

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

Date: Thursday 14 June 2018
Time: 9.30 am
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: glenda.crichton@tasman.govt.nz
Website: www.tasman.govt.nz

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 Thursday, 3 May 2018, be confirmed as a true and correct record of the meeting.

That the minutes of the Environment and Planning Committee Meeting TRMP Hearing 75 on Plan Change 66 Richmond Housing Choice held on 11 April 2018, be confirmed as a true and correct record of the meeting.

7 REPORTS OF COMMITTEE

Nil

8 PRESENTATIONS

Nil

9 REPORTS

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9 REPORTS

9.1 SPECIAL HOUSING AREAS

Decision Required

Report To:	Environment and Planning Committee
Meeting Date:	14 June 2018
Report Author:	Michael Croxford, Growth Co-ordinator
Report Number:	REP18-06-04

1 Summary

- 1.1 Council has received a request to amend one of the criteria within a gazetted Special Housing Area (SHA) at Highland Drive, Richmond. The SHA currently has a requirement that the development produce a minimum of 32 lots. The applicant has decided to use existing resource consents for the majority of the site to create 32 new lots and now only requires the SHA to develop an additional four lots on a small part of the site not covered by the existing resource consents.
- 1.2 If Council agrees then the Mayor will write to the Associate Minister for Housing and Urban Development recommending an amendment to Part 2 of Schedule 4 Richmond (Highland Drive) special housing area of the Housing Accords and Special Housing Areas (Tasman) Order 2017.
- 1.3 This report provides an analysis for consideration by Council of an amendment to the minimum number of dwellings to be built within the Highland Drive SHA.
- 1.4 The applicants have been invited to make a short presentation to Council on the proposal. The application document was pre-circulated to Councillors during the week beginning 4 June 2018.
- 1.5 Staff consider the application can be supported for the reasons contained in this report.

2 Draft Resolution

That the Environment and Planning Committee

- 1. receives the Special Housing Areas REP18-06-04 report; and**
- 2. agrees to recommend to the Associate Minister for Housing and Urban Development an amendment to the criteria for qualifying developments in Schedule 4 Richmond (Highland Drive) special housing area to reduce the minimum number of dwellings from 32 to four.**

3 Purpose of the Report

- 3.1 To consider the proposed amendment to Schedule 4 of the Housing Accords and Special Housing Areas (Tasman) Order 2017.
- 3.2 To agree that the Mayor recommend to the Associate Minister for Housing and Urban Development, the proposed amendment to Schedule 4 Richmond (Highland Drive) special housing area of the Housing Accords and Special Housing Areas (Tasman) Order 2017 as agreed by the Committee.

4 Background and Discussion

- 4.1 The Council entered into a second Housing Accord with the Minister of Building and Construction on 19 May 2017 under the Housing Accord and Special Housing Areas Act 2013 (HASHAA).
- 4.2 In the Accord, the Council can consider recommending Special Housing Areas (SHAs) to the appropriate Minister as a tool under HASHAA in order to meet its obligations under the Accord.
- 4.3 The first tranche of SHA applications considered by Council under an Accord were heard on 22 June 2017. Eight of the ten applications were recommended by Council to the Minister and then gazetted by the Governor General by Order in Council on 14 August 2017 as the Housing Accords and Special Housing Areas (Tasman) Order 2017 (Attachment 1). A possible 1,281 dwellings were approved through this process.
- 4.4 Council has received a request in relation to the Highland Drive SHA to reduce the minimum number of dwellings to be built. This will allow an existing resource consent that covers the majority of the site to be exercised. The HASHAA resource consent process would only be required to create four additional lots.
- 4.5 An updated assessment report for the SHA is provided as an attachment to this report (see Attachment 3). The assessment report outlines the following matters:
 - Recommendation
 - Land Parcel Information
 - Development Proposal
 - SHA Establishment Criteria as per HASHAA and the Lead Policy
 - Ownership Information per Parcel
 - TRMP Provisions
 - Other Comments
 - Decision Implications
 - An Aerial Site Photo and District Plan.
- 4.6 Within the section of the assessment entitled '*SHA Establishment Criteria as per Lead Policy*', Staff have provided an evaluation of infrastructure availability, including available capacity for each of the primary services provided by Council, namely: stormwater; wastewater; potable water; transport; and reserves. In order to illustrate readiness for each service a traffic light system and the following assessment criteria is used:

	Adequate infrastructure capacity exists to support the full proposal
	Adequate infrastructure capacity exists to support the minimum number of dwellings
	The Developer or Council will provide the works so that adequate infrastructure capacity is likely to exist to support the minimum number of dwellings
	There is insufficient information to determine that adequate infrastructure capacity is likely to exist to support the minimum number of dwellings
	Adequate infrastructure capacity does not and is unlikely to exist to support the minimum number of dwellings

- 4.7 The Richmond (Highland Drive) SHA was gazetted with a minimum number of dwellings to be built of 32. An existing resource consent RM090755V1 allows for 32 new residential sites to be established within Lot 6 DP465562. The SHA also covers proposed lot 17 of resource consent RM150569 on a portion of adjoining land being Part Section 93 Waimea East District.
- 4.8 St Leger Group Limited now wish to give effect to the existing resource consent RM090755V1 and subdivide proposed lot 17 of resource consent RM150569 into four residential sites. The applicant has advised that they want to apply for resource consents for the four lot subdivision through the HASHAA. By giving effect to the underlying RMA subdivision any application for resource consent under HASHAA will not meet the Qualifying Development criteria of the SHA.
- 4.9 One option would be to reduce the geographic extent of the SHA which is listed in Part 1 of Schedule 4 of the Housing Accords and Special Housing Areas (Tasman) Order 2017. Part 1 can only be amended through Section 18A of HASHAA through an area reduction order by the Minister and can only be done 12 months after the date of gazettal provided no applications have been received (14 August 2018).
- 4.10 Another option to enable both the RMA and HASHAA subdivisions to be given effect to is to reduce the minimum dwelling number over the whole SHA from 32 to four. The minimum dwelling number is listed in Part 2 of Schedule 4 and can be amended through Section 17(3) of HASHAA. The subdivision into four within the approximately 6,000 square metre portion of Part Section 93 Waimea East District would then meet the Qualifying Development criteria and the existing consent can be given effect to.
- 4.11 The applicant has expressed their preference for Option 2.
- 4.12 Council staff have assessed the application in accordance with the Lead Policy as a framework for forming their recommendation to approve the SHA amendment request.

5 Options

- 5.1 Council has the option of approving or declining to recommend to the Minister the proposed amendment or requiring that the application is open to public consultation under the Local Government Act before reconsidering the amendments at a later Council meeting.
- 5.2 The application is considered to be consistent with the Tasman Housing Accord as adequate infrastructure to service qualifying developments, for the minimum dwelling density, in the proposed special housing area exists or is likely to exist having regard to relevant local planning documents, strategies, and policies, and other relevant information.

6 Strategy and Risks

- 6.1 Staff recommend not consulting on the application to amend the Special Housing Area. The resource consent process allows for adjoining property owners to be specifically consulted.
- 6.2 Staff used the Lead Policy adopted by Council at the 1 June 2017 Environment and Planning Committee as a framework for forming their recommendation on the SHA amendment request and a full copy of the assessment form is attached to this report (Attachment 3).
- 6.3 Staff consider that there is a risk that SHA developer may decide to apply for HASHAA resource consent for the whole area with only the minimum number of dwellings of four. However, that risk already exists under the RMA with there being two underlying titles to begin with and the minimum lot size for a controlled activity subdivision within the zone of 2,000 square metres. It should also be noted that the eight approved special housing areas within Tasman District have a total possible minimum number of dwellings of 1,281 and reducing the number of dwellings within the Highland Drive SHA from 32 to 4 will result in a reduction of the overall SHA enabled dwellings by only 2.2% to 1,253.

7 Consideration of Financial or Budgetary Implications

- 7.1 There are no financial or budgetary implications for Council if this application are approved.

8 Significance and Engagement

- 8.1 The Lead Policy provides a mechanism for Council to consult with the community on SHA requests if it decides there is reason to do so. The Lead Policy itself increases the scope of matters that the council can take into account when considering SHA requests, some of which may have a high level of significance to those people involved. Under the HASHA Act consultation is limited to infrastructure providers and adjoining property owners. There is no scope for public consultation on any resource consents required. Overall the decision is considered to be of low significance as assessed in the table below:

Issue	Level of Significance	Explanation of Assessment
Is there a high level of public interest, or is decision likely to be controversial?	Low	Individual SHA applications may be perceived as avoiding the RMA process. The resource consent process allows for specific consultation process for adjoining property owners.
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)	N/A	

Issue	Level of Significance	Explanation of Assessment
Does the decision create a substantial change in the level of service provided by Council?	N/A	
Does the proposal, activity or decision substantially affect debt, rates or Council finances in any one year or more of the LTP?	N/A	
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?	N/A	
Does the proposal or decision involve Council exiting from or entering into a group of activities?	N/A	

9 Conclusion

- 9.1 Staff recommend that the proposed amendment is recommended to the Associate Minister of Housing and Urban Development.

10 Next Steps / Timeline

10.1 If the Council approves the amendment, staff will formally write to the Associate Minister advising her of the Council's recommendation. The Minister then assesses the Council's recommendation under Section 17(3) of HASHAA. If approved by the Associate Minister, she will make a recommendation to the Governor-General to make an Order in Council amending the existing Order.

10.2 Once an area is gazetted as a SHA then a person may apply for resource consents for a qualifying development within the SHA.

11 Attachments

- | | | |
|----|---|----|
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2017/238



Housing Accords and Special Housing Areas (Tasman) Order 2017

Patsy Reddy, Governor-General

Order in Council

At Wellington this 14th day of August 2017

Present:

Her Excellency the Governor-General in Council

This order is made under sections 15 to 17 of the Housing Accords and Special Housing Areas Act 2013—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the Minister for Building and Construction made in accordance with sections 15(2) and (7) and 16(2), (3), and (4)(a)(i) of that Act.

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1

cl 1	Housing Accords and Special Housing Areas (Tasman) Order 2017	2017/238
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Order

- 1 Title**
This order is the Housing Accords and Special Housing Areas (Tasman) Order 2017.
- 2 Commencement**
This order comes into force on the day after the date of its notification in the *Gazette*.
- 3 Revocation of this order**
This order is revoked on 16 September 2019.
- 4 Interpretation**
In this order, unless the context otherwise requires, **Act** means the Housing Accords and Special Housing Areas Act 2013.
- 5 Outline**
 - (1) This order—
 - (a) declares 8 areas in the district of Tasman District Council to be special housing areas for the purposes of the Act; and
 - (b) sets out criteria that apply for qualifying developments in those special housing areas.
 - (2) This clause is only a guide to the general scheme and effect of this order.
 - (3) *See also* <https://www.mbie.govt.nz/info-services/housing-property/housing-affordability/tasman-housing-accord> for associated special housing area maps and drawings.

6 Declaration of special housing areas

- (1) The area comprising all the land identified in Part 1 of each schedule of this order is severally declared to be a special housing area for the purposes of the Act.
- (2) If, in Part 1 of a schedule of this order, the land comprised in a special housing area is defined by reference to a named and dated drawing, subclause (3) applies.
- (3) If there is any inconsistency between the land as defined by the drawing and the more general description of the land in Part 1 of the schedule, the drawing prevails.

7 Criteria for qualifying developments in special housing areas

The criteria set out in Part 2 of each schedule of this order are criteria that apply for qualifying developments in the special housing area to which the schedule relates.

Schedule 1 **Housing Accords and Special Housing Areas (Tasman)** Order 2017 2017/238

Schedule 1
Marahau (Sandy Bay-Marahau Road) special housing area

cls 6, 7

Part 1
Description of area

Land identification	Computer register	Area (ha)
Lot 1 DP 13449 and Part Lot 1 DP 12789	NL10C/676	6.9914

Part 2
Criteria for qualifying developments

Maximum number of storeys that buildings may have:	2
Maximum calculated height that buildings must not exceed:	7.5 metres
Minimum number of dwellings to be built:	45

2017/238 **Housing Accords and Special Housing Areas (Tasman)** Schedule 2
Order 2017

Schedule 2

Pohara (Richmond Road) special housing area

cls 6, 7

Part 1

Description of area

All the land shown shaded on the drawing named Pohara SHA and dated 29 June 2017 (as available on <https://www.mbie.govt.nz/info-services/housing-property/housing-affordability/tasman-housing-accord> on the date of commencement of this order) (more generally being an area of approximately 14.7 hectares comprising part of Lot 1 DP 494605 (part computer register 724177) together with a portion of Richmond Road to its centreline).

Part 2

Criteria for qualifying developments

Maximum number of storeys that buildings may have:	2
Maximum calculated height that buildings must not exceed:	7.5 metres
Minimum number of dwellings to be built:	70

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Schedule 3 **Housing Accords and Special Housing Areas (Tasman)** Order 2017 2017/238

Schedule 3
Richmond (Angelus Avenue) special housing area

cls 6, 7

Part 1
Description of area

Land identification	Computer register	Area (ha)
Lot 1 DP 467349	625716	7.2631

Part 2
Criteria for qualifying developments

Maximum number of storeys that buildings may have:	2
Maximum calculated height that buildings must not exceed:	7.5 metres
Minimum number of dwellings to be built:	30

Schedule 4
Richmond (Highland Drive) special housing area

cls 6, 7

Part 1
Description of area

Land identification	Computer register	Area (ha)
Lot 6 DP 465562	620401	11.5578

Together with all the land shown shaded on the drawing named SHA–Dimensioned boundaries Part Section 93 Waimea East District and dated June 2017 (as available on <https://www.mbie.govt.nz/info-services/housing-property/housing-affordability/tasman-housing-accord> on the date of commencement of this order) (more generally being an area of approximately 0.59 hectares of Part Section 93 Waimea East District (part computer register NL124/54)).

Part 2
Criteria for qualifying developments

Maximum number of storeys that buildings may have:	2
Maximum calculated height that buildings must not exceed:	7.5 metres
Minimum number of dwellings to be built:	32

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Schedule 5 **Housing Accords and Special Housing Areas (Tasman)** Order 2017 2017/238

Schedule 5
Richmond (Hill Street) special housing area

cls 6, 7

Part 1
Description of area

Land identification	Computer register	Area (ha)
Part Lot 1 DP 19245	NL12A/1149	10,3187

Part 2
Criteria for qualifying developments

Maximum number of storeys that buildings may have:	2
Maximum calculated height that buildings must not exceed:	7.5 metres
Minimum number of dwellings to be built:	14

2017/238 **Housing Accords and Special Housing Areas (Tasman)** Schedule 6
Order 2017

Schedule 6
Richmond West (ApplebyField) special housing area

cls 6, 7

Part 1
Description of area

All the land shown shaded on the drawing named SHA–Richmond West–Appleby Field dimensioned boundaries and dated 28 June 2017 (as available on <https://www.mbie.govt.nz/info-services/housing-property/housing-affordability/tasman-housing-accord> on the date of commencement of this order) (more generally being land situated between the Richmond Railway Reserve to the south-east and Borck Creek Reserve to the north-west comprising Part Lot 3 DP 15764 and part of Lot 1 DP 446230 (part computer register 561931), part of Lot 2 DP 446230 (part computer register 561932), Lot 3 DP 470387 and parts of Lot 2 DP 470387 (part computer register 786169), and Section 6 SO 455144 (computer register 627997)).

Part 2
Criteria for qualifying developments

Maximum number of storeys that buildings may have:	2
Maximum calculated height that buildings must not exceed:	7.5 metres
Minimum number of dwellings to be built:	250

Schedule 7 **Housing Accords and Special Housing Areas (Tasman)** Order 2017 2017/238

Schedule 7
Richmond West (The Meadows) special housing area

cls 6, 7

Part 1
Description of area

Land identification	Computer register	Area (ha)
Lot 5 DP 470387 and Sections 8 and 9 SO 455144	636070	19.6826
Sections 12 and 13 SO 455144	636067	12.9747
Lot 2 DP 467493 and Section 16 SO 455144	636068	17.5415

Part 2
Criteria for qualifying developments

Maximum number of storeys that buildings may have:	4
Maximum calculated height that buildings must not exceed:	12 metres
Minimum number of dwellings to be built:	800

2017/238 **Housing Accords and Special Housing Areas (Tasman)** Explanatory note
Order 2017

Schedule 8
Wakefield (Whitby Road) special housing area

cls 6, 7

Part 1
Description of area

Land identification	Computer register	Area (ha)
Part Section 81 District of Waimea South	NL1D/1076	14.7123

Part 2
Criteria for qualifying developments

Maximum number of storeys that buildings may have:	2
Maximum calculated height that buildings must not exceed:	7.5 metres
Minimum number of dwellings to be built:	40

Michael Webster,
Clerk of the Executive Council.

Explanatory note

This note is not part of the order, but is intended to indicate its general effect.

This order, which comes into force on the day after the date of its notification in the *Gazette*, declares 8 areas in the district of Tasman District Council to be special housing areas for the purposes of the Housing Accords and Special Housing Areas Act 2013 (the **Act**).

The land comprising each special housing area is severally described in *Part 1* of each schedule of the order.

Maps or drawings of special housing areas are available on the Ministry of Business, Innovation, and Employment's website (*see clause 5(3)*). For some special housing areas, the land is defined by reference to a named and dated drawing. The Act requires the chief executive of the Ministry to make copies of incorporated material available, free of charge, on the Ministry's website, unless doing so would infringe copyright, and to make incorporated material available for inspection during working hours, free of charge, at the Ministry's head office (*see section 52 of the Legislation Act 2012 as applied by section 16(4B) of the Housing Accords and Special Housing Areas Act 2013*).

This order also specifies, for each special housing area, the criteria that a development in the special housing area must meet in order to be a qualifying development

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Explanatory note	Housing Accords and Special Housing Areas (Tasman) Order 2017	2017/238
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for the purposes of the Act. Those criteria, which are additional to the requirement under the Act that the development will be predominantly residential, relate to—

- the maximum number of storeys that buildings in the development may have and the maximum height that they may be;
- the minimum number of dwellings to be built.

This order does not prescribe affordability criteria for any of the special housing areas.

The overall effect of the order is that if a proposed development in a special housing area will be predominantly residential and meets the criteria specified for qualifying developments in that special housing area, applications for resource consents relating to the development can (but do not have to) be made under the Act instead of the Resource Management Act 1991. Also, because Tasman District Council is a party to a housing accord under the Act, an applicant for a resource consent can request a change to or variation of the relevant plan or proposed plan in certain circumstances where that is associated with the resource consent application.

This order is the first to create special housing areas in the district of Tasman District Council.

See also the Tasman District Council's website for more information on special housing areas in the district.

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 17 August 2017.

This order is administered by the Ministry of Business, Innovation, and Employment.

Wellington, New Zealand:

Published under the authority of the New Zealand Government—2017



21 May 2018

Tasman District Council
 Attn: Michael Croxford
michael.Croxford@tasman.govt.nz

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www.landmarklife.co.nz

Dear Michael,

Richmond (Highland Drive) special housing area
Request for Amendment

Please accept this formal request to reduce the size of the Richmond (Highland Drive) special housing area.

The Richmond (Highland Drive) special housing area was gazetted on 14 August 2017 and is described within Schedule 4 as:

shaded on the drawing named SHA–Dimensioned boundaries Part Section 93 Waimea East District and dated June 2017 (as available on <https://www.mbie.govt.nz/info-services/housing-property/housing-affordability/tasman-housing-accord> on the date of commencement of this order) (more generally being an area of approximately 0.59 hectares of Part Section 93 Waimea East District (part computer register NL124/54)).

A copy of the plans referenced in the above description is provided with Attachment 1 of this letter. This includes one large plan and a more detailed plan of the land within part section 93.

As shown on Attachment 2 to this request, this SHA includes the Highland Drive land already consented for 32 lots as well as the adjoining Part Section 93 Waimea East District currently held within NL124/54 at 134 Champion Road.

The qualifying development criteria are listed as follows:

Part 2	
<i>Criteria for qualifying developments</i>	
Maximum number of storeys that buildings may have:	2
Maximum calculated height that buildings must not exceed:	7.5 metres
Minimum number of dwellings to be built:	32

As a reminder, an application for resource consent under HASHAA cannot be made unless the development complies with these criteria.

• **Purpose of the Requested Change**

The applicant has been working through the detailed design phase of the Highland Drive subdivision. In doing so, the applicant has decided not to intensify the subdivision of the Highland Drive property. The consented density is considered to be an appropriate fit with the landscape and geotechnical engineering considerations.

The applicant does however plan to proceed with the extension of the subdivision in part section 93 as provided for currently under HASHAA. To do so, it will be necessary for the SHA to be amended as follows:

- (a) the boundaries of the SHA site be reduced to include only that area contained within part section 93 (i.e. remove Lot 6 DP45562); and
- (b) reduce the minimum number of dwellings from 32 to 4.

The applicant appreciates this opportunity to undertake this special housing area as a part of helping Tasman achieve its objectives under the Housing Accord.

Please contact me if you have any queries.

Yours faithfully



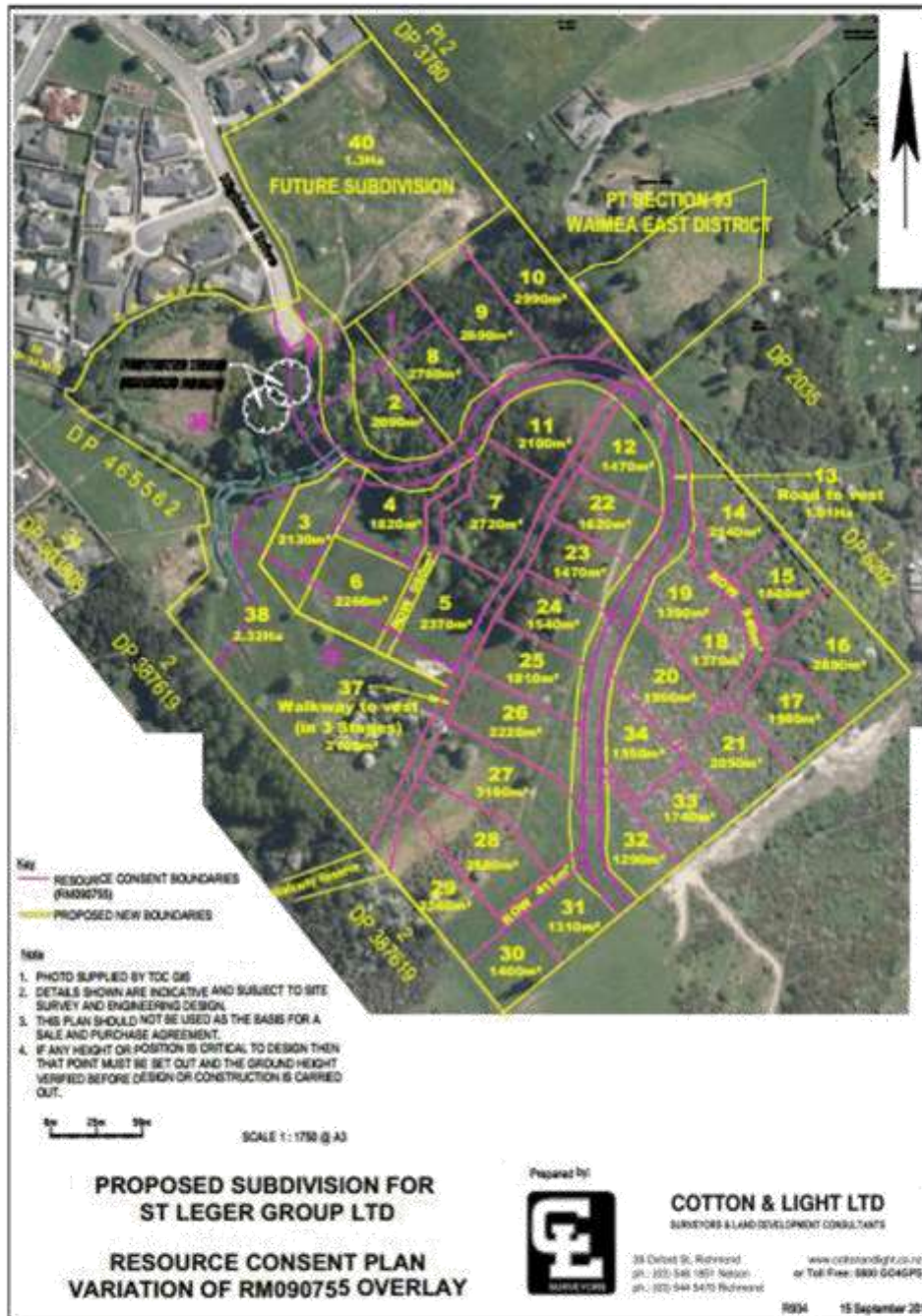
Mark Lile
Landmark Lile Limited
Resource Management Consultancy

Attachment 1:

Richmond (Highland Drive) special housing area (Indicative Area Outlined in Red)



Attachment 2:



**TASMAN HOUSING ACCORD – SPECIAL HOUSING AREA
LOCATION SUMMARY T01-09**

Amendments to the Location Summary have been underlined

Land Parcel Information	
Tranche	1
Application Number	T01-09
SHA Name	Highland Drive SHA
Property Address	Highland Drive, Richmond
Area (ha)	11.5578 Ha
SHA Requester	St Leger Group Limited

Development Proposal	
Developer	St Leger Group Limited
Brownfield/Greenfield	Greenfields
Expected yield	<u>32 gazetted proposed to be reduced to 4</u>
Expected delivery programme	Unspecified
Affordability provisions	None
Qualifying development criteria	
• Maximum number of storeys that building may have:	2
• Maximum calculated height that building must not exceed:	7.5 metres
• Minimum dwelling or residential site capacity:	<u>32 gazetted proposed to be reduced to 4</u>

SHA Establishment Criteria as per Lead Policy													
Criteria	Notes												
Consistent with Tasman Housing Accord	The application is considered to be consistent with the Tasman Housing Accord												
2.1 Alignment with Tasman Resource Management Plan	<p>The area is zoned Rural Residential Serviced and Residential. The average lot density is in general keeping with the TRMP for the minimum number of dwellings applied for the SHA. However, the proposed pattern of development is more intensive than anticipated by the Tasman Resource Management Plan. This is due to the proposal to have smaller sections at the stable sites at the top of the ridge.</p> <p><u>The proposed amendment to the Expected Yield is allow for a Qualifying Development of 4 to be applied for within part of Part Section 93 Waimea East District. The balance area, being Lot 6 DP465562, will be developed under the existing consent RM090755V1 for 32 residential sections. The overall development will now result in 36 residential units. The proposal to form four sections of approximately 1,500m² each is consistent with sections approved in RM090755V1.</u></p>												
Infrastructure availability / readiness, including available capacity <table border="1" style="margin-left: 20px;"> <thead> <tr> <th colspan="2">Readiness</th> </tr> </thead> <tbody> <tr> <td>Very Good</td> <td style="background-color: #008000;"></td> </tr> <tr> <td>Good</td> <td style="background-color: #90EE90;"></td> </tr> <tr> <td>OK</td> <td style="background-color: #FFFF00;"></td> </tr> <tr> <td>Poor</td> <td style="background-color: #FFA500;"></td> </tr> <tr> <td>Very Poor</td> <td style="background-color: #FF0000;"></td> </tr> </tbody> </table>	Readiness		Very Good		Good		OK		Poor		Very Poor		<p>Stormwater</p> <ul style="list-style-type: none"> Existing stormwater connections available in Highland Drive. There is a project to provide an upgrade for the connection between Riding Grove and Hill Street that is now in Year 2019-2020 of the Long Term Plan. Development would be required for Pre- and Post-development flows to be the same. Consideration would need to be given whether this would need to be for the peak flow or total flow. A stormwater connection is required to be installed as part of the <u>adjoining development (RM150569) that connects the Champion Road stormwater system to that part of Part Section 93 Waimea East District within the Richmond (Highland Drive) SHA.</u> <p>Wastewater</p> <ul style="list-style-type: none"> Sufficient capacity for minimum number of dwellings applied for Intensification of Rural Res would require further investigation to determine capacity in the system. A <u>wastewater connection to Champion Road is required as part of the adjoining development under RM150569.</u>
Readiness													
Very Good													
Good													
OK													
Poor													
Very Poor													

T01-09 Highland Drive SHA (amended 22 May 2018)

**TASMAN HOUSING ACCORD – SPECIAL HOUSING AREA
LOCATION SUMMARY T01-09**

SHA Establishment Criteria as per Lead Policy	
Criteria	Notes
	<p>Water</p> <ul style="list-style-type: none"> Water available for land zoned Rural Residential Serviced in accordance with underlying resource consent
	<p>Transport</p> <ul style="list-style-type: none"> The lot has frontage to Highland Drive and an indicative roading connection to the Heslop land above.
	<p>Reserves and Facilities</p> <ul style="list-style-type: none"> There is an indicative walkway on the planning maps from Ahimia Limited – Angelus Avenue SHA to the eastern boundary and with the link created by the recent subdivision through 134 Champion Road. These would need to be provided for and formed as part of any RC application.
2.2 Infrastructure	<p>A. Infrastructure Exists with Capacity</p> <ul style="list-style-type: none"> Connections to existing infrastructure with sufficient capacity exists for the minimum number of dwellings applied for. The proposed intensification will require discussion with Council's Engineering Department to determine whether sufficient capacity for the servicing of this area is available. <p>B. Infrastructure in LTP Enabled by Developer</p> <ul style="list-style-type: none"> The minimum number of dwellings applied for does not require an upgrade to existing infrastructure <p>C. Unplanned Infrastructure Enabled by Developer</p> <ul style="list-style-type: none"> No unplanned infrastructure is required for the minimum number of dwellings applied for <p>D. Stormwater Mitigation provided to Meet Appropriate Standards</p> <ul style="list-style-type: none"> The stormwater networks within Highland Drive and Champion Road have sufficient capacity for the minimum number of dwellings applied for <u>provided that stormwater is detained to pre-development flows.</u> <p>E. Infrastructure to be Designed to Meet Appropriate Standards</p> <ul style="list-style-type: none"> The application does not include any proposed infrastructure that is not in keeping with the Tasman District Council Engineering Standards and Policies 2013 or NZS4404. <p>F. Concept Engineering Plans Provided</p> <ul style="list-style-type: none"> Concept Engineering Plans have been approved for the underlying 32 lot subdivision. The proposed intensification is dependent on determination of sufficient capacity within the Council reticulated system for the three waters. The site and adjoining infrastructure can support the minimum number of dwellings applied for the SHA being 32. <p>G. Land is Geotechnically Stable</p> <ul style="list-style-type: none"> A Geotechnical Feasibility Assessment was submitted with the underlying resource consent application which indicate that the proposed residential sites are within an area deemed suitable.
2.3 Demand for a QD	The applicant states that there is a significant level of demand in the market
2.4 Demand for Residential Housing	The applicant states that the proposal will provide a different range of residential development than is available locally..
2.5 Predominantly Residential	The proposed development is solely residential in nature.
2.6 Commercial Viability	The applicant has advised that the SHA status will significantly enhance the financial viability of the project and offer a mixture of sections to the public.
2.7 Building Height	The proposed building height is consistent with the adjoining zones.
2.8 Consultation	No consultation with adjoining landowners has been provided.

T01-09 Highland Drive SHA (amended 22 May 2018)

**TASMAN HOUSING ACCORD – SPECIAL HOUSING AREA
LOCATION SUMMARY T01-09**

Ownership information per parcel	
Street Address	Highland Drive, Richmond
Owner	St Leger Group Limited
Valuation Number	1961035471 and 1961031500
CT Number	620401 and part of NL124/54
Legal Description	LOT 6 DP 465562 and part of Part Section 93 Waimea East District
Area (ha)	11.5578 and 0.5912

TRMP Provisions	
Zone	<ul style="list-style-type: none"> Residential (~ 2.45ha) Rural Residential Serviced (~9.1ha)
Density (Controlled Activity)	<ul style="list-style-type: none"> Residential – 900 square metres (Rule 16.3.3.1(a)(x)) Rural Residential – 2,000 square metres (Rule 16.3.8.1(a))
Height Limit (Permitted Activity)	<ul style="list-style-type: none"> Residential – 7.5 metres (Rule 17.1.3.1(p)(ii)) Rural Residential – 7.5 metres (Rule 17.8.3.1(e))
Area Overlays	<ul style="list-style-type: none"> Protected Tree T886 Indicative Walkways Indicative Road Fault Rupture Risk Area Slope Instability Risk Area Land Disturbance Area 1 Richmond East Development Area
Resource Consents Required	<ul style="list-style-type: none"> Subdivision Consent Land Use Consent Discharge Permit – Stormwater

Other Comments	
Reasons for using SHA Process	The applicant considers that SHA status would result in a significant opportunity to subdivide the site in a more efficient and timely manner. Specifically increasing the density on the stable land at the top of the subdivision.
Planning History	<p>The following Resource Consents are noted against the property:</p> <ul style="list-style-type: none"> RM090755V1 – to subdivide to create 32 Rural Residential Lots and 1 Rural Lot RM090781 – to discharge stormwater from subdivision RM090755V1 RM090796 – earthworks in Slope Instability Risk Area RM150569 – to subdivide to create 12 lots RM160730 – to discharge stormwater from subdivision RM150569 RM170215 – earthworks in Slope Instability Risk Area <p>No historical planning permits have been found for this property.</p>

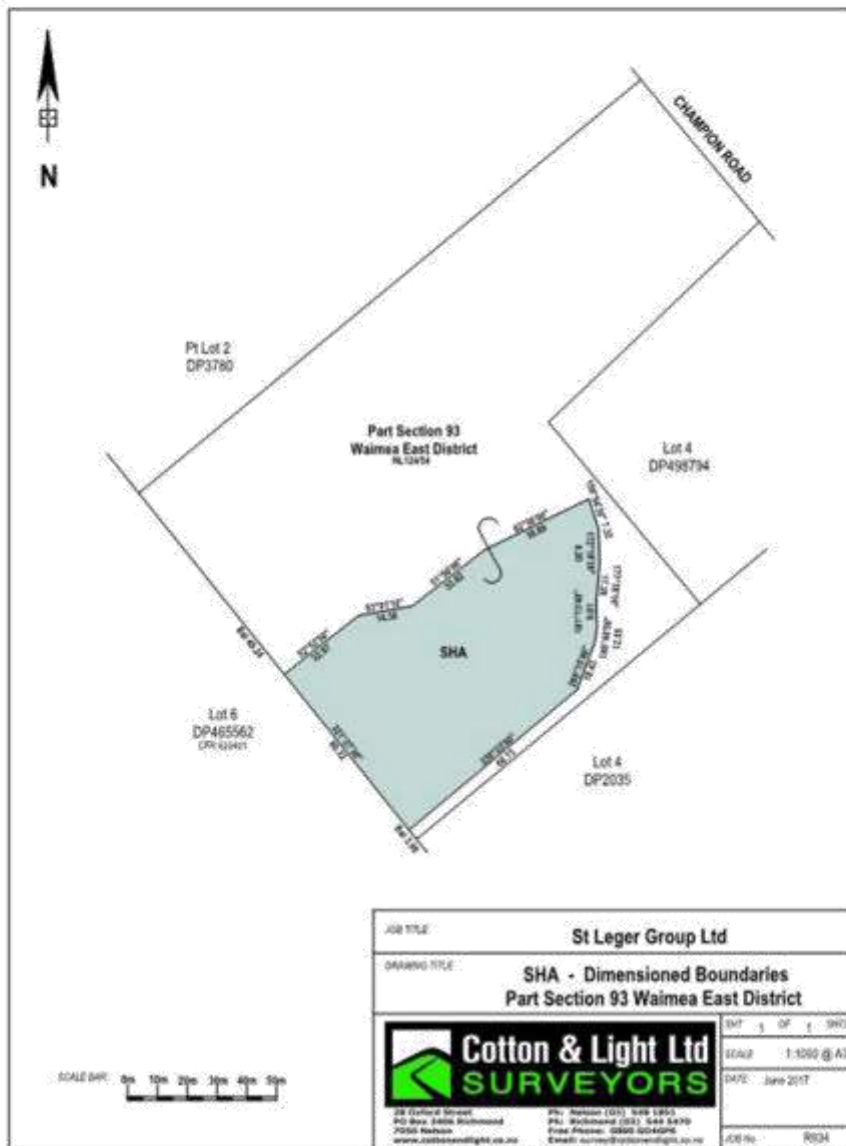
Decision Implications	
Comments	None

Reviewed by	
Site Visit	Not completed by Recommending Officer prior to report being completed.
Engineering	12 June 2017 (Updated 22 May 2018)
Environmental Policy	12 June 2017
Reserves and Facilities	12 June 2017

T01-09 Highland Drive SHA (amended 22 May 2018)

**TASMAN HOUSING ACCORD – SPECIAL HOUSING AREA
LOCATION SUMMARY T01-09**

Aerial site photo of Highland Drive SHA



T01-09 Highland Drive SHA (amended 22 May 2018)

**TASMAN HOUSING ACCORD – SPECIAL HOUSING AREA
LOCATION SUMMARY T01-09**

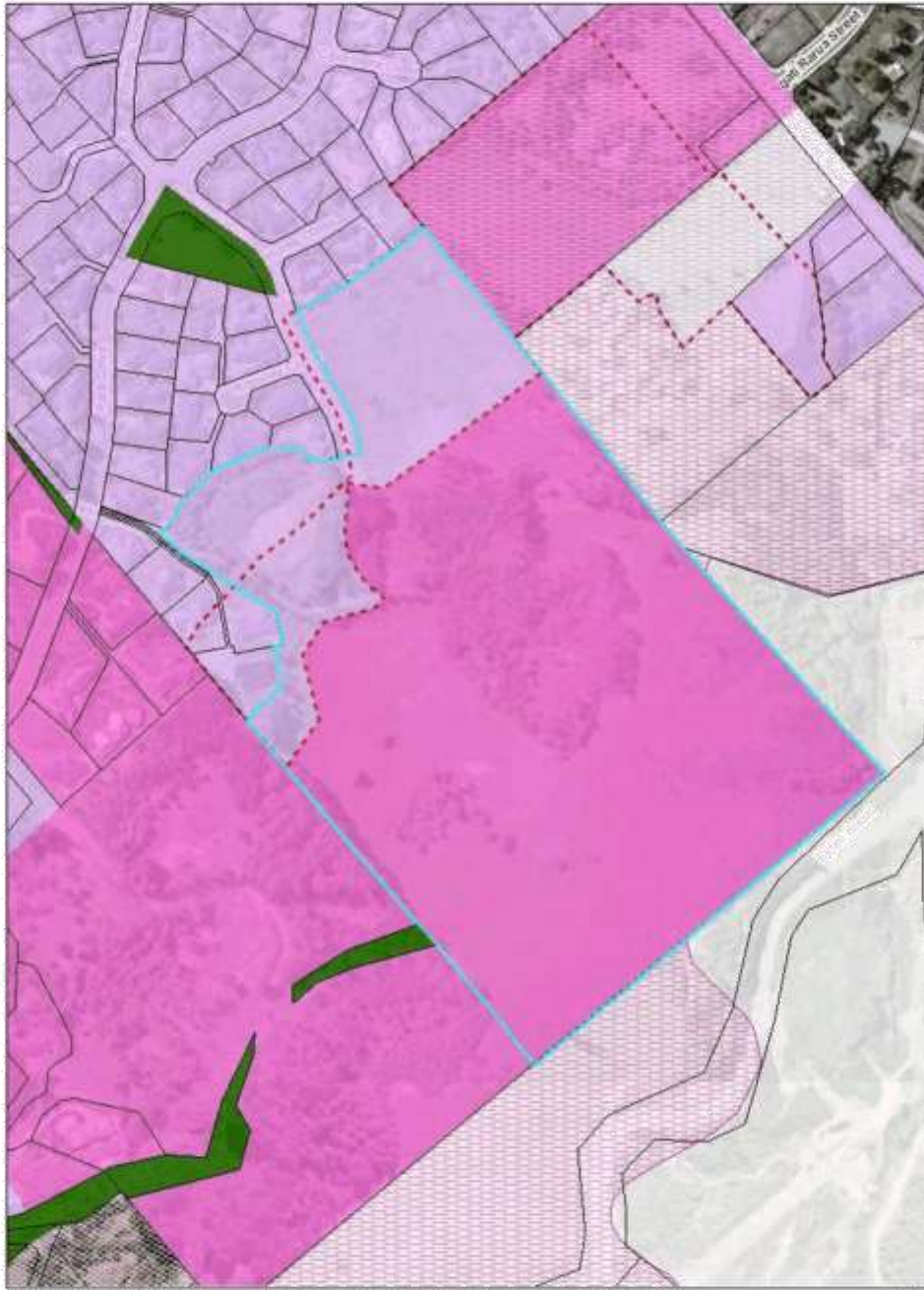
Aerial site photo of Highland Drive SHA



T01-09 Highland Drive SHA (amended 22 May 2018)

**TASMAN HOUSING ACCORD – SPECIAL HOUSING AREA
LOCATION SUMMARY T01-09**

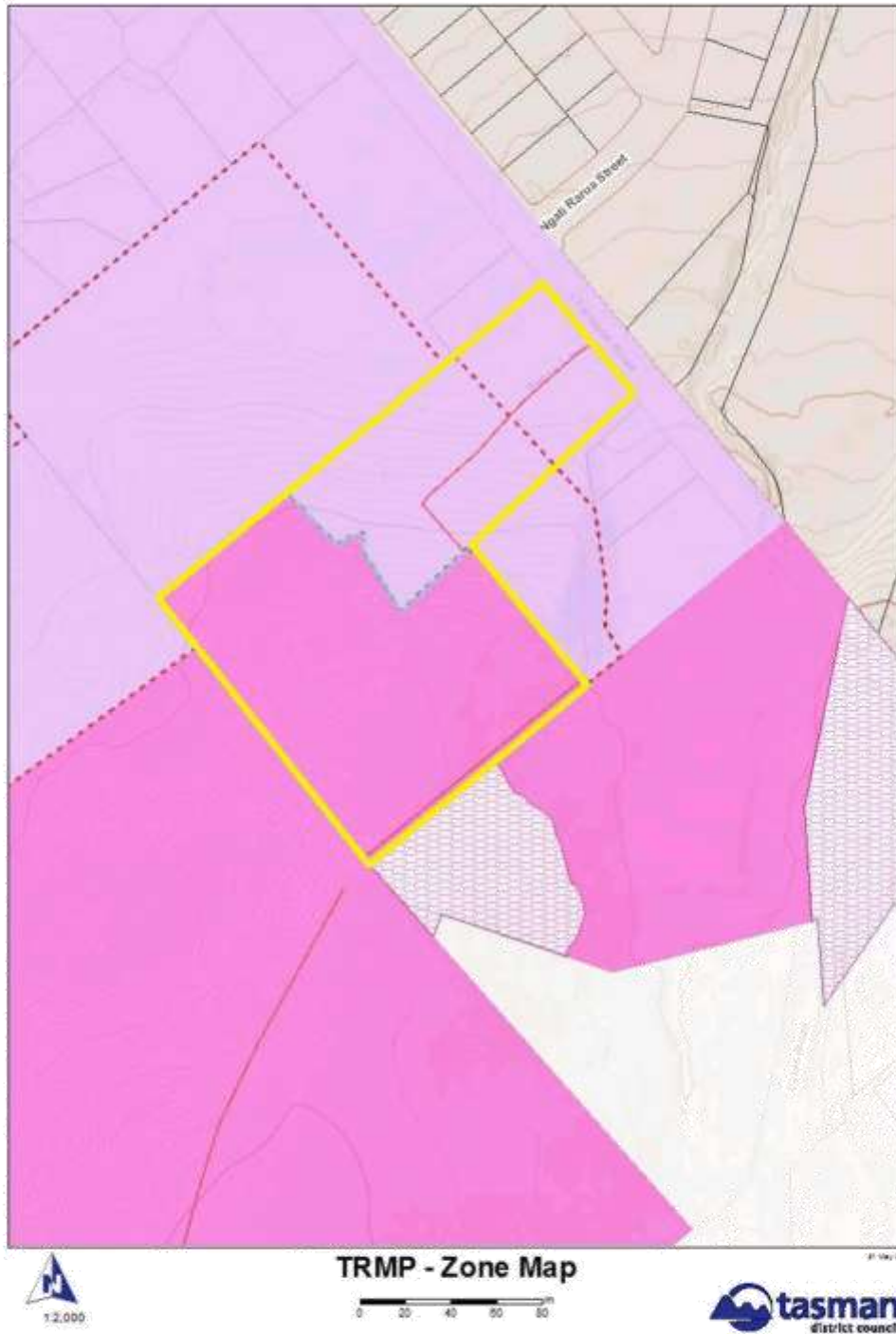
Tasman Resource Management Plan – Zone Map



T01-09 Highland Drive SHA (amended 22 May 2018)

**TASMAN HOUSING ACCORD – SPECIAL HOUSING AREA
LOCATION SUMMARY T01-09**

TRMP – Zone Map (updated to show where deferred zoning has been uplifted)



T01-09 Highland Drive SHA (amended 22 May 2018)

**TASMAN HOUSING ACCORD – SPECIAL HOUSING AREA
LOCATION SUMMARY T01-09**

Tasman Resource Management Plan – Overlays Map

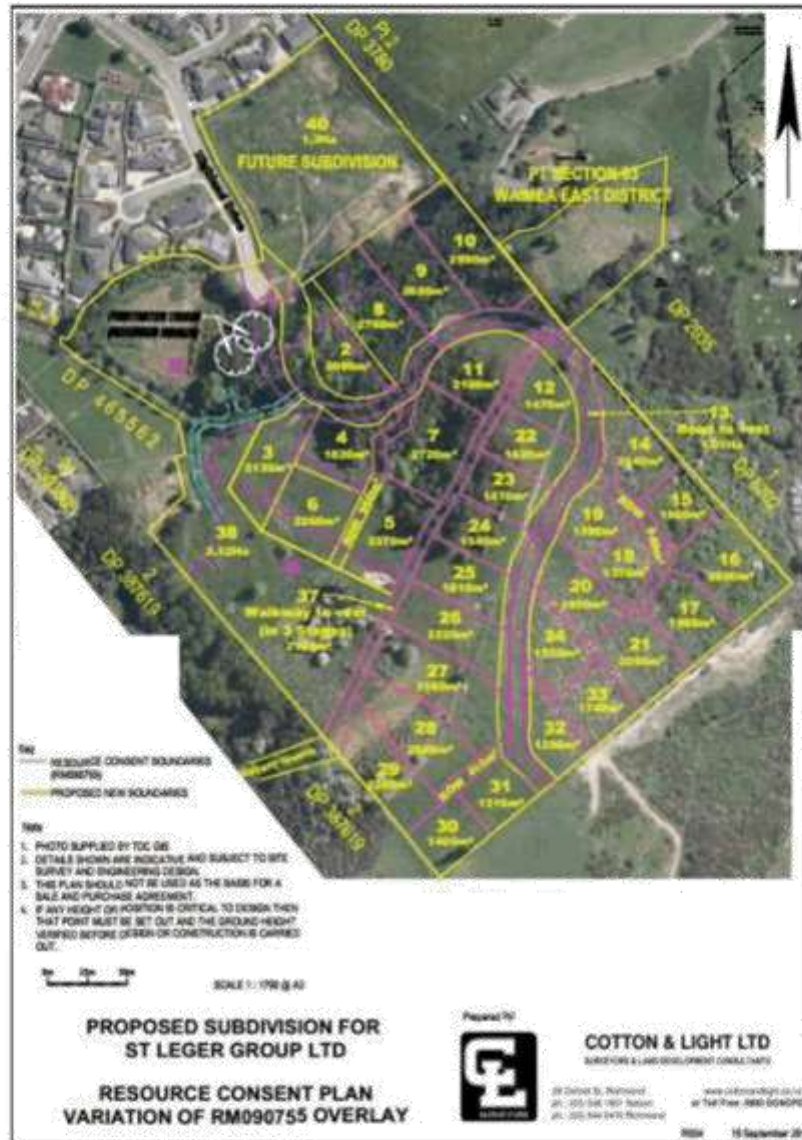


T01-09 Highland Drive SHA (amended 22 May 2018)

**TASMAN HOUSING ACCORD – SPECIAL HOUSING AREA
LOCATION SUMMARY T01-09**

Concept Plan provided by Developer

Attachment 1: Site Locality Plan (Approved Subdivision)



St Leger Group Limited – Highland Drive SHA

Page 7

T01-09 Highland Drive SHA (amended 22 May 2018)

**TASMAN HOUSING ACCORD – SPECIAL HOUSING AREA
LOCATION SUMMARY T01-09**

Concept Plan provided by Developer of adjoining subdivision to north



JOB TITLE Proposed Subdivision for St Leger Group Ltd 134 Champion Rd, Richmond		DRAWING TITLE Lots 1 to 17 being a Subdivision of Part Section 93 Waimea East District	
Prepared by Cotton & Light Ltd 28 Colford Street PO Box 3408 Richwood 7002 Nelson www.cottonandlight.co.nz PH: Nelson (03) 546 1803 PH: Richwood (03) 544 5470 Free Phone: 0800 904529 Email: survey@cottonandlight.co.nz		tasman district council This activity was approved as a _____ activity on the _____ day of _____ 2017 subject to the conditions noted in TDC File No. _____ Authorised Officer	
		SHD : DP : SHTS SCALE: 1:500 @ A3 DATE: Amd 6 June 2015 9 Nov 2016 JOB NO: R009	

PLAN 'A'

T01-09 Highland Drive SHA (amended 22 May 2018)

9.2 REGULATORY MANAGER'S REPORT 1 APRIL 2017 TO 31 MARCH 2018**Information Only - No Decision Required**

Report To:	Environment and Planning Committee
Meeting Date:	14 June 2018
Report Author:	Adrian Humphries, Regulatory Manager
Report Number:	REP18-06-01

1 Summary

- 1.1 All functions of the Regulatory Section have been appropriately busy. A new Deputy Harbourmaster in the maritime team has made that function far more effective. Planned new staff in Compliance and Development Contributions will further enhance the capabilities of the Section.
- 1.2 A record number of dogs are registered in the district and we continue to have very high satisfaction levels from the public in this area.
- 1.3 Additional hours of parking enforcement have been added to the contract. This is in line with the agreed parking strategy and recommendations supported in the LTP.
- 1.4 Abandoned vehicles seem to be a growing issue.
- 1.5 The Environmental Health Team continues to deal with its varied portfolio. Three of its members now hold nationally recognised positions as experts in Alcohol and Food Licensing.
- 1.6 The Civil Defence team have been significantly tested recently and performed very well.
- 1.7 The district has a fully trained and equipped oil spill response team, with three of the council staff also being members of the National Response Team for oil spill.
- 1.8 The control of the negative aspects of freedom camping was far better this year due to the new bylaw provisions. Although more fines were issued, far less complaints were received, campers were found to be far more compliant generally by enforcement officers and feedback from campers was more positive. The effects of cyclones Fehi and Gita and some other issues with signage caused overcrowding in Decks Reserve. This gave a bad impression to some ratepayers at the end of summer. If asked staff would not recommend that we review the bylaw because of this and believe that the problems legitimately attributed to freedom campers in this area can be addressed before next summer.
- 1.9 Council was successful in defending its Development Contributions Policy when subjected to an objection process overseen by a Commissioner in the last year.

2 Draft Resolution

**That the Environment and Planning Committee receives the Regulatory Manager's Report
1 April 2017 to 31 March 2018 REP18-06-01 report**

3 Purpose of the Report

- 3.1 This report is to inform the Council of the activities of the Regulatory Section over the stated period.

4 Overview

- 4.1 The Section contributes to both the Public Health and Safety and Environmental Management activities under the ambit of the Environment and Planning Department. Most staff have defined functions with specific roles i.e. Harbourmaster, Environmental Health and Compliance. The Administrative Officers support all areas of the Section, although they also have specialties and support specific teams most of the time.
- 4.2 In addition to managing the regulatory functions of Council, the Regulatory Manager has oversight and budgetary control of Oil Spill Response and Civil Defence Emergency Management. The Regulatory Manager also acts as a Recovery Manager for Civil Defence, Regional on Scene Commander (ROSC) for Oil Spill and is a subject matter expert on Development Contributions (DCs). With other delegated managers, he deals with the more complicated customer enquiries, reconsiderations and objections regarding DCs.
- 4.3 In July 2017 Council had its role in Rural Fire rescinded with the formation of Fire & Emergency New Zealand (FENZ), until then the Regulatory Manager also had responsibility for oversight of this role and sat on the Board of the Waimea Rural Fire Committee.

5 Staff

- 5.1 Over the period we have lost one staff member – Helen Dempster, she left the Compliance Team for a more senior position in Dunedin City Council. She was replaced by Shawn Waters who joined us from the West Coast where he carried out a similar role. Our team has grown by the addition of a Deputy Harbourmaster Jimmy Mackay. Jimmy has made a significant difference to the Harbourmaster function in that better coverage and support is now possible and Dan Cairney can finally start taking some leave!

6 Compliance Team

- 6.1 Carl Cheeseman is the Team Leader Compliance. His team consists of seven Compliance Officers and two Administration Officers. The compliance section are responsible for monitoring and enforcement of the Resource Management Act. With other council officers they also enforce the Local Government Act, Litter Act, and associated bylaws.
- 6.2 Although not covered in this period, the team will be boosted by new resources from 1 July 2018 in the form of one additional Compliance Officer to deal with the water consenting issues due to the impact of the construction or otherwise of the Waimea Community Dam and to cope with extra water metering demands. Following the Long Term Plan, Council also decided to have a defined resource to deal with the implications of the National Environmental Standard (NES) on Plantation Forestry. The final shape of this role is being defined to ensure best coverage of all of the required aspects of this NES.

- 6.3 The Compliance Team Leader is delivering his six-monthly report at this meeting, it is therefore unnecessary to go into detail of the teams' activities in this report.

7 Animal Control

- 7.1 Administration of animal control is carried out by Ross Connochie and the necessary dog and stock control functions are provided for council by Control Services Nelson Limited (CSNL). The existing contract with CSNL has been renewed for a period of three years starting on 1 July 2018.
- 7.1 **Dog Registrations:** As at 31 March 2018, 99.44% of all known dogs were registered. Action continues to account for the 60 or so dogs not yet registered.

Table 1: Dog numbers as at 31 March 2018	
Dogs Registered	11121
Dogs Unregistered	63
Total	11184
This Includes Classified Dogs as Follows	
Dangerous Dogs	15
Menacing Dogs	75

7.2 Enforcement

7.2.1 No prosecutions during the period.

7.2.2 The following infringement Notices have been issued:

Summary of Dog Infringements April 2107 - March 2018						
Infringement	Issued		Cancelled		Sent to court	
	2016/17	2017/18	2016/17	2017/18	2016/17	2017/18
Failing to register dog	128	102	68	63	63	39
Failing to keep Controlled	10	1	1	1	4	
Failing to keep Controlled or confined	1	1			2	1
Willful Obstruction	1				1	
Failure to comply with classification	5				5	
Failure to comply with Barking abatement	1	5		1	1	4
Failure to comply with Bylaw			1		1	
Making False Statement		1				1

Failure to implant microchip		82		70		12
Total	146	192	70	135	77	57

- 7.3 **Avian Aversion Training:** In conjunction with Department of Conservation (DOC) free Weka and Kiwi aversion training was provided to the public at Eves Valley Reserve in June 2017 and February 2018.
- 7.4 **Dog Neutering:** Changes to the Dog Control Act regarding the ownership of dogs classified as Menacing came into effect mid-2017. Compulsory neutering of dogs classified as menacing is one of the amendments. The Department of Internal Affairs have made \$840K in grants available to Territorial Authorities to subsidise the neutering of dogs that are, or could be, classified as menacing. Council has secured \$27K of this money and is coordinating a neutering program in collaboration with Nelson City Council and the Society for Prevention of Cruelty to Animals.

8 Parking and Abandoned Vehicles

- 8.1 Administration of these functions is carried out by Ross Connachie and the necessary actions are provided for council by Control Services Nelson Limited (CSNL).
- 8.2 **Enforcement:** In response to severe problems caused by the Queen Street upgrade, enforcement was increased by 50% over the period September to March. The Richmond area Parking Compliance Survey, conducted in December 2017, had a result of 73% compliance. This shows an improvement from 53% the previous year but still falls short of the 85% required by our Level of Service set in the Long Term Plan (LTP). This highlights the dearth of long term parking available for those working in the Richmond CBD. This situation has been exacerbated by the introduction of time restrictions in Papps and Harkness carparks and an increase in time restricted parking spaces in Petrie carpark. As planned for in the Parking Strategy proposal and agreed to in the LTP, additional parking enforcement has been included in the new contract with CSNL. This will take the form of an additional 25 hours per week and result in more enforcement in Richmond, Mapua, Takaka and Motueka.
- 8.3 An additional \$10,000 was provided for parking enforcement in the Mapua and Kaiteriteri areas over summer. Moonraker Way in Tokongawa was made a “No Parking” area and signage enhanced at Martin Farm Road. The intent was to discourage vehicles parking on footpaths and areas zoned as “no parking” for road safety reasons. Between 1 December 2017 and 28 February 2018: 87 (152 previous year) parking infringement notices were issued at Martin Farm Road, Kaiteriteri; and 20 (55 previous year) at Moonraker Way, respectively. This represents a 43% and 64% increase in compliance. Having said this, parking compliance in Martin Farm Road is still a concern; vehicle owners treat the infringement fee as they would a parking fee - basically all day parking for \$40. As safety of pedestrians is the driver for restrictions, it has been recommended that physical barriers to prevent vehicles parking on footpaths are required.

Motor Cycle owners’ reluctance to park their vehicles out of their sight, means that they intrude into prohibited areas at the Mapua wharf precinct, this generates many complaints to Council. Once again, as safety of pedestrians is the driver for the restrictions, it has been

recommended that physical barriers to prevent all motor vehicle entry to the precinct are required.

- 8.4 Parking infringements dating back to 2006 that have been processed to Court and are still outstanding total \$141,234. The Ministry of Justice is responsible for collection and makes a monthly return to the council. Infringements issued over the respective periods this year and the previous year are shown below:

Parking Transactions April 2016- March 2017 & April 2017- March 2018				
Transaction	Count 2016/17	Count 2017/18	Amount \$ 2016/17	Amount \$ 2017/18
Infringements Issued	1925	3602	\$83,391	\$162,601
Cancellations	88	282	-\$10,001	-\$33,946
Total			73,390\$	\$128,655

Monies Received:

Received Actuals		
	Amount \$ 2016/17	Amount \$ 2017/18
Court Lodgment Fees	-\$9,390	-\$24,210
Infringements Paid	\$22,823	\$56,956
Fine Returns	\$22,290	\$35,826
Lodgment returns	\$8,451	\$15,254
Court Write-Offs	-\$7,422	-\$10,602
Totals	\$36,752	\$73,224

% of Total Tickets Issued by Area:

Area	2016/17	2017/18
Richmond	67%	79%
Motueka/Mapua/Kaiteriteri	32%	20%
Takaka	1%	1%

- 8.5 **Abandoned Vehicles:** The number of abandoned vehicles continues to increase; we have removed 76 over the period costing approximately \$180 each to remove. Where the owner can be identified, removal and disposal costs are recouped, however, this is often impossible. Whilst the price of scrap metal remains low it is unlikely that the numbers of abandoned vehicles will reduce.

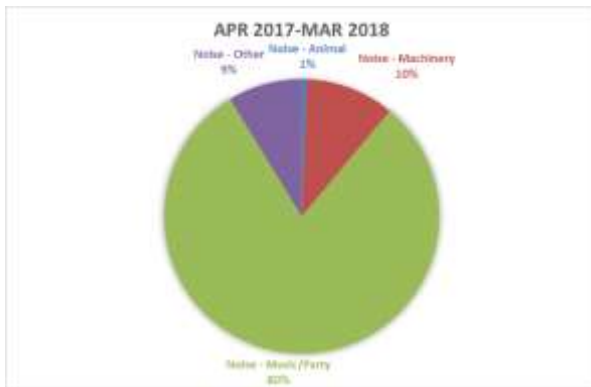
9 Environmental Health

- 9.1 Graham Caradus is the Team Leader Environmental Health, he has three Environmental Health Officers (EHOs) and one Administrative Officer in his team. They have a

responsibility for public health and monitor and enforce standards under a broad swathe of legislation, primarily the Health Act, Food Act and the Sale and Supply of Alcohol Act. Three different companies are contracted to provide ‘out of hour’s’ noise control.

9.2 **Noise Control:** There were 804 Service Requests received for noise control over the period. Out of Hours these were answered by one of the three contractors employed to deliver this service – CSNL in Golden Bay, TasBay Security in Motueka or First Security in Richmond and elsewhere not already covered. As can be seen, the overall numbers are slightly up on the previous year. Unsurprisingly, music and parties continue to cause most nuisance.

Service Requests	2016 -17	2017 - 18
Noise - Animal	7	5
Noise - Machinery	108	84
Noise - Music/Party	635	645
Noise - Other	51	70



9.3 **Food Safety:** The introduction of the Food Act in 2014 has caused a lot of additional work. The three EHOs are warranted as assessors under the new Act and continue to work with food operators to ensure that food standards are maintained. Full implementation of the new Act should be completed in March 2019, by when all remaining food premises will be required to convert to the documented food control plans.

9.4 EHOs report that the implementation of the new regime is a long drawn out process, and causes significant additional work for both council staff and operators.

9.5 In 2016 Council opted out of covering National Programmes as it has a significant quality assurance system requirement attached to it. Unfortunately, National Programmes includes small operators such as coffee carts and retailers who handle food but do not manufacture or prepare it. These operators have been told that the costs of audit will be punitive e.g. 6-8 hours to audit a coffee cart operation. Given the hourly rate at which the contracted auditors work it is likely that many small businesses will no longer be viable. We have received lots of enquiries from such operators as they have encountered major problems with the cost of registration through accredited auditors. Graham Caradus will bring a report to Council in the near future and give Councillors the opportunity to reassess our position regarding National programmes.

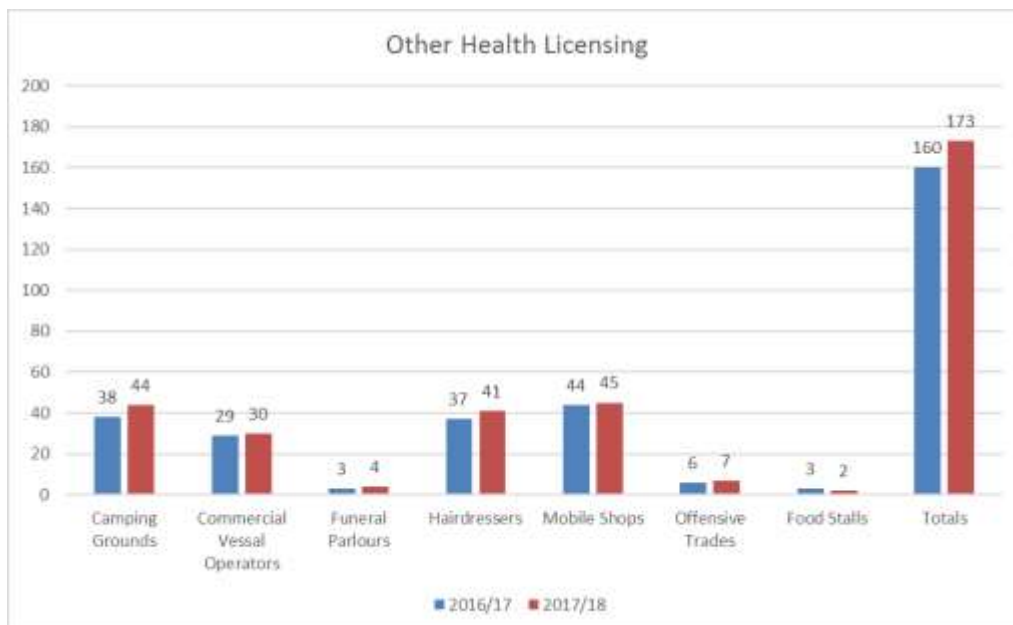
9.4 **Alcohol Licensing.** Work in this area has been at a slightly lower level than the previous year. Licensing in this area is cyclic and there are reasonably predictable lows and highs.

2018 should see a higher number of License renewals for managers initially licensed in 2012 under the new Act. Our Council is considered as a model to follow by many other Territorial Authorities. Serious effort has been made to reduce the complexity of delivering the service, especially regarding the renewal of Managers Certificates.

- 9.5 **Camping Grounds.** One completely new camping site has been registered over the period, in the Matakītaki area. Five previously unregistered campgrounds have also been registered. Staff are working with others throughout the district with a view to establishing new campgrounds.

Visits to all registered camp grounds are conducted prior to the summer season. Where these are on a private water supply samples are also taken for analysis.

- 9.6 **Other Licensing.** Other licensing has been relatively steady, the main increases being Campgrounds up 16% and hairdressers up by 10%. The only reduction being food stalls from three to two; these will disappear entirely by next year as they can no longer be licensed under the Health Act.



Total Health and Alcohol Licences Issued Year to Date 1 April 2017 - 31 March 2018

Health Licences	2016 - 17	2017 - 18	Variance
Food Premises	258	245	95%
Other	160	173	108%
Health Licences Total	418	418	100%
Sale and Supply of Alcohol Act			
Club Licence	10	11	110%
Manager's Licence	316	264	84%
Off Licence	34	41	121%
On Licence	65	39	60%
Special	58	64	110%
Temporary Authority	8	15	188%
SSAA Total	491	434	88%

10 Maritime Safety

- 10.1 Staff operate under the Maritime Transport Act and our Navigation Safety Bylaw. Their primary role is to enhance maritime safety for commercial and recreational boat users by monitoring such activities, education and taking enforcement action where necessary.
- 10.2 **Commercial Vessel Operators.** We now have 35 commercial operators (five are not licensed as they are very small scale), including a new BBQ cruise boat operating from Port Tarakohe. We have been working very hard with one of our commercial operators to bring them up to acceptable safety standards and to ensure they remain at an acceptable standard.
- 10.3 **Harbourmaster Vessels.** The new vessel "Sentinel" arrived early May 2016 and it has now done over 1000 hours of Harbourmaster duties. The vessel is performing well and has been very effective at raising the profile of Navigation Safety in the District. Hydro, a small jet boat is used for inshore and lake duties.
- 10.4 **Community Engagement**
- 10.4.1 We have given speed uplifting's and/or water space reservations for 12 on-water events in the Tasman District over the past summer, all of these have been attended by staff. The Harbourmaster acts as a safety boat and has a safety overview on these events.
- 10.4.2 The "Clued Up Kids" schools program was attended again last year, this is a great opportunity for the Harbourmaster to communicate water safety to Tasman School Children. Over 650 kids were taught about lifejackets and communications during the week of the event. All of the children responded positively to the training and most indicated that they already had some experience of boating - indicative of the high numbers involved in water activities in the Tasman District. The Harbourmaster worked alongside ACC, Civil Defence, Police, Fire Service, Red Cross, and Cycle Safety teams. This event will be repeated this year with some funding from our Department.

- 10.4.3 The “kids colouring in competition” (colour in a picture of the Harbourmaster’s boat) was again well received with ~80 entries this year, the kids also answered three boating safety questions. Three winners were chosen from three age categories as judged by Council staff, these winners received a ride on the Harbourmaster boat (usually ex Kaiteriteri and out to Adele Island), a lifejacket and a ‘Harbourmaster for the day’ hat.
- 10.4.4 Nine boating safety related articles have been published over the last 12 months, (Nelson Evening Mail, Waimea Weekly, and Guardian Newspapers), articles have also been written for The Fishing Paper.
- 10.4.5 The Tasman Harbourmaster has also done another summer boating safety interview on Fresh FM.
- 10.4.6 Navigation Safety presentations were given to Motueka Rotary and to the Mapua Boat Club during their Christmas party.
- 10.4.7 We have also been working closely with the Nelson branch of Coastguard and recently participated in their training weekend. We continue to work closely with Maritime NZ.

10.5 **Maritime New Zealand (MNZ) Funding.** This year we have received \$20,000 in funding from Maritime NZ. This was targeted to increasing our on-water patrols and also towards running the “No excuses program” where Maritime NZ officers spend the day on board the Harbourmaster boat doing enforcement rather than education. \$15,000 has been put towards the cost of our summer student and \$5,000 has been put towards general Harbourmaster funding. This money was received from a contestable fund that was originated from Fuel Excuse Duty and was previously put towards MNZ media budgets. Nine Councils have received funding for various boating safety related programs.

10.6 **Cyclones Fehi and Gita**

- 10.6.1 Cyclone Fehi coincided with a king tide and this resulted in extensive damage to the network of seasonal buoys that are owned and maintained by the Council. This included damage to and loss of smaller aids to navigation, such as cardinal floats and five knot buoys. We also lost a Navigation pile/light and ladder that guided boats into Mapua. This has been searched for but has not yet been found. Maritime NZ lost the Whale Rock marker which has been in place for over 30 years and is a significant Aid to Navigation in the Abel Tasman. The Harbourmaster has been assisting with its replacement. Most Aids to Navigation were back in place before cyclone Gita hit and although Gita moved the navigation marks the only lost mark was a small Cardinal Mark off Stevens Bay, (this was recovered from Cable Bay Nelson). The moved marks were progressively shifted back into position using the Harbourmaster boat and most of the damage was repaired within four days of the storm. Another important task undertaken was to travel the coast and alert boaties to the forecast prior to the storm, it was surprising how many did not know about the impending storms.
- 10.6.2 Extensive debris has been washed out to sea following cyclone Gita and the Harbourmaster has issued notices to mariners (repeated on local marine VHF channels) five times associated with this storm event. Photo below:



- 10.6.3 A shipping container was reported as missing and floating in Tasman Bay but this has not been recovered despite searching by the Harbourmaster. Many big trees and other large debris were sighted - a refrigerator, plastic culvert, bee hives, tyres and other debris were taken ashore and dumped by the Harbourmaster.

10.7 Deputy Harbourmaster.

- 10.7.1 The Harbourmaster is very grateful to the Councillors for agreeing to the employment of a full time Deputy Harbourmaster. This allows us to have two crew on the Harbourmaster vessel at most times and also will allow the Harbourmaster to take some leave.
- 10.7.2 Having a full time deputy Harbourmaster has also allowed us to have a presence on the water most days over summer and we have also managed to have concurrent navigation safety patrols at the Nelson Lakes and the Abel Tasman by also using the smaller jet powered council vessel "Hydro".

- 10.8 **General Council use of the Harbourmaster's Vessel.** The Harbourmaster vessel continues to be used by other Council Departments. We have done nine trips to the Abel Tasman to transport building Inspectors, six trips with engineers (in particular during the Torrent Bay beach replenishment). We have also been used to take water samples in the TDC bathing water quality programme, and we have completed seven sampling trips with compliance staff to take water samples. Between Christmas and early January we also had five days with biosecurity staff on board where they inspected visiting yachts.

- 10.9 **Derelict Boats.** Another three derelict boats were removed from the districts' waters, these were either sold or on their way to landfill, a further four derelict boats have been removed from the water by their owners following Harbourmaster enforcement actions. The Harbourmaster also assisted the Port Tarakohe Manager with the removal of a large derelict wooden vessel from the Port.

10.10 Speeding.

- 10.10.1 A lot of effort has been put into controlling the speed of commercial vessels into the popular Anchorage Bay in the Abel Tasman. New buoyage was added and seven meetings have been held with commercial operators and skippers to educate them on the speed rules and the reasons for the rules. Feedback from the boaties who use Anchorage, (up to 60 boats on busy summer days) has been very positive.
- 10.10.2 The Harbourmaster is also working with the Project Janszoon Trust to gain access to footage from the Trust's cameras in Anchorage and Awaroa, as access to this existing infrastructure will be valuable in controlling the boats breaking the safety rules.

10.11 Marine Farming.

- 10.11.1 With consents now being issued for new marine farming areas, the Harbourmaster has been involved with designing lighting plans for the new areas; this is ongoing, as these are staged developments.
- 10.11.2 Four night time lights runs have been carried out in the last 12 months. All of the Navigation Aids in Tasman and Golden Bays are visited during these light runs and this is usually a 6-8 hour exercise initiated after darkness. We commonly find problems such as non-operating navigation lights and storm damage to navigation aids. With the assistance of various contractors, our marine farmers usually keep their Navigation Aids to a good standard but it is very important that we ensure compliance with Navigation Aids requirements.

10.12 Boats in Distress

- 10.12.1 During the summer period 14 boats were towed to safety by the Harbourmaster, these vessels either had engine trouble or had dragged or been driven onto beaches or rocky coast.
- 10.12.2 One boat was swamped, following being tied stern first to the tidal current at Mapua and the Harbourmaster worked with the insurance company to salvage it.
Photo below:



- 10.12.3 Another vessel sunk on its mooring in Stevens Bay was recovered by the Harbourmaster. See below:



10.13 **Enforcement.** Many boaties were given verbal instructions and warnings over the summer and six boaties received a formal written warning, three infringements were also issued; one was for exceeding 5 knots within 200m of shore, one for not displaying a dive flag while diving, and the third for unnecessary endangerment due to commercial vessel wake.

10.14 **Safety Flags for Vessels Towing Water Skiers or Ski Biscuiters.** The importing and distribution of fluoro flags, to help prevent injury to water skiers and ski biscuiters has again been well received. Most of the flags are distributed from the Kaiteriteri boat ramp and the idea is that the observer on board the towing boat waves the flag when their towed person ends up in the water. By waving the flag, following boats will know to take extra care to avoid hitting a person in the water, also that the boat in front is about to turn back on their path to pick up their person in the water. The initiative has been run by the Tasman Harbourmaster and the Regulatory Manager for the last two years in response to the fact that two New Zealand children have been killed in the last five years after falling in the water and being hit by following boats.

10.15 **Boating Safety Brochures.** 6000-updated Boating Safety brochures were distributed this year, the free tide tables have been extended out to six months (November – April) in the hope that people will keep these very useful booklets on their boats for longer.

10.16 **Motueka Channel Local Knowledge Channel Guide.** The Motueka channel guide is now on version 18; the channel markers have been shifted seven times in the last 12 months, largely in response to the sand spit having moved by over 300 meters. Over 400 copies of the Local Knowledge channel guide have been printed and distributed from the Motueka boat ramp brochure holder in the last 12 months. Mussel floats, distinctively marked with yellow stripes and yellow reflector tape have proven to be successful channel marker buoys. In order to facilitate easier night time navigation, two of the channel markers (on turning points) have also recently had lights added.

- 10.17 **Launch Wardens.** We currently have six launch wardens, although the practice of having launch wardens is less common nationally following introduction of the new Health and Safety at Work Act in 2015. These positions will be reviewed over the next 12 Months.

11 Civil Defence

- 11.1 Our Civil Defence (CD) administrative functions are covered jointly with Nelson City Council (NCC) and we employ full time staff to deliver this service. We are members of the local Coordinating Executive Group where we work with the emergency services, Ministry of Social Development, District Health board and the Ministry of Civil Defence and Emergency Management (MCDEM).
- 11.2 In the event of an emergency, Council staff and the community provide the necessary expertise with support from MCDEM as required. CD staff have been engaging successfully with the community groups over the last year with a view to reviving partnerships with Council. This has borne fruit in that it has had local volunteers be more proactive in contacting our CD team when events occur; also, it has identified capability gaps that the CD team are now addressing.
- 11.3 An assessment of our capabilities by MCDEM about a year ago resulted in them rating us as the most capable group in the country. Our CD Group Plan has been reviewed to ensure currency.
- 11.4 **Cyclones Gita & Fehi.** As Council will be well aware our CD capacity was well tested on two occasions recently. Separate reports will feedback on these events, however, it is fair to say that our team works well across the board. Lessons learned have already been collated and action plans on how to improve are also being drawn up.

12 Oil Spill Response

- 12.1 Council is required to provide a regional oil spill response capability under the Maritime Transport Act. This service is paid for by Maritime New Zealand (MNZ), who also provide the training and equipment. We provide this service jointly with NCC and together we currently have 20 trained Responders (13 from TDC), 2 Senior Responders (TDC) and 3 Regional On-Scene Commanders (ROSC) - Adrian Humphries is the ROSC for our Council. This meets the MNZ threshold and does not include wildlife rescue staff who we also have trained.
- 12.2 Responders must attend at least one of two half-day training sessions annually. ROSCs are revalidated every two years.
- 12.3 Three staff members are also members of the National Response Team (NRT) for oil spill.

13 Freedom Camping

- 13.1 The introduction of the new Bylaw in December 2017 has had a generally positive effect across the district. Freedom campers having the opportunity to comply with the rules by staying in permitted areas has resulted in far fewer complaints from the public, positive feedback from campers and more targeted and effective enforcement.

- 13.2 **Decks Reserve.** Cyclones Gita and Fehi effectively removed the ability for non-self-contained campers to stay at Alexander Bluff, McKee Reserve, and Kina Beach or to traverse the Takaka Hill to Golden Bay. This resulted in excessive numbers using the remaining free site at Decks Reserve. This in turn resulted in significant negative feedback from some locals on the use of that area. Complications such as inadequate signage, too few facilities and people having no free alternatives made the situation worse. All of these complications have or will be dealt with before next summer and it is recommended that Decks Reserve remains a permitted area for freedom camping.
- 13.3 **Infringements.** Despite our Enforcement Officers reporting far better compliance, this year we issued more infringements than ever before. This was primarily because we now have the power to do so over a larger area of the district and we could target specific problem areas. The situation over this period with infringements is as follows:

13.3.1	Issued	-	119
	Paid	-	58
	To Court	-	42
	Cancelled	-	19

14 Development Contributions (DCs)

- 14.1 The Regulatory Manager has the responsibility of dealing with the more complex day-to-day enquiries about DCs.
- 14.2 One objection to a DC was raised by a developer in Richmond. This was heard by a Commissioner and was found in favour of Council.
- 14.3 A panel of senior staff also assess any official requests for reconsideration as they come in.
- 14.4 Staff have carried out Special Assessments on a number of developments where the developer indicated that the impact of their development on infrastructure was not proportionate with the charges being requested. Where appropriate the charges were modified.
- 14.5 The new DC Policy put before Council as part of the Long Term Plan (LTP) process will allow appropriate flexibility to deal with developments that do not fit the normal criterion e.g. smaller residential properties.
- 14.6 An Administrator to deal specifically with DC enquiries under the new catchment based regime will be appointed in the near future and this will mean that processing of all DCs will receive appropriate prompt attention. It will also take some of the pressure off of the Regulatory Manager.

15 Conclusion

- 15.1 All teams in the Section are currently reviewing their activity plans for the next 12 months. This will set us up for an interesting and varied 12 months ahead.
- 15.2 In addition to this planned work, much of the work done is reactive, so we look forward to a busy time protecting our communities and environment.

16 Attachments

Nil

9.3 COMPLIANCE MONITORING SIX MONTHLY REPORT - 1 JULY TO 31 DECEMBER 2017**Information Only - No Decision Required**

Report To:	Environment and Planning Committee
Meeting Date:	14 June 2018
Report Author:	Carl Cheeseman, Co-ordinator Compliance Monitoring
Report Number:	REP17-02-04

1 Summary

- 1.1 Tasman District Council operates tailored Resource Management monitoring programmes. These programmes focus efforts on the range of activities seen as most significant to the district, either in terms of environmental resources, actual or potential adverse effects or community interest. Council also provides a 24-hour complaint response service and undertakes a range of education and enforcement actions in response to detected non-compliance. Council's Compliance and Enforcement team is tasked to undertake these activities and this report summarises the programme of work for the period 1 July 2017 to 31 December 2017. Noise control is reported through the Regulatory Manager's report and is not covered in this report.
- 1.2 Responding to complaints continues to be our first priority and a considerable amount of time is spent responding to the public. Complaints in the second half of 2017 totaled 550, which was an increase on the same period last year and up on the five-yearly average for second half period. As expected, the increase was in the area of discharge, however interestingly, the increase was not attributed to outdoor burning effects, but instead stormwater and odour. This was as a result of urban stormwater run-off complaints and the issues at Bells Island wastewater treatment plant, which was affecting the nearby Best Island residents over the early summer. The only other increase was in customer service enquires which was mostly associated with post annual charge invoice mail out enquires and a lot of work coming through which would ordinarily have been picked up as a duty planner enquiry.
- 1.3 During the period, Council undertook a range of enforcement action for breaches of resource consents, Tasman Resource Management Plan (TRMP) rules or regulations. For this six month period 19 abatement notices and 26 infringements fines were issued. Two Enforcement Orders and four prosecutions were also in varying stages of progress before the Environment Court.
- 1.4 Abatement notices were issued to a number of companies or persons as a means of gaining compliance and most of these were for breach of consent or plan rules associated with discharges of domestic wastewater or for outdoor burning. There was also a number issued for non-complying land use activities often in breach of zone rule restrictions.
- 1.5 Infringement fines are also used as a response to offending where Council needs to provide a deterrent response and where a warning would not suffice for the level of offence. Much like last season, many notices were issued as a result of fly tipping around river and road reserves where an offender could be identified.

- 1.6 Four enforcement actions in the form of prosecutions and an enforcement order were progressing through the Courts over this period. These had been initiated as a result of serious offences being detected and the investigation determining that given the nature and scale of the environmental effects, lack of remorse or willingness to comply, prior conduct, and need to remediate, that the matter ought to be before the court.
- 1.7 As only one enforcement order had reached a determination during this period, this current report contains only status updates for others, which will be reported on in a future compliance report.
- 1.8 Despite the impact on the Compliance team that complaint and enforcement response has, it continues to operate its targeted monitoring programmes which focus efforts on the range of activities seen as significantly impacting on the district in terms of either resource use, environmental effects, or community interest. Over the period a total of 300 resource consents received one or more monitoring events as well as a number of our 143 permitted activity dairy farms and all our water extraction consents which total 1,461.
- 1.9 This monitoring was down on numbers usually seen in six-monthly periods due to the complex nature of the prosecutions going over the period which diverted staff resources into that area and restricted our monitoring effort.

2 Draft Resolution

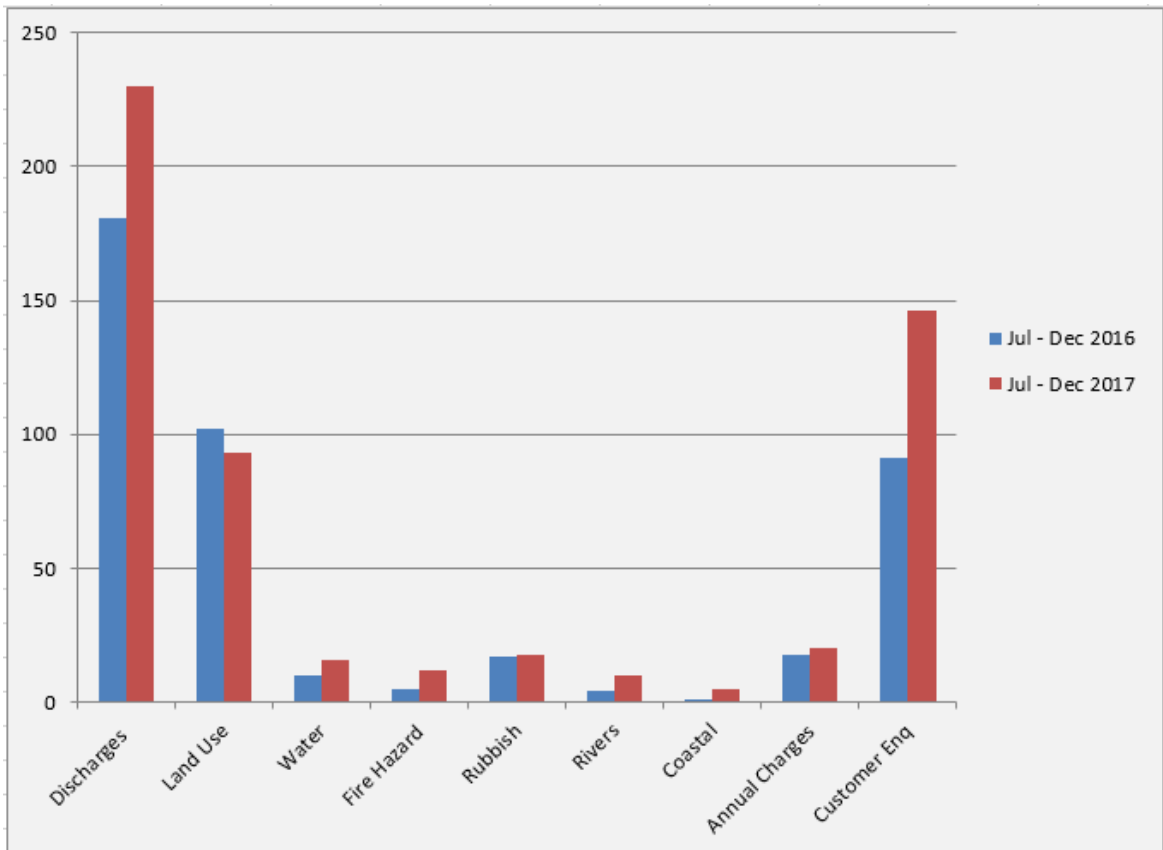
That the Environment and Planning Committee receives the Compliance Monitoring Six Monthly Report - 1 July to 31 December 2017 REP17-02-04 report.

3 Purpose of the Report

3.1 This report provides a summary of the complaints, incidents and general monitoring undertaken as part of the Compliance Monitoring Department’s programme of work over the period 1 July - 31 December 2017.

4 Background and Discussion

- 4.1 Between 1 July and 31 December 2017, 550 complaints were received by the Compliance Department. This figure excludes noise complaints, which are managed by the Environmental Health team and included in separate reporting.
- 4.2 The number of complaints received across the second half of this year reflects a more than twenty percent increase over the previous year (429) and is well above the average of 460 for second half reporting over last five years.
- 4.3 The following graph displays the complaints for this reporting period in the broad categories. The graph also compares these against the previous (2016) second half totals in those particular categories:



4.4 The greatest increase is in the area of discharges followed by the category customer enquiries. While the majority of activities captured under the discharge category were up, if only slightly in many cases, however the noticeable increase was in stormwater, which doubled and odour complaints. The increase in stormwater over the period does not show any real patterns although many of the complaints were associated with recent subdivision or land developments in and around the urban areas. With odour, the increases were

associated mostly with issues at Bells Island sewerage treatment plant affecting neighbours and a non-complying spray booth activity in Lower Moutere.

- 4.5 The increase in customer enquires can be attributed to annual charge invoicing which is sent out during the latter part of this period or the overflow of customer enquiries that would ordinarily be picked up by the duty planner but come through to the Compliance Department. All the other activities that we measure against were lower this year with the exception of rubbish and customer enquiries.
- 4.6 The following table breaks down the complaints to the more specific types:

Service Requests Received from 010717 to 311217

Department: Compliance	Total
Annual Charges	20
Coastal - marine farming	1
Coastal disturbance	4
Customer Enquiry	130
Discharge to CMA - industrial effluent	1
Discharge to CMA - stormwater	2
Discharge to air - dust	13
Discharge to air - odours	22
Discharge to air - smoke	84
Discharge to air - spray drift	14
Discharge to land - chemical/fertiliser	5
Discharge to land - other effluent	6
Discharge to land - sewerage	11
Discharge to land - stormwater	29
Discharge to land - water/other wastewater	9
Discharge to water - dairy effluent	6
Discharge to water - industrial effluent	3
Discharge to water - other effluent	8
Discharge to water - sediment	5
Discharge to water - sewerage	1
Discharge to water - stormwater	11
Fire Hazard - long grass	12
Freedom Camping - 1 May to 31 August	2
Information Request	12
Inwards Correspondence	2
Land Disturbance	14
Land Use - Breach Zone Rule	34
Land Use - Forestry/Shelter Belts	3
Land use - Building/Structures	10
Land use - Quarry/mining	2
Land use - Resource Consent Breach	17
Land use - Signage	7
Landuse - Trees amenity damage/destruction	3
Plan Information - heights, levels and benchmarks	3
Refuse/rubbish	2
Rivers - Stock in Waterway	3
Rivers/Lakes - bed disturbance	3
Rivers/Lakes - gravel/sand extraction	4
Rubbish-Enforcement	16
Water - Breach of consent/329	1
Water - Groundwater Take	9
Water - Surface Take	6

Total for Compliance	550
	=====
Grand Total:	550

Table 2: Request numbers by sub category for period 01/07/17 - 31/12/17

Abatement Notices

4.7 Nineteen abatement notices were issued over the period. A brief summary of those notices issued are contained in the following table:

<p>Section 9 - Land Use</p> <ul style="list-style-type: none"> • Breach of Resource Consent. Operating an additional rural industrial activity outside of consent restrictions • Breach of TRMP. Building in contravention of setback rules and no resource consent. • Breach of the TRMP. Use of a commercial premises for residential activity in Motueka in breach of zone rules. • Breach of Resource consent. Breach of conditions for noise and signage. Motueka • Breach of TRMP. Use of land for commercial activity in breach of zone rules. Motueka. • Breach of TRMP. Unauthorised residential activity. Pohara. • Breach of TRMP. Land disturbance in breach of rules. Ligar Bay
<p>Section 13 – Rivers & Lakes</p> <ul style="list-style-type: none"> • Breach of TRMP. Disturbance of bed of a river in Tasman • Breach of Resource Consent. Dam in the Moutere that does not comply with conditions
<p>Section 15 - Discharges</p> <ul style="list-style-type: none"> • Breach of resource consent. Discharge of domestic wastewater in breach of conditions. Dwelling in Mahana. • Breach of resource consent. Discharge of domestic wastewater in breach of conditions. Dwelling in Ruby Bay. • Breach of resource consent. Discharge of domestic wastewater in breach of conditions. Dwelling in Hope. • Breach of resource consent. Discharge of domestic wastewater in breach of conditions. Dwelling in Ruby Bay. • Breach of resource consent. Discharge of domestic wastewater in breach of conditions. Dwelling in Upper Moutere. • Breach of TRMP. Discharge to air in breach of outdoor burning rules. Richmond • Breach of TRMP. Discharge of contaminants to ground in breach of rules. Richmond • Breach of TRMP. Discharge of contaminants to ground in breach of rules. Hope. • Breach of TRMP. Discharge of contaminants to air and land in breach of rules. Murchison • Breach of TRMP. Outdoor burning of prohibited materials. Hope.

Table 3: Abatement Notice by Type

Infringement Fines

4.8 Twenty six infringement fines were issued for breaches against the Resource Management Act or Litter Act as outlined in the following table. As with complaints, this data only reflects the fines issued by the Compliance Team and not any fines or enforcement that may have been undertaken by the wider Regulatory Section such as the noise provisions of the RMA, freedom camping or maritime.

Act	Offence	Fine
RMA Section 9	Land disturbance in breach of permitted activity rule	\$300
RMA Section 9	Earthworks in breach of permitted activity rule	\$300
RMA Section 14	Unauthorised take of surface water in breach of consent - Takaka	\$500
RMA Section 15	Unauthorised discharge of a contaminant to air from outdoor burning of prohibited materials – Eighty Eight Valley	\$750
RMA Section 15	Unauthorised discharge of sediment to water - Moutere	\$750
RMA Section 15	Unauthorised discharge of sediment to water - Moutere	\$750
RMA Section 15	Unauthorised discharge of contaminants to water from an industrial or trade premises - Motueka	\$1000
RMA Section 15	Unauthorised discharge of a contaminant to air from outdoor burning of prohibited materials – Hope	\$750
RMA Section 332	Breach of abatement notice preventing unauthorised burning of prohibited materials.	\$750
RMA Section 332	Breach of abatement notice preventing keeping of animals in contravention of rules	\$750
Litter Act	Dumping of rubbish on Reserve - Richmond	\$400
Litter Act	Dumping of rubbish on Reserve - Ngatimoti	\$400
Litter Act	Dumping of rubbish on road reserve - Moutere	\$400
Litter Act	Dumping of rubbish on reserve - Richmond	\$400
Litter Act	Dumping of rubbish on road reserve - Waimea River	\$400
Litter Act	Dumping of rubbish on road reserve - Takaka	\$400
Litter Act	Dumping of rubbish on river reserve - Wai-iti	\$400
Litter Act	Dumping of rubbish on river reserve - Motueka	\$400
Litter Act	Dumping of rubbish on road reserve - Takaka	\$400
Litter Act	Dumping of rubbish on road reserve - Takaka	\$400
Litter Act	Dumping of rubbish on road reserve - Takaka	\$400
Litter Act	Dumping of rubbish on road reserve - Takaka	\$400
Litter Act	Dumping of rubbish on road reserve - Murchison	\$400

Litter Act	Dumping of rubbish on road reserve - St Arnaud	\$400
Litter Act	Dumping of rubbish on road reserve - Upper Moutere	\$400
Litter Act	Dumping of rubbish on River reserve - Motueka	\$400

Table 4: Infringement Notices by Type**Enforcement Orders**

4.8 Two applications for enforcement orders under Section 316 of the Resource Management Act 1991 were active within the reporting period. These orders are at varying stages of development with one being granted by the court and now being enforced and the other awaiting a hearing.

4.9 A summary of the two enforcement orders is contained below:

Order 1

4.10 An order sought by Council for the property of 37 Haycock Road, Richmond owned by EA and J A Ashton. The orders sought to deal with the use of this property as a large storage area for vehicles, scrap and use of buildings that were not properly authorised.

4.11 This matter went to a hearing in the Nelson Environment Court in August where the case was found in Councils favour and orders were granted. The orders required:

- The respondents cease bringing and storing any more vehicles onto the property that has no current warrant of fitness or registration
- The respondents remove from the property all the vehicles listed in the order with the exception of those in the exemption list and provide to council the location where the vehicles were removed to
- The respondents must ensure all fences comply with the Tasman Resource Management Plan or apply for resource consent
- Ensure that no sheds are used for the storage of vehicles except those granted the exemption and that all building and construction materials are stored tidily
- The respondents must obtain building and resource consents for the buildings specified in the application.

4.12 The respondents are working through these orders and most have been achieved by due dates.

Order 2

4.13 An enforcement order sought against the Respondent relates to works undertaken on two wetlands on a property located at 230 Rangihaeata Road, Golden Bay.

4.14 This matter is currently before the court and a decision is awaited. The enforcement orders sought require the Respondent to:

- appoint an appropriately qualified and experienced ecologist, to prepare a plan for the restoration of the two wetland areas contained on his property
- Implement the measures that refer to the restoration plan within 20 working days from the date that the plan is approved

- Engage the ecologist to provide a written report to the Council confirming that the measures have been implemented in accordance with the restoration plan and to provide this report within 25 working days from the date of the approval of the restoration plan
- appoint an ecologist to undertake ongoing regular measures to maintain the restored wetland areas in accordance with the recommendations set out in the restoration plan
- Submit reports every six months to the Council prepared by an ecologist describing progress of restoring the wetlands until such time the ecologist and the Council agree that the wetland areas are restored and no longer require maintenance measures.

Prosecutions

4.14 Three prosecutions are active during this reporting period. As none of these have reached a conclusion a status update is included below and the outcomes will be covered in later compliance summary reports.

4.15 Due to some matters not having reached resolution some defendants have also not been named in this report and will only be done so once pleas have been entered and sentencing has occurred.

Case 1: Tasman District Council v Amberglen Farms, Hayden Pomeroy and one other

4.16 In early 2017 the Council laid a number of charges in the Nelson Environment Court alleging that on or around 20 September 2016 Amberglen Farm Limited, the farm owner, Hayden Pomeroy and the farm manager committed offences against section 338(1)(a) of the Resource Management Act 1991 in that they contravened, or permitted the contravention of, section 15(1)(b) of the Act.

4.17 The charges related to the discharge of contaminants, namely effluent from dairy cows contained on a feed pad, onto land in circumstances which may have resulted in that effluent entering water, namely Swamp Creek, a tributary of the Kaituna River.

4.16 Both the company and owner have pleaded guilty however, the manager has pleaded not guilty and elected trial by jury. This matter is now adjourned until after the jury trial. Upon completion of that trial, the sentencing matters for the company and farm owner will proceed.

Case 2 Tasman District Council V Hunters Laminates (2014) Limited

4.20 In February 2017 the Council laid a charge against the company in the Nelson Environment Court alleging that between 1 June 2013 and 22 August 2016, Hunter Laminates 2014 Limited committed an offence against section 338(1)(a) of the Resource Management Act 1991 in that it contravened section 15(1)(d) of the RMA.

4.21 The charges related to the discharge of contaminants, namely fumes and fine particulates from the burning of treated wood, from industrial or trade premises, namely a factory manufacturing timber products, into air, when the discharge was not expressly allowed by a national environmental standard or other regulations, a rule in a regional plan, or a resource consent.

- 4.22 On the 28 June 2017, a guilty plea entered by the defendant who was remanded to nominal date in late August. Subsequently a request to the Court to put the matter off until October was filed as our counsel worked on producing agreed statement of facts with defendant lawyers. However in October a joint memorandum was filed advising that the parties were still working on agreed statement of facts and the matter was adjourned to December. In December a subsequent joint memorandum of counsel was filed advising that agreement could not be reached and the matter needed to be set down for disputed fact hearing.
- 4.23 At the time of writing this matter continues towards a hearing.

Case 3 Tasman District Council v T J Langford

- 4.24 In December 2017 the Council laid charges against the defendant alleging that on about 15 April 2017 the defendant committed an offence against section 15(1)(b) of the Act by discharging contaminants, namely dairy farm effluent to land in circumstances which may have resulted in that contaminant entering water, namely an unnamed water course adjacent to the dairy farm, when that discharge was not expressly allowed by a national environmental standard or other regulations, a rule in a regional plan or a resource consent.
- 4.25 This matter relates to a dairy farm operating in the Takaka Valley.

Note: Since the date of writing, this matter has been determined by the Court and a fine of \$35,000 imposed. This case is now concluded.

Monitoring

- 4.26 During this period 300 resource consents received one or more monitoring inspections as part of the Council's targeted compliance monitoring programme. This is outside of the two large specific monitoring programmes associated with dairy effluent and water which are reported on through their own programmes and comprise a range of permitted activity monitoring along with consented. Adding these gives a total of 1404 consents or targeted permitted activities having received monitoring actions in this period.
- 4.27 As always the level of service put to programmed consent monitoring is dictated by the need to respond to public complaints and incidents and this often has a detrimental effect on the total number of consents monitored in any one period. Despite this, the Department does achieve a significant number of monitoring actions against priority consents and while the number of individual consents monitored this period (excluding dairy and water) was down compared to the same period last year (1200 consents monitoring) the number of monitoring actions was comparable. This is largely attributed to the targeting of the larger industrial and high-risk activity consents and those with complex enduring conditions.

Consent Type	Monitored Consents
Coastal Disturbance	3
Coastal Discharge	3
Coastal Occupation/Structure	1
Discharge - Air	5
Discharge - Land	181
Discharge - Water	17
Land Use	35
Land Use - Bore	13
Land Use - Disturbance	18
Land Use - Gravel Extraction	5
Land Use - Hazardous Facilities	3
Land Use - Dam	1
Land Use - Watercourse	1
Land Use Discretionary	1
River - Activity on Surface	1
River - Culvert/Bridge/Ford Structures	1
River - Dam & Weir Structures	3
River - Reclaim & Drain	1
River - Other Structures	1
Water - Divert	2
Water - Dam	1
Water Take - Surface	3
Totals	300

Table 5: Total number of resource consents monitored for 6-month period 1 July - 31 Dec 2017.

4.28 While a wide range of consented activities received monitoring during the period (as shown in the table above), the following activities are considered significant in terms of effects or public interest and have dedicated monitoring programmes. A summary of these follows:

Water

4.29 While meter returns are required to be supplied yearly for those taking water for frost fighting provisions, most consent holders started returns in early November after the announcement of the requirement for meter returns.

4.30 At the start of this water season a new database for storing and reporting on water takes was brought on line. This had a new user interface and required compliance staff to spend a reasonable amount of time assisting consent holders entering data. Overall, the implementation went well and the new database has enhanced user interaction and provided better data interrogation and reporting abilities. It has also enhanced detection of non-compliance.

4.31 On the subject of data, this period did see requests for water use history from consent holders up markedly as the implications of plan changes were better understood.

4.32 Missing readings occurred from the onset, which is typical for the startup of the season although some habitual offenders continued much as had the previous season. For many, resolution was through direct contact and a reminder, however, some required further action.

- 4.33 Overtakes were not a significant issue in the first few months of the metering season and many of these were attributable to missing readings or incorrect readings as opposed to over extraction.
- 4.34 A full summary of the water season and associated compliance will be presented to Council and the public at the end of the water-metering season.

Dairy

- 4.35 The 2017-18 dairy farm survey started in late September. As at the end of December, 21 farms had been inspected.
- 4.36 The season has started well in respect to compliance performance with only two instances of non-compliance and both have been categorised as minor in nature under the National Dairy Compliance rating of full, minor or significant non-compliance. Neither required any further enforcement action. No significant non-compliance was recorded at this stage of the monitoring cycle.

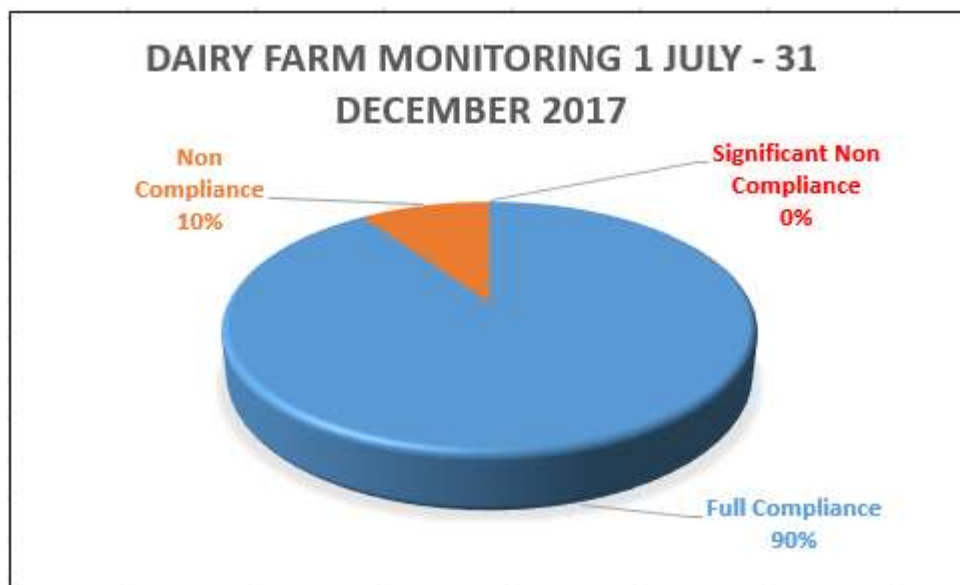
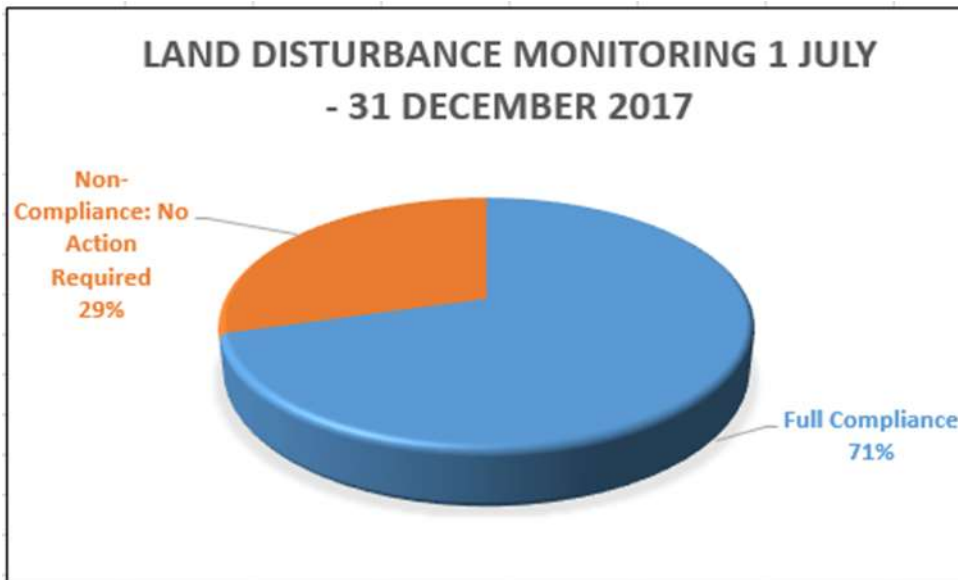


Table 3: Interim results of the Dairy Monitoring Programme 01/07/17 - 31/12/17

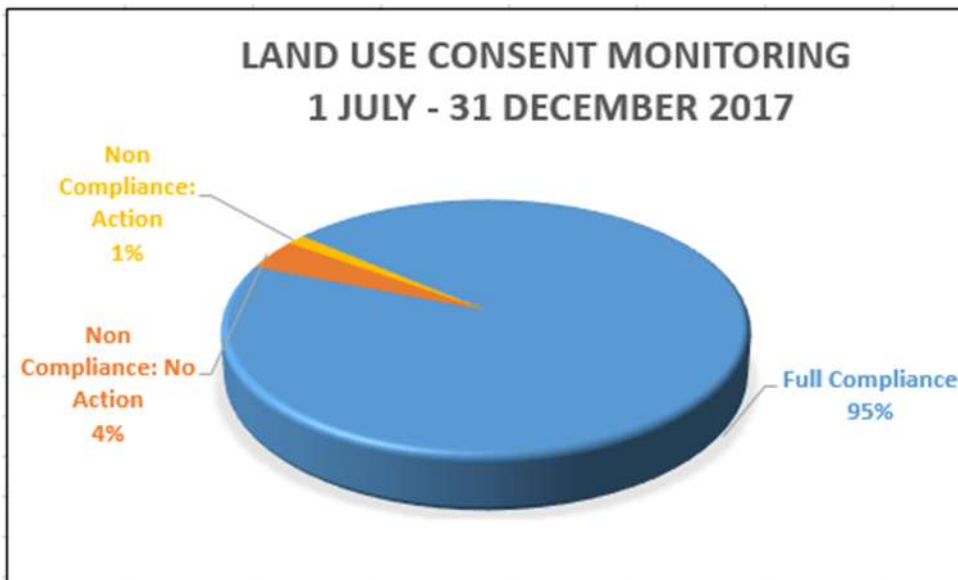
Land Disturbance

- 4.37 Overall compliance in this area continues to be at a high standard with most of the developers, consultants and contractors well aware of their obligations and Council's expectations with regard to plan approvals, site controls and compliance with consent conditions. Some large-scale developments had earthwork activities that were in full swing over the period and these were the focus of attention by Compliance due to their scale and public interest. Attention was on ensuring provision of erosion, sediment and stormwater control plans and the active monitoring of actual works to ensure that conditions were adhered to at all times.
- 4.38 While the majority of consents monitored showed full compliance with conditions, some did have non-compliance but of a level that did not require formal follow up action. Most of these were resolved with warnings or down grading of their compliance rating due to the failed condition.



Land Use - District

- 4.39 A considerable number of the resource consents that Council issue each year are associated with district land use activities. This is also the area where a lot of complaints are generated and for that reason effort is given to monitoring these under their own programme.
- 4.40 Whilst many of these consents fully complied with their conditions there were some instances of non-compliance, but these were minor breaches requiring no follow up action such as deviation from landscaping plans or meeting notification requirements. Those that did require action were usually under abatement notice or formal written directions.



Wastewater

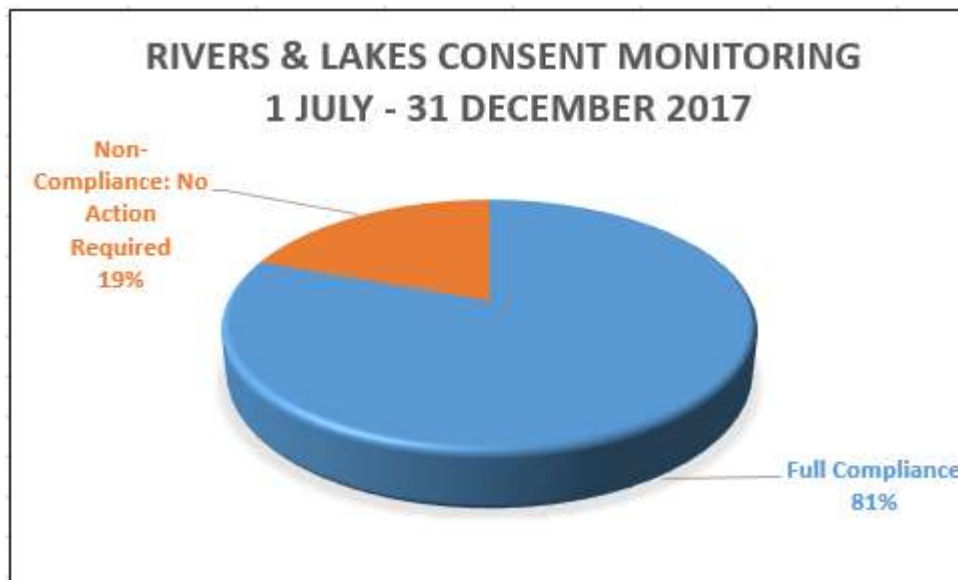
- 4.41 Given the potential environmental effects from poorly managed wastewater the Compliance Department continues to maintain a dedicated monitoring programme for the districts consented wastewater discharges both small on site and the Council’s community wastewater treatment plants.



4.42 Over the last few years Council has seen a much improved performance with our consent holders as a result of compliance actions and this period reflected that continuing trend with a much reduced level of non-compliance recorded.

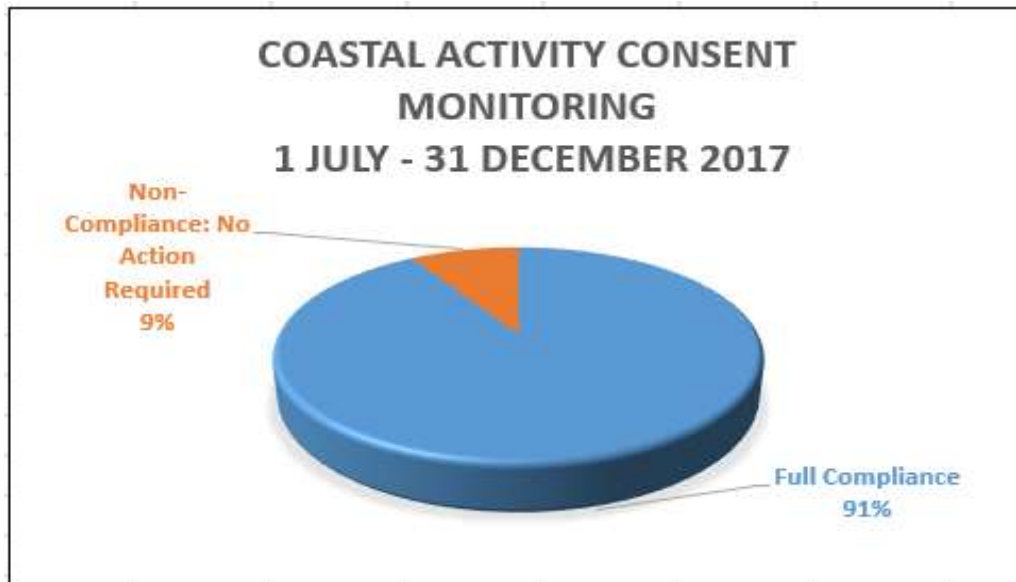
Rivers

4.43 Activities on the beds and surface of rivers is a dedicated monitoring programme in this district given the risk of adverse environmental effects and the amenity value enjoyed by the local communities. Focus tends to be on gravel and mineral extractions, disturbances and structures associated with damming and diversions.



Coastal

4.44 Coastal activities such as marine farms, disturbance of the foreshore and structures are the primary focus of this programme at present. Consent activity can be low but can generate many complaints as well so the programme does target the larger scale works. During this period the consents that were monitored were mostly compliant with only a few recorded instances of non-compliance at the lower end of the scale.



5 Conclusion

- 5.1 As highlighted, complaints numbers were up on the equivalent period of the preceding year. Increases in complaint activity were predominantly in the category of discharges, which is always the area where we receive a lot of public complaints. While ordinarily these are associated with air quality as normally as a result of outdoor burning, this period the increase was associated with stormwater run-off from urban development and odour from Bells Island. Much of the stormwater was from recent subdivisions or buildings on new lots.
- 5.2 Enforcement response to the more serious offending was another area where staff time was taken up and enforcement can often become complex and protracted. This is particularly the case when Council is required to take the matter before the Court for significant offending and the defendants plead guilty then enter into a disputed facts process. Pleasingly though, issued abatement notices and infringement fines were lower than previous years and those receiving abatement notice generally complied with the exception of a couple. Given the nature of the cases currently before the courts, we have not reached sentencing stage.
- 5.3 The Compliance Department continues to take action on fly tippers and will infringe where we can identify offenders. We will also use the infringement fine process to deal with minor offending where we need to provide an appropriate response and get the message out.
- 5.4 Proactive monitoring, particular in the high priority programmes such as water, dairy and earthworks continues but is vulnerable to the demands of complaint and enforcement response, which inevitably dominates staff time. However, wherever possible effort is put into proactive monitoring and in this period it was pleasing to see the level of non-compliance much reduced in the larger programmes.

6 Attachments

Nil

9.4 RAMSAR APPLICATION: WHANGANUI, MANGARAKAU AND OTUHIE**Decision Required**

Report To:	Environment and Planning Committee
Meeting Date:	14 June 2018
Report Author:	Rob Smith, Environmental Information Manager
Report Number:	REP18-06-02

1 Summary

- 1.1 The Department of Conservation (DOC) has invited Tasman to renew its 2010 letter of support for the proposed Ramsar nomination for the Mangarakau Wetland. Additionally if there were agreement from Council, DOC would like to have Tasman as a co-nominator of the application as it would improve the profile of the application to those deciding on the merits of giving the wetland international recognition.
- 1.2 The Convention on Wetlands of International Importance came into force in 1975 following a treaty signing in Ramsar (Iran) in 1971. The formal title is actually the 'Convention on Wetlands of International Importance especially as Waterfowl Habitat' but is commonly referred to as Ramsar. The Convention is an intergovernmental treaty for the conservation and wise use of wetlands and is a commitment to national action and international cooperation as a means of protecting wetlands of international importance. DOC has responsibility for monitoring and reporting regarding Ramsar.
- 1.3 The Ramsar proposal is about working in partnership with others keen to secure protection of the wetland and increasing the recognition of one of New Zealand's most important wetland systems. It does not seek changes in any rules or regulations in the way land use is presently managed.
- 1.4 A Ramsar listing is an excellent opportunity to elevate the status of the Mangarakau wetland, Lake Otuhie and Westhaven Inlet. It may also provide an opportunity to focus attention on the efforts of those involved in its current management enabling access to external funding sources. Potentially it will also lead to increased visits by tourists with an interest in natural areas, increasing economic activity in the area.
- 1.5 The application and potential nomination puts the Tasman region on the map as showing a level of interest and protection in the future of our wetlands.

2 Draft Resolution

That the Environment and Planning Committee

- 1. receives the Ramsar Application: Whanganui, Mangarakau and Otuhie REP18-06-02 report;**
- 2. agrees to renew the letter of support for the Ramsar nomination; and**
- 3. agrees to support the application prepared by the Department of Conservation as a co-nominator**

3 Purpose of the Report

- 3.1 This report seeks to confirm Council's support for progressing a nomination of the Whanganui Inlet, Mangarakau Swamp and Lake Otuhie area for Ramsar designation as a wetland of international significance, for Council's agreement to act as a co-nominator with the Department of Conservation.

4 Background and Discussion

- 4.1 The Convention on Wetlands of International Importance came into force in 1975 following a treaty signing in Ramsar (Iran) in 1971. The formal title is actually the 'Convention on Wetlands of International Importance especially as Waterfowl Habitat'. New Zealand signed on 13 December 1976 and is now one of the 170 contracting parties. The Convention on Wetlands is an intergovernmental treaty for the conservation and wise use of wetlands and is a commitment to national action and international cooperation as a means of protecting wetlands of international importance. DOC has responsibility for monitoring and reporting regarding Ramsar.
- 4.2 New Zealand presently has six sites covering 56,639 hectares designated as Wetlands of International Importance out of the total 2,308 sites listed worldwide covering an area of 228,930,640 ha.
- 4.3 The six New Zealand sites are located in Southland (Awarua Wetland), Tasman (Farewell Spit), Waikato-Coromandel (Firth of Thames), Waikato (Kopuatai Peat Dome and Whangamarino) and Foxton (Manawatu River mouth and estuary). More detail is attached in Appendix 1 and is available on the Ramsar website at <https://www.ramsar.org/wetland/new-zealand>.
- 4.4 The wetlands are selected on account of their international significance in terms of ecology, botany, zoology, limnology or hydrology and need to meet specified criteria outlined in the Ramsar Convention on Wetlands. You can see from the brief summaries of the New Zealand sites that they are about 'people in the environment' and not exclusion areas. Many have active gamebird hunting and recreational fishing occurring and a couple still have grazing within their boundaries.

Nomination Process in New Zealand

- 4.5 Nominations can be generated by agencies or individuals but DOC, as New Zealand's administering authority for the Ramsar Convention, is required to provide advice to the Minister of Conservation on the suitability of any proposed Ramsar site nomination. In general, there are four phases of nomination, these are:
- Phase 1** Initial ecological assessment and preliminary consultation with partners and community.
- Phase 2** Proceeding to full nomination – including preparation of detailed maps, detailed Ramsar Information Sheet (RIS), extensive community consultation and letters of support.
- Phase 3** Submission to Minister of Conservation for consideration (this may also require consultation with other relevant Ministers, and stakeholders, informed by DOC international team).

Phase 4 Submission to the Ramsar Secretariat for consideration.**Current Position**

- 4.6 Friends of Mangarakau Swamp (FMS) have been advocating for the Whanganui Inlet, Mangarakau swamp and Lake Otuhie area to be designated a Ramsar site for around ten years. They compiled and presented an application to DOC in 2010, which was reviewed and revised between 2010 and 2012. It is understood that it was not progressed further at that time as DOC was working on other applications, and policy around prioritising of sites was still being developed. In July 2010 Tasman District Council responded to the initial Friends of Mangarakau consultation on the Ramsar proposal, providing a letter of support for the proposal¹.
- 4.7 DOC has now picked up the lead, in association with Friends of Mangarakau, of the nomination process as it moves into the second phase. The work required to progress the nomination through Phase 2 is not achievable by Friends of Mangarakau alone, and the Department has become actively involved in progressing the nomination.
- 4.8 Phase 1 of the nomination process is complete. The information that Friends of Mangarakau had provided has been assessed by DOC Science Advisors. They concluded that it meets enough of the criteria (six out of nine) to be included as a site. The Department supports the consideration of Ramsar status for the wetland complex based on its ecological values, and sees that it will complement the network of Ramsar sites across the country.
- 4.9 Other sites in New Zealand are under consideration. The site that is currently most advanced is Wairarapa-Moana. It has strong support from the Greater Wellington Regional Council (GWRC) who were primarily responsible for getting the initial application to DOC for their review. Given the progress that the Wairarapa-Moana site has made with GWRC being involved, it has been suggested that the nomination would be on a much stronger footing if both TDC and DOC became joint nominators.
- 4.10 For the Phase 2 part of the nomination process the nominator needs to:
1. Assess stakeholder / community / iwi support for the nomination.
 2. Assess the management needs – put together a management plan.
 3. Get commitment from stakeholders for the management plan – what will they commit to doing.
- 4.11 At the initiation stage FMS carried out a fairly thorough consultation exercise. To ensure information is up to date the DOC is presently in the process of re-visiting the consultation and is committed to following through with the other actions.

Obligations of Ramsar Designation

- 4.12 Designation as a Ramsar site will lead to some specific management, monitoring and reporting requirements. Ramsar Sites are expected to be managed to maintain their ecological character and retain their essential functions and values for future generations. This includes the development of management plans including a monitoring programme of indicators on the site's ecological character. There are very few direct threats to the sites that would need to be managed, and there are unlikely to be additional on-the-ground

¹ Report to EPC in 2010 - SUPPORT FOR A RAMSAR DESIGNATION FOR MANGARAKAU WETLAND, LAKE OTUHIE AND WESTHAVEN INLET - REPORT REP10-07-05 - Report prepared for meeting of 2 July 2010

management requirements associated with Ramsar site designation. The additional monitoring and reporting requirements may not be particularly onerous, as much of the required information is already collected by DOC, community, and Tasman's existing monitoring programmes.

- 4.13 It is important to note that Ramsar designation does not introduce any additional regulatory responsibility on Council or obligations on the neighbouring landowners. The management of the site still comes down to the Tasman Resource Management Plan for Tasman and the existing Conservation Plans for the DOC land. A Ramsar designation for the site should be seen as a non-regulatory tool to promote the wise management of the wetlands and to be able to hold them up as something special.
- 4.14 It is understood that for the recently designated Manawatu River mouth and estuary site (2005), the management plan included those organisations that have jurisdiction over the area. This is used to focus work programmes to achieve benefit rather than duplication of effort. It would be expected that Tasman would work in a similar fashion with the landowners and organisations with jurisdiction over the site. No additional demand of staff or financial resources is anticipated over and above what we are already involved in for the area.

Proposed Site for Ramsar Designation

- 4.15 The boundary of the proposed Ramsar site at Whanganui Inlet largely follows the same boundary as the Westhaven (Te Tai Tapu) Marine Reserve / Westhaven (Whanganui Inlet) Wildlife Management Reserve. The only deviation from this boundary is the inclusion of the Mangarakau wharf and surrounding water, which are excluded from the marine reserve, to the mean spring high tide mark (Appendix 2).
- 4.16 At Mangarakau Swamp the boundary follows a polygon encompassing the greatest extent of the wetland area on the eastern portion administered by DOC, including within it the low spurs that reach into the swamp. The main road along the northern portion and the boundary of the NZ Native Forest Restoration Trust land serve as a boundary along the western edge of the swamp. For the southernmost part of the swamp, on land owned by Snake Creek Limited, the boundary of the Ramsar site follows the same line as the QEII covenant on that property. Pockets of swamp on the western side of the main road administered by DOC are also included in the proposed Ramsar site (Appendix 3).
- 4.17 At Lake Otuhie the lake edge serves as the boundary for the Ramsar site along with a section of wetland, administered by the Department of Conservation, at the south eastern side of the lake (Appendix 4).

Consultation

- 4.18 Consultation has been undertaken by Friends of Mangarakau Swamp and /or by the Department of Conservation (Note: Council has not been involved in the consultation to date.). The area is predominately administered by the Department of Conservation with the next largest landowner being the New Zealand Native Forest Restoration Trust which own the majority of the Mangarakau wetland (FMS do the day to day management). There is one other private landowner, Snake Creek Limited, included within the site. Both these properties have QEII covenants and both landowners have given their support.
- 4.19 Ngati Tama, Te Atiawa, Ngati Rarua, Ngati Apa are conditionally supportive of the nomination providing there is acknowledgement of their responsibilities, role and history. DOC indicates that responses have been received from four of the six large scale farms

bordering the proposed Ramsar. One is in support and three are in opposition to the Ramsar bordering their property.

- 4.20 The Golden Bay Community Board has supported the nomination in principle subject to full consultation with landowners. It is understood that the Board felt that if the Ramsar nomination was successful there will be increased pressure on roads, bridges, toilets and therefore additional central government funding would be needed. The Board also pointed out that to ensure visitor safety effective cell phone and internet connectivity should be established.

**Moved Chair McLellan/Cr Sangster
GBCB16-09-10**

That the Golden Bay Community Board writes a letter to the Greg Napp at the Department of Conservation stating that the Board support, in principle, the DOC endeavours to progress the RAMSAR application for these sites of national and international significance, subject to full consultation with affected landowners.

CARRIED

- 4.21 Network Tasman has a line traversing the Mangarakau wetland. It is understood that Network Tasman is supportive of Ramsar nomination as long as there are no changes to their present access requirements.
- 4.22 DOC have received a formal response from Federated Farmers. They do not support the Ramsar proposal based mainly around the perceived potential restricting of options for farmers in the future (although this has been explained as not an issue under a Ramsar declaration as the RMA is the dominant document in terms of controlling land use). There is also concern that increased visitor traffic will negatively impact on local roads to the detriment of the locals both in terms of costs and annoyance. Also the landowners feel they are somewhat under fire with Outstanding Natural Landscapes and wetlands surveys presently underway.
- 4.23 Council has a paper road (partially formed) on the Southern end of the Mangarakau wetland. Council's roading engineers do not oppose the Ramsar designation given that it will not impact our ability to manage and maintain our roads under existing legislation. The potential for increased traffic was not a concern to our engineers.
- 4.24 DOC indicate that of the remaining neighbouring landowners consulted, 35 did not reply, two support the proposal, one was opposed, and one offered conditional support provided that the nomination does not prevent or stop any of the currently permissible activities in Whanganui Inlet.
- 4.25 Letters of support have been received from Forest and Bird, Friends of Golden Bay, National Wetland Trust of NZ, Birds NZ, NZ Walking Access, Golden Bay Promotions, Nelson Marlborough Conservation Board and QEII National Trust. Fish and Game also support the nomination conditional on the understanding that existing gamebird hunting access to Whanganui Inlet and Lake Otuhie is supported in perpetuity.

5 Options

- 5.1 The mandate of the convention is the wise use of the wetland without excluding the community that presently use or enjoy the wetland or its boundaries. It is not a declaration

which introduces enforceable rules that replace any responsibility that the Council does not already have. Rather a Ramsar declaration is used to elevate the status of the wetland and act as a focus to establish the wise use and management of the wetland.

5.2 Options for Council are:

5.2.1 **Do nothing.** This leaves others to be seen as responsible resource managers and Tasman may be seen as not supporting the protection of a significant wetland within our region.

5.2.2 **Confirm letter of support.** This costs us little and shows a level of support for the effort and indicates that we are supportive of wetlands. This was the position taken in 2010.

5.2.3 **Agree to co-nominate.** This says to DOC and the community that we value the elevated recognition the designation provides, that we share the desire to have these important natural assets appreciated and promoted nationally and internationally. It provides educative value that we need to hold the line on biodiversity and where we can reverse the trend in degradation.

5.3 While the designation does not impose additional rules on our community it does lift the recognition that these assets deserve. It also positions us well for future any National Policy Statement expectations around indigenous biodiversity protection.

6 Strategy and Risks

6.1 The designation supports the biodiversity work that Council is involved in generally and does not lead to increased work or responsibilities on Council, so is of minor risk. There may be some resentment possible in the community as it could be seen as more regulatory imposition to the sites' neighbouring landowners, but any activity limitations are to do with existing national and local regulation rather than potential international recognition. Strategically it does position us well as an environmental manager and supports the partnership approach that we are encouraging in the protection and enhancement of our natural areas through the likes of Kotahitanga mō te Taiao Alliance, Tasman Environmental Trust, and the Waimea Inlet Forum.

7 Policy / Legal Requirements / Plan

7.1 Ramsar designation is not binding on Council as DOC is the reporting agency to the Accord. The existing protections for the site stay in place and Council's role in administering the Resource Management Act and any obligations under the Local Government Act, stay the same. Existing freedoms that the neighbors have to their land adjoining the site are maintained as the designation has no authority externally.

8 Consideration of Financial or Budgetary Implications

8.1 We do not anticipate any change to existing budgets. Council is only committing to what is in the existing work programme in terms of our environmental monitoring and we will not be

obliged to undertake any additional work in the area. Obligations for reporting to Ramsar are on DOC and not Council even as co-nominator.

9 Significance and Engagement

9.1 As discussed in Section 4 extensive engagement has been, and is still being, undertaken by FMS and DOC. A decision to act as co-nominator is of low significance even though the natural assets covered by the nomination are significant natural areas. While a Ramsar declaration may not be universally supported, because of increased attention the area may get, or the perceived risk of future impacts on private land interests, in reality very little will change.

Issue	Level of Significance	Explanation of Assessment
Is there a high level of public interest, or is decision likely to be controversial?	Moderate	Support for effective biodiversity management is on the rise within the community. There will be a level of suspicion as to the motives or implications of a Ramsar designation.
Is there a significant impact arising from duration of the effects from the decision?	Low	There will generally be support from the wider Tasman community and nationally for the commitment to Ramsar. Not everyone will support the decision as it is a change and there will be concern that it might impact on existing freedoms.
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	No	

carry out the deliver on any Council group of activities?		
Does the proposal or decision involve Council exiting from or entering into a group of activities?	No	

10 Conclusion

- 10.1 The Department of Conservation wishes to invite the Tasman District Council to renew its 2010 letter of support for the proposed Ramsar nomination. Additionally, if there were agreement from Council, DOC would like to have Tasman as a co-nominator as it would improve the chances of the designation making faster and smoother progress.
- 10.2 Overall, the Ramsar proposal is about working in partnership with others to improve wetland management and increasing the recognition of one of New Zealand's most important wetland systems. It does not seek changes in any rules or regulations in the way land use is presently managed.
- 10.3 A Ramsar listing is an excellent opportunity to elevate the status of the Mangarakau wetland, Lake Otuhie and Westhaven Inlet. It may also provide an opportunity to focus resources in the area by the owners and regulators. Potentially it may also lead to increased visits by tourists with an interest in natural areas. Lastly it again puts the Tasman region on the map as showing interest and commitment in the future of our wetlands.

11 Next Steps / Timeline

- 11.1 If the resolution is supported in full then we will supply a letter of endorsement for the Whanganui, Mangarakau, Otuhie Ramsar proposal, including that we wish to be a co-nominator.
- 11.2 Staff will use Newline to improve the understanding of the proposal and the presence of our other Ramsar site, Farewell Spit.

12 Attachments

- | | | |
|----|---|----|
| 1. | APPENDIX 1 - EPC Report Ramsar | 79 |
| 2. | APPENDIX 2 - Whanganui WGS84 - Portrait | 81 |
| 3. | APPENDIX 3 - Mangarakau WGS84 - Portrait | 83 |
| 4. | APPENDIX 4 - Lake Otuhie WGS84 - Portrait | 85 |

Appendix 1 (from the Ramsar NZ website)**Awarua Wetland**

Site number: 102 | Country: New Zealand | Administrative region: South Island
 Area: 20,000 ha | Coordinates: 46°34'S 168°31'E | Designation dates: 13-08-1976

[View Site details in RSIS](#)

13/08/76; South Island; ~20,000 ha; 46°34'S 168°31'E. Scientific Reserve. The site consists of a coastal lagoon, peatlands, saltmarsh, gravel beach, ponds, and lakes. These habitats provide important staging areas for waders, as well as breeding, feeding, and molting areas for various other waterbirds. Endemic butterfly species occur, as do two species of endangered fish. The site supports numerous native plant species, some typical of alpine regions. Human activities include sport fishing, bird hunting, and general recreation. Formerly called Waituna Lagoon Ramsar site, boundaries extended in 2008. Ramsar site no. 102. Most recent RIS information: 2008.

Farewell Spit

Site number: 103 | Country: New Zealand | Administrative region: South Island
 Area: 11,388 ha | Coordinates: 40°33'S 172°55'E | Designation dates: 13-01-1990

[View Site details in RSIS](#)

Farewell Spit. 13/08/76; South Island; 11,388 ha; 40°32'S 172°50'E. Nature Reserve; Shorebird Network Site. A 30km long sand spit, and intertidal area, extending at a rate of 15m annually. Exposed to the Tasman Sea on the north and with a dune complex giving way to mudflats on the south. Particularly important as a staging area for shorebirds. Supports several notable plant species as well. Ramsar site no. 103. Most recent RIS information: 1992.

Firth of Thames

Site number: 459 | Country: New Zealand | Administrative region: North Island
 Area: 8,927 ha | Coordinates: 37°13'S 175°23'E | Designation dates: 29-01-1990

[View Site details in RSIS](#)

Firth of Thames. 29/01/90; North Island; ~7,800 ha; 37°13'S 175°23'E. Coastal Reserve; Shorebird Network Site. A large coastal reserve bounded by peninsula and mountains. Consisting of shallow marine water, mud and grass flats, mangrove swamp, saltmarsh, and swampland. Includes a globally rare land formation of graded shell beach ridges which support grazing. Important site for roosting, wintering and staging wading birds. Ramsar site no. 459. Most recent RIS information: 1990.

Kopuatai Peat Dome

Site number: 444 | Country: New Zealand | Administrative region: North Island
 Area: 10,201 ha | Coordinates: 37°26'S 175°33'E | Designation dates: 04-12-1989

[View Site details in RSIS](#)

Kopuatai Peat Dome. 04/12/89; North Island; 10,201 ha; 37°26'S 175°33'E. Stewardship Area, Wildlife Management Reserve. The largest unaltered raised bog in New Zealand, surrounded by mineralized swampland and associated lagoons. Important area for threatened birds and plants and notable invertebrates. A spawning site for threatened fish. Bird hunting is the predominant human use. Ramsar site no. 444. Most recent RIS information: 1992.

Manawatu river mouth and estuary

Site number: 1,491 | Country: New Zealand | Administrative region: North Island
 Area: 200 ha | Coordinates: 40°29'S 175°14'E | Designation dates: 25-07-2005

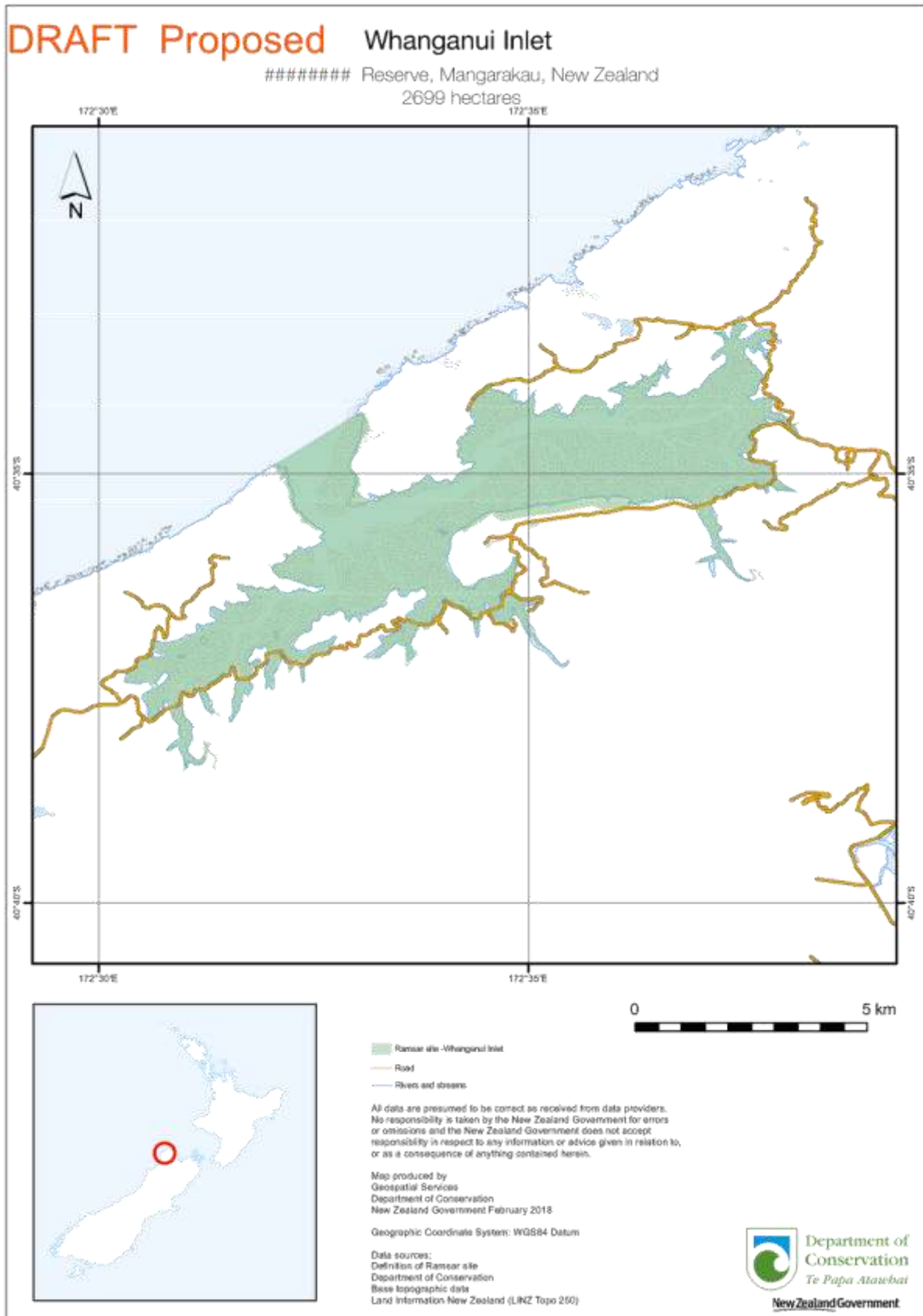
[View Site details in RSIS](#)

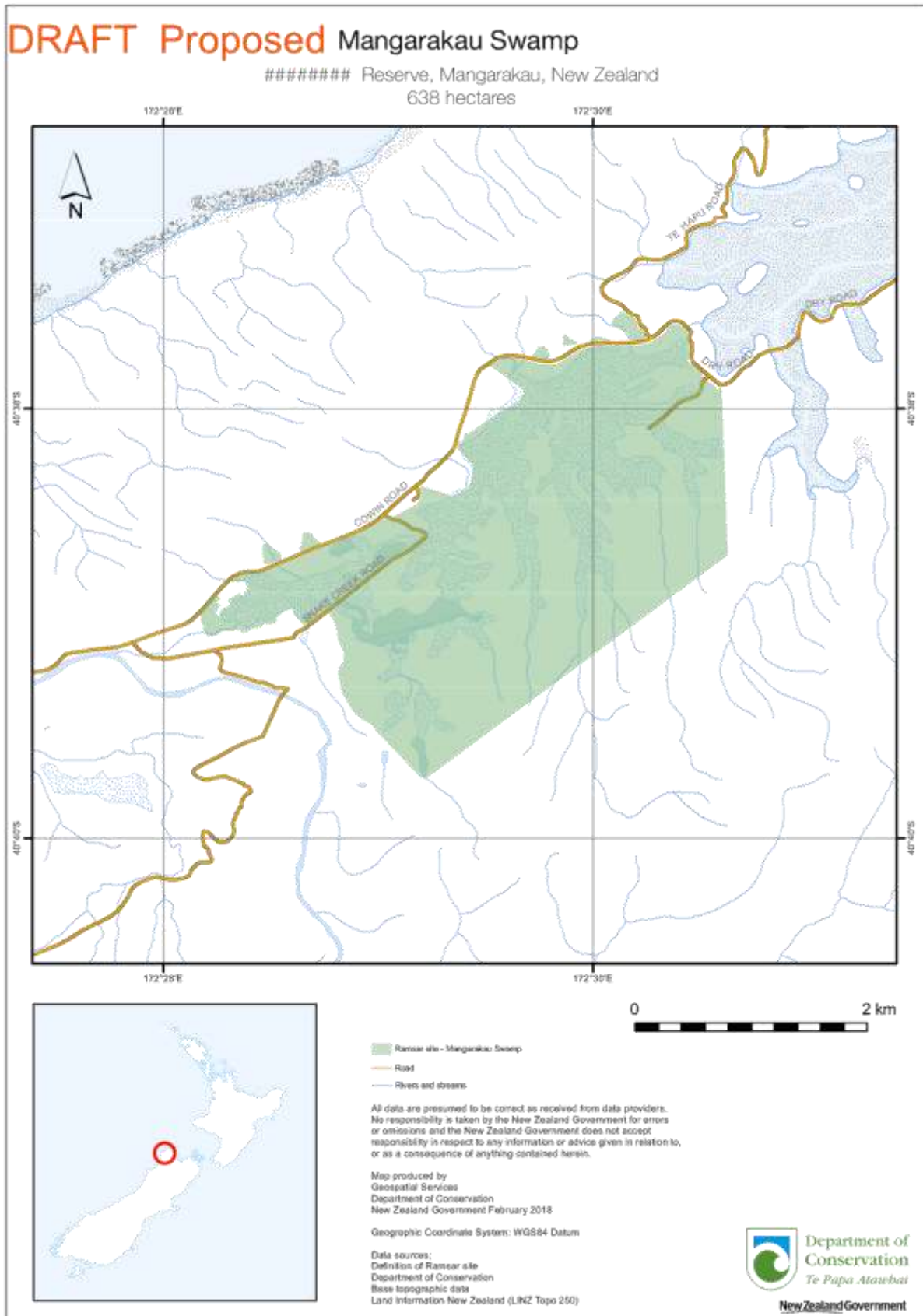
Manawatu river mouth and estuary. 25/07/05; North Island; ~200 ha; 40°29'S 175°14'E. A moderate-size estuary retaining a high degree of naturalness and diversity, important as a feeding ground for migratory birds - a diverse range of bird species can easily be seen, especially at high tide, including Wrybill *Anarhynchus frontalis*, Australasian bittern *Botaurus poiciloptilus*, Caspian tern *Sterna caspia*, Banded Dotterel *Charadrius bicinctus*, White-fronted Tern *Sterna striata*, and Shore Plover *Thinornis novaeseelandiae*. The salt marsh-ribbonwood community is the largest in the ecological district and contains its southernmost and biggest population of fernbirds (*Bowdleria punctata*). A high diversity of fish are supported, including some that are threatened, and the site has high fisheries values. Archaeological signs of the semi-nomadic Mōa hunter culture date from A.D. 1400-1650, and present Iwi groups in the area, chiefly the Rangitane, Māuapoko, and Ngāti Raukawa, support Ramsar designation. Main land uses include recreational activities such as sailing, boating, fishing, and seasonal duck shooting. Invasive plants (especially *Spartina anglica*) and off-road sport vehicles pose potential threats, but measures to address both in cooperation with stakeholders are progressing. Ramsar site no. 1491. Most recent RIS information: 2005.

Whangamarino

Site number: 443 | Country: New Zealand | Administrative region: North Island
Area: 5,923 ha | Coordinates: 37°18'S 175°07'E | Designation dates: 04-12-1989
[View Site details in RSIS](#)

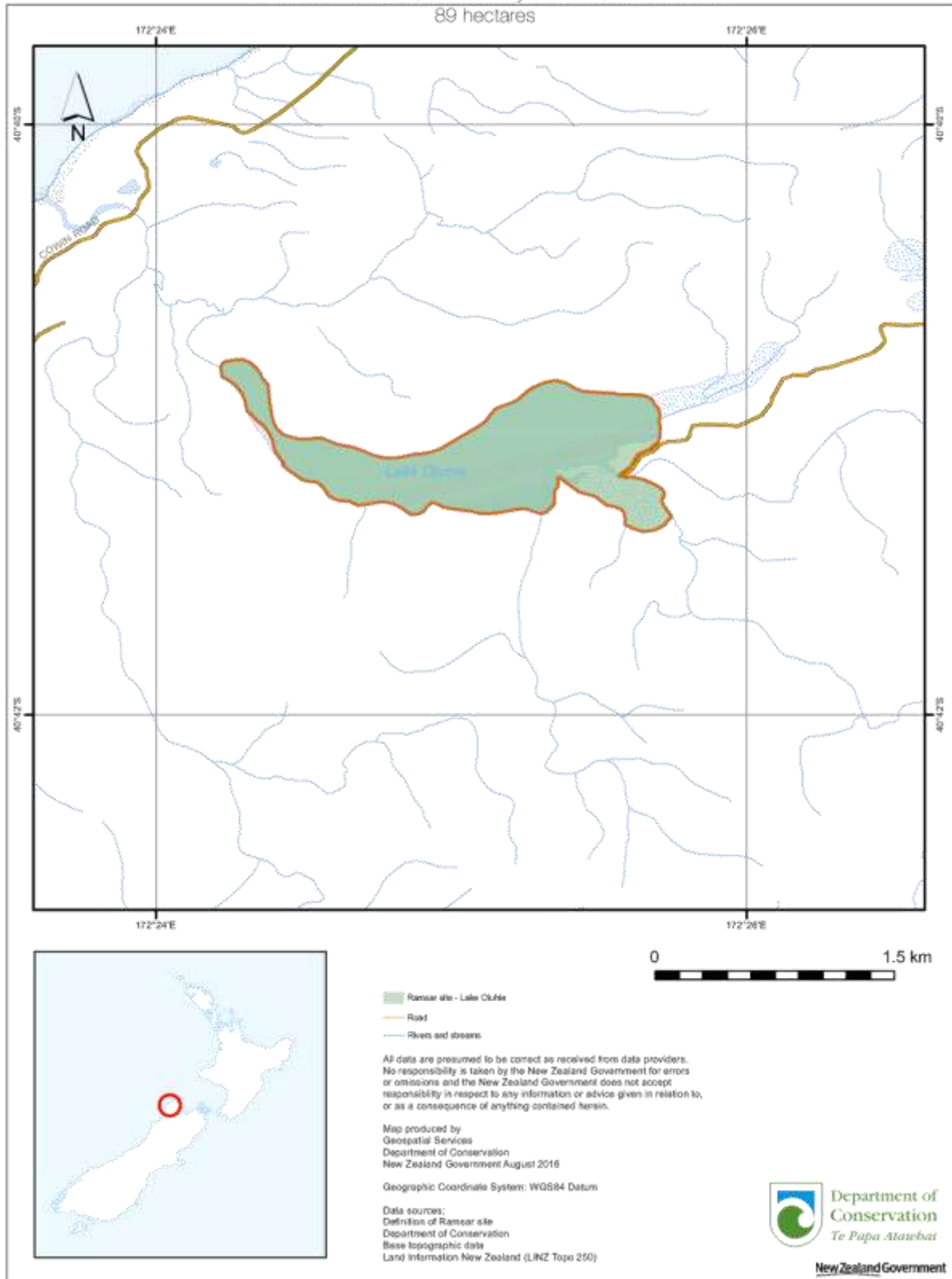
Whangamarino. 04/12/89; North Island; ~5,923 ha; 37°18'S 175°07'E. Stewardship Area. The second largest peat bog and swamp complex on the North Island. The most important breeding area in New Zealand for *Botaurus poiciloptilus*. Habitat for wintering birds and a diverse invertebrate fauna, including new, endemic, threatened, and endangered species of plants or fish. Supports a commercial fishery, cattle grazing, recreational activities, and nearby coal mining. Ramsar site no. 443. Most recent RIS information: 1992.





DRAFT Proposed Lake Otuhie

Reserve, Golden Bay / Mohua, New Zealand
89 hectares



9.5 ENVIRONMENT AND PLANNING MANAGER'S MONTHLY REPORT

Information Only - No Decision Required

Report To:	Environment and Planning Committee
Meeting Date:	14 June 2018
Report Author:	Dennis Bush-King, Environment and Planning Manager
Report Number:	REP18-06-09

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 3 May 2018.

2 Draft Resolution

That the Environment and Planning Committee receives the Environment and Planning Manager's Monthly Report REP18-06-09 report.

3 Purpose of the Report

- 3.1 This report updates Councillors on issues of general relevance to the Environment and Planning portfolio.

4 Richmond Air Quality

- 4.1 Attachment 1 contains a letter the Associate Minister for the Environment Hon Nanaia Mahuta. The letter is a standard template response following our reporting of the 2017 winter air quality in the Richmond Airshed and breaching the 'no more than three' exceedances allowed under the National Environmental Standard on Air Quality (NESAQ). We reported four exceedances last winter. The Minister has a requirement to respond where councils are not meeting the standards.
- 4.2 As a follow up we reviewed the data from last year and commissioned (with Envirolink money) a report reviewing the trends in that data. One recommendation was that the 2017 data gained from our Beta Attenuation Monitor (BAM) monitoring device should not be factored (ie adjusted for changing calibration), which means that the Richmond Airshed had only two 'real' exceedances in 2017, as opposed to the four exceedances in the 2017 Air Quality report. In reality this would mean that our measured 49 is not adjusted to the reported 52 based on the calibration process. The value is breached once it is above 50. However we still have an air quality issue to manage. The staff recommendation is to let matters lie and see how we go this winter.
- 4.3 Of interest to the Committee is that we have a replacement air quality monitor on order and with that in place this winter the requirement to factor is removed. The new monitor is to be set up in a purpose built unit at the air quality monitoring site on Oxford Street. To date we have known that the existing set up is slightly compromised and this lead to us needing to factor our data. We are one of four Councils that adjust the data in this way.
- 4.4 Lastly while on the topic, the Ministry for the Environment is in the process of reviewing the NESAQ and staff will be actively engaging with that process. The standard is likely to move from the present PM10 (particles with a diameter less than 10 micrometres) to PM2.5 which makes up about 80% of our measured air pollution. The small particles are worse for your health than the PM10 so it is a better measure of the problem. They are also more likely to be produced by anthropogenic causes than from natural sources. You'll hear more about this in the next air quality report later in the year.

5 Unwanted Agrichemicals

- 5.1 Rural recycling programme Agrecovery is again partnering with the Tasman District Council to collect and safely dispose of unwanted farm chemicals in the region this month. The Agrecovery chemical collection programme collects and safely disposes of old agrichemicals. Some chemicals need to be sent to France for high-temperature incineration.
- 5.2 Collections are carried out in each region every one to two years. We have had a few over the years for Tasman with the first rounds starting nearly 20 years ago but we shifted the management from Council to Agrecovery about 11 years ago.

- 5.3 Most of the effort is now funded by voluntary levies paid by 60 manufacturers of agrichemical, animal health and dairy hygiene products - enabling Agrecovery to provide these programmes to farmers and growers free of charge. For non-funded products, user-pays fees apply and this is where Council assists financially to get old agrichemicals safely off farms rather than letting them end up where they should not. This is done on a similar basis to how the household hazardous waste scheme works for Tasman residents and \$8,000 has been allocated.

6 Nursery Management

- 6.1 We have just entered the harvesting period at the Appleby willow and poplar nursery. The demand for plant material for bank and slope stabilisation peaked after Cyclone Gita and other heavy rain events, and orders are currently double that of 2017. The nursery has been undergoing an active programme of adding and phasing out stock for increased capacity, resistance to pests, and the management of increasingly damaging weather systems in light of climate change projections.
- 6.2 The Engineering team are also interested in increasing the capacity of the nursery to provide more tree willow for river projects. In the past year, we have planted new rows of Hiwinui, Glenmark, and Moutere willow. These are a few years away from producing harvestable material. In the coming year we expect to increase the number of irrigated willow stock by expanding operations into a new area of the nursery site. We continue to work with Plant and Food's poplar and willow breeding programme, and will be phasing out pest-sensitive Gigantea and Kinuyanagi shrub willow, and introducing several new male shrub and tree willow clones that are resistant to pests like possums and the giant willow aphid.

7 Microplasma Bovis

- 7.1 Staff have been trying to engage with Biosecurity New Zealand over the Microplasma Bovis outbreak. There are no confirmed farms in Tasman but one farm is under a Notice of Direction. As a partner in the biosecurity management framework we have tried to inform ourselves but no information is being shared except at a very high level through information letters to Mayors and Chairs. MPI has chosen to not notify any external parties of their surveillance and notification activities, so they can manage the impact of farms that turn out to be clear. We understood that there may be a roadshow somewhere close within the next month or so.
- 7.2 Staff are instigating limited protocols for farm access and will be reassessing the situation in light of MPI advice and to coordinate with national initiatives lead by the Biosecurity Managers Group. Where possible staff will avoid farm access unless necessary.
- 7.3 Basic Farm Visitor Farm Biosecurity Rules we intend following are:
- Let the farmer know that you are on their property or leave a business card to advise you have been on site.
 - Work with the farmer to comply with any farm biosecurity requirements.
 - Clean and disinfect footwear, protective clothing, equipment and vehicles going on and off farm.
 - Carry appropriate equipment
 - Minimise unnecessary contact with livestock.

- Remove dirt and organic material from boots and vehicles prior to disinfecting

8 Lake Killarney

- 8.1 Since previous reports to the Committee regarding Lake Killarney, staff have determined the thickness of the nutrient-rich sludge layer on the bottom of this lake in Takaka and obtained a quote for the most viable option to remediate the lake. Engineering staff have arranged to ensure the problem does not get any worse. The solution is to divert the contaminated water away from the lake and treat it through grassy swales that will accept this diversion, which will ultimately end up in Watercress Creek and then the Motupipi River. The swales are about 5m wide and 500m long and there is an easement for this purpose in the subdivision consent for adjoining land and provision to allow for maintenance. There is little point in beginning any project to remediate the lake without addressing the contaminant input.
- 8.2 The sludge layer is on average 700mm thick, meaning a total volume of sludge of 4,500m³. There are three possible remedial options for the lake: chemical treatment, aeration and physical removal by pumping.
- Chemical treatment is potentially the cheaper option but there is considerable uncertainty about the efficacy of chemical treatment to inactivate the nutrients. Phosloc and other similar chemical products do not appear to have worked in full-scale trials in some of the Rotorua lakes.
 - Aeration of the lake waters prevents phosphorus from becoming available and fueling the algal blooms. This requires on-going cost of electricity, and a technician on hand for maintenance. This is the most costly option when considered in the medium term (10-20 years) or longer.
 - Pumping out the sludge into Geotubes for dewatering provides a direct option for the removal of a significant percentage of the sludge build up at the bottom of the lake. An indicative cost is about \$160,000. There is a possibility of producing a saleable fertiliser product from this material, but it is uncertain whether this is viable. If the fertiliser product is not viable additional disposal costs would be required.
- 8.3 Staff are further assessing these options and will report options to Council, most likely in the next LTP round.

9 Regional Pest Management Plan Update

- 9.1 The Biosecurity Act was reviewed in 2012 and National Policy Direction issued in late 2015. One of the consequences of these legislative changes was to introduce new requirements for regional pest management plans. As the existing Tasman Nelson Regional Pest Management Strategy 2007 -2017 was close to expiry the decision was made to undertake a full Regional Pest Management Plan (the Plan) review rather than try to modify the existing Strategy.
- 9.2 The preparation of the Plan Proposal commenced in mid-2016 following the resolution of both Tasman District Council and Nelson City Council to undertake a joint review. The Regional Pest Management Joint Committee (the Committee) was established along with its terms of reference. The Committee was briefed on the task and agreed that the review process would commence with targeted consultation with key organizations and groups.

- 9.3 Drafting of the Plan Proposal occurred during 2017 with full public notification occurring at the beginning of November 2017. Submissions closed 22 December 2017. As some new matters were introduced via submission it was decided to publically notify the submissions received and to seek further submissions in support or opposition to the original submissions. Further submissions closed during March 2018.
- 9.4 In total eighty six primary submissions were formally received with two further being rejected because they were received well after the close of submissions. Fourteen further submissions were received . Most submissions had multiple parts so in total many hundreds of matters were raised by submitters. Those submitters and further submitters wishing to be heard were given the opportunity to speak at a hearing held on 16 April 2018.
- 9.5 Since this time staff and advisors have been busy organizing the submissions into logical themes or topic areas and preparing a Submission Briefing Document. The Submissions Briefing Document groups the submissions and further submissions into common areas and associates them with the relevant part of the Plan Proposal. This has been done to help to simplify the decision making process by reducing the number of decisions to be made and by reducing the risk that conflicting decisions will be made on related submission parts.
- 9.6 For each theme or topic area staff have provided a commentary on the subject matter raised by the submitters to aid the Committee’s understanding of the legal, technical or financial implications which need to be considered when making recommendations on submissions.
- 9.7 The Regional Pest Management Plan Joint Committee will meet on 25 June to deliberate and consider the submissions and supporting information and to make recommendations regarding accepting or rejecting the decisions in whole or in part.
- 9.8 Following the Committee’s recommendations from this meeting, staff will amend the Plan Proposal document to give effect to the Committee’s recommendations. The Supporting Cost Benefit and National Policy Direction assessment document will also need to be amended so that it is consistent with the Plan Proposal Document.
- 9.9 Once the Amended Plan Proposal and supporting documents have been completed (around the end of August 2018) the Committee will need to meet again to review the documentation and to agree that they are ready to recommend the Plan to their respective councils for adoption. Provided that no additional matters requiring further consultation are requested by the Committee, it is anticipated that the Plan Proposal along with decisions on submissions will be ready for Councils consideration in November 2018.

10 Water Metering Review

- 10.1 The Auditor-General’s report [Monitoring how water is used for irrigation](#) was presented to the House of Representatives on 10 May. That report looked at how freshwater used for irrigation is tracked and measured. It focused on five regional councils and one unitary council: Northland Regional Council; Hawke’s Bay Regional Council; Otago Regional Council; Marlborough District Council; Bay of Plenty Regional Council; and Environment Canterbury. These six councils monitor about 90% of freshwater used for irrigation within New Zealand. As a result the Auditor-General produced five recommendations.
- 10.2 Staff have assessed the TDC water use monitoring programme against the findings and five recommendations in this report and believe that the current TDC water use monitoring programme satisfies the relevant recommendations. While we do not insist on telemetered

water meters we do conduct annual audits to verify the manual inputs from water users.

This was not happening in those Councils under review. Our annual water monitoring report does deliver on the objectives contained in the Auditor General's report. Our processes are constantly being internally assessed for improvement and although not part of the Ministry assessment, based on the findings, staff are confident that currently TDC effectively and efficiently meet the expectations and recommendations.

- 10.3 Staff believe it would be beneficial for the Ministry for the Environment to seek feedback on suggested changes or improvements to the Regulations from all Regional and Unitary authorities. It is also recognised that should manual data collection be phased out to be replaced by electronic data collection and submission, there would be significant cost to water users. We intend to investigate in-house management of telemetry data collection against those services which involve intermediary data service providers to ensure the most reliable and cost effective process is established if we have to move down this path..

11 National Planning Standards

- 11.1 The Minister for the Environment has released the draft first set of National Planning Standards for public consultation until 17 August. In total there are 18 planning standards in the draft first set. These cover the minimum requirements of the RMA that must be addressed, as well as complementary matters that according to MfE "will help achieve more meaningful consistency, and make plans easier for you to develop." A 5-7 year implementation timeframe is proposed but there will still be things to work through as we release plan changes let alone conduct the review of Part 2 of the TRMP.
- 11.2 Staff will review the standards and Councillors may wish to signal any interest in reviewing any submission.

12 Freedom Camping Sites - Motueka

- 12.1 Staff were asked to look at alternative freedom camping locations to Motueka Beach. An alternative suggestion had been raised by the Motueka Community Board of the old Mariri Dump Site, and if this site had been put on a special targeting project list.
- 12.2 The Motueka Beach Reserve area has long been identified as a suitable camping area – location is odd despite residences nearby, and services are available. If it was not to be used for park over purposes, what else could it be used for?
- 12.3 The availability to sites in the Motueka area is very limited. Through the 14 week Bylaw consultation the hearing committee and staff did look at any suggestions and found none. The old tip site at Mariri is not suitable because of proximity to the transfer station, is earmarked for use as an ecological area with input from the local community, and would be very expensive to convert to even basic use. Any realistic opportunity will be investigated by staff when we are made aware of it.

13 Financial Accounts

- 13.1 The April accounts are attached as Attachment 2. Overall the Department is in surplus but there are deficit situations in some of the sub-activities. Environmental Policy, Resource Consents, and Building have all incurred additional legal and consultancy costs for work like

leaky home settlements, WCO processes and Environment Court appeals and contractor support to cope with workload. Income in resource consents while ahead of budget forecast may be under-recovered in part because of the discounts we have had to make as covered in the Resource Consents Manager's report last month. Our capital spend is likely to be under spent as engineering works associated with the Challies Wetland have had to be delayed.

14 Action Items

- 14.1 Attachment 2 updates Councillors on actions items from previous Environment & Planning Committee meetings.

15 Attachments

- | | | |
|----|-----------------------------------|-----|
| 1. | Attachment 1 - Minister's Letter | 95 |
| 2. | Attachment 2 - Financial Accounts | 97 |
| 3. | Attachment 3 - Action Sheet | 107 |

Office of Hon Nanaia Mahuta

MP for Hauraki-Waikato

Minister for Māori Development

Minister of Local Government

Associate Minister for the Environment



18 MAY 2018

2018-B-04545

Mayor Richard Kempthorne
Tasman District Council
189 Queen Street
Private Bag 4
RICHMOND 7050

Tēnā koe Mayor Kempthorne

I am writing to acknowledge the work your council has been doing for air quality, which is one of my responsibilities as Associate Minister for the Environment. I have been encouraged by progress made in this area and look forward to working with you on this important environmental issue.

I would like to use this opportunity to address compliance issues with the National Environmental Standards for Air Quality (Air Quality NES) and to let you know my plans to amend the Air Quality NES.

The Air Quality NES provides a national baseline for human health protection against air pollutants, including a daily standard for particulate matter of 10 micrometres or less in diameter (the PM₁₀ standard). Councils are required to keep their airsheds under the maximum allowable exceedances of the PM₁₀ standard from 1 September 2016.

My officials advise me that one or more airsheds in your region has breached the PM₁₀ standard in 2017 and has the potential to continue breaching over winter 2018. It is important that you continue efforts to manage particulate matter pollution. To date, the most significant reductions in particulate matter have been achieved through regional council initiatives, such as rules in regional plans and behaviour change programmes, especially around home heating.

As you may be aware, I am currently reviewing the Air Quality NES. Key drivers for the work include focussing on fine particles (PM_{2.5}) to align the Air Quality NES with recent scientific findings on health impacts of fine particulate pollution, ensuring key details still fit for purpose, and achieving a more integrated approach to air quality, focussing on a balance between clean air and warm homes.

I have asked my officials to look into these matters and speak directly with council staff over the coming months about potential amendments to the Air Quality NES. In the meantime your actions now should help to progress towards compliance with any amendments.

I thank you for your continued work to manage air quality in your region.

Nāku noa, nā

Hon Nanaia Mahuta
Associate Minister for the Environment

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Departmental Financial Statement
For the year to April 2018

	YTD Actual Apr 2017	YTD Actual Apr 2018	YTD Forecast Apr 2018	YTD Variance	Total Forecast 2017/18	Total Budget 2017/18	Total Forecast Variance	YTD % Total Forecast
OPERATING ACTIVITIES								
Operating Income								
6,879,385	7,517,650	7,516,802	746	746	9,019,000	9,019,001	(1)	83%
166,703	159,931	156,417	4,514	4,514	185,133	185,132	1	86%
5,626,878	5,927,581	5,826,153	101,398	101,398	6,463,068	6,463,068	264,585	85%
512,483	595,298	525,246	52	52	630,358	630,357	1	83%
13,187,448	14,130,329	14,023,617	106,712	106,712	16,562,123	16,297,558	264,585	85%
Operating Expense								
13,417	10,138	10,880	742	742	12,680	10,210	(2,670)	79%
4,379,125	4,450,067	4,668,718	176,651	176,651	5,875,207	5,875,211	4	76%
53,427	53,263	64,455	11,192	11,192	92,122	70,458	(21,664)	58%
1,010,264	877,528	1,098,872	221,344	221,344	1,489,325	1,489,087	(2,428)	59%
2,028,361	2,739,472	3,092,888	333,518	333,518	4,039,978	2,812,051	(1,227,927)	68%
0	1,600	3,330	1,650	1,650	10,000	25,210	15,210	17%
846	6,549	6,549	0	0	6,548	60,750	54,201	100%
4,827,341	5,018,599	5,196,526	177,926	177,926	6,511,845	6,511,857	12	77%
41,924	19,680	16,728	(2,952)	(2,952)	14,431	28,473	14,042	136%
158,919	191,868	194,407	2,539	2,539	233,311	334,448	101,137	82%
12,561,633	13,430,839	14,353,453	822,613	822,613	18,287,887	17,823,745	(4,264,152)	73%
625,815	699,490	(329,835)	1,029,325	(1,706,773)	(1,706,773)	(726,187)	(979,569)	-41%
CAPITAL FUNDING								
Source of Capital Funds								
6,887	0	0	0	0	0	0	0	100%
264,354	79,783	271,940	(192,157)	(192,157)	672,813	672,813	(0)	12%
0	7,482	4,990	2,492	2,492	0	0	0	100%
271,251	87,265	276,930	(189,665)	(189,665)	672,813	672,813	(0)	13%
Application of Capital Funds								
117,726	157,296	227,865	70,567	70,567	416,963	555,004	138,041	30%
102,805	91,843	91,833	(9)	(9)	110,210	113,530	3,320	63%
14,838	14,879	14,877	(2)	(2)	17,675	17,675	(0)	63%
235,219	263,919	334,375	70,456	70,456	544,788	686,149	141,361	40%
36,032	(174,254)	(57,445)	(119,199)	(119,199)	128,025	(13,336)	141,361	-138%
188,919	191,868	194,407	(2,539)	(2,539)	233,311	334,448	(101,137)	82%
860,766	714,803	(192,074)	907,877	(1,344,438)	(495,075)	(939,363)	(939,363)	82%

FOR INTERNAL PURPOSES ONLY

Summary of Operating Activities
For the year to April 2018

	YTD Actual Apr 2017	YTD Actual Apr 2018	YTD Forecast Apr 2018	YTD Variance	Total Forecast 2017/18	Total Budget 2017/18	Total Forecast Variance	YTD % Total Forecast
ENVIRONMENT & PLANNING								
ENVIRONMENTAL MANAGEMENT								
Operating Income								
1,416,946	1,430,750	1,430,750	(2,801)	1,740,313	1,726,483	11,830	82%	
3,535,485	3,740,129	3,677,006	63,123	4,290,654	4,403,754	(113,100)	87%	
2,336,691	2,264,358	2,252,054	32,304	2,825,591	2,871,651	(46,060)	81%	
1,091,828	1,187,010	1,207,535	(20,525)	1,449,068	1,440,308	8,760	82%	
6,386,760	6,639,296	6,567,354	71,942	10,305,628	10,454,826	(149,200)	84%	
Operating Expense								
1,175,644	1,575,689	1,652,251	77,562	2,136,291	1,975,361	160,930	74%	
2,902,539	3,006,332	3,132,351	116,019	4,081,719	4,330,985	(249,146)	74%	
2,247,483	2,545,503	2,599,433	53,869	3,243,262	2,973,653	269,609	78%	
1,050,898	965,528	1,060,652	94,724	1,451,103	1,446,949	4,154	69%	
7,376,364	8,122,812	8,434,687	311,775	10,912,375	10,625,028	287,347	74%	
1,064,396	516,384	132,667	383,717	(606,749)	(174,202)	(432,547)	-85%	
TOTAL ENVIRONMENTAL MANAGEMENT								
PUBLIC HEALTH & SAFETY								
Operating Income								
2,595,826	3,509,118	3,522,321	46,797	4,021,707	3,630,526	391,181	89%	
430,673	417,160	417,119	41	500,593	500,593	0	10%	
1,790,190	1,504,755	1,519,823	(12,068)	1,754,197	1,711,613	42,584	85%	
4,816,689	5,431,033	5,459,263	28,234	6,276,497	5,842,732	433,765	87%	
Operating Expense								
3,076,938	3,615,412	3,695,237	79,825	4,653,910	3,627,337	1,026,573	78%	
454,655	331,213	473,054	141,851	502,957	500,165	2,792	66%	
1,663,478	1,361,303	1,730,465	368,162	2,215,655	2,259,210	(43,555)	61%	
5,195,269	5,307,928	5,918,766	610,838	7,375,522	6,394,717	980,805	72%	
(378,580)	183,106	(462,802)	645,908	(1,099,024)	(851,986)	(232,962)	-17%	
625,815	699,490	(329,833)	1,029,323	(1,765,773)	(726,187)	(1,039,586)	-41%	
TOTAL ENVIRONMENT & PLANNING								

FOR INTERNAL PURPOSES ONLY

Activity Financial Statement
For the year to April 2018

	YTD Actual Apr 2017	YTD Actual Apr 2018	YTD Forecast Apr 2018	YTD Variance	Total Forecast 2017/18	Total Budget 2017/18	Total Forecast Variance	YTD % Total Forecast
BUILDING CONTROL								
OPERATING ACTIVITIES								
Operating Income								
216,234	535,298	535,006	282	282	641,656	641,657	(1)	83%
2,288,389	2,930,696	2,893,492	46,506	46,506	2,864,389	391,182	391,182	90%
101,203	103,724	103,723	10	10	124,480	0	0	83%
2,585,826	3,568,118	3,532,221	46,797	46,797	4,629,707	3,639,526	391,181	89%
Operating Expense								
1,215,223	1,220,238	1,251,826	31,638	31,638	1,556,282	1,556,281	(1)	78%
118,666	128,413	156,156	27,743	27,743	243,504	113,619	(129,885)	50%
495,497	1,003,867	991,372	(12,295)	(12,295)	1,238,118	287,230	(950,888)	81%
846	6,549	6,549	0	0	6,549	60,750	54,201	100%
1,245,766	1,256,545	1,269,234	32,689	32,689	1,696,467	1,696,467	(0)	79%
3,076,938	3,615,412	3,695,237	79,825	79,825	4,653,910	3,627,337	(1,026,573)	78%
(491,112)	(46,294)	(172,915)	126,623	126,623	(632,202)	3,189	(635,391)	7%
CAPITAL FUNDING								
Application of Capital Funds								
9,388	2,663	1,962	(1,001)	(1,001)	3,190	3,190	0	65%
9,388	2,663	1,962	(1,001)	(1,001)	3,190	3,190	0	65%
(9,388)	(2,663)	(1,462)	(1,001)	(1,001)	(3,190)	(3,190)	0	85%
0	0	0	0	0	0	944	(944)	100%
(940,476)	(48,356)	(173,977)	125,621	125,621	(635,392)	943	(636,335)	
CLOSED ACCOUNT BALANCE								
0	0	0	0	0	0	0	0	
(500,470)	(48,356)	(173,977)	125,621	125,621	(635,392)	943	(636,335)	
0	0	0	0	0	0	0	0	
(500,470)	(48,356)	(173,977)	125,621	125,621	(635,392)	943	(636,335)	

FOR INTERNAL PURPOSES ONLY

Activity Financial Statement
For the year to April 2018

YTD Actual Apr 2017	YTD Actual Apr 2018	YTD Forecast Apr 2018	YTD Variance	Total Forecast 2017/18	Total Budget 2017/18	Total Forecast Variance	YTD % Total Forecast
EMERGENCY MANAGEMENT							
OPERATING ACTIVITIES							
Operating Income							
414,661	400,746	400,706	-40	480,896	480,898	(0)	83%
16,012	16,413	16,411	1	19,695	19,695	0	83%
430,673	417,160	417,119	41	500,593	500,593	0	83%
Operating Expense							
9,473	9,903	12,309	2,406	17,310	17,310	(0)	57%
56	56	56	0	196	4,261	4,105	26%
371,285	230,752	376,072	137,220	383,145	383,145	0	63%
70,902	78,743	81,302	-2,459	99,918	99,918	0	79%
(3,224)	(3,554)	(3,847)	(294)	(5,147)	(4,041)	1,106	89%
6,313	6,313	6,312	(0)	7,575	7,572	(3)	83%
454,855	331,213	473,064	141,851	562,957	506,165	5,208	96%
(24,191)	85,946	(55,944)	141,892	(2,363)	(7,572)	5,209	-3037%
CAPITAL FUNDING							
6,313	6,313	6,312	0	7,575	7,572	3	83%
(17,868)	92,360	(49,632)	141,992	5,212	0	5,212	
CLOSED ACCOUNT BALANCE							
165,031	215,363	215,363	0	215,363	215,363	0	
(17,868)	92,360	(49,632)	141,992	5,212	0	5,212	
0	0	0	0	0	0	0	
147,163	307,623	165,731	141,892	220,575	215,363	5,212	

FOR INTERNAL PURPOSES ONLY

Activity Financial Statement
For the year to April 2018

YTD Actual Apr 2017	ENVIRONMENTAL POLICY	YTD Actual Apr 2018	YTD Forecast Apr 2018	YTD Variance	Total Forecast 2017/18	Total Budget 2017/18	Total Forecast Variance	YTD % Total Forecast
1,164,131	OPERATING ACTIVITIES							
201,500	Operating Income	1,364,666	1,364,666	136	1,637,997	1,637,996	1	83%
51,315	General Rates	13,204	13,204	(3,102)	39,156	27,370	11,828	20%
	Fees & Recoveries	52,598	52,592	6	63,117	63,117	0	83%
1,416,946	Total Operating Income	1,430,758	1,430,758	(2,061)	1,740,312	1,728,493	11,839	82%
3,000	Operating Expenses	0	0	0	0	0	0	100%
367,951	Wage Related Expenses	508,104	511,870	3,766	636,227	636,228	(1)	80%
28,155	Wage Timesheet Allocation	35,393	42,532	6,940	88,548	101,691	3,143	30%
350,680	General Operating Costs	462,436	525,680	62,844	653,652	526,088	(167,464)	67%
426,045	Professional Fees	572,853	576,023	3,150	714,637	714,058	579	80%
(1,996)	Overheads	(4,206)	(4,253)	(47)	(6,062)	(2,502)	3,560	69%
1,175,644	Total Operating Expense	1,875,089	1,852,281	77,162	2,136,291	1,975,561	(160,730)	74%
241,291	SURPLUS (DEFICIT) FROM OPERATIONS	(147,291)	(221,493)	74,201	(395,979)	(247,078)	(148,901)	37%
33,333	CAPITAL FUNDING							
	Source of Capital Funds	0	82,275	(82,275)	247,073	247,073	0	0%
	Reserve Transfers	0	0	0	0	0	0	0%
33,333	Total Source of Capital Funds	0	82,275	(82,275)	247,073	247,073	0	0%
33,333	SURPLUS (DEFICIT) OF CAPITAL FUNDING	0	82,275	(82,275)	247,073	247,073	0	0%
274,635	SURPLUS (DEFICIT) FUNDING BALANCE	(147,291)	(139,218)	(8,074)	(148,906)	(6)	(148,901)	
102,539	CLOSED ACCOUNT BALANCE							
274,635	Opening Balance	254,913	254,913	0	254,913	254,913	0	
(33,333)	Funding Balance (as above)	(147,291)	(139,218)	(8,074)	(148,906)	(6)	(148,901)	
	Reserve Transfers (as above)	0	(82,275)	82,275	(247,073)	(247,073)	0	
343,840	CLOSING SURPLUS (DEFICIT) BALANCE	107,622	33,420	74,201	(141,066)	7,835	(148,901)	

FOR INTERNAL PURPOSES ONLY

Activity Financial Statement For the year to April 2018									
YTD Actual Apr 2017	YTD Actual Apr 2018	YTD Forecast Apr 2018	YTD Variance	Total Forecast 2017/18	Total Budget 2017/18	Total Forecast 2017/18	Total Forecast Variance	YTD % Total Forecast	YTD % Total Forecast
ENVIRONMENTAL INFORMATION									
OPERATING ACTIVITIES									
Operating Income									
2,572,726	2,731,071	2,731,096	273	3,278,365	3,278,367	(2)		83%	
168,703	159,531	155,417	4,514	185,133	185,132	1		86%	
661,159	711,096	653,878	56,329	683,878	776,777	(113,099)		107%	
132,908	136,231	136,218	13	163,478	163,478	0		83%	
3,535,495	3,740,129	3,677,096	63,123	4,290,654	4,403,754	(113,100)		87%	
Operating Expense									
6,500	6,500	6,500	0	8,505	0	(8,505)		100%	
980,417	972,337	1,014,375	42,038	1,264,463	1,264,484	1		77%	
16,129	31,881	41,622	9,641	63,517	47,954	(15,563)		50%	
361,909	302,489	369,289	29,800	567,465	685,724	(118,258)		64%	
285,300	309,482	303,862	(5,600)	548,701	814,948	(266,247)		66%	
0	0	3,330	3,330	10,000	25,210	(15,210)		17%	
1,124,619	1,148,345	1,190,213	42,168	1,476,232	1,476,235	3		76%	
38,113	25,102	23,794	(1,318)	25,931	28,065	(2,134)		97%	
89,022	96,436	99,056	620	118,879	188,245	(69,366)		63%	
2,992,539	3,066,332	3,122,351	116,919	4,081,719	4,330,865	(249,146)		74%	
632,956	733,798	554,655	179,143	298,935	73,880	198,046		351%	
CAPITAL FUNDING									
Source of Capital Funds									
108,691	79,783	160,366	(86,572)	355,740	355,740	(0)		27%	
196,691	79,783	166,355	(86,572)	355,740	355,740	(0)		22%	
Application of Capital Funds									
89,359	140,826	214,915	74,080	400,819	532,875	(131,856)		35%	
74,091	70,189	70,173	(7)	84,216	84,216	0		83%	
163,450	211,005	285,088	74,082	485,035	616,891	(131,856)		44%	
35,241	(131,222)	(118,733)	(12,499)	(125,295)	(261,151)	(131,856)		101%	
89,522	98,436	99,056	(620)	118,879	188,245	(69,366)		63%	
757,718	701,011	634,978	166,034	198,519	(17)	198,536			
CLOSED ACCOUNT BALANCE									
467,421	564,417	564,417	0	564,417	564,417	0			
757,718	701,011	634,978	166,034	198,519	(17)	198,536			
(198,691)	(79,783)	(166,355)	(86,572)	(355,740)	(355,740)	0			
1,046,449	1,185,645	933,040	252,605	407,196	206,660	198,536			

FOR INTERNAL PURPOSES ONLY

Activity Financial Statement
For the year to April 2018

	YTD Actual Apr 2017	YTD Actual Apr 2018	YTD Forecast Apr 2018	YTD Variance	Total Forecast 2017/18	Total Budget 2017/18	Total Forecast Variance	YTD % Total Forecast
RESOURCE CONSENTS								
OPERATING ACTIVITIES								
Operating Income								
General Rates	886,311	948,211	948,211	0	1,197,972	1,197,972	0	83%
Fees & Recoveries	1,358,269	1,160,080	1,160,080	32,186	1,515,093	1,563,154	(48,061)	79%
Share of Investment Income	91,454	93,762	93,762	0	112,525	112,525	0	85%
Total Operating Income	2,336,034	2,202,053	2,202,053	33,981	2,825,590	2,873,651	(48,061)	81%
Operating Expense								
Wage Timelimit Allocation	945,781	1,000,276	1,033,021	32,745	1,286,821	1,286,822	1	79%
General Operating Costs	32,233	4,320	7,905	3,479	16,795	32,715	15,920	26%
Professional Fees	276,433	485,211	470,105	(15,106)	585,897	197,065	(388,832)	83%
Overheads	993,036	1,058,028	1,060,547	32,519	1,356,947	1,356,951	4	76%
Loan Interest	0	(2,276)	(2,466)	(188)	(3,289)	0	3,289	69%
Total Operating Expense	2,247,483	2,545,563	2,599,433	53,880	3,243,262	2,873,653	(369,609)	75%
89,208 SURPLUS (DEFICIT) FROM OPERATIONS	(211,449)	(347,510)	(347,379)	86,174	(417,671)	(2)	(417,669)	83%
89,208 SURPLUS (DEFICIT) FUNDING BALANCE								
CLOSED ACCOUNT BALANCE								
Opening Balance	0	138,034	138,034	0	138,034	138,034	0	
Funding Balance (see above)	89,208	(261,205)	(347,379)	86,174	(417,671)	(2)	(417,669)	
Reserve Transfers (see above)	0	0	0	0	0	0	0	
89,208 CLOSING SURPLUS (DEFICIT) BALANCE	(122,171)	(209,345)	(209,345)	86,174	(278,637)	138,032	(417,669)	

FOR INTERNAL PURPOSES ONLY

Activity Financial Statement
For the year to April 2018

	YTD Actual Apr 2017	YTD Actual Apr 2018	YTD Forecast Apr 2018	YTD Variance	Total Forecast 2017/18	Total Budget 2017/18	Total Forecast Variance	YTD % Total Forecast
COMPLIANCE								
OPERATING ACTIVITIES								
Operating Income								
832,240	920,847	920,803	(136)	(136)	1,105,705	1,105,705	(0)	83%
211,704	217,287	237,881	(20,383)	(20,383)	284,712	284,581	131	78%
47,684	48,876	48,972	5	5	58,652	58,652	(0)	83%
1,091,628	1,187,010	1,207,655	(20,645)	(20,645)	1,449,068	1,448,938	130	82%
Operating Expenses								
466,262	427,408	462,214	34,806	34,806	617,774	617,777	3	69%
10,558	10,181	11,541	1,360	1,360	29,696	29,180	(516)	34%
65,135	99,409	91,248	(8,160)	(8,160)	147,824	147,824	(0)	67%
480,266	459,777	484,965	25,188	25,188	656,570	656,574	4	70%
(1,904)	(947)	(917)	30	30	(1,226)	(2,396)	(1,170)	69%
1,050,698	955,928	1,060,652	104,734	104,734	1,451,103	1,448,949	(2,154)	69%
40,930	191,082	146,984	44,100	44,100	(2,034)	(11)	(2,023)	-9392%
CAPITAL FUNDING								
Source of Capital Funds								
0	7,482	4,990	2,492	2,492	0	0	0	100%
0	7,482	4,990	2,492	2,492	0	0	0	100%
Application of Capital Funds								
0	2,522	0	(2,522)	(2,522)	0	0	0	100%
0	2,522	0	(2,522)	(2,522)	0	0	0	100%
0	4,969	4,990	21	21	0	0	0	100%
40,930	196,043	151,874	44,170	44,170	(2,034)	(11)	(2,023)	
CLOSED ACCOUNT BALANCE								
97,607	51,319	51,319	0	0	51,319	51,319	0	
40,530	196,043	151,874	44,170	44,170	(2,034)	(11)	(2,023)	
0	0	0	0	0	0	0	0	
138,137	247,362	203,193	44,170	44,170	49,285	51,308	(2,023)	

FOR INTERNAL PURPOSES ONLY

Activity Financial Statement
For the year to April 2018

	YTD Actual Apr 2017	YTD Actual Apr 2018	YTD Forecast Apr 2018	YTD Variance	Total Forecast 2017/18	Total Budget 2017/18	Total Forecast Variance	YTD % Total Forecast
REGULATORY SERVICES								
OPERATING ACTIVITIES								
Operating Income								
792,474	565,389	565,334	55	55	670,405	676,406	(1)	84%
925,838	865,891	877,821	(12,130)	(12,130)	969,351	946,797	42,554	87%
71,877	73,675	73,667	7	7	88,410	88,410	0	83%
1,790,190	1,504,756	1,516,823	(12,068)	(12,068)	1,754,197	1,711,613	42,584	88%
Operating Expense								
3,917	4,395	4,395	742	742	6,380	10,210	3,831	57%
384,018	353,803	362,844	29,041	29,041	493,201	493,201	(0)	72%
37,242	21,256	22,776	1,560	1,560	28,488	24,223	(4,275)	74%
93,067	96,996	112,777	15,703	15,703	152,077	143,043	(9,034)	64%
535,306	348,867	600,701	311,835	311,835	825,715	838,898	(13,181)	42%
475,857	444,188	473,221	29,033	29,033	691,653	691,664	(1)	74%
10,845	5,468	4,728	(740)	(740)	4,265	9,347	5,082	12%
103,084	87,115	89,039	1,919	1,919	106,957	138,631	31,774	82%
1,653,476	1,361,303	1,750,465	389,162	389,162	2,218,655	2,259,219	(40,560)	81%
136,713	143,451	(233,643)	377,094	377,094	(464,459)	(547,602)	83,143	-31%
SURPLUS (DEFICIT) FROM OPERATIONS								
CAPITAL FUNDING								
Source of Capital Funds								
6,897	0	0	0	0	0	0	0	100%
32,330	0	23,310	(23,310)	(23,310)	70,000	70,000	0	0%
39,227	0	23,310	(23,310)	(23,310)	70,000	70,000	0	0%
Application of Capital Funds								
19,009	11,868	11,868	0	0	12,964	19,139	6,185	92%
26,764	21,663	21,660	(2)	(2)	25,984	29,314	3,330	83%
34,638	14,679	14,677	(2)	(2)	17,615	17,815	(20)	83%
62,411	48,229	48,225	(4)	(4)	56,563	66,268	9,705	85%
(23,184)	(48,229)	(24,915)	(23,314)	(23,314)	13,437	3,932	9,505	-359%
103,084	87,115	89,039	(1,919)	(1,919)	106,957	137,667	(30,630)	82%
216,614	182,341	(105,379)	351,081	351,081	(344,165)	(405,983)	61,818	
CLOSED ACCOUNT BALANCE								
418,763	523,822	523,822	0	0	523,822	523,822	0	
216,614	182,341	(189,519)	351,261	351,261	(344,165)	(405,983)	61,818	
(17,683)	14,679	(8,033)	(23,312)	(23,312)	(82,386)	(82,386)	0	
617,704	720,842	345,670	375,173	375,173	127,272	65,454	61,818	

FOR INTERNAL PURPOSES ONLY

Attachment 2

Overhead Expenditure Statement
For the year to April 2018

YTD Actual Apr 2017	ENVIRONMENT & PLANNING	YTD Actual Apr 2018	YTD Forecast Apr 2018	YTD Variance	Total Forecast 2017/18	Total Budget 2017/18	Total Forecast Variance	YTD % Total Forecast
OVERHEAD EXPENSES								
6,226,203	Wage Related Expenses	6,511,276	6,624,670	113,397	8,035,395	8,035,396	1	81%
705,166	Maintenance	113,806	118,864	5,078	174,100	174,101	1	65%
385,505	General Operating Costs	364,654	363,308	(1,085)	442,925	434,725	(8,200)	82%
19,698	Professional Fees	42,896	52,433	9,537	66,538	26,650	(39,888)	64%
262,892	Employee Benefits	266,625	263,306	(3,319)	342,065	342,065	(0)	94%
70,093	Employment Related Expenses	40,140	56,865	16,726	83,295	77,465	(5,830)	48%
1,033,157	Overheads	1,307,196	1,307,372	175	1,592,637	1,592,636	(1)	83%
411	Financial Expenses	0	0	0	908	906	(2)	0%
163,972	Depreciation	178,810	178,390	(421)	214,089	230,256	24,169	64%
8,254,197	TOTAL OVERHEAD EXPENSES	8,865,405	8,999,488	134,083	10,951,948	10,922,202	(29,746)	81%
107,741	Capex Additions	156,901	159,691	700	204,064	247,568	43,504	70%
8,361,938	TOTAL OVERHEAD EXPENDITURE	9,024,307	9,159,149	134,783	11,156,012	11,169,790	13,778	81%
OTHER ITEMS								
(7,994,809)	Overhead Recoveries	(8,247,716)	(8,433,266)	(245,023)	(10,083,943)	(10,683,941)	2	77%
(128,268)	Income	(160,563)	(164,717)	(116,152)	(246,380)	(247,568)	792	69%
238,862	OVERHEAD ACCOUNT BALANCE	606,028	481,634	(126,992)	223,690	236,261	14,571	272%

FOR INTERNAL PURPOSES ONLY

Action Sheet - Environment & Planning Committee

Meeting Date:	Minute/Action	Minute or CSR or Email request	Accountable Officer	Status
1 November 2012	REP12-11-06 NPS on Renewable Electricity Generation	Requests staff to identify opportunities to amend the TRMP to improve the process for installing mini and micro hydro and photovoltaic energy systems	Lisa McGlinchey	No action yet. Programmed for later 2018 as part of RPS/plan review
8 February 2018	EPC18-02-03	Staff report back on primary contact sites within urban areas including Templemore Pond in Richmond.	Trevor James/Lisa McGlinchey	Work to commence
3 May 2018		Staff to provide an update on the progress of the wetland project.	Rob Smith/Trevor James	Still to action. T James on extended leave
		Staff were asked to investigate an alternative freedom camping site to the Motueka Quay area.	Adrian Humphries	Covered this agenda
		Golden Bay Community Board has requested that EPC amend the TRMP to permit rock revetments in the coastal marine area where required to protect private property.	Dennis Bush-King/Barry Johnson	To be covered in workshop following today's EPC meeting

9.6 ENVIRONMENT AND PLANNING COMMITTEE CHAIR'S REPORT

Information Only - No Decision Required

Report To: Environment and Planning Committee
Meeting Date: 14 June 2018
Report Author: Tim King, Environment & Planning Committee Chair
Report Number: REP18-06-08

1 Summary

1.1 A verbal report will be given at the meeting.

2 Draft Resolution

That the Environment and Planning Committee

1. receives the Environment and Planning Committee Chair's Report REP18-06-08 report

3 Attachments

Nil

10 CONFIDENTIAL SESSION

10.1 Procedural motion to exclude the public

The following motion is submitted for consideration:

THAT the public be excluded from the following part(s) of the proceedings of this meeting. The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution follows.

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

10.1 Manager's Report Addendum - Legal Proceedings

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 6 and 7.	s6(a) - The making available of the information would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences and the right to a fair trial. s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege.	s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 6 and 7.

10.2 Proposed Change 67: Waimea water management technical amendments

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	48(i)(d) - To deliberate in private in a procedure where a right of appeal lies to a Court against the final decision.	s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.

10.3 Plan Change 68 and Plan Change 60 Variations 1 & 2: Approval to Notify

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution

<p>The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.</p>	<p>48(i)(d) - To deliberate in private in a procedure where a right of appeal lies to a Court against the final decision.</p>	<p>s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.</p>
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