a **flow** of water or other **material**" as broader alternatives for "flood threshold event".* *The reason for our suggested alternative is that we believe the proposed definition for "flood threshold event" is too narrow in that it appears to exclude a threshold event where the mechanism is not strictly "water or other fluid", but a different natural process. For example, is a "flood" of debris, or a "flood" of mud and rocks from land sliding into a dam included or excluded from the proposed definition? Either could result in overtopping and destabilisation of the structure.*
26	For owners of dams: What impacts would the proposed definitions of 'earthquake threshold event' and 'flood threshold event' have on the management of your dams?
	There will be no impact
27	For regional authorities: What (if any) potential issues do you see in applying the definitions of 'earthquake threshold event' and 'flood threshold event'?

	With either definition we see increased complexity and uncertainty as likely to significantly hamper efficient and effective implementation. *We believe the proposed introduction of a separate z-score regime just for dams to underpin the definitions of "moderate earthquake and "earthquake threshold event" increases the complexity of earthquake related legislation for built structures. While the proposed framework is internally consistent, it is inconsistent with related existing legislation (not affected by this proposal). After testing with experienced practitioners, we believe the proposed regime based on a single, nationwide, z-score of 0.13 is likely to result in confusion and in additional administrative overhead. It is likely that people will attempt to "cherry pick" z-scores and/or may challenge the necessity of the existing (risk zone based and locally tailored) z-score approach used in the EPB process.* *We believe the definition of "moderate flood" appears to exclude land based dams. The majority of dams in the Tasman District are built out-of-stream. The proposed narrow definition is open to challenge when applied to these dams and is therefore problematic. We urge MBIE to revise the language of the section on "flood prone" dams, "flood threshold event", and across the remainder of the proposal so that the framework includes dams built out-of-stream.*

Guidance and forms for compliance

28	For regional authorities: What information would you need to ensure the regulations are implemented effectively?
	There is a long history of overlap between the RMA and the BA in this area. A clear diagrammatic representation (a policy map) of all steps in the proposed regulatory cascade showing where each of the two Acts (RMA and BA) uniquely apply (and where there is still a degree of overlap) would greatly assist implementation and may assist RAs and MBIE to address any remaining areas of uncertainty.
29	For owners of dams: What information would you need to ensure the regulations are implemented effectively?
	[Insert response here]
30	Do you have any comments on the proposed content of the forms for a Dam Classification Certificate, Dam Safety Assurance Programme or Annual Dam Compliance Certificate?
	We would like to have the legal parcel identification and the location with co-ordinates included.

Regulatory impacts

31	Can you describe any other costs and benefits not discussed in Table 6?
	[Insert response here]
32	For regional authorities: In your experience what will be the likely cost of administering the proposed dam safety regulations e.g. additional resource requirements?

	We estimate there are currently 59 classifiable dams in the TD. The cost implications of the proposed regulatory framework are difficult to predict at this point.
33	For owners of dams: Are you following the NZSOLD dam safety guidelines?
	Yes
34	If you are following the NZSOLD dam safety guidelines, please tell us about any additional costs you may incur from implementing a Dam Safety Assurance Programme?
	[Insert response here]
35	If you are not following the NZSOLD dam safety guidelines, please tell us about any additional costs you may incur from implementing a Dam Safety Assurance Programme?
	N/A
	Other comments
	We would appreciate regulatory guidance regarding the costs of changing PIC status as a consequence of the 5 yearly PIC re-assessment: If a PIC is revised upwards because of downstream development then who should be liable for all the costs associated with the higher PIC? We trust that integration of the proposed regulatory framework into the BA entails review and update sections that are affected by the proposal, such as the Building (Infringement Offences, Fees and Forms) Regulations 2007. The proposed review of dam safety regulations provides a unique opportunity to explicitly integrate provisions from the Building Act 2004 and the RMA for this matter. We believe that by focusing exclusively on the BA (2004) provisions in this proposal, the opportunity has been missed. A nationwide understanding of where each Act applies in this matter would greatly increase the effectiveness of existing and proposed regulations and would also highlight overlaps and gaps for future review.

Action Sheet - Environment & Planning Committee – September 2019

Meeting Date:	Minute/Action	Minute or CSR or Email request	Accountable Officer	Status
28 July 2018		Regulatory Manager to follow up with the dairy industry to understand the data collected on water use and in particular, milk shed washdowns. He was also asked to report back with additional information on likely set up and running costs for an in-house telemetry service for water metering.	Adrian Humphries	This is being worked on by staff at present
6 September 2018	EP18-09-04	Enforcement Policy to be updated to cover off option of diversion	Dennis Bush-King/ Adrian Humphries	Still to action
29 November 2018	EP18-11-8	Moutere Catchment Stream Health Survey - staff report to report back on the next steps to mitigate the issues raised in the Moutere catchment stream health survey.	Trevor James	Still to action
25 July 2019	EP19-07-4	To publicy notify the Draft Gambling Venues Policy	Graham Caradus	Actioned 6 August
		Manager to report back on conditions of return of leased sites used for gravel crushing	Dennis Bush-King	To report back at meeting
		Councillors to be provided a copy of any draft submssion on the Dam Safety Regulations	Anette Becher	Actioned – see also this agenda
	EP19-07-10	Mayor to write to Minister of Building and Construction	Dennis Bush-King	Actioned
		Staff to report back on total area under affliated permit status in the Waimea Water management Zone	Dennis Bush-King	Consents currently being processed. Will report when complete

Meeting Date:	Minute/Action	Minute or CSR or Email request	Accountable Officer	Status
		Mayor tasked to write to Environmental Protection Authority concerning delay in receiving recommendations of Te Waikorpupu Sprimgs WCO	Dennis Bush-King/Lisa McGlinchey	Actioned