

STAFF REPORT

TO: Environment & Planning Committee

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

REFERENCE: S611

SUBJECT: **MANAGER'S REPORT- REPORT EP09/06/07** - Report Prepared for Meeting of 16 June 2009

1. RISKPOOL ADVICE

We have received advice from our insurers Riskpool that as at 1 July 2009 Council will no longer be covered for weather tightness claims. Currently we have an excess of \$50,000 but the insurer has now decided not to cover future claims. This change applies to all scheme members. Any current historical claim will be covered under the terms of the policy relevant when advice was first received. We currently have been advised of four claims lodged with the Weathertight Homes Resolution Service. I do not seek any further contingency in light of this move as our current plan processing and inspection procedures are designed to minimise Council exposure. Staff will monitor the situation.

2. WATER RESOURCES UPDATE

Motueka/Riwaka Plains

Following recommendations associated with the updated river/groundwater modelling data used in the Motueka plan change for allocation, five further groundwater monitoring sites have been installed on the Motueka/Riwaka Plains. Four of the bores are monitored for water levels and one near the coast for both water level and salinity. Three of the five bores were existing unused bores and two were new drilled bores. These bores now provide good coverage of the Motueka/Riwaka Plains and will enable better understanding and review of the issues.

Waimea Plains

Staff have been helping investigate new sites for water supply bores in the Wai-iti Valley. Numerous monitoring bores have been drilled over the summer and two production bores have been completed near Spring Grove and have been flow tested. A technical report is being prepared for the Engineering Department on this.

Upper Motueka

Council is a key partner in the ICM project involving Landcare Research and Geological and Nuclear Sciences in developing the river/groundwater model for the area covering the Tapawera Plains and the lower Motupiko and Upper Motueka River areas. A model has been completed and calibrated. Staff have just finished updating the latest irrigation layers from the area and a series of simulations are to be run looking at various water extraction scenarios. This work is to be reported to the Council in the later part of the 2009/2010 year.

3. SOIL MAPPING UPDATE

Council has been undertaking a comprehensive soil mapping project in Golden Bay over recent years. With the mapping of the soils largely completed, Council staff (Andrew Burton and Glenn Stevens) have recently been assisting Dr Iain Campbell in the collection of detailed soil descriptions, including soil samples for subsequent chemical and physical analyses, from the Kotinga, Hamama, East Takaka and Puramahoi areas. These detailed descriptions will become part of the completed map series that will enable Council and land owners to better use and protect these valuable and versatile soils.

4. POTABLE WATER SUPPLY FOR DWELLINGS

Last meeting Councillors asked for a review of the requirement to have applicants for new dwellings demonstrate that they have access to a potable supply of water. In reticulated areas this is not an issue but in some rural areas in the district owners might be put to extra cost.

An amendment to the Health Act 1956 became effective on 1 July 2008 which clarified the requirement for new, or altered, houses to have potable water supplies, "Potable" water is defined in the Act but it essentially means that even private supplies are not to contain or exhibit any features that "to any extent" exceeds the maximum acceptable values (other than aesthetic guideline values) specified in the drinking-water standards. The Building Act has always required water of a potable standard for a dwelling, but previously "potable" was not defined and consequently interpreted in a variety of different ways. The Health Act amendment now links in to the Building Code and the Building Act.

The drinking water standards set a zero tolerance for faecal contamination in potable water. There are well proven and accepted public health principles that support the notion that drinking untreated water that contains faecal contamination poses a significant risk to health.

In practice, water taken from a bore or well may easily comply with that zero tolerance for faecal contamination. The many private bores that are operated in the Motueka area and Waimea Plains provide examples of bore water generally considered to be uncontaminated by bacteria. Existing council data is generally able to identify those areas where good quality ground water can be found.

Two types of water supply are guaranteed to be contaminated with faecal contamination from time to time. They are supplies taking water from any surface catchment (creek, stream, pond or river) and roof catchment supplies. There may also be bore or well supplies that take from an area where the water quality is unknown.


The requirement to have an adequate and convenient supply of water that is potable is now to be interpreted as imposing an obligation to treat that water to remove any faecal contamination. To this end staff have developed a process where it is only those supplies that would require treatment, that would have to demonstrate this in their building consent applications. Based on consents processed this year, the demand for this work is not expected to be high.



A variety of responses has been reported from Councils that replied to a request for information on this issue. Details of how councils said they are administering this rule are:

- South Taranaki DC: action determined on result of water test;
- Hauraki DC: requires lab results confirming water quality;
- South Wairarapa DC: bacto test for rain water and bacto and chemical checks for bore water. Proof of potable water before building sign-off;
- Wairoa DC: Filters and disinfection for new and extensively altered dwellings for roof or other suspect water supplies.

The cost implications for providing a small water treatment system are not great either in terms of initial outlay or ongoing maintenance particularly when compared with the risk reduction achieved. The most basic and easily managed treatment system involves a series of filters to remove the “lumps” and produce clear water, followed by ultra violet (UV) irradiation generated by a UV lamp. The UV light exposure kills the small micro organisms that may remain, effectively sterilizing the water, but leaving no residue or chemical taint. There are a large number of suppliers of these filtration and UV treatment systems and they are available as a ready to install package. Cost is determined by, among other things, the initial water quality and consequent degree to which pre-filtration is required as well as the desired flow rate. Basic systems start at about \$800 but a reasonable quality system can be obtained for about \$1200.

Examples from two New Zealand suppliers found in a very quick search of the internet were:

Whole House Filtration <i>UV Sterilization With One Filter</i>	
Cost Effective Rural UV Water Purification System Kill: Bacteria - Viruses - Micro Organisms Remove or Reduce: Coarse Material - Dirt - Sediment Bad Taste & Odour Chemicals Chloroforms Rust Algae Giardia & Cryptosporidium Cysts	

DIY and Installed Prices	
1 x Big White 10" Jumbo Housing	\$219.00
Duel Gradient Cartridge	\$69.00
Complete UV Water Filter System 25LPM from Aqua Dynamics. The most efficient and safe way to treat water containing Faecal Coli-forms is with Ultra Violet disinfection. Download product data sheet: UV250 UV Water Filter System Download information sheet: Ultra Violet Sterilisation	
UV Prefilter Set :	Available Options: 10" Regular
	
Sterilight S12Q-PA UV Sterilizer	\$1035.00

Such systems would be an “acceptable solution” for building consent compliance for treating water of dubious bacteriological quality. On-going costs for filter and UV light replacement and electricity consumption would be typically a few hundreds of dollars per year.

To continue to achieve the required standards with Council’s accreditation under the Building Act, building consents can only be granted where the Council, on reasonable grounds, is satisfied water is potable. Using filtration and UV treatment of water if the intended water supply for a proposed dwelling contains, or is likely to contain faecal contamination, is an acceptable solution.

5. DOG REGISTRATION

Dog owners have until 31 July to register their dogs. Annual reminder notices have been sent out and a steady stream of enquiries have been responded to. The charge for those dog owners living on properties less than 1 hectare in the rural area has again been an issue. While the distinction may be arbitrary it does avoid the significant extra costs that would be associated if we had to differentiate on the basis of working dogs and pet dogs and all the attendant debates that would follow. I am happy that even with the recent increase to \$44.00 for an urban dog, our fees are still in the lower quartile reflecting good value for money.¹

Work has also started on the new dog pound should Councillors wish to drive pass the Beach Rd site.

6. AGRICHEMICAL COLLECTION

In August 2008 we discussed details regarding a proposed unwanted agrichemicals collection including a proposal to charge beneficiaries a proportion of the costs at \$9.00/kg for on-farm pickup. It is gratifying to be in a position where we can reduce this to \$7.00/kg and still stay within the proposed budget because of the way the contract has been set up this year.

¹ Nelson City fees are \$80.50 [standard], \$63.50 [good dog owner - special conditions apply], \$46.50 [rural dog]. Marlborough District fees are \$72 [non working] or a fee varying from \$20 - \$48 with differing conditions for working dogs and some other dog categories.

7. ENVIRONMENTAL EDUCATION INITIATIVES

Following the success of the recent Earth Hour Ecobulb giveaway (where TDC gave away over 6000), we have again been approached by Energymad, who in conjunction with the Energy Commission, are finding ways to encourage community uptake of energy saving bulbs and thereby reducing power usage. They put a proposal to TDC (and other participating Councils) by which we promote a scheme to our residents. We have decided to communicate directly to Tasman residents thru Newsline, to explain and present the opportunity. Under the scheme residents who cut a coupon from Newsline will be able to purchase five Incandescent Ecobulbs for \$10 (retail is around \$6 each) and receive a Halogen bulb for free (normal cost \$20). They have estimated that with a 20% uptake in Tasman, savings of \$2.9 million can be saved in the region. Cost to the Council will be minimal. We are looking toward the launch in the August 14 issue of Newsline. The funding to support this scheme will run out at the end of September. All bulbs will be sold and distributed thru New World and Pak n Save supermarkets.

As part of the recently released Budget 2009, the Government has announced a new insulation and clean heating programme that ...' will give more New Zealanders than ever before the opportunity to make their home warmer, drier and more energy efficient'. The new scheme starts on 1 July 2009, and aims to retrofit more than 180,000 homes over the next four years. It will be run by the Energy Efficiency and Conservation Authority (EECA), and will replace all existing EECA home insulation programmes. Issues around the low and slow uptake of previous programmes have been the tight and focused criteria, and poor promotion, leading to confusion and delays. Previous Government funding for insulation and clean heating was targeted at low and middle income households only, whereas this fund is available to New Zealanders on any income. Funding of up to \$1800 is available to each household. We can promote and disseminate information about the scheme through various channels.

8. MINISTRY FOR THE ENVIRONMENT BIENNIAL SURVEY

This survey is to be released on 11 June and I will report on this at the meeting as it affects Tasman District.

9. WATER MANAGEMENT REFORMS

The Government announced recently its new strategy *New Start for Fresh Water*. It outlines the Government's new direction for water management in New Zealand. The current process appears to be another high level review based on the following premises:

- Sound water management is essential to provide for New Zealand's economic development and growth, and to maintain social and cultural values.
- In some parts of New Zealand, water resource limits are being approached, which is seen in deteriorating water quality, water demand outstripping supply, and constrained economic opportunities.
- The right balance needs to be found between the different interests and values in water, as not all values and expectations can be met in all places at all times.

- Some other contributing issues that need to be addressed are the interests of Māori in New Zealand's fresh water
- Many New Zealanders don't understand the limits of water resources – information about how much water we use is poor, and there is limited institutional capacity and expertise needed for sound water management.

The Government also aims to:

- ensure that water contributes to New Zealand's economic growth and environmental integrity
- provide stronger central government direction and leadership
- set some resource limits to shape the actions taken on managing water quality and allocation
- develop an allocation regime that provides for ecological and public purposes (including Treaty considerations), and then maximises the return from the remaining water available for consumptive use
- identify the contribution water infrastructure (including storage) could make to improve water use, and address the barriers to achieving this
- address some of the scientific, technical, information and capability gaps that hold back improved management
- establish supplementary measures to address the impacts of land use intensification on water quality, and manage urban and rural demand
- maintain Treaty-based engagement with Māori on water management options.

In parallel with the work of Government officials, the Government has appointed a "stakeholder-led collaborative process under the Land and Water Forum" designed "to develop a shared understanding of the issues and big picture outcomes wanted for New Zealand, and options for achieving those outcomes. "The Forum includes representatives of water users, NGOs, and iwi. Central and regional government interests will be observers.

The programme is to look at:

- water quality, including managing the impacts of land use intensification
- water quantity, particularly allocation and demand management
- water infrastructure and storage.

It is unlikely that anything substantive will emerge until July 2010 but in the meantime it is expected the proposed National Policy Statement for Freshwater Management and work on some proposed national environmental standards will continue. Along with ongoing treaty settlements, the development of an EPA, and the Super City restructuring, interesting times are ahead for local government.

10. BUILDING CONSENT AUTHORITY ACCREDITATION REVIEW

Last year the Department of Building and Housing commissioned Price Waterhouse Coopers (PWC) to undertake a review of the implementation of phase 1 of building consent authority (BCA) accreditation. BCA accreditation was one of the major reforms under the Building Act 2004, along with the licensing of building practitioners, product certification and the building code review.

Phase 1 of accreditation focused on BCAs having in place sound and documented policies, systems and processes to underpin their regulatory building control functions and sufficient skills (technical competence), staff resources (capacity) and facilities and equipment to undertake their functions properly.

The Department commissioned the review as a means of identifying:

- successes in Phase 1 that can be carried forward to Phases 2 and 3
- opportunities to improve the scheme
- learnings and opportunities for key stakeholders and other government departments undertaking accreditation schemes of their own.

The report concludes that the accreditation of all councils within a two year timeframe has been a major achievement for all parties. But it did come at a significant cost to councils and the Department.

Learnings and Recommendations

The review identified a number of key learnings, including:

- early engagement with local government senior managers, including Chief Executives, is important to facilitate council ownership of the implementation process
- measures should be put in place at the beginning to track realisation of the benefits of accreditation
- strategies should be developed for managing change of this magnitude
- timeframes need to take into account levels of readiness in the sector, rather than being set in statute which reduces flexibility
- accreditation alone will not fix systemic failures in the building sector
- the implementation of accreditation has been a costly exercise for the sector even though the standards were set at a minimal level.

The report contains a number of recommendations to the Department, IANZ, BCAs and other government agencies considering accreditation in other sectors.

The Government has signalled its intention is “to reduce the regulatory costs associated with building but not by compromising building quality”. A specific priority for 2009 is to simplify and streamline the consenting process and make BCA accreditation more efficient. The PWC report is being used to inform this work. We will watch this space as our reaccreditation looms in November 2009.

11. DELEGATIONS

We find that we need to formalise some of the delegations which allow Councillors to deal with objections under the Dog Control Act 1996. It is recommended that Section F of the Delegations Register, which allows hearing panels to be constituted for the purpose of hearing and deciding on objections be amended as follows:

Authority to:

Section 22

Hear and determine objections to classification as a probationary owner.

Section 26

Hear and determine objections to disqualification.

Section 31(3)

Hear and determine objections to classification of a dog as dangerous.

Section 33B

Hear and determine objections to classification of a dog as menacing.

Section 33D

Hear and determine objections to classification of a dog as belonging to a breed listed in Schedule 4 and classified as menacing

12. RECOMMENDATION

It is recommended that this report be received.



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