



## STAFF REPORT

**TO:** Environment & Planning Subcommittee

**FROM:** D C Bush-King, Environment & Planning Manager

**REFERENCE:** S611

**SUBJECT:** **MANAGER'S REPORT– REPORT EP06/08/02** - Report Prepared for 2 August 2006 Meeting

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### 1. LEGAL PROCEEDINGS

Since our last meeting in May two appeals have been lodged in respect of consent decisions:

- Tasman District Council – subdivision at Pakawau
- G and C Petry – subdivision at Pakawau.

Annex 1 gives a status report on current consent appeals.

We also received one appeal in respect of an abatement notice lodged in respect of noise from kennelled dogs in Trass Valley. An application for an Enforcement Order was also lodged in relation to continuing effluent management problems on a farm in the Matakītaki Valley.

A final decision from the Environment Court on the SMW declaration proceedings was received confirming we are required to receive (but do not have to process) marine farming applications in Golden Bay. That decision was appealed by iwi and a High Court hearing, in conjunction with further declaration proceedings from Golden Bar marine farm Consortium is scheduled for November.

### 2. GUIDELINE ON NEW ON-SITE WATEWATER SYSTEMS

Staff recently held a successful meeting/workshop with industry representatives on our requirements for on-site wastewater servicing. When a new house is being built or where an existing house is being altered or extended, the assessment of the design of on-site wastewater treatment and disposal system is undertaken as part of the building consent process and, in some cases, as part of a resource consent process.

Currently there are a large number of designers who design such systems within Tasman District and they tend to base their designs on a combination of the joint Australian-New Zealand Standard (AS/NZ 1547:2000), the Auckland Regional Council's Technical Publication #58 (known as 'TP58'), and Marlborough District Council's Guidelines for New On-site Wastewater Management Systems (a number of designers working in Tasman also do work in Marlborough). These three documents present a variety of design solutions for specific site conditions and constraints but there are also some inconsistencies between the documents. Further, the Tasman Resource Management Plan (TRMP) has certain requirements

in respect of on-site wastewater treatment and disposal which differ from these three documents. This has resulted in some confusion amongst local designers as to what the Council's 'requirements' are in respect of on-site wastewater management.

At the recent workshop the idea was floated that a set of local guidelines be developed that would put everybody on a 'level playing field' in terms of expectations and design requirements. Council staff agree that development of a set of guidelines for Tasman District is an excellent concept. The guidelines would pull together relevant parts of AS/NZ 1547:2000, TP58, and the Marlborough Guidelines. Council staff have already approached Marlborough District Council and they have agreed to supply TDC with an electronic version of their guidelines which can be used as a starting point for our own guidelines.

### **3. BIOSECURTY UPDATE**

We still await the Government's decision on what it will do in respect of the varroa incursion in Nelson. Annex 2 provides some information from Lindsay Vaughan following a recent workshop on the control of *didymo* which has been found in the Buller and Gowan Rivers.

### **4. DELEGATIONS**

The current delegation register does not provide for signing off notices of requirement where no hearing is required. Currently only the Committee can consider and decide what to do in respect of such a matter. We have recently notified a notice of requirement from Network Tasman for a substation. Three objections were received but are capable of resolution so no hearing will be required. It is recommended that a staff delegation be agreed to to allow a recommendation to be made in respect of a notice of requirement under section 171 when no hearing is required, subject to consultation with the Chair of the Environment & Planning Subcommittee.

#### **Recommendation**

**It is recommended that Environment & Planning Subcommittee agree to delegate its power under section 171 of the Resource Management Act 1991 to decide on a notice of requirement which does not require a hearing and provided there is a favourable staff recommendation to:**

- **The Environment & Planning Manager**
- **Manager Consents**
- **Co-Ordinator Resource Consents**

### **5. POPULATION PROJECTIONS**

Annex 3 contains the latest population projections for Tasman District in graphic form. They are not based on the 2006 census results but rather on other indicators. The trends are not unexpected – an aging population, a reducing average household size, a relative paucity of 20-29 year olds, and a declining growth rate.

## 6. ECOFEST – 12 and 13 AUGUST

Ecofest preparations are well in hand with the event being held 12-13 August in the Trafalgar Centre. Claire Webster and helpers have put together another full programme. Since we started in 2001, Ecofest has become established as one of the biggest showcases for environmentally friendly products, services and messages in New Zealand. We strive to:

- To make it easier being green for everyone
- To not only highlight environmental issues, but also offer easy everyday actions and solutions.
- To highlight positive environmental actions by individuals, businesses and communities.
- To encourage others to follow positive environmental examples.
- To provide an alternative to rules and regulations for environmental care

## 7. ENVIROLINK GRANTS

Council has been successful in leveraging money allocated by the Foundation for Research Science and Technology to the Envirolink scheme. As one of nine trial councils we have been granted access to a pool of central government money to access expert scientific advice that they would not normally be able to.

To date we have had sixteen projects approved from the small advice grants fund (<\$5,000) which is all those we have made application for (table 1). Eight of these have been completed, the other eight projects are still underway. This has brought in the equivalent of an extra \$80,000 in science money for which the council has only had to supply staff time for the employee involved and some administration time. This source of funding has been of great benefit as these projects are supplying advice, workshops, reports and website tools to us for which we did not have the budget to develop and would therefore not have been undertaken without access to the fund. These projects have been of use to both the E&P and Engineering departments so far and the outcome of some of those projects still to be completed will be of assistance to the Community Services department also.

Table 1. Projects confirmed within the Envirolink small grants scheme.

14/12/2005	TSDC1	NIWA	Coastal	Coastal hazard assessment	report	
7/02/2006	TSDC10	Landcare Research	Terrestrial biodiversity	Pest plants	workshop and strategy review	Completed
10/02/2006	TSDC11	Landcare Research	Terrestrial biodiversity	Ant web sources	web based tool update	Completed
10/02/2006	TSDC12	Landcare Research	Terrestrial biodiversity	Ant identification services	advice	Completed
16/03/2006	TSDC13	Cawthron	Freshwater biodiversity	Instream flow management	report and site visit	

7/04/2006	TSDC14	NIWA	Marine	Integrated marine monitoring Golden Bay possible monitoring approaches	Community and TDC staff meetings	Completed
30/05/2006	TSDC15	Cawthron	Freshwater	Identifying sources of pollutants	report and site visits	
30/05/2006	TSDC16	Cawthron	Freshwater	Enhanced freshwater database	database upgrade	
15/12/2005	TSDC2	NIWA	Freshwater	River Environment Classification, Marine Environment Classification, and Freshwater Environments of NZ classification tools	workshop	Completed
15/12/2005	TSDC3	NIWA	Coastal	Response options to shoreline change	report	
15/12/2005	TSDC4	NIWA	Freshwater	LIDAR training for river morphology	workshop	Completed
15/12/2005	TSDC5	NIWA	Marine	Trawling effects in Tasman CMA	report	Completed
15/12/2005	TSDC6	Landcare Research	Freshwater	Riverbed stability monitoring and review of the x-section output	report	
15/12/2005	TSDC7	NIWA	Coastal	Sea level rise and possible impacts on coastal settlements	report	
15/12/2005	TSDC9	NIWA	Freshwater biodiversity	Biodiversity significance criteria and advice on wetland development	2 workshops and site visit	completed
17/07/2006	TSDC17	Victoria University, Wellington	Coastal	Farewell Spit sea level impacts	MSc thesis and report back	

## 8. SPECIAL MEETING

A special EPC meeting has been scheduled to address three reports on the Upper Motueka water resource investigations on 28 August. There will also be a public meeting held in Tapawera that same evening.

## 9. DEPARTMENTAL PROGRESS REPORT AND FINANCIAL STATEMENT

We are still in the process of completing the annual accounts and report on projects for the 2005/2006 financial year. They will likely go to Council before our next committee meeting but I will circulate a draft to members when available.

## 10. RECOMMENDATION

**It is recommended that this report be received.**

D C Bush-King  
**Environment and Planning Manager**

This is a list of the consent appeals and their status at this point in time.

**25 July 2006**

1. **Challenger NN980249 and NN980223 , RMA707/99 and 706/99**  
(One of these is Tasman Mussels and one is Golden Bay Mussels)  
  
Still to be settled
2. **H Wallace and R Cosslett (Living Light Candles) RM 010147 RMA913/01**  
  
Adjourned for further pre-hearing conference to give time to explore options for settling the dispute concerning Tukurua site.
3. **Thomas Bros Ltd V Tasman District Council RM 040946, ENVC 0143/05**  
  
Amended plans were submitted and agreed in principle as a way of resolving the appeal. Consent memorandum being drafted by applicant.
4. **Newth, Griffith and Carver V Tasman District Council RM 040950 (Applicant B and A Hardie) ENV C 0215/05**  
  
Mediation held on 29 May and a settlement reached for one less lot. Consent memorandum being drafted by applicant.
5. **J and J Taylor (RM 050188-Parker Family Trust, applicant)**
- 5A. **Parker Family Trust V Tasman District Council RM 050188 ENV C 0222/05**  
  
First round of mediation held on 9 February, more time may be needed to resolve roading matter.
6. **BE and MC Halstead Family Trust V Tasman District Council RM 050490 ENV C 0272/05**  
  
Rural 2 subdivision declined - appealed by applicant. Timetable has been cancelled as appeal not properly served on submitters. Amended plan to be subject to mediation.
7. **Carter Holt Harvey Forests Ltd V Tasman District Council RM 050281 ENV C 0283/05**  
  
Progress made through mediation. Only one matter relating to lighting still outstanding and this is being discussed further.
8. **Stephen Tate (Marahau Valley Farm Community) V Tasman District Council RM 040763 ENV C 0012/06**  
  
Appeal against Council decision to decline consent for 6 additional "residential situations" by applicant. Evidence received. Council's and Hollingworth evidence to be served by 30 June. Rebuttal evidence to be exchanged by 14 July. Appeal now in the name of Marahau Valley Farm Community Incorporated.

**9. Farley and Rutherford V Tasman District Council RM 040996 ENV C 0017/06**

Mediation held on 7 June and agreement reached between the parties. Consent order signed by all parties and has been served on the Court.

**10. CBH V Tasman District Council RM 050727**

Appeal against a condition of the discharge consent by applicant. Consent memorandum done but now a variation is being processed by staff which involves a slightly different system which is expected to provide a better outcome.

**11. Tasman District Council V Tasman District Council RM 041003 and RM 060112**

Appeal against decision on subdivision and land use consent application at Pakawau. Hearing and decision by Commissioner B Dwyer.

**12. G and C Petry V Tasman District Council RM 040782 and RM 060092**

Appeal against decision on subdivision and land use consent application at Pakawau. Hearing and decision by Commissioner B Dwyer.

## **Didymo Science Workshop – Wellington – Summary of Findings**

This workshop was organised by Biosecurity NZ to allow stakeholders to get preliminary information on the research that Biosecurity NZ has funded. These papers have not been peer reviewed and should be treated as confidential until officially released.

These bullet points summarise the highlights. They are my interpretation of the implications of the papers and subsequent discussion.

### **Cathy Kilroy (NIWA) – Assessment of field monitoring methods for Didymo**

Trials were undertaken in two recently-infested rivers at the infestation sites and up to 20 km downstream. The study compared four methods - benthic sampling off rocks, more intensive sampling, the use of artificial substrates, and filtration of water samples using nets.

- Plankton nets provided the best results.
- Huge quantities of cells can be generated at an early stage and carried downstream for substantial distances.

### **Craig Cary (Waikato Uni.) – Detection study**

No paper provided. This involved genomic studies of Didymo and the background work needed to set up a system where Didymo could be detected in water samples at very low levels and this could be done very quickly and cheaply if large numbers of samples were involved.

- It also provided a family tree for Didymo and other closely-related diatoms.
- It uses methodology that will become increasingly important for monitoring for fresh-water (and presumably marine) pests.

### **Ecology of Didymo in NZ rivers – Scott Larned et al (NIWA), Carolyn Burns et al (Otago Uni.)**

Studies on a couple of Southland rivers (Oreti and Mararoa) found that:

- High-velocity floods reduce the biomass of Didymo (removing it from rocks); low velocity floods may have little or no effect.
- Animals can move it upstream and into tributaries (stock fencing to reduce risk of spread upstream)
- Trials with enriched substrate (N, P, both) in different rivers at 8 sites produced variable results with positive responses for N(2) and P (3) but (surprisingly) not for N&P combined. Enrichment of low-nutrient streams would increase Didymo biomass.

- Groundwater appeared to inhibit Didymo growth causing dense mats to disintegrate after 50 days. This didn't appear to be due to the physical water chemistry - assessment of the different elements and of nitrates in the groundwater showed very low levels of those tested.
- Areas below dense beds of Didymo in slow-flowing rivers showed a substantial drop in the levels of dissolved oxygen around midday, sufficient to have some impact on fish.
- The levels of Didymo biomass were much higher than the total aquatic biomass predicted by MfE, exceeding the guidelines (35g/m<sup>2</sup>) by factors of 3 -4.
- This study showed that Didymo appeared to have no consistent effect on the biomass of macro invertebrates.

### **Marc Schallenberg (Otago Uni.), Scott Lamed and Don Jellyman (NIWA) – Didymo and native invertebrate interactions**

- Tree groups of native invertebrates readily graze on Didymo – Mayflies (stalks), snails (cells) and caddis fly larvae (both cells and stalks) – and may control Didymo where growth conditions are sub-optimal.
- Didymo appears to stimulate invertebrate productivity and should fuel native fish production, although the Didymo mass may provide them with a refuge from predation by native fish.
- There were no negative impacts from heavy Didymo infestation on any invertebrate taxa.

### **Trout impacts study – John Hayes (Cawthron)**

- Drift diving studies on the Mararoa River indicates that, as yet, Didymo has not had any effect on trout abundance, but there are many factors that can affect trout abundance.
- Trout growth (and hence size) can be limited by the size and abundance of both invertebrates and (native) fish.

### **Survival studies – Cathy Kilroy et al**

This study looked at Didymo survival in water under a variety of regimes (light, temperature, pH, salinity) and the effectiveness of different ingredients found in detergents.

- It survived for about 10 days in dark conditions and for 60 days under low light conditions at water at temps of 12 – 20 degrees. Similar results were achieved under damp conditions for dark and low light conditions, and up to 40 days for medium and high light conditions at 12 – 30 degrees.



- Death occurred quickly (< 2 hrs) when temperatures dropped below zero, and within 20 mins in temperatures of 40 deg C.
- Under very acidic (ph 1) and alkaline conditions (pH 11), death occurred within 4 – 10 hrs, but it tolerated pH of 4 – 9.5.
- It was tolerant of brackish seawater (up to 10%) and survived for up to 5 days in 50% seawater, but 100% seawater caused death within 1 day.
- Some chemicals were much more effective than others. They support Biosecurity NZ's early recommendations on cleaning.

### **Barry Briggs et al (NIWA) – Control Strategies**

No paper provided. These trials used two approaches – one aimed at the polysaccharide stalks (which make up most of the biomass), the other aimed at the live cells. Some promising results were achieved with some enzymes for the stalks and further trials are underway in association with Michigan State Uni. A number of biocides were trialed and the four most promising underwent further testing. The most effective were Cu (as a chelate rather than in copper sulphate) and a product called Organic Interceptor which has a pine oil base. Further trials are continuing but it will be difficult to find something that will not affect other aquatic organisms.

Lindsay Vaughan  
21 July 2006