



STAFF REPORT

TO: Environment & Planning Committee

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

REFERENCE: S611

SUBJECT: **MANAGER'S REPORT– REPORT EP08/04/10** - Report Prepared for 24 April Meeting

1. TOP OF THE SOUTH MARINE BIOSECURITY STRATEGY

Organisations responsible for different aspects of marine biosecurity in the top of the South Island have come together to develop an agreed strategy to improve marine biosecurity management in the area from Kahurangi Point to White Cliffs, south of Blenheim, on the East Coast.

Recent experiences with invasive organisms in the area and difficulties in generating effective responses have highlighted the need for urgent action on achieving better coordination amongst responsible agencies and more effective processes for involving those affected. Marine biosecurity management is in our view a central government responsibility but regional councils, who have general biosecurity responsibilities are looked to to provide assistance. As such roles and responsibilities are far from clear but there is an on-going local government interest in ensuring marine pests do not affect our environment and economy. While Government has processes in place to clarify responsibilities, the issues are complex and will not be resolved immediately. Biosecurity New Zealand has therefore responded to a request from agencies located in the top of the South Island to coordinate development of a strategy for more effective action over the next ten years.

A working group has been formed comprising representatives of:

- The three regional councils – Tasman District Council, Nelson City Council and Marlborough District Council
- The Nelson and Marlborough port companies
- Central government agencies – Biosecurity NZ, Ministry of Fisheries and Department of Conservation
- The NZ Marine Farming Association.

The group is exploring ways of involving local iwi in the process and invitations have been extended for iwi representation on the Working Group. Clearly, there are far more stakeholders with an interest in the health of the marine ecosystem than are currently represented in the process and the working group is considering how best to reach all those that will want to be involved. Our input at this stage is confined to staff time and advice.

The working group wants to move quickly to rectify obvious problems and to develop some high level proposals before wider public consultation. To this end, a broad strategy will be drafted by 30 June 2008 to direct further work and seek agreement from decision makers on time frames and resourcing. The strategy will be presented in non-technical language to provide a base for wider public discussion. It will be supported by a technical review of the current marine biosecurity situation in the top of the South by the National Institute of Water and Atmospheric Research. A local consultancy, The Lawless Edge Ltd, has been engaged by Biosecurity NZ to support the work, and provide drafting services for the strategy.

2. NATIONAL POLICY STATEMENT ON ELECTRICITY TRANSMISSION

The Minister for the Environment has released the second ever national policy Statement under the Resource Management Act which focuses on electricity transmission. A copy will be available at the meeting but is viewable on the Ministry website. The Board of Enquiry did specifically refer to our submission about the vagueness of the draft and did recommend a number of changes which the Minister accepted. However, now that we must give effect to an NPS, there are several policies which will pose a challenge to us and other local authorities. Policies 9, 11, 12, and 14 will require changes to the TRMP although the NPS does not say when. Policy 11 in particular seems to be transferring a responsibility to “local authorities”¹ to identify “buffer corridors” within which it can be expected “sensitive activities”, defined to include schools, residential buildings and hospitals, will not generally be provided for. It is my hope that the Ministry will clarify its expectations as to implementation of the NPS.

3. AQUACULTURE – RELIMINARY DECISION ON INTERIM AMAS

Attached as Appendix 1 is the submission made in respect of the Ministry of Fisheries preliminary decision on Tasman’s interim AMAs which we reported on last meeting.

4. DRAFT NZ COASTAL POLICY STATEMENT

The Minister of Conservation has released a revised New Zealand Coastal Policy Statement (NZCPS) for public comment until 7 May 2008. The NZCPS plays an important part in the coastal planning framework in setting out national priorities for the coast. Since the last NZCPS was released the law has been changed and we now have to give effect to a national policy statement. Read in this light, the draft contains a number of policies which have significant cost implications for local government and in particular those councils with significant coastal issues like Tasman. A draft submission will be circulated prior to the meeting. We have invited a representative from Doc to give a brief presentation at the meeting.

¹ Fortunately for TDC as a unitary authority it matters little, but there will be some confusion about what regional councils will do and what territorial authorities will have to do.

5. SOLAR WATER HEATING FEES

The Golden Bay Community Board and some individuals have written urging Council to drop the consent fee required for solar water heating units. Nelson City Council and some other councils have done this. Tasman has for several years offered a discounted fee which is now \$205.00 to recognise that as a proportion of the cost of the work the fee can be larger than other building work. We do the same for log burners. We have absorbed the extra costs into our overall operating costs but it means that other building applicants cover the approximate \$200.00 per application. So someone has to pay. A total waiver would simply transfer an increased proportion to other applicants.

Council direction is sought on how to reply to the Board and others. It is my view that if Government see this as a matter of national importance then perhaps it should pay or change the law to exempt these installations from requiring Council approval. The current subsidy scheme for solar water heating does not seem to have had much uptake, purportedly because of the 'red tape' surrounding the application process so there might be some funding to spare!

6. THOMA APPEAL

Steve Markham will provide a verbal briefing on the decision of the Environment Court on the Thoma appeal concerning the rural 1 zone. A report on options for making the land part of the TRMP will be scheduled for the May EPC meeting.

7. LEGAL PROCEEDINGS

One appeal by Friends of Mapua Wetland Inc. has been received since last meeting against the Council's decision on the Aranui Road Trust subdivision in Mapua.

8. TORRENT BAY

The Mayor and others recently visited Torrent Bay and concerns about erosion of the beach were raised. Eric Verstappen will be present to speak to this matter. A paper will be circulated in advance of the meeting.

9. DEPARTMENTAL ACCOUNTS SUMMARY

Attached as Appendix 2 is a summary of the departmental accounts to the end of February 2008. Overall the position at 67 percent of the financial year there is an overspend of \$144,391 but our income is up \$211,938. Projecting forward we may return a deficit unless remedial measures are introduced. The overspend has arisen because of additional costs associated with Building Act accreditation including additional staff and contract costs, over-budgeted expenditure in legal costs in relation to the TRMP, aquaculture proceedings, water permit issues and building dispute resolution, and extra consultancy charges for subdivision compliance work. Some extra consent effort has been recovered through charges contributing to the over recovery. However we are about \$20,000 down on annual charges income, about \$50,000 behind in gravel royalties, and have yet to lodge a claim for about \$23,000 for biodiversity funding.

RECOMMENDATION

It is recommended that this report be received.



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