

## STAFF REPORT

**TO:** Environment & Planning Committee

**FROM:** Dennis Bush-King, Environment & Planning Manager

**REFERENCE:** S611

**SUBJECT:** **MANAGER'S REPORT - REPORT REP10-08-11-** Report prepared for meeting of 12 August 2010

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### 1. FOOD BILL

You received a report (REP10-07-10) on a new Food Bill at your last meeting. The Bill, which will replace the Food Hygiene Regulations under which local authorities license outlet selling food has been referred to the Primary Production Select Committee who have called for submissions to be made to them by Thursday, 2 September 2010. Staff will action in line with the previous debate.

### 2. TAKAKA WATER ALLOCATION - TAKAKA MARBLE AQUIFER AND TE WAIKOROPUPU SPRINGS.

Protection of the Te Waikoropupu Springs from significant reductions in spring flow is acknowledged and recognised in an interim (informal) allocation limit of 500 l/sec applying to its recharge area set by the then Nelson Marlborough Regional Council in 1991. Council's databases now show a consented total allocation of 400.9 l/sec from sources (both surface and groundwater) recharging the Marble Aquifer and hence affecting the Te Waikoropupu Springs.

There is also one application currently in process, being application RM100323 to take 90 l/sec from the Waitui Stream in Upper Takaka. Granting RM100323 will result in an allocated total of 490.9 l/sec, leaving just 9.1 l/sec available within the interim (500 l/sec) allocation limit.

Given the above, it is likely that new water permit applications affecting recharge to the Marble Aquifer (and hence affecting the Waikoropupu Springs) will follow a fully notified process. Until now, applications have tended to be processed non-notified or followed a limited notification process. Consents staff will need to take a precautionary approach regarding consent applications with the aim of avoiding any over-allocation scenario, which is considered critical given the national significance of the Te Waikoropupu Springs.

Council has scheduled the preparation and completion of a water resource summary for the Takaka Catchment, which is required to provide the evidential foundation for an issues and options paper and proposed management plan for the Takaka aquifers and rivers. Unfortunately work on the Lee Dam is hampering this other work.

### 3. DELTA AND HOPE AQUIFER ZONES – CONSENT RENEWAL PROCESS

On 31 May 2011, some 161 consents to take groundwater and a few surface water takes expire and require replacement in the (Waimea) Delta, Redwood and Hope Aquifer Zones. The majority (133) are in the Delta Zone with just five in Redwood and 23 in the Hope Aquifer Zone. Replacement applications are **controlled activities** under TRMP Rule 31.1.3, which means replacement consents must be granted provided the standards and terms and matters of control, as stated in the TRMP, are complied with.

With the work on the Lee Valley dam progressing, the issue arises over how the renewal process should be managed and what the reasonable duration of the consent should be, given the over-allocation that currently exists.

The consent term currently applying in each water management zone is stated in Schedule 31.1A TRMP. Rather than 15 years as stated, we propose a six year term through to 2017 which will coincide with the next zonal expiry date and it is expected the dam decision will be well-known, either way, by then.

Staff have developed a pro-active process that will involve advice and information for each consent holder recommending that they lodge applications ASAP and but no later than 3 months prior to the expiry of the consent in 31 May 2011 i.e. **28 February 2011**. Staff will prepare a template consent document with common (and updated) consent conditions for each of Hope and Delta zones. The aim is to minimise the effort required by both Council and applicants for what is essentially a holding measure pending decisions on the augmentation Dam.

The granting of new consents will require an adequate assessment of effects, which can be done for each zone as a whole. The application process should also include a “bona fide use” review as part of the renewal process. However given it is considered reasonable to see the current process as a temporary extension, we do not envisage that this needs to be as comprehensive as would be expected for a full 15 year renewal. For example, there is an allocation limit of 97 l/sec for the Hope Aquifer and there is potential for reallocation in this zone. We are aware that there are some permit holders who have not exercised their consent for some time and it may be they might consider relinquishing or reducing their allocation if they have not already lapsed. Also there are some land owners who would like access to water and are currently denied. The process envisaged will not change their predicament.

It is expected that six-year permits can be processed on a non-notified basis if they meet the controlled activity standards, and agreement of affected parties is obtained through the Waimea Water Augmentation Committee.

Council should look to keep any charges to a corresponding minimum to reflect the short-term extension. Given there are some uncertainties, there may be some applications which will not be straight forward roll-overs. As the Council is effectively setting a process in place where it will relieve individual applicants of effort that it will

pick up, we need to make sure our costs are recovered. The normal deposit is \$500 and it is proposed we stick with this and refund any savings. This is preferred over and above sending invoices for extra effort.

### **Recommendation**

**That the Environment & Planning Committee endorse the approach to renewing water permits for the Delta and Hope zones as outlined in Section 3 of Report REP10-08-11.**

#### **4. ENVIROSCHOOLS – GREEN/GOLD FOR NGATIMOTI AND SALISBURY SCHOOLS**

Councillors may be aware that we now have two Green Gold Enviroschools in our region. Congratulations go to Ngatimoti School and Salisbury School on this success. As part of the Enviroschools programme we have an awards system which allows schools to celebrate and recognise their progress. Green Gold is the highest Enviroschools achievement and recognises that schools are successfully embedding sustainability into their programmes and culture of the school. Ngatimoti School and Salisbury School now join a total of only 20 Green Gold schools nationally.

#### **5. BIG BEACH CLEAN-UP**

A big community spring clean of Tasman Bay beaches and other coastal areas between Marahau and Cable Bay is planned in time for summer. This project is being led by the Department of Conservation with support from Nelson City Council, Nelmac and Tasman District Council.

**When:** Saturday, 20 November 2010  
**Time:** 11.00 am to 3.00 pm  
**Where:** Marahau to Cable Bay (approximately 50 beaches)

Nelson and Tasman Bay groups and organisations are being invited to register now to take part in this Big Beach Clean-up and help care for our beaches. As of 3 August, 38 groups had “adopted” one of the 50 beaches selected for clean-up. Both Nelson and Tasman Councils will cover the cost of rubbish charges for this initiative. Depending on the response, the Big Beach Clean-up may deserve becoming an annual event.

#### **6. WARM TASMAN**

The launch of the Warm Tasman programme has been set down for 25 August and will help people upgrade insulation and heating in their homes. In doing this we hope it will enable more people to live in clean, healthy homes and to breathe cleaner air.

To this end the Council is participating in the Energy Efficiency and Conservation Authority’s (EECA) home insulation and clean heating scheme by providing financial assistance to help ratepayers fund the remaining cost of home insulation and clean heating over and above the grant provided by EECA. The Council will provide financial assistance of up to \$2,600 for insulation and \$3,500 for home heating upgrades per ratepayer to help fund the upgrade. This can be repaid by way of a targeted rate over a nine-year period.

## 7. ECOFEST

Ecofest is a joint event between Nelson City Council and Tasman District Council. Since its beginnings in 2001, Ecofest has quickly become established as one of the biggest showcases for eco-innovative products, services and messages in New Zealand, now attracting an audience of around 8,000+. **This year we are proud to celebrate our tenth birthday.**

This year's Ecofest includes eco home tours, urban edible garden tours, and a sustainable business tour, Top of the South Food Challenge, birthday gala celebration, awesome prizes, celebrity guest speakers and chefs.

The Ecofest Expo is held at the Trafalgar Centre, Nelson on **Saturday, 21 and Sunday, 22 August 2010** and includes an exhibition with over 120 stands, supporting seminars, hands-on workshops and demonstrations and more. As usual TDC will have a stall and Councillors are welcome to assist.

## 8. UPDATE ON THE GREAT WHITE BUTTERFLY INCURSION

Evidence of the Great White Butterfly has now been identified at five sites between Clifton Terrace School and Annesbrook, a range of about 10 km. Several of the caterpillars that were submitted had been parasitised by a small wasp. Biosecurity New Zealand is continuing a public education programme over winter and has printed poster and fact sheets that have been distributed to schools, garden centres and councils. Work on a cost-benefit analysis to determine its future management once information on its distribution is available, has commenced. TDC staff have assisted with a limited number of site inspections and provided contact information on commercial growers of Brassica crops in the Waimea area. Given the current spread affordable control options seem to be diminishing!

## 9. CONSENT HEARING ARRANGEMENTS AFTER ELECTIONS

Between the local authority election date (9 October) and the swearing in of new Councillors, consent hearings may have to be scheduled. The convention has been for the outgoing Councillors to be appointed as Planning Commissioners under Section 34 of the Resource Management Act. This has proved to be administratively convenient and it is proposed that this happen again.

### Recommendation

**It is recommended that in accordance with section 34 of the Resource Management Act 1991, the existing Councillors be appointed as Planning Commissioners to hear and decide on resource consent applications as necessary.**

## 10. MARINE BIOSECURITY UPDATE

A marine biosecurity survey of Port Taranaki was undertaken on 29-30 July by a dive team from NIWA. They dived the seabed and artificial structures, dredging with a small scallop-type dredge, and setting crab and starfish traps overnight within the breakwalls of the Port. This was a scaled-down version of the six-monthly surveys that take place at major ports around New Zealand on behalf of MAF Biosecurity NZ.

Results from the survey indicate there were no concerns on existing structures. However, the divers also checked out a heavily-fouled trawler in Port Tarakohe that had recently arrived from Lyttleton. They found, and removed, a single sample of the sea squirt *Styela clava*. It is of concern because it can smother aquaculture species (such as mussels) as well as native species. They can also foul ropes, wharf piles and vessels hulls. Removal is the only means of control and is only practicable for limited numbers of organisms. Biosecurity New Zealand abandoned efforts to eradicate *Styela clava* at Port Lyttleton and in the Port of Auckland after finding it was widely distributed in Waitemata harbour. A small number have recently been found in Port Nelson and a survey is currently underway to determine how widely it is distributed and to remove any specimens found if practicable.

## **11. ANNUAL REPORT**

We are currently preparing the Annual Report for the financial years ending 30 June 2010. I intend to make a draft available for Councillors so you can see the achievements over this last year.

## **12. RECOMMENDATION**

**It is recommended that this report REP10-08-11 be received.**



Dennis Bush-King  
**Environment and Planning Manager**