

NORTHLAND REGIONAL COUNCIL

Agenda

Meeting of the
ENVIRONMENTAL MANAGEMENT COMMITTEE
to be held in the Council Chambers, 36 Water Street, Whangarei
on Tuesday, 28 May 2013 commencing at 9:30am

MEMBERSHIP OF THE COMMITTEE

Cr J Carr, Chairman

Cr G Ramsey (Deputy Chairman)	Cr C Brown (ex officio)	Cr B Hunt
Cr T Davies-Colley	Cr B Rossiter	Mr C Christie
Cr T Dalton	Mr C Jenkins	Mr A Clarkson
Dr G Blunden	Mr R Booth/Ms V Anich	Mr G Gover

OPEN MEETING

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**ISSUE: Confirmation of Minutes:
Environmental Management Committee meeting
26 March 2013**

ID: A537797

To: Environmental Management Committee, 28 May 2013

From: Peternel McLean, Committee Secretary

Date: 17 May 2013

Summary The purpose of this report is to confirm the minutes of the Environmental Management Committee meeting held on 26 March 2013.

Report Type:	<input checked="" type="checkbox"/> Normal operations	<input type="checkbox"/> Information	<input checked="" type="checkbox"/> Decision
Purpose:	<input type="checkbox"/> Infrastructure	<input type="checkbox"/> Public service	<input checked="" type="checkbox"/> Regulatory function
	<input type="checkbox"/> Legislative function	<input type="checkbox"/> Annual\Long Term Plan	<input type="checkbox"/> Other
Significance:	<input type="checkbox"/> High	<input type="checkbox"/> Moderate	<input checked="" type="checkbox"/> Low

Report

The minutes are **attached**.

Compliance with decision making processes

Councils are required to keep minutes of proceedings in accordance with the Local Government Act 2002.

Recommendation

-
1. That the minutes of the Environmental Management Committee meeting held on 26 March 2013 be confirmed.
-

**NORTHLAND REGIONAL COUNCIL
ENVIRONMENTAL MANAGEMENT COMMITTEE**

Minutes of the Environmental Management Committee Meeting
held in the Council Chambers,
Northland Regional Council, 36 Water Street, Whāngārei, on
Tuesday 26 March 2013, commencing at 9.31 am

Present:

Northland Regional Council

Cr Joe Carr (Chairman)
Cr Craig Brown (ex officio)
Cr Bronwyn Hunt
Cr Tony Davies-Colley

Whāngārei District Council

Cr Crichton Christie

Far North District Council

Cr Di Maxwell (arrived 9.35am)

Cultural Interests

(current vacancy)

Environmental Interest Groups

Dr Greg Blunden

Farming Community

Mr Alan Clarkson

Forestry Industry

Mr Geoff Gover

In Attendance:

Kaipara District Council - Ms Venessa Anich

NZ Landcare Trust – Mr Jon Hampson

Northland Regional Council -

Chief Executive Officer

Operations Director

General Manager – Community Relations

Land/Rivers Senior Programme Manager

Consents/Monitoring Senior Programme Manager

Biosecurity Senior Programme Manager

Rivers Programme Manager

Policy Programme Manager

Policy Analysts

Biodiversity Officer

Land Management Specialist

Land Management Advisor

Environmental Education Officers

Committee Secretary

Apologies

Moved (Hunt/Clarkson)

1. That apologies from Mr Richard Booth, Mr Chris Jenkins, Cr Graeme Ramsey and Cr Bill Rossiter for non-attendance, be received.

Carried

Welcome

Ms Venessa Anich, Town Planning Officer from Kaipara District Council, was welcomed to the meeting and invited to observe proceedings, to enable her to report back to the Kaipara Commissioners.

Resignation

The Chairman advised that Ms Nicole Anderson's resignation as the cultural interests representative on the committee had been tendered, as a result of her relocation to the Waikato. The Chief Executive Officer confirmed that any decisions regarding the process for appointing a replacement cultural interests representative lie with the council. A decision on who to consult with over the appointment of an appropriate representative would be considered at the next full council meeting on 16 April.

Declaration of Conflict of Interest

There were no declarations of conflicts of interest in any items of business.

1. Confirmation of Minutes of the Environmental Management Committee meeting held on 19 February 2013 A298970

Moved (Hunt/Clarkson)

1. That the minutes of the meeting of the Environmental Management Committee held on 19 February 2013 be confirmed, subject to an amendment being made to resolution 2 of item 4 (River Values Assessment System [RiVAS]) and an additional resolution 3. The minutes in this regard to now read as follows:

"Moved (Carr/Jenkins)

1. *That the report River Value Assessment System (RiVAS), by Darryl Jones, Economist, and dated 7 February 2013, be received.*
2. *That the committee recommends to council that the criteria for selecting the Northland regional expert panel members be referred to council and evaluations trialled.*

3. *That the RiVAS evaluations and the economic values of rivers are evaluated concurrently.*

Carried"

Carried

2. Item left on the table from previous committee meeting 19 February 2013: Wetlands Update A303764

The item left on the table from the 19 February 2013 Environmental Management Committee meeting, Wetlands Update, was considered at this point of the meeting.

A main topic of discussion focused on the need to determine a size threshold for significant indigenous wetlands. The committee noted that the Wildlands report proposed the size threshold should be 1,000m² (approx. ¼ acre), while the threshold in the RWSP was only 50m².

A further discussion point centred on a proposal that a database be established for the voluntary recording of constructed wetlands, the purpose of which was to protect a landowner's ability to develop or change the nature of a constructed wetland (ie not be impeded by RWSP rules controlling significant indigenous wetlands). It was noted that the construction of wetlands, being a key factor in the farm water quality management toolkit should be encouraged, and that the aim should be to generate a desire among landowners to develop them. There was debate about the merits of recording constructed wetlands.

To enable progression of those and other wetland management issues, it was agreed that a working group be established, to report back to the committee.

Moved (Maxwell/Blunden)

1. That the report Wetland Update by James Griffin, Policy Analyst and dated 1 February 2013, be received.
2. That Cr Carr, Cr Davies-Colley and Dr Blunden work with staff to develop a strategy for wetlands, for the committee's consideration.

Carried

3. Waioara Northland Water progress – March 2013 Report from Tony Phipps, Operations Director dated 14 March 2013. A303508

Moved (Carr/Clarkson)

1. That the report Waioara Northland Water progress by Tony Phipps, Operations Director and dated 14 March 2013, be received.

Carried

4. Freshwater reform 2013 and beyond: Government's proposals for reform of freshwater management **Report from Tony Phipps, Operations Director dated 20 March 2013.** **A304630**

A presentation was provided to illustrate the paper. It was noted that there was little time for submissions to the discussion document, however it was anticipated there would be further opportunities provided as the reform process unfolded. Cr Carr raised a number of points that should be incorporated in any submission to the Ministry on the paper, these being:

- Support and engagement in the alternative collaborative processes for improving water quality/quantity
- Support of good management practice toolkits
- Note a concern with efficiency and potential costs of the proposed management regimes.

Moved (Carr/Blunden)

1. That the report Freshwater reform 2013 and beyond: Government's proposals for reform of freshwater management by Tony Phipps, Operations Director and dated 20 March 2013, be received.

Carried

5. Sustainable Dairying: Water Accord – A Commitment to New Zealand by the Dairying Sector **Report from Tony Phipps, Operations Director dated 15 March 2013.** **A303814**

Following discussion concerning the implications of permanent fencing and potential impacts on flood prone waterways, weed management and access to drinking water, it was noted that this dialogue was occurring with the dairy industry

Moved (Gover/Clarkson)

1. That the report Sustainable Dairying: Water Accord – A Commitment to New Zealand by the Dairying Sector by Tony Phipps, Deputy CEO and dated 15 March 2013, be received.
2. That the committee supports the "Sustainable Dairying: Water Accord – A Commitment to New Zealand by the Dairying Sector".
3. That the committee recommends to council that council agree to support the "Sustainable Dairying: Water Accord – A Commitment to New Zealand by the Dairying Sector" and to become a "Friend of the Accord".
4. That the committee conveys to the dairy industry its concern with the requirement for permanent fencing, and its desire this should be replaced with "effective" stock exclusion (from waterways), to alleviate potential issues particularly with management of flood management schemes.

Carried

6. Mangere Catchment (Collaborative Stakeholder) Group – subcommittee of the Environmental Management Committee - Draft Terms of Reference

**Report from Tony Phipps, Operations Director dated 15 March 2013.
A303918**

Moved (Carr/Maxwell)

1. That the report Mangere Catchment (Collaborative Stakeholder) Group – subcommittee of the Environmental Management Committee – Draft Terms of Reference by Tony Phipps, Operations Director and dated 15 March 2013, be received.
2. That the committee confirms the draft terms of reference attached, subject to the following additions:
 - a. That Cr Tony Davies-Colley (being a current member of the Environmental Management Committee) shall be the Northland Regional Council's representative on the Mangere Catchment Group.
 - b. That the Environmental Management Committee farming community representative shall also be nominated for the Mangere Catchment Group.
 - c. That the Chairman of the Environmental Management Committee be an ex officio member of the Mangere Catchment Group.

Carried

7. Doubtless Bay Working Group – Draft Terms of Reference

**Report by Tony Phipps, Operations Director dated 15 March 2013.
A303875**

Moved (Clarkson/Maxwell)

1. That the report "Doubtless Bay Working Group – Draft Terms of Reference" by Tony Phipps, Deputy CEO / Operations Director and dated 15 March 2013, be received.
2. That the committee confirms the draft terms of reference attached, subject to the following additions/deletions:
 - a. That Cr Bronwyn Hunt (being a current member of the Environmental Management Committee) shall be the Northland Regional Council's representative on the Doubtless Bay Working Group.
 - b. That the representative on the Environmental Management Committee from the the Far North District Council also represents that council on the Doubtless Bay Working Group.

- c. That the Environmental Interests Group representative on the Environmental Management Committee be nominated to the Doubtless Bay Working Group.
- d. That Ngai Takoto be invited to nominate a representative to the Doubtless Bay Working Group.
- e. That no representative from Doubtless Bay Promotion Inc or any tourism sector representation is required on the Doubtless Bay Working Group.
- f. That the inaugural Chairperson is Cr Bronwyn Hunt.

Carried

8. Waitangi River Catchment – NZ Landcare Trust
Report from Peternel McLean, Committee Secretary dated 14 March 2013.
A303612

Jon Hampson of NZ Landcare Trust provided a presentation of the work undertaken to date in the Waitangi River catchment.

Moved (Blunden/Hunt)

- 1. That the report on Waitangi River Catchment – NZ Landcare Trust by Peternel McLean, Committee Secretary on behalf of Jon Hampson, dated 14 March 2013 be received.
- 2. That the presentation provided by Jon Hampson of the NZ Landcare Trust be received and that the committee notes its support and appreciation of the Trust's initiatives in the Waitangi River Catchment.

Carried

9. Farm Water Quality Improvement Plan Project Update
Lorna Douglas, Land Management Advisor, and Bob Cathcart, Land
Management Specialist dated 13 March 2013.
A303361

Slides to illustrate the Flyger Road property and the farm water quality improvement plan being developed for the site were provided by Bob Cathcart, Land Management Specialist.

Moved (Davies-Colley/Hunt)

- 1. That the report on Farm Water Quality Improvement Plan Project Update, by Land Management Advisor Lorna Douglas and Land Management Specialist Bob Cathcart dated 13 March 2013 be received.

Carried

10. Enviroschools programme – WaiRestoration project progress report

**Report by Susan Karels, Environmental Education Officer / Regional Enviroschools Co-ordinator dated 15 March 2013.
A295743**

Susan Karels, Environmental Education Officer and Marty Taylor, Enviroschools Facilitator, provided a presentation for the committee in support of the progress report and focused on the professional development workshop held for school communities in the region on 14 March.

Moved (Blunden/Maxwell)

1. That Enviroschools programme – WaiRestoration project progress report and accompanying presentation provided by Susan Karels, Environmental Education Officer / Regional Enviroschools Co-ordinator dated 15 March 2013 be received.

Carried

11. Environmental Monitoring for the period 1 February – 28 February 2013

**Report from Colin Dall, Consents/Monitoring Senior Programme Manager dated 6 March 2013.
A301820**

Moved (Maxwell/Clarkson)

1. That the Environmental Monitoring report for the period 1 February – 28 February 2013 from Colin Dall, Consents/Monitoring Senior Programme Manager, be received.

Carried

12. River Management Update

**Report from Joseph Camuso, Rivers Programme Manager dated 12 March 2013.
A303231**

Moved (Gover/Davies-Colley)

1. That the report River Management Update by Joseph Camuso, Rivers Programme Manager and dated 12 March 2013, be received.
2. That the Minutes from the Kaeo-Whangaroa Rivers Liaison Committee meeting of 25 February 2013 be received.

Carried

13. Update on Biosecurity responses: Kiwifruit Psa-V, Mediterranean fanworm, Kauri dieback

**Report by Don Mckenzie, Biosecurity Senior Programme Manager dated 14 March 2013.
A303763**

Moved (Maxwell/Clarkson)

1. That the report, Update on Biosecurity Responses: Kauri dieback, Kiwifruit Psa-V, Mediterranean fanworm, by Don Mckenzie, Biosecurity Senior Programme Manager dated 14 March, be received.

Carried

14. Climate and Water Resources – update

**Report by Graeme MacDonald, Civil Defence Emergency Management Senior Programme Manager and Alan Bee, Hydrology Monitoring Officer dated 14 March
A302656**

Moved (Christie/Blunden)

1. That the report Climate and Water Resources – update Graeme MacDonald, Civil Defence Emergency Management Senior Programme Manager and Alan Bee, Hydrology Monitoring Officer dated 14 March 2013 be received.

Carried

Conclusion

The meeting closed at 12.13pm.

ISSUE: Maori Representation – Environmental Management Committee

ID: A538132

To: Environmental Management Committee, 28 May 2013

From: Tony Phipps, Operations Director

Date: 20 May 2013

Summary The purpose of this report is to update the committee on progress towards identifying a Maori Interests representative for the committee.

Report Type:	<input checked="" type="checkbox"/> Normal operations	<input checked="" type="checkbox"/> Information	<input type="checkbox"/> Decision
Purpose:	<input type="checkbox"/> Infrastructure	<input checked="" type="checkbox"/> Public service	<input checked="" type="checkbox"/> Regulatory function
	<input type="checkbox"/> Legislative function	<input type="checkbox"/> Annual\Long Term Plan	<input type="checkbox"/> Other
Significance:	<input type="checkbox"/> High	<input checked="" type="checkbox"/> Moderate	<input checked="" type="checkbox"/> Low

Background:

Following the resignation of Nicole Anderson, Cultural Interests representative, as recorded in the minutes of the committee meeting on 26 March, the matter of an appointment of an appropriate representative was put to the Council (16 April 2013).

The Council resolved as follows:

1. *That the report Environmental Management Committee: Appointment of a Māori Interests Representative by Tony Phipps, Operations Director and dated 3 April 2013, be received.*
2. *That the council approve the recommendation to amend the Environmental Management Committee's terms of reference to replace the representative of Cultural Interests with a representative of Māori Interests.*
3. *That the council invite the Iwi Chairs Forum to nominate a Māori Interests representative to the Environmental Management Committee for the remainder of the current term of office (i.e. until October 2013).*
4. *That the council consult with iwi and determine the process to be followed for the nomination of future iwi/tangata whenua representation on council committees.*

In line with resolution (3) above, the Chairman wrote to the Iwi Chairs Forum on 6 May 2013 requesting they consider providing a nomination for the current vacancy. At the time of writing a nomination had yet to be received.

Legal Compliance and Significance Assessment:

The activities detailed in this report are provided for in the council's 2012-2022 Long Term Plan, and as such are in accordance with the council's decision making process and sections 76 to 82 of the Local Government Act 2002.

In relation to section 79 of the Local Government Act 2002, this issue is considered to be of moderate to low significance under council policy because the report does not seek a decision other than that information be received.

Recommendation:

1. That the report Maori Representation – Environmental Management Committee by Tony Phipps, Operations Director dated 20 May 2013 be received.
-

ISSUE: Waiora Northland Water Progress – May 2013

ID: A537783

To: Environmental Management Committee, 28 May 2013

From: Tony Phipps, Operations Director

Date: 20 May 2013

Summary The purpose of this report is to provide an update on progress with Waiora Northland Water and contributing programmes.

Report Type:	<input checked="" type="checkbox"/> Normal operations	<input checked="" type="checkbox"/> Information	<input type="checkbox"/> Decision
Purpose:	<input type="checkbox"/> Infrastructure	<input type="checkbox"/> Public service	<input type="checkbox"/> Regulatory function
	<input checked="" type="checkbox"/> Legislative function	<input checked="" type="checkbox"/> Annual\Long Term Plan	<input type="checkbox"/> Other
Significance:	<input type="checkbox"/> High	<input checked="" type="checkbox"/> Moderate	<input type="checkbox"/> Low

Background:

As previously reported, Waiora Northland Water is Northland Regional Council's water quality and water management improvement project, encompassing new policy development and linked implementation programmes. It is a priority project for the council and it includes the council's programmes for the implementation of the National Policy Statement for Freshwater Management.

This report is an update on progress with various components of the project. Some individual contributing programmes are the subject of separate reports in this agenda.

Policy Development

Following on from the committee's discussion on the government's "Freshwater reform 2013 and beyond", the main points raised by the committee, (as per the minutes of its meeting 26 March) were put to the Ministry freshwater reform team.

The LGNZ submission on the freshwater reform proposals is attached for the committee's information.

At a regional level, the Proposed Regional Policy Statement hearings are underway.

Following the resolution of the March meeting, a wetlands workshop was held with Cr Carr, Cr Davies-Colley and Dr Blunden and staff to progress a wetlands strategy. While staff have had to give priority to RPS hearings, enforcement action and Top Wetlands mailout follow-ups this month, we plan to report on follow-up from the workshop in some detail in July.

NPS Freshwater Management Implementation:

Use and Values of Water – RiVAS trial and economic values

Presentations on progress with the RiVAS trial and the assessment of the economic values of water (Item 4) will be made at the meeting.

Priority Catchments

Progress with the establishment of the Mangere and Doubtless Bay priority catchment stakeholder groups is reported in Items 5 and 6, and a terms of reference for the Whangarei Harbour Catchment Advisory Group proposed (Item 7).

Contributing Programmes:

State of the Environment Report for Northland 2007-2011

The five-yearly State of the Environment report has been produced (Item 10). The considerable amount of environmental, particularly water related, state and trend information in the report is essential to support informed debate and decision making for Waioara Northland Water.

Farm Water Quality Improvement Plans

Good progress with the Farm Water Quality Improvement Plans is contributing to high demands on the Environment Fund (Item 8), an issue the council need to consider during the next annual plan and budget round.

Legal compliance and significance assessment:

The relevant legislation in relation to this issue is the Local Government Act 2002. The information provided in this report and its recommendations are compliant with that legislation. This issue is considered to be of low significance under council policy, because it is in keeping with the council's overarching programme for NPS implementation adopted in May 2012 as detailed in the 2012-2022 Long Term Plan.

Recommendation:

-
1. That the report Waioara Northland Water progress by Tony Phipps, Operations Director and dated 20 May 2013, be received.
-

8 APRIL 2013



LOCAL GOVERNMENT NEW ZEALAND SUBMISSION

In the matter of the discussion document: Freshwater reform 2013 and beyond.

To the Ministry for the Environment

Submission by Local Government New Zealand

IN THE MATTER OF:

Freshwater reform 2013 and beyond

To the Ministry for the Environment

8 APRIL 2013

Introduction

1. *Local Government New Zealand* (LGNZ) welcomes the opportunity to submit on the Discussion document: Freshwater reform 2013 and beyond.
2. LGNZ wishes to engage further with Ministers and officials on this submission.
3. LGNZ is a member-based organisation representing all 78 local authorities in New Zealand. LGNZ's governance body is the National Council. The members of the National Council are:
 - Lawrence Yule, President, Mayor, Hastings District Council
 - John Forbes, Vice-President, Mayor, Opotiki District Council
 - John Bain, Zone 1, Deputy Chair, Northland Regional Council
 - Richard Northey, Zone 1, Councillor, Auckland Council
 - Meng Foon, Zone 2, Mayor, Gisborne District Council
 - Jono Naylor, Zone 3, Mayor, Palmerston North City Council
 - Adrienne Staples, Zone 4, Mayor, South Wairarapa District Council
 - Maureen Pugh, Zone 5, Mayor, Westland District Council
 - Tracy Hicks, Zone 6, Mayor, Gore District Council
 - Len Brown, Metro Sector, Mayor, Auckland Council
 - Dave Cull, Metro Sector, Mayor, Dunedin City Council
 - Stuart Crosby, Metro Sector, Mayor, Tauranga City Council
 - Brendan Duffy, Provincial Sector, Mayor, Horowhenua District Council
 - Stephen Woodhead, Regional Sector, Chair, Otago Regional Council
 - Fran Wilde, Regional Sector, Chair, Greater Wellington Regional Council.
4. This submission has been prepared under the direction of the National Council. Councils may choose to make individual submissions. The LGNZ submission does not derogate from these individual submissions.
5. The final submission was endorsed under delegated authority by Lawrence Yule, President, LGNZ and Hon. Fran Wilde, Chair, Regional Sector Group.
6. In making this submission *Local Government New Zealand* is acutely aware that within the local sector councils have quite distinctive roles with respect to the use and management of freshwater. Regional councils and unitary authorities have specific and important regulatory roles with respect to water and water bodies. These roles are prescribed in the Resource Management Act (RMA) and are distinct from those of territorial authorities. The roles of regional councils and unitary authorities include making decisions over the allocation and use of water (including taking water for public supply) and regulating the discharges into water bodies, (including discharges from wastewater treatment systems). In contrast the roles of territorial authorities with respect to water stem principally from their roles in the provision of potable municipal water supply, the collection and treatment of wastewater, and the management of stormwater and drainage. These roles are primarily provided for under the Local Government

Act 2002, the Local Government Act 1974, the Health Act 1956 and the Land Drainage Act 1908. Territorial authorities also have an interest in the management of freshwater because of their broad public health obligations.

7. These different roles mean that the local government sector is keenly interested in both the regulatory framework for managing freshwater, and in ensuring that adequate provision is made for the long term and cost-effective provision of water and wastewater infrastructure and services to urban communities. This submission reflects these distinct and important interests.
8. For simplicity of presentation the submission is organised to reflect the sequence of issues and proposals set out in the discussion document. The use of the headings from the discussion document does not necessarily mean that *Local Government New Zealand* agrees with the proposition from the discussion document.
9. This submission should be read in conjunction with our submission on the discussion document “Improving Our Resource Management System”. Many of the matters raised in that discussion document, and in particular the proposals relating to the preparation of single resource management plan, are of direct relevance to the proposed freshwater reforms.
10. *Local Government New Zealand* wishes to meet with the Minister for the Environment and the Minister for Primary Industries for further discussion on the points raised in this submission and seeks structured engagement with Ministers and officials on the key matters before substantive work on potential regulation is undertaken.

Submission

11. *Local Government New Zealand* welcomes the discussion document as a constructive and helpful response to the very significant issues considered by the Land and Water Forum.
12. *Local Government New Zealand* agrees that water is central to New Zealand’s environment, economy, and identity. It is difficult to overstate the importance of water in supporting New Zealand’s primary industries, our way of life, our cultural identity.
13. *Local Government New Zealand* notes the four-year path to the current reform proposals and the very important work of the Land and Water Forum in that journey. We also note that regional councils, and catchment boards before them have been at the forefront of freshwater management for considerably longer than four years. We welcome the government’s increasing interest and engagement in freshwater management. The actions of the government since 2009 come as a marked change from those that characterised the period since the abolition of the National Water and Soil Conservation Authority with introduction of the Resource Management Act (RMA). From 1989 until the approval of the National Policy Statement for Freshwater Management 2011 regional councils have been undertaking freshwater management responsibilities with no greater national context or input than the RMA itself.
14. *Local Government New Zealand* agrees that there are deficiencies in the current system of freshwater management and that these deficiencies need to be addressed.
15. We welcome the government’s increased and more central role with respect to freshwater management. It is important that government plays its part in improving freshwater management and achieving national objectives for freshwater.

16. We also note a number of other major government initiatives designed to improve the effectiveness and efficiency of local government. The government's Better Local Government programme provides clear impetus for enhanced focus on what local authorities deliver. The Local Government Efficiency Taskforce, the Local Government Infrastructure Taskforce and the Review of Local Government Regulation by the Productivity Commission all provide a very strong context for considering how the management of freshwater resources can be enhanced.
17. In making this submission we are acutely aware that changes to regulatory and policy frameworks can easily deliver perverse or unintended consequences. The draft Productivity Commission Report *Towards Better Local Regulation* highlights a number of problems with the current regulation making system. Where these problems exist it is highly likely that the intended national outcomes of regulation will not be achieved.
18. Given the central importance of freshwater to our economy, environment and society we stress the importance of ensuring that the mechanics of how we manage our natural capital are well founded and resilient. We submit that it is critical that in developing and refining this reform package the government address and overcomes all of the potential shortcomings that the Productivity Commission has identified. In particular it is important that reform proposals be subject to a sound benefit-cost analysis, that the benefits of regulation exceed the costs and that careful consideration is given to the most cost-effective way to regulate and what this may mean for the cost structures and pressure on both local authorities and on resource users.
19. As the organisations that have the most detailed knowledge and experience of the current state of freshwater resources, the pressure on those resources, the effectiveness of a wide range of management approaches, and of the communities that depend upon freshwater, regional councils and unitary authorities can add very valuable expertise and experience to the design of regulatory frameworks. We submit that in progressing this reform package it is imperative that government addresses one of the Productivity Commission's key conclusions and treats local government as a partner in the developing regulation. In this regard, regional councils and unitary authorities are not just another interest group, neither are they a major water user with particular interests in particular resources. Rather, they are a key part of the system of regulation and management of resources that have a unique contribution to make in developing and improving the on the ground management of freshwater resources.

Today's challenges

Water quality is declining in some catchments across a range of indicators

20. *Local Government New Zealand* agrees with the over-arching conclusion that New Zealand's water quality is still good by international standards but that this varies a great deal around the country depending upon land use, climate and geology. We also agree with the conclusion that the quality of water is declining in some catchments and that some catchments are under significant pressure due to over-allocation of water for abstraction and/or the discharge of greater quantities of sediment, nutrients, or pollutants than the water body can cope with.
21. In recognising the challenges that are faced in many catchments *Local Government New Zealand* also notes that conditions in New Zealand freshwater systems vary markedly. Water quality in a number of catchments is improving, or is remaining at current levels despite increased use. The water quality challenges, and the options for freshwater management vary considerably across the country. Short, steep catchments that run quickly into the sea present a very different

proposition than the longer mountain fed braided river systems of the South Island. River systems heavily modified by historic hydro-electric power developments present very different issues and challenges than more pristine catchments that rise in large areas of native forest. Urban catchments present very different challenges to rural catchments, and differences in the land use within catchments profoundly alter both the pressure of water quality and the demand to take water for productive purposes.

Water is over allocated in some places

22. There is considerable variability in the extent to which water in catchments is over-allocated, compromising the natural character and quality of its streams and rivers. There are some major catchment systems where there is significant over-allocation, and others where there is theoretical over-allocation (i.e. if all consents were used to the limit set it would be over-allocated but this may not occur in practice). The overwhelming majority of catchments are not over-allocated. Across the country there are significant opportunities to increase the productive use of water, either by allocating up to sustainable limits, re-allocation and increased efficiency, or through new abstraction.
23. *Local Government New Zealand* submits that it is vital that in enhancing the management of freshwater, actions are targeted to the places, catchments and issues where they are needed. It is important that additional regulation does not add an unnecessary and costly burden on places, people and resource users where there are no problems and little likelihood of expected growth or change causing future problems. In developing national objectives and national solutions we must avoid inappropriate and perverse local impacts.

Decision-making processes are litigious, resource consuming and create uncertainty

24. *Local Government New Zealand* agrees that the current processes for making policy and regulatory decisions under the RMA are often slow, divisive, and costly. In separate submissions *Local Government New Zealand* has sought reforms to the RMA to speed up the process of putting in place regional policy statements and regional and district plans. Current Schedule 1 processes relating to plan-making and plan changes are frequently so slow that for all intents and purposes it is often not possible to introduce new policy or regulations fast enough to respond to the emerging changes in land use, or emerging trends in resource quality. Schedule 1 in its current form encourages litigious behaviour that delays new policy, and can drive deep division within communities.
25. A significant number of councils have explored the potential for increased collaboration and community engagement at the initial phases of plan development in an effort to avoid costly and time-consuming legal action. To date increased engagement at the commencement of the process has not necessarily resulted in faster overall processes from commencement to the proposed plan becoming operative. This is because the ability to appeal decisions to the Environment Court provides little incentive to seek alternative solutions to differences between parties. This is particularly important where the status quo significantly favours one party and delay prolongs that advantage.
26. *Local Government New Zealand* strongly supports change that will make it possible for faster, better quality and more successful responses to emerging resource management issues. However, this support is qualified in that it is important that such change does not undermine processes that are already underway, or require councils to repeat processes that are already complete, or substantially complete. The cost (including the monetary cost to council and the

community, the value of social capital destroyed, and the time required) of changes to policy that would require wholesale changes to regional policy statements and regional and district plans needs to be very carefully considered.

There is a lack of robust information on impacts and outcomes of management decisions

27. *Local Government New Zealand* agrees in part with this conclusion. The regional councils and unitary authorities have argued for some time that there needs to be a considerable increase in the research devoted to understanding the country's water resources, their quality and both the potential impact of alternative uses and alternative management regimes. The subsequent proposal for strengthening the foundations for water management through science, research and information are strongly supported.
28. The initiative that the regional councils and unitary authorities wish to highlight is the portal of land and water information that they have brought together. Through the landandwater.co.nz web site the councils have assembled in one place the wealth of information that they have and collect relating to water in particular. This web site marks a major step forward in the availability of information relating to the current and historic health of catchments across the country.
29. *Local Government New Zealand* also acknowledges, as the Productivity Commission has concluded, that the evaluation of regulation has generally been less than ideal. This means that it can be difficult to draw conclusions over the impact of particular policies or alternative management regimes across the country.

Water is not always used efficiently or for its highest value use

30. *Local Government New Zealand* agrees that water is not always used efficiently, or for its highest value use. In part this reflects the legacy of historic investments in systems that use water. Older irrigations systems tend to have greater water loss than newer or state of the art systems. Older urban reticulation systems tend to have far greater system losses than brand new systems. Where there has been little pressure on the availability of water it has been treated as a 'free good'. There is no incentive to spend money to use a free good in a more efficient manner. Where a more efficient use of water may provide an opportunity for a competitor to enter a market there is equally little incentive for an existing user to use water in a more efficient manner in order for its competitor to prosper.
31. More fundamentally, water is not always used efficiently, or for its highest value use because water must support a wide range of non-economic outcomes that are not readily valued in monetary terms. Sections 6 and 7 of the RMA set out several matters of national importance and importance that relate directly to the management of catchments, lakes, rivers, wetlands and their margins for non-economic objectives. The currently proposed changes to Sections 6 and 7 continue this very strong emphasis on non-economic objectives. The continuing focus on managing water to a standard that provides for safe recreational use also reflects an on-going commitment to managing water in ways that are not necessarily economically efficient or for the highest economic value. It is therefore entirely appropriate that water is and will continue to be used for non-economic purposes.
32. We note that determining the highest value use for water in the absence of a fully functioning market is profoundly difficult. It is not practical, or realistic, or appropriate to seek to develop a fully functioning market for water. Water is a part of the commons, it is used and reused many times, and has a profound non-market value in maintaining natural ecosystems. The allocation

of water for the life, health and well being of urban populations is also fundamentally important and this must be recognised in any allocation decision.

33. The challenge for decision making under the values-based framework of the RMA is that the uses to which a resource can be put, and the efficiency of use that results, is the result of a complex weighing of alternative values. It is essential that in any changes to the framework of freshwater management this process is recognised and retained. It is also important to recognise that across the country communities will come to different conclusions when considering issues. Their particular balancing of factors will reflect who they are, their particular values and the nature and quality of the resources that they are responsible for.

Iwi/Māori interests and values are not always fully considered in planning and resource management decision-making

34. *Local Government New Zealand* agrees in part with this key conclusion.
35. There are three necessary requirements for iwi/Māori interests and values to be fully considered in planning and resource management processes. Iwi/Māori must be able to articulate their interests and values effectively, the processes must provide the opportunity for those views to be expressed and understood, and decision-makers must weigh and consider those interests and views fully in the context of the matter under consideration.
36. In our experience, iwi/Māori that have reached settlement for Treaty grievances have generally been better equipped, better able to articulate their interests and values and more effective in their engagement in resource management decision-making than those that are still focused on reaching settlements. One important contribution that the government can make to improved resource management decision-making is to continue to devote resources to resolve outstanding claims and complete Treaty settlements as quickly as possible.
37. In part iwi/Māori have found it difficult to engage fully in planning and resource management decision-making because of the high costs and substantial resources required to be an effective participant. Whilst it may be possible to have a cost-effective and constructive engagement with the council through a policy and plan making process, it is prohibitively expensive for iwi/Māori to progress their interests through protracted Environment Court action.
38. *Local Government New Zealand* notes that some local authorities could substantially improve their working relationship with iwi/Māori. However, a significant number of councils are now working very constructively with iwi/Māori under collaborative arrangements and joint decision-making models that have been mandated in, or evolved from Treaty settlements. Ensuring that iwi/Māori are part of the policy development and plan decision-making process ensures that their particular interests and views are fully considered throughout the process. It is important that any changes to the framework of freshwater management do not undermine, or cut across these arrangements.

Our freshwater management system is insufficiently adaptive and dynamic

39. *Local Government New Zealand* strongly agrees with this conclusion. This is a vital conclusion with respect to freshwater management, but it is just as valid in relation to any major emerging pressure on resource use, or quality within the country. The current framework of decision-making under the RMA is incapable of delivering rapid and impactful action in response to emerging pressure and the demonstrable failure of current management regimes.

40. The government has focused its attention on the management of freshwater for very sound reasons. It is important that the freshwater management system is adapted to be more adaptive and dynamic. That same flexibility also needs to be developed and applied to other resource management challenges.

LGNZ Position:

- a. Agrees that water quality is declining in **some** catchments – but **not everywhere**;
- b. Recognises that water is over-allocated in **some** places;
- c. Agrees that current decision-making processes are litigious, resource consuming and create uncertainty, and seeks reform to make them faster, more flexible and more responsive to emerging issues;
- d. Agrees in part that there is a lack of information on impacts and outcomes of resource management decisions;
- e. Agrees that water is not always used efficiently or for its highest value – but recognises that in large part this is because water is, and must be, allocated for non-economic uses;
- f. Agrees that iwi/Māori interests and values are not always fully considered in planning and resource management decision-making; and
- g. Agrees strongly that New Zealand's freshwater management system is insufficiently adaptive and dynamic.

The future for fresh water

41. It is very important that New Zealand has a long-term vision of the health and quality of its freshwater resources. The vision that the discussion document sets out is commendable and supported by *Local Government New Zealand*. In providing this support we note three very important qualifications.
42. The first qualification is that, as is noted above, water needs to be managed for a variety of economic and non-economic objectives. The vision for the future needs to recognise the balance between these objectives and the potential tension between them.
43. The second qualification is that the package of reforms as currently outlined does not address some of the most important issues that must be resolved in order to realise the vision. The reform package does not provide timely solutions to the resolution of over-allocation problems. Neither does it provide a clear way forward with respect to managing longer-term quality issues. These issues are amongst the most complex and challenging issues in freshwater management. Resolution of these issues goes directly to the rights of major water users and their expectations of continued water use (even though in law they have no rights to continued use beyond the life of their current consent). Tackling over-allocation and poor water quality has the potential to threaten very large investments in production systems and regimes that depend upon water. The reform package provides for these issues to be addressed in subsequent work. It is essential that this work progress in a timely fashion and delivers practical solutions.
44. The third qualification is that changes in the health of eco-systems and in the productivity of economic systems take time. There are substantial lag effects in both types of system. In eco-systems there are lag effects related to contaminants that have already been mobilised and will take some time to work through the system. Economies have substantial lags associated with

the historic investment in production systems and land uses. The pace at which the reform package is introduced and implemented will have a profound effect on when the vision for freshwater will be achieved, and on the cost and extent of dislocation experienced during the transition from today's management framework. It is essential that the pace and cost of transition is manageable and does not result in perverse actions that frustrate the intent of the reforms.

LGNZ Position:

- a. Supports the vision for the health and quality of freshwater resources – with significant qualifications.

Planning as a community

45. *Local Government New Zealand* strongly supports the conclusion that better decision-making can be achieved where the whole of a community is engaged in, and shares the vision for, the use and health of a catchment and its freshwater. This is fundamentally aligned with the values-based decision-making that is the core of the RMA.
46. Community involvement in developing policies and plans under the RMA is not new. Many local authorities have been placing more, and more effort into community engagement in plan-making processes. To date this work has not necessarily resulted in any reduction in litigation and as a consequence it has not reduced the time and cost of plan-making either.

Reform 1: A collaborative planning process for freshwater-related regional plans and policy statements

47. *Local Government New Zealand* supports the proposals for an alternative planning process that has the potential to both build a strong consensus on the management of freshwater resources and can support a more agile approach to policy development.
48. We particularly support the proposal to remove rights of appeal to the Environment Court for plan changes that follow the alternative process. We submit that for collaborative planning to work it is essential that appeal rights be removed. There is no incentive to collaborate whilst they exist. The experience of Environment Canterbury is that once appeal rights were removed there was a shift in the nature and level of engagement in council processes and real ability to work together constructively to reach consensus-based solutions to complex problems.
49. It is important that this alternative approach be voluntary because it may well be that in some regions and for some plan changes there are sound reasons to continue with the current Schedule 1 process. This is particularly important for the large number of plan changes that are currently underway, where any change to a different process during the course of the plan change would result in substantial additional cost, and considerable delay. This would frustrate the intent of the reforms to improve policy agility and responsiveness.
50. In supporting the overall intent of the reform, it is important that it is workable and does not cause a range of unintended or perverse outcomes. We offer the following suggestions to improve the proposed reform.

Scope

51. The proposed alternative process relates only to preparing, changing and reviewing freshwater policy statements and plans. We submit that this is likely to be a very difficult definition to establish. Effective management of freshwater within a catchment will require effective controls over a wide range of activities and the effects that they have on water quality. For this reform to be effective the definition of freshwater policy statements and plans must be sufficiently broad that its scope includes a wide range of policies and that it provides for consideration of other issues than just water quality or quantity.
52. The purpose of a regional policy statement is to “achieve the purpose of the Act by providing an overview of the resource management issues of the region and policies and methods to achieve integrated management of the natural and physical resources of the whole region.” The requirement to achieve integrated management suggests that it would be challenging, and indeed wrong, for a regional council to consider only water issues in weighing policies and methods for inclusion in a regional policy statement.
53. Further, of the ten functions of a regional council under Section 30 of the RMA, seven relate directly to the need to control a broad range of activities that impact in some way on freshwater resources. To be effective all of these matters need to be addressed in a comprehensive and integrated manner that is understandable, and does not place an unacceptable burden on people, businesses and communities. Separating out from this what constitutes a freshwater policy statement or plan will be difficult.
54. In the light of the current RMA reform proposals *Local Government New Zealand* questions the wisdom and practicality of limiting the proposed new collaborative decision-making process to just freshwater policy statements and plans. We submit that there needs to be alignment with the single plan-making process for a single resource management plan proposed under the “Improving our Resource Management System”. Where councils decide to prepare a single plan, and particularly where this involves the regional policy statement and regional plans, this alignment is essential. If two separate/different processes are prescribed it does not make sense. Apart from the definitional challenges discussed above it is clear that all policy and plan making processes have the potential to be litigious, resource consuming and fraught with uncertainty. Providing for a broader alternative to Schedule 1 for policy statements and plans would have considerable merit.
55. Our submission on the discussion document ["Improving our resource management system"](#) notes opposition to a number of the proposed reforms and raises a significant number of issues with the details of the proposals to move to an alternative process for developing a single plan.
56. In supporting the intent of this proposal we cannot over-emphasise the need to speed up the plan-making process. The challenge is to ensure that in reforming the process the result is both faster and credible, delivering quality policies and plans in a more timely fashion.
57. We are convinced that the removal of recourse to the Environment Court will dramatically improve the timeliness of decision-making, reduce the cost for all involved, and contribute to far more effective policy development through the adoption of more collaborative and less litigious working styles. However, more work needs to be done to refine the alternative mechanisms of policy statement and plan development. At this point there are significant shortcomings with both the alternative freshwater related policies and plans and the single plan proposal in the RMA reform discussion document. There needs to be one alternative process, it needs to be workable, and it needs to deliver demonstrable benefits in terms of the timeliness of decision-making.

58. We oppose the proposal that specifies the composition of a hearing panel to consider submissions and make decisions under the proposed alternative planning process. We submit that because councils are responsible for the policy statements and plans in their region / district, and are accountable to the electorate for the decisions that are made, councils should be free to determine who should hear the evidence and make policy decisions on their behalf. Indeed, in all other areas of public policy it is the prerogative of elected representatives to make policy decisions.

Practicality / Flexibility

59. *Local Government New Zealand* is also concerned to ensure that the alternative process is practical, workable and has sufficient flexibility to translate into different communities effectively.
60. Collaborative planning processes depend upon the willingness of stakeholders to devote significant time and effort to working together on complex and challenging issues. At national level stakeholder organisations tend to be resourced to support this sort of engagement. At a regional or local level this is far more difficult to achieve. For some issues, in some regions, it is likely that national representative organisations would see it as important enough to devote resource to. Unless local stakeholders or regional stakeholder groups are able to match that level of commitment the resulting collaborative stakeholder group runs the serious risk of being disconnected from the community that it is intended to reflect.
61. Regional communities vary considerably across the country. It is likely that the composition and operation of collaborative stakeholder groups will vary from region to region. Experience with collaborative and consensus-based decision-making processes to date suggests that to be effective, each group will need to adopt a way of working that reflects who they are, the issues that they are dealing with and the way that they make decisions. It is important that the legislation establishing this process provides for that practical flexibility in approach.
62. A good example of the need for flexibility relates to the range of mechanisms that may be needed to deal with a very large number of stakeholders. The Land and Water Forum had to adopt a method of using a core group to focus and lead debate, with an expanded group meeting less frequently. Other collaborative processes have managed to work with a single full plenary style, because they are smaller. Retaining this flexibility whilst also giving effect to Reform 2 will require a degree of pragmatism and rigidly prescribed national rules are unlikely to be helpful.
63. We submit that it is important that councils have considerable flexibility in considering who to appoint to participate in the collaborative planning process. In some instances the most appropriate way to make progress may be to appoint stakeholder representatives. In others it may be more valuable to appoint significant and respected individuals who understand the community, its values and aspirations and the issues at stake. Above all it is essential that collaborative groups be comprised of people who can actually work constructively together. Councils must have the ability to exclude people, or stakeholders, who adopt destructive or obstructive behaviours and will not contribute to workable solutions. Providing this flexibility will require provisions in the Act that enable quite different approaches to evolve in different parts of the country, reflecting the nature of the issues that are being addressed and the nature of the communities of interest.

Transition

64. A number of councils have policy development processes underway. Some have adopted the sort of collaborative model suggested in this reform proposal. Some have adopted approaches that combine this sort of collaborative model with enhanced engagement with iwi/Māori that has been either prompted by, or legislated for through Treaty settlements. We submit that it is vital that this reform does not undermine these existing processes. We further submit that where these processes have the characteristics and nature of the collaborative stakeholder process intended by this reform, councils should be provided with a transition path that would enable them to adopt the new planning process without having to go back and start the collaborative process again.
65. Lastly, it is imperative that the new planning approach does not undermine the large number of existing policy statement and plan processes that have been prepared and are progressing through the existing Schedule 1 process.

Guidance and Support

66. We note and welcome the intention to provide guidance and a support package on implementing collaborative planning processes. As a sector we strongly advise government to support the development and implementation of best practice rather than seeking to legislate against bad or poor practice.
67. Local authorities have considerable experience of collaborative processes and the challenges and pit-falls of community participation in policy development. We want to work with government to support the development of effective, practical and effective best practice guidance.
68. The note of caution that we sound is that in our experience it is easy for “best-practice” guides to become unnecessarily prescriptive and to reflect very costly ways of implementing statute. We offer our experience and assistance in the development of guidance and ensuring that it is practical and implementable.
69. It is also important that government address the way in which it, through its wide range of government agencies will engage in regional policy development processes. Some government agencies are significant users of water. The Department of Conservation has a statutory role with respect to the preservation and protection of our natural environment and indigenous species. Other government agencies play an active role in promoting economic development and in particular to the performance of primary industries. It is essential that in implementing this reform government addresses the fullest range of its own interests in water and determines how they will be reflected in regional processes. We would expect the guidance on collaborative planning processes to include guidance for government agencies on when it is appropriate for them to be involved, what obligations they have with respect to the national objectives, relationships with iwi/Māori, etc.

LGNZ Position:

- a. Supports proposals for an alternative planning process that will build a consensus approach to water management and a more agile approach to policy development;
- b. Supports the removal of recourse to the Environment Court in an alternative process that is based on collaborative planning processes;
- c. Submits that there should be one, consistent alternative method for developing policy statements and plans;

- d. Questions the logic and practicality limiting the use of the alternative planning process to 'freshwater' policy statements and plans;
- e. Opposes limitations on the ability of local authorities to determine who should hear submissions on proposed policy statements and plans;
- f. Supports a very flexible framework that allows the alternative planning process to be adapted to local circumstances and communities;
- g. Seeks a flexible approach to transition to ensure that existing collaborative approaches do not need to be repeated; and
- h. Supports the development of best practice guidelines to support the alternative collaborative process through a partnership between government and local authorities.

Reform 2: Effective provisions for iwi/Māori involvement in freshwater planning

- 70. *Local Government New Zealand* supports this reform. It is important that the particular relationship between iwi/Māori and water is recognised. It is also essential that any reforms in this area do not undermine the relationships that have been mandated through Treaty Settlements in some regions.
- 71. Importantly, we recognise that the involvement and contribution of iwi/Māori to freshwater planning should not be limited to the proposed role of providing advice before decisions are made. Iwi/Māori should be engaged in the whole of the policy development process as best suits them, their interests and their capability. The nature of this involvement must be flexible and provide scope of the development of relationships based approaches, which reflect long-term and on-going engagement between iwi/Māori and councils.
- 72. We note that the capability and capacity of iwi/Māori varies considerably across the country. Some are well resourced and have a considerable capability with respect to resource management issues. Others are small, poorly resourced and have all of their resources focused on resolving Treaty claims. Any provisions need to be flexible enough to deal with this considerable disparity.
- 73. In supporting this reform, we also sound a note of caution with respect to the cost of this advice, and who will be called upon to meet it. It will be costly for all iwi/Māori to provide specific advice on all freshwater related policy and plan changes. This would be even more costly if it also comes on top of supporting representatives in a complex collaborative planning process. If iwi/Māori are expected to bear the cost of this advocacy then it is likely that many will not be able to take advantage of the opportunity and will be disadvantaged. Experience suggests that there will be expectations that local authorities support iwi/Māori to provide this advice. This raises major issues about the independence of the advice, and the ability of the local authority to control its expenditure.
- 74. There is a strong argument that the Crown should provide support to iwi/Māori to participate in decision-making in this way. The Crown is the Treaty partner with iwi/Māori. The Crown has established the framework of resource management decision-making, and the Crown has obligations to iwi/Māori that it needs to meet in an on-going fashion.
- 75. At the very least further consideration of this reform needs to consider who should bear the cost of this additional burden, and if it is the public sector, the benefits and costs of the proposal.

LGNZ Position:

- a. Supports more effective provisions providing iwi/Māori with the ability to more fully participate in decision-making and ensure that their interests and concerns are understood and considered by decision-makers; and
- b. Cautions the government to consider carefully how iwi/Māori may be resourced and supported to take advantage of this opportunity and who might bear the costs of an increased role.

A National Objectives Framework

76. *Local Government New Zealand* supports the development and implementation of a national objectives framework for freshwater management. It is very important and timely for the government to set out national level objectives that are comprehensive, practical and meaningful. For too long the debate over water management within the country has taken place in the absence of a clear national framework.

Reform 3: A National Objectives Framework

77. *Local Government New Zealand* supports the development and implementation of a national objectives framework of the sort outlined in the discussion document.
78. A national objectives framework, and the re-working of Schedule 3 of the RMA offer a significant step forward in freshwater management. A standard set of objectives with related measures potentially removes one of the most significant impediments to more rapid progress being made at local and regional levels. By removing debate over both what the objectives are, and the way to measure the state of the resource in relation to those objectives, the local debate will become far more productively focused on what (if anything) needs to be done to meet those objectives.
79. We welcome the recognition in the example framework that water bodies are managed for a range of objectives. We also welcome the acknowledgement that there is a range of attributes that together describe the health of the resource with respect to each objective. We note that as the framework is developed it will be important to recognise the interplay between these factors, in particular where the absence, or low levels of one factor act as a limiting factor within an ecosystem.
80. We note that the example framework does not include managing water for the purpose of providing a municipal water supply. This is an essential management objective and needs to be a part of the national objectives framework.
81. We recognise that the framework needs considerably more work to complete. We submit that in completing the framework it is vital that the objectives reflect a careful balancing of economic, environmental, social and cultural considerations that is at the heart of the RMA. They must also reflect the considerations of alternatives, costs and benefits that are the core of Section 32 of the Act. In particular, it is essential that the objectives be set in the full knowledge of the likely consequences – in terms of water quality and availability, in terms of the gap between the current state of resources and the national objectives, and in terms of the costs and implications of the actions that are most likely to be required to meet those objectives.
82. Previous experience in developing national environmental standards has demonstrated how easy it is to produce standards that will generate quite perverse outcomes, or fail to reflect the

very significant natural variation in resource quality and context across the country, or require prohibitively expensive actions by councils, businesses, individuals or communities.

83. Regional councils and unitary authorities have the most detailed understanding of freshwater resources across the country. They also have the most detailed understanding of the pressures on those resources and of the range and cost of interventions that may improve water quality and availability. It is essential that this expertise is used extensively in the development and testing of the national objectives framework. We request an active partnership engagement in the development of objectives and limits to ensure that they are practical, implementable and that their impact and cost are fully understood before they are adopted.
84. The regular monitoring of water bodies for a wide range of attributes is expensive. In designing the national objectives framework it is important that attention is given not only to the scope of attributes to be measured, but to the sort of measuring regime that is appropriate. As is noted at the outset of this submission, not all water bodies are under significant pressure. Many water bodies have very high quality and little prospect of being compromised by likely future development. Given the very significant cost pressures on local authorities it is vital that resources devoted to monitoring environmental health are directed to those resources where monitoring and enforcement will make the biggest difference.
85. The other major policy issue that must be considered with respect to national objectives and related values is the timeframe for meeting those objectives. This needs to be a careful balancing of the lags that will be inherent in both the environmental and economic systems that depend on water and the land in a catchment, along with the cost of intervention and any remediation work, and the ability of the community to absorb those costs. For the framework to be successful it must walk a fine line between the need to act to ensure that water quality and availability is not further compromised and the needs to avoid such rapid transitions that communities are unable to deal with change. To a significant degree this judgement may need to be exercised at a local or regional level.

LGNZ Position:

- a. Supports the development and implementation of a national objective framework;
- b. Submits that managing water bodies for the purposes of providing a municipal water supply must be part of the objectives framework;
- c. Recognises that the national objectives framework needs considerably more development; and
- d. Seeks to work in partnership with the government to develop and implement a practical, cost-effective and effective national objectives framework.

Reform 4: Further national direction and guidance on setting freshwater objectives and limits

86. *Local Government New Zealand* supports this reform proposal. This set of work is essential to ensure that the package of reform delivers implementable and effective policy and regulation. The issues canvassed by this work are significant and complex. All of them will require a considered approach to test the impact of alternatives and ensure that the end result does achieve the intended outcomes in a cost effective way, where the benefits of regulation exceed the costs.

87. We particularly welcome the proposal that this work is to be undertaken by government “working alongside councils over the next three years”. As is discussed elsewhere local authorities have the knowledge and experience necessary to ensure that these proposals are sound and implementable.
88. The importance of the timing of transition, the scope and cost of national expectations with respect to monitoring and reporting, and the need for cost-effective solutions from this work is discussed above.

LGNZ Position:

- a. Supports the development of further national direction and guidance on setting freshwater objectives and limits;
- b. Supports the proposal that government works alongside councils over the next three years to ensure that national guidance and direction is implementable and supports effective policy and regulation; and
- c. Notes that councils are committed to working constructively with government to achieve the intent of this reform.

Reform 5: Improving the process for Water Conservation Orders

89. *Local Government New Zealand* supports this proposed reform. In particular, we support the proposal that there are clear circumstances under which an application could be put on hold where a regional council or unitary authority is in the midst of a process that seeks to address the same issues. It is important that the reforms present an integrated approach to decision-making. It is also important that the potential benefits of the proposed collaborative planning process cannot be undermined by some stakeholders trying to circumvent the process through other means.
90. We understand that some stakeholders see this reform as a weakening of the significance of water conservation orders. To the contrary, we consider that this reform in no way diminishes or weakens the significance of water conservation orders or the criteria against which they will be assessed. They will continue to be a valid and important national instrument for effective resource management.

LGNZ Position:

- a. Supports the proposed reforms to the process for developing and considering Water Conservation Orders.

Managing within quantity and quality limits

91. Establishing water quality and quantity limits is central to managing water and to the framework of the National Policy Statement for Freshwater Management. *Local Government New Zealand* supports the implementation of the National Policy Statement and establishment of appropriate water quality and quantity limits associated with the objectives for each water body.
92. *Local Government New Zealand* strongly endorses the approach in the discussion document recognising that councils and communities will set limits, and determine how to manage water bodies within those limits.

Reform 6: Freshwater accounting systems

93. *Local Government New Zealand* supports the development of a sound and cost-effective system of freshwater accounting that provides a solid underpinning for both policy development and the management of freshwater resources.
94. It is self-evident that it is very difficult to manage things that you do not measure. Adopting a standard system for measuring and accounting for the quality and quantity of water within water bodies should provide a sound framework for management decisions.
95. The discussion paper clearly anticipates that the introduction of a freshwater accounting system will impose additional costs on regional councils and unitary authorities. In order to minimise these additional costs and ensure that the system delivers net benefits to the management of freshwater we suggest that the following principles guide the design of the freshwater accounting system:
- a. **Simplicity:** the system should be as simple as possible whilst preserving the integrity of the approach;
 - b. **Fit for purpose:** the system should be designed to support management decisions, it should not be designed to achieve other unspecified or future purposes that are not the core reason for establishing the system;
 - c. **Collects only necessary data:** the design of the system must avoid the temptation to collect interesting information and focus on what is actually necessary to meet the its purpose;
 - d. **Maximise use of existing data and systems:** the system should avoid to the greatest extent possible the need to collect new data, and should make the maximum possible use of existing and historic time-series information;
 - e. **Cost effective:** the system needs to be cost effective to operate and use and the cost of collection and reporting must be less than the benefits of the improved management decisions that the information supports; and
 - f. **Focus on the problems:** given the significant number of water bodies that are in good health and under no significant pressure it is important that the accounting system allow councils to focus resources where they are needed and where they will make the greatest difference. Ideally the system should provide for differences in the scope of measurement or modelling across types of catchment. It could also usefully differentiate between the frequency with which water bodies need to be measured depending upon the quality of the water body and level of pressure on it.
96. This reform will increase the costs to regional councils and unitary authorities. Across the country the level of resourcing of councils differs markedly. Some councils will be far better placed than others to absorb those additional costs. Equally across the country the priorities for expenditure by councils vary, reflecting the particular issues that they are dealing with. The combination of differing resources and priorities means unless government contributes in some way to assist with meeting additional costs on regional councils and unitary authorities, or provides for consent holders to make a substantial contribution to these costs, the pace and robustness of actions to implement the new freshwater accounting system will vary considerably across the country.

LGNZ Position:

- a. Supports the development of a sound and cost effective freshwater accounting system, based on the following principles:
 - i. Simplicity,
 - ii. Fit for purpose,
 - iii. Collects only necessary data,
 - iv. Maximise use of existing data and systems,
 - v. Cost effective, and
 - vi. Focus on the problems.
- b. Seeks recognition that without financial assistance to implement this new system the pace of adoption and implementation will vary depending on local resources and priorities.

Reform 7: Improving efficiency of water use

97. *Local Government New Zealand* fully supports the development of toolkits that can improve the efficiency of water use and is anxious to work with the government in developing such guidance.
98. In supporting the development of tools to improve efficiency of use we note two very important concerns relating to processes for dealing with over-allocation and the role of industry good management schemes.
99. The proposed reform package represents a major step forward in the management of freshwater resources. However, it provides no real progress on implementable tools for addressing over-allocation. Where more water is allocated to users than a catchment can sustain it is essential that there are equitable and fair processes for reviewing water takes and progressively reducing allocation to the point that the water body is sustainably managed for the objectives that have been identified.
100. It is also important that any incentives designed to improve the efficiency of water use are completely integrated with measures designed to address over-allocation. Unless the interventions are seen as a graduated approach that has real teeth at the end of the process it is unlikely that users will move to voluntarily release water in catchments that are under significant pressure, even if they adopt more efficient practices that provide commercial benefits to their operation.
101. Provisions that support the effective transfer of water takes between users may be helpful in providing incentives to increase efficiency of use and realise the value of existing consents. However, in many water bodies there is limited scope to transfer water takes without causing additional environmental effects (due to the location of the take). Unless a water management zone is fully allocated there is also little incentive to transfer. It is important that within the toolkits for improved efficiency these issues are addressed.
102. Industry good management schemes have significant value. Initiatives that change the incentives for sound resource use, improved efficiency and reduced environmental impact across a whole industry are to be applauded. What is far less clear to us is how industry good management schemes can work with the objectives and limits established by councils and communities for individual water bodies. At the end of the day, businesses, people and communities must manage their activities to meet the highest of the standards that have been determined as necessary to meet the objectives for the management of a freshwater body. If the council and community, through the appropriate process, have determined that a higher

standard than the industry good practice guide is necessary to achieve the objectives for a water body then those higher standards must apply. Industry good management schemes cannot be allowed to create the potential for some water users to 'opt out' of the agreed management framework for a water body.

LGNZ Position:

- a. Supports the development of toolkits to improve the efficiency of water use;
- b. Stresses the need to urgently develop new tools to address over-allocation of water; and
- c. Questions how industry good management schemes can fit within the formal policy and rule-making framework of the RMA.

Reform 8: Specification of permits

103. *Local Government New Zealand* supports the proposed further work on the specification and duration of water permits.
104. All water permits will need to reflect the requirements to provide the information necessary to support the freshwater accounting system. Standard provisions that achieve this would be very helpful.
105. The duration of water permits needs to provide adequate incentives for the adoption of more efficient water use practices and this should be geared to reflect the scale of investment in new systems that is required. The duration of permits also needs to reflect the need for agility in policy response and the potential for additional future management responses if it becomes clear that existing management frameworks are failing to deliver the intended freshwater outcomes. The balance between these two considerations will depend considerably on the range of tools that are developed to deal with over-allocation and poor water quality. Without the ability to substantially change some existing permits there will be major risks in moving to longer permit terms in a number of catchments where their water bodies are under considerable pressure.
106. The other major risk relating to the term of water permits is the current state of knowledge of the state of the water body. Historic over-allocation has tended to emerge where councils have over-estimated the capacity of the water body. This has been particularly significant in the allocation of ground water resources. A number of councils have significantly over-estimated the rate of ground water recharge and have subsequently learned, through improved measurement and accounting for the movement of water through the aquifer, that the resource is over- allocated. It is to be expected that as the new freshwater accounting system is fully implemented and new freshwater objectives adopted there will be further instances of councils needing to substantially review and reduce the amount of water that is allocated for use in some catchments. Providing longer terms for water permits could compromise this sort of action.
107. We submit that consideration of the appropriate term of water permits needs to go hand-in-hand with the development of toolkits for addressing over allocation of water takes and poor water quality. It is also likely that the term of water permits should vary depending upon the use. For instance, there are very few alternatives for the current water takes that support urban water supplies. Providing longer certainty of supply for these uses would be sensible. Indeed, there is a strong argument for these and some other types of water take to have longer duration than the maximum currently provided for in the RMA. Understanding the interplay between consent status, review provisions, and permit duration is an important matter and not to be underestimated.

LGNZ Position:

- a. Supports further work on the specification and duration of water permits; and
- b. Submits that this work must go hand-in-hand with the development of toolkits for addressing over-allocation and poor water quality.

Managing quantity

Dealing with over-allocation

108. Whilst *Local Government New Zealand* is pleased with the overall approach in the proposed reforms we remain concerned that it does not provide implementable tools for addressing over-allocation. Where more water is allocated to users than a catchment can sustain it is essential that there are equitable and fair processes for reviewing water takes and progressively reducing allocation to the point that the water body is sustainably managed for the objectives that have been identified.
109. To date only a couple of councils have seriously attempted to deal with over allocation of water in a catchment. These attempts have resulted in huge controversy, substantial legal challenge and have largely failed. One council did move to shift all of the consent expiry dates within a large catchment to a common time in order to comprehensively review all of the water use in a catchment. However, this initiative proved to be impractical with the introduction of the Resource Management (Discount on Administrative Charges) Regulations 2010. There is no way that a council can cope with the quantum of work that is required to deal with common consent expiry dates within a large catchment and meet the requirements with respect to the timeliness of processing consents. Inevitably the statutory timeframe is exceeded and discounts will be required to be paid under the Regulations.
110. We submit that the current provisions enabling the review of consent conditions are inadequate to deal with any major re-allocation of water within a catchment. We also consider that the current framework that requires water to be allocated through consent applications on a first come first served basis mitigates against allocating water to more efficient or higher value uses and also frustrates the ability to re-allocate water within an over allocated catchment system.
111. The discussion document sets out a number of ways in which over-allocation can be addressed. All of those mechanisms will be costly and time-consuming, and it seems highly likely that councils and their communities will consider that buying back freshwater permits is unaffordable. Some of the mechanisms noted run a significant risk of litigation. All will require considerable effort and skill to be successful. In addition to these possible tools we are interested in exploring the potential for new tools such as a statutory provision to call in for review all of the consents in an over-allocated catchment in order to support a holistic re-assessment and reallocation of water.
112. It is likely that over-allocation will be addressed by a variety of means, including improved efficiency of use, re-allocation of water between users, the introduction of new water storage or management regimes, and a net reduction in the total amount of water abstracted from the system. Some of these means will require more robust tools than voluntary action by users. In catchments where the pressure for water use is intense, the historic investment in irrigations systems is high, and the commercial margins associated with water use are substantial, over-allocation will probably only be addressed by changes to existing consents.

113. It will be essential that as councils implement freshwater policy statement and plan changes to implement the National Policy Statement for Freshwater Management and the express freshwater objectives for all water bodies, that they are also able to express and implement meaningful tools for reducing over-allocation. It will not be credible for councils to adopt new freshwater objectives without being able to demonstrate credible management regimes designed to achieve those objectives.
114. *Local Government New Zealand* recognises that there are no easy or simple solutions to the problem of over-allocation. We acknowledge that the key starting point for dealing with over-allocation is determining the limits that apply in a catchment. Without agreement on the limits it is not possible to determine the amount of water that can be allocated. We agree that considerably more work is needed to be done on effective tools to deal with over-allocation. However, we submit that the timeframe for this work needs to be more rapid than the 2-4 year horizon that is proposed.

Dealing with unauthorised takes

115. *Local Government New Zealand* supports initiatives to regularise unauthorised takes. It is important that the whole management framework for water is effective.
116. We recognise that across the sector there are differences in the level and effectiveness of monitoring and enforcement. It would be useful for the sector to apply the sort of assessment framework discussed by the Productivity Commission to re-assess the level of monitoring and enforcement activity that is required to give effect to water related regulations.
117. We also note that there are still a number of water takes (particularly for local authority water supplies) that continue to operate under the transitional provisions of the RMA. There is little incentive for the holders of these permits to progress consents under the Act. It would be very useful to address this issue nationally.

Managing takes that do not require water permits

118. *Local Government New Zealand* supports a considered review of those water takes that are permitted uses. As councils review their regional policy statements and plans to implement the National Policy Statement for Freshwater Management they will need to review the extent and appropriateness of permitted uses within catchments. It is most likely that in catchments where over-allocation is an issue the scope of permitted activities will either be significantly scaled back, or removed.
119. The statutory exemption relating to domestic use and stock water may need more careful consideration. This is particularly important in catchments that are over-allocated where the balance of water allocation between different uses and competing users is challenging. Providing water to support the life and health of urban populations is fundamentally important. It is essential that their access to water is protected and those local authorities that provide urban water supplies have surety of supply. It is also important that there are appropriate incentives for local authorities to pursue appropriate improvements to their infrastructure to reduce leakage and waste and to provide incentives for urban water users to be careful with their use.

Compliance and enforcement

120. As is noted above *Local Government New Zealand* recognises that across the sector there are differences in the level and effectiveness of monitoring and enforcement. It would be useful for the sector to apply the sort of assessment framework discussed by the Productivity Commission

to re-assess the level of monitoring and enforcement activity that is required to give effect to water related regulations.

Managing quantity: Longer-term issues

121. *Local Government New Zealand* supports a broad work programme designed to progress the 'longer-term' issues identified in the discussion document. However, we strongly urge the government to work with regional councils and unitary authorities to complete this work far more quickly than the 5 to 10 year horizon that is proposed. We are particularly concerned that without alternative allocation mechanisms we remain in the situation where the first applicant will always be at an advantage and where it will be incredibly difficult to re-allocate water to any new purpose, let alone to support higher value and more productive uses than it is presently used for.
122. The current framework for water allocation is severely limited. Without new allocation methods we run the very real prospect that councils will be required to run at least two separate plan change processes to progress the implementation of the National Policy Statement for Freshwater Management. This will be an unnecessary and unwarranted additional cost to councils, businesses and communities.
123. We are also concerned that without significant changes to the potential tools that councils can use to allocate water the intent of the reform package will be frustrated. Councils will be unable to address over-allocation problems if they do not have the tools, or the statutory provisions to implement very different allocation methods.

LGNZ Position:

- a. Supports further work to address over-allocation, unauthorised takes, management of takes that do not require water permits, and compliance and enforcement;
- b. Seeks to work in partnership with government to progress this work; and
- c. Strongly encourages the government to progress this work, and in particular work on water allocation tools, far more quickly than the 5 to 10 year period proposed.

Reform 9: Science, research, knowledge and information

124. *Local Government New Zealand* strongly endorses a review of the Water Research Strategy to ensure that adequate investment in scientific research is being undertaken and that expenditure is targeted to areas where it will pay the greatest dividend, or target the most intractable problems.
125. We have consistently called for a re-allocation of research effort and a coherent research strategy. It is essential that resource management policy decisions are based upon a sound understanding of the nature of the resources being managed and of the potential impact of alternative policy settings.
126. Over the long-term the ability to sustain intensive land use systems will depend upon the ability to retain or treat potential contaminants on-site, or reduce to the absolute minimum the use of potential contaminants in production systems. It is therefore particularly important that the new research strategy targets long-term investigation of the impact of alternative management regimes – particularly with respect to impact of on-farm management techniques on the release or retention of nutrients.

127. Both collectively and individually regional councils and unitary authorities are substantial funders of research related to freshwater and land use management. They understand the issues that need to be addressed, they understand the research that has been done to date, and they collect and hold the most meaningful time-series data that is fundamental for research. We are committed to working constructively with the government and with research institutions to develop and implement an effective research strategy.
128. We note the discussion on the use of computer simulation models in a regulatory context. Models like OVERSEER® provide an important opportunity to maximise the transfer of research into practical management tools. However, like all simulation models OVERSEER® reflects the relationships found in the areas in which it was developed and calibrated. Councils have observed for instance that OVERSEER® has limitations in its current ability to deal with horticultural land uses. It is important that the revised research strategy provide a systematic way of validating or testing models like OVERSEER® to ensure that their more universal application is warranted.

LGNZ Position:

- a. Endorses the review of the Water Research Strategy to ensure that adequate investment in research is made and targets the areas of greatest return; and
- b. Seeks to work with government on the development and implementation of the Water Research Strategy.

Reform 10: Stronger government leadership to ensure effective water quality management

129. *Local Government New Zealand* supports government adopting a stronger leadership role to ensure effective water quality management. The reform package provides good evidence of the government moving to take a stronger leadership role. This is welcome and timely.
130. We submit that in exercising leadership, government would be wise to work closely and in partnership with regional councils and unitary authorities. As those charged with the day-to-day management of freshwater resources these councils understand the resources, the issues and pressures that need to be addressed, and the challenges with the existing management framework and tools.

LGNZ Position:

- a. Supports government adopting a stronger leadership role to ensure effective water quality management.

Reform 11: Development of good management practice toolkits

131. *Local Government New Zealand* supports the development of good management toolkits designed to foster improved water quality.
132. We note that the sector, and some councils in particular, have in the past invested heavily in a range of technical publications designed to distil good practice and improve environmental outcomes. We also note that in our experience it is easy for “best-practice” guides to become unnecessarily prescriptive and to reflect very costly ways of delivering improvements. We offer our experience and assistance in the development of good management practice toolkits and ensuring that they are practical and implementable.

LGNZ Position:

- a. Supports the development of good management toolkits designed to foster improved water quality; and
- b. Seeks to work with government on the development of the toolkits.

Managing quality: On-going improvements

133. We note the range of potential reforms relating to water quality that are to be considered over a longer period of time. Unlike the other longer-term reforms no timeframe is proposed for progressing these issues. We submit that these issues must be dealt with in the same timeframe as the consideration of alternative mechanisms for water allocation.
134. For all practical purposes all significant water takes will result in either a point source or a diffuse source discharge of water, and along with it potential contaminants. The allocation of water, and in particular the allocation of water to particular uses within a catchment therefore goes quite directly to the potential for water quality impacts that are directly related to the use of the water. It would be unwise to develop alternative water allocation methods, and in particular increased potential for tradable water permits, without equally considering the range of mechanisms (including off-setting) that might apply to discharges and water quality.
135. *Local Government New Zealand* strongly urges the government to work in partnership with regional councils and unitary authorities to progress a timely, considered and complete package of tools designed to address both water allocation and water quality.

LGNZ Position:

- a. Urges the government to work in partnership with regional councils and unitary authorities to progress a timely, considered and complete package of tools designed to address both water allocation and water quality.

Conclusions

136. The package of Freshwater reform 2013 and beyond is a major step forward in the effective management of New Zealand's freshwater resources. *Local Government New Zealand* welcomes the reform package and commends the government for its increased focus on this very important matter.
137. *Local Government New Zealand* notes the quite considerable work that is now required to progress many of the proposed reforms to practical, implementable solutions. We urge the government to work in partnership with the country's regional councils and unitary authorities to complete that work and deliver a new, fit for purpose and cost effective regulatory regime that will secure the future of New Zealand's freshwater resources.
138. We stress that while this reform package and the national debate about the freshwater management system proceeds, regional councils and unitary authorities will continue to have and discharge major responsibilities for freshwater management. Those councils are committed to continuing to improve their practice and their performance in managing freshwater. Those councils are keen to make sure that the reforms provide significant improvements. They are also committed to working with the government to ensure that the reforms build on their collective knowledge and practical experience.

ISSUE: River Values Assessments – Update

ID: A537153

To: Environmental Management Committee, 28 May 2013

From: Darryl Jones, Economist

Date: 21 May 2013

Summary: Two presentations will be provided to the EMC updating them on work being done to assess river values in Northland, an important step in the process of implementing the NPS-FM.

Report Type:	<input checked="" type="checkbox"/> Normal operations	<input type="checkbox"/> Information	<input type="checkbox"/> Decision
Purpose:	<input type="checkbox"/> Infrastructure	<input type="checkbox"/> Public service	<input type="checkbox"/> Regulatory function
	<input checked="" type="checkbox"/> Legislative function	<input type="checkbox"/> Annual\Long Term Plan	<input type="checkbox"/> Other
Significance:	<input type="checkbox"/> High	<input type="checkbox"/> Moderate	<input checked="" type="checkbox"/> Low

Report:

Two presentations will be given to update the EMC on progress being made on assessing the values associated with rivers in Northland, in particular the trial of the River Values Assessment System (RiVAS) methodology and an assessment of the economic value of allocated water. The National Policy Statement for Freshwater Management 2011 requires that the setting of water quality and quantity limits must reflect local and national values.

RiVAS

As indicated at the EMC meeting of 26 March 2013, three regional expert panel meetings will be held during the week beginning 20 May as part of the process of conducting the RiVAS evaluation for swimming, natural character and native fish in Northland.

Ken Hughey, Professor of Environmental Management at Lincoln University and Project Leader for RiVAS, will make a presentation to the EMC on the interim results of those meetings.

Final reports for all three assessments are due to be completed by the end of June 2013. At its July meeting, the committee can consider and decide on the use of the RiVAS methodology and assessments.

Economic

As agreed by the EMC at its meeting of 26 March 2013, work on examining the economic value of rivers in Northland is being undertaken concurrently with the three River Values Assessment System (RiVAS) evaluations.

Darryl Jones will make a presentation to the committee on an initial assessment that has been done for Northland and summarise similar work being done in other regions.

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Legal compliance and significance assessment:

The activities detailed in this report are provided for in the Council's Long Term Plan and as such are in accordance with the Council's decision making process and sections 76-82 of the Local Government Act 2002.

In relation to section 79 of the Local Government Act 2002, this issue is considered to be of low significance under Council policy because the report does not seek a decision other than that information be received.

Recommendation:

1. That the report River Values Assessments – Update by Darryl Jones, Economist, dated 21 May 2013 be received.
-

ISSUE: Mangere Catchment Group – membership

ID: A538237

To: Environmental Management Committee, 28 May 2013

From: Dean Evans, Land Programme Manager

Date: 21 May 2013

Summary The purpose of this report is to update the committee on progress with the formation of the Mangere Catchment Group. It concludes with the recommendations that nominations received to date to the Mangere Catchment Group be accepted, and that staff proceed with organising the inaugural meeting of the group.

Report Type:	<input checked="" type="checkbox"/> Normal operations	<input type="checkbox"/> Information	<input checked="" type="checkbox"/> Decision
Purpose:	<input type="checkbox"/> Infrastructure	<input type="checkbox"/> Public service	<input type="checkbox"/> Regulatory function
	<input checked="" type="checkbox"/> Legislative function	<input type="checkbox"/> Annual\Long Term Plan	<input type="checkbox"/> Other
Significance:	<input type="checkbox"/> High	<input type="checkbox"/> Moderate	<input checked="" type="checkbox"/> Low

Background:

At its meeting of 26 March 2013, the committee confirmed the Terms of Reference for the Mangere Catchment Group. Since then, staff have been progressing the formation of the group, and have been seeking nominations in line with the terms of reference.

To date the following nominations have been received:

Name	Representing
Cr Tony Davies-Colley	Environmental Management Committee
Mr Alan Clarkson	Environmental Management Committee - Farming representative
Cr Joe Carr (ex officio)	Environmental Management Committee
<i>(The above named were nominated to the Mangere Catchment Group at the Environmental Management Committee meeting on 26 March 2013)</i>	
Mr David Coleman	Whangarei District Council
Mr Royce Kokich	Dairy industry representative
Mr Denis Anderson	Dairy industry representative
Mr Shayne O'Shea	Dairy industry representative
Mr Gerry Brackenbury	Pukenui/Western Hills Forest Charitable Trust
Mr Roger Holder	Catchment resident
<i>(no nomination received)</i>	Non-dairying farmer from catchment
<i>(nomination awaited)</i>	Iwi representative
<i>(nomination awaited)</i>	Iwi representative

The committee will note that as a result of the keen interest within the industry, three nominations have been received from dairy farmers. While the terms of reference propose only two nominations, it does allow the committee/group flexibility to add further members, taking into account their

interest/perspective. In this instance, it is recommended that the three nominations are accepted.

The committee will also note that nominations have yet to be received for iwi representation. Staff are actively following up these nominations.

In the interim, and to maintain momentum for the group, it is recommended that the committee accept the nominations that have been received to date, and that it supports staff proceeding to organise the inaugural meeting of the Mangere Catchment Group, following receipt of appropriate iwi nominations.

A further report on progress of this group and confirmation of final nominations for membership will be presented to the July Environmental Management Committee meeting.

Legal compliance and significance assessment:

The information provided in this report and its recommendations comply with the decision making requirements set out in the Local Government Act 2002 and the Resource Management Act 1991. This decision is considered to be of low significance under council policy, because it is in keeping with the council's overarching programme for NPS implementation adopted in May 2012 as detailed in the 2012-2022 Long Term Plan (now called the Waioara Northland Water Programme). The matter of supporting and implementing the recommendations from the Mangere Catchment Group are likely to be of greater significance and will need to be considered separately.

Recommendations:

1. That the report Mangere Catchment Group - membership by Dean Evans, Land Programme Manager and dated 21 May 2013, be received.
2. That the nominations received to date for membership of the Mangere Catchment Group be accepted as follows:

Cr Tony Davies-Colley	Environmental Management Committee
Mr Alan Clarkson	Environmental Management Committee - Farming representative
Cr Joe Carr (ex officio)	Environmental Management Committee
Mr David Coleman	Whangarei District Council
Mr Royce Kokich	Dairy industry representative
Mr Denis Anderson	Dairy industry representative
Mr Shayne O'Shea	Dairy industry representative
Mr Gerry Brackenbury	Pukenui/Western Hills Forest Charitable Trust
Mr Roger Holder	Catchment resident

3. That staff proceed with organising the inaugural meeting of the Mangere Catchment Group, once appropriate nominations from iwi representatives have been received.
4. That a further report including confirmation of final nominations for membership of the Mangere Catchment Group be provided at the July committee meeting.

ISSUE: Doubtless Bay Working Group – membership

ID: A538363

To: Environmental Management Committee, 28 May 2013

From: Peter Wiessing, Kaitaia Area Manager

Date: 21 May 2013

Summary The purpose of this report is to update the committee on progress with the formation of the Doubtless Bay Working Group. It concludes with the recommendations that nominations received to date to the Doubtless Bay Working Group be accepted, and that staff proceed with organising the inaugural meeting of the group.

Report Type:	<input checked="" type="checkbox"/> Normal operations	<input type="checkbox"/> Information	<input checked="" type="checkbox"/> Decision
Purpose:	<input type="checkbox"/> Infrastructure	<input type="checkbox"/> Public service	<input type="checkbox"/> Regulatory function
	<input checked="" type="checkbox"/> Legislative function	<input type="checkbox"/> Annual\Long Term Plan	<input type="checkbox"/> Other
Significance:	<input type="checkbox"/> High	<input type="checkbox"/> Moderate	<input checked="" type="checkbox"/> Low

Background:

At its meeting of 26 March 2013, the committee confirmed the Terms of Reference for the Doubtless Bay Working Group. Since then, staff have been progressing the formation of the group, and have been seeking nominations in line with the terms of reference.

To date the following nominations have been received:

Name	Representing
Cr Bronwyn Hunt	Environmental Management Committee
Cr Di Maxwell FNDC	Far North District Council Councillor representative
Mr Peter Wiessing	Northland Regional Council – Kaitaia Area Office
Dr Greg Blunden	Environmental Management Committee – Environmental interest groups representative
<i>(The above named were nominated to the Doubtless Bay Working Group at the Environmental Management Committee meeting on 26 March 2013)</i>	
Mr Murray Walden	Dairy industry representative
Mr Dennis O'Callaghan	Beef and sheep industry representative
Mr Lester Bridson	Department of Conservation
Mr Beau Mallet of Summit Northern Plantation Ltd	Forest industry representative
Mr Wayne Parsonson	Clean Waters to the Sea (Tokarau Community Catchment Project)
<i>(nomination awaited)</i>	Far North District Council wastewater and stormwater representative
<i>(nomination awaited)</i>	Doubtless Bay Marine Protection Group

<i>(nomination awaited)</i>	Iwi representative
<i>(nomination awaited)</i>	Iwi representative
<i>(nomination awaited)</i>	Iwi representative
<i>(nominations awaited)</i>	Two Doubtless Bay catchment ratepayers to be nominated by Te Hiku Community Board
<i>(nomination awaited)</i>	Doubtless Bay Promotions Inc

The committee will note that a number of nominations have yet to be received. Staff are actively following up these nominations.

In the interim, and to maintain momentum for the group, it is recommended that the committee accept the nominations that have been received to date, and that it supports staff proceeding to organise the inaugural meeting of the Doubtless Bay Working Group, following receipt of appropriate additional nominations.

A further report on progress of this group and confirmation of final nominations for membership will be presented to the July Environmental Management Committee meeting.

Legal compliance and significance assessment:

The information provided in this report and its recommendations comply with the decision making requirements set out in the Local Government Act 2002 and the Resource Management Act 1991. This decision is considered to be of low significance under council policy, because it is in keeping with the council's overarching programme for NPS implementation adopted in May 2012 as detailed in the 2012-2022 Long Term Plan (now called the Waiora Northland Water Programme).

Recommendations:

1. That the report Doubtless Bay Working Catchment Group - membership by Peter Wiessing, Kaitaia Area Manager and dated 21 May 2013, be received.
2. That the nominations received to date for membership of the Doubtless Bay Working Group be accepted as follows:

Name	Representing
Cr Bronwyn Hunt	Environmental Management Committee
Cr Di Maxwell	Far North District Council Councillor representative
Mr Peter Wiessing	Northland Regional Council – Kaitaia Area Office
Dr Greg Blunden	Environmental Management Committee – Environmental interest groups representative
Mr Murray Walden	Dairy industry representative
Mr Dennis O'Callaghan	Beef and sheep industry representative
Mr Lester Bridson	Department of Conservation

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Mr Beau Mallet of Summit Northern Plantation Ltd	Forest industry representative
Mr Wayne Parsonson	Clean Waters to the Sea (Tokarau Community Catchment Project)

3. That staff proceed with organising the inaugural meeting of the Doubtless Bay Working Group, once appropriate nominations from additional representatives have been received.
 4. That a further report including confirmation of final nominations for membership of the Doubtless Bay Working Group be provided at the July committee meeting.
-

ISSUE: Whangarei Harbour Catchment (Collaborative Stakeholder) Advisory Group – Draft Terms of Reference

ID: A537202

To: Environmental Management Committee, 28 May 2013

From: Tony Phipps, Deputy CEO / Operations Director

Date: 15 May 2013

Summary: The purpose of this report is to present draft terms of reference for the Whangarei Harbour Catchment (Collaborative Stakeholder) Advisory Group for the committee's consideration. It concludes with the recommendation that the committee approves the terms of reference and appoint one elected councillor to the group.

Report Type:	<input checked="" type="checkbox"/> Normal operations	<input type="checkbox"/> Information	<input checked="" type="checkbox"/> Decision
Purpose:	<input type="checkbox"/> Infrastructure	<input type="checkbox"/> Public service	<input type="checkbox"/> Regulatory function
	<input checked="" type="checkbox"/> Legislative function	<input type="checkbox"/> Annual\Long Term Plan	<input type="checkbox"/> Other
Significance:	<input type="checkbox"/> High	<input type="checkbox"/> Moderate	<input checked="" type="checkbox"/> Low

Background

In response to community concerns about the quality of water in the Whangarei Harbour Northland Regional Council and Whangarei District Council jointly prepared a non-statutory water management strategy; Whangarei Harbour Water Quality Action Strategy 2012¹. The strategy includes an initial assessment of uses and values of the harbour waters, water quality objectives and actions to support the objectives.

A key initial stated action of the strategy is to form a collaborative stakeholder advisory group:

“Form a Whangarei Harbour and Catchment Advisory Group to confirm/amend the proposed water quality objectives for the Whangarei Harbour and establish freshwater objectives for the upper Whangarei Harbour sub-catchments (Action 22).

“Translate freshwater objectives and Whangarei Harbour water quality objectives into water quality limits and targets (Action 23).

“Assess the need to amend current policies and rules and/or develop new policies and rules to manage direct and diffuse source discharges to achieve freshwater objectives and Whangarei Harbour water quality objectives (Action 24).”

The group will be tasked with making recommendations to both councils on their respective functions relating to harbour water quality. It is also hoped that the group will help foster cooperation and joint responsibility among stakeholders in the

¹ www.nrc.govt.nz/EMCagendas - Environmental Management Committee meeting, 5 December 2012 Item 4

management of water resources in the Whangarei Harbour Catchment.

The Whangarei Harbour Catchment has been identified in the Waiora Northland Water programme as a first priority catchment for the setting of catchment-specific water objectives and limits, to be included by way of a future plan change in the Regional Water and Soil Plan (or other relevant regional plan).

Draft terms of reference for the Whangarei Harbour Catchment Advisory Group

Proposed Terms of Reference (TOR) for the Whangarei Harbour Catchment Advisory Group (the Group) are attached to this agenda item for consideration.

The proposed TOR are similar to the terms of reference for the Mangere Catchment Group adopted at the last committee meeting². However, they differ insofar as the Whangarei Harbour Catchment Advisory Group will be an advisory group to both Northland Regional Council and Whangarei District Council.

With regard to Northland Regional Council, it is recommended that the Group be a subcommittee of the Environmental Management Committee. This is in line with other river and catchment groups. (The committee has authority in its terms of reference to establish subcommittees.)

It is also recommended that the Group has a wider membership than the Mangere Catchment Group reflecting the nature of the community of the Whangarei Harbour Catchment.

Funding

Current NRC practice is to fund administrative and technical (for NRC functions) support for community liaison type sub committees, and other parties cover their own costs. This is the case for the river liaison committees.

Process

The proposed TOR are to be put to the Whangarei District Council District Living Committee for consideration. Once the TOR are adopted, nominations will be invited and then once nominations have been received, a recommendation on membership will be made jointly to the Environmental Management Committee and the District Living Committee.

Legal compliance and significance assessment:

The relevant legislation in relation to this issue is the Local Government Act 2002 and the Resource Management Act 1991. The information provided in this report and its recommendations are compliant with the decision making requirements set out in this Local Government Act 2002 and the Resource Management Act 1991.

This decision is considered to be of low significance under council policy, because it is consistent with the council's overarching programme for implementing the National Policy Statement for Freshwater Management adopted in May 2012 as detailed in the 2012-2022 Long Term Plan (now called Waiora Northland Water Programme).

The matter of supporting and implementing the recommendations from the Whangarei Harbour Catchment Collaborative Stakeholder Group are likely to be of greater significance and will need to be considered separately.

² www.nrc.govt.nz/EMCagendas - Environmental Management Committee meeting, 26 March 2013 Item 6

Recommendations:

1. That the report Whangarei Harbour Catchment (Collaborative Stakeholder) Advisory Group – Draft Terms of Reference by Tony Phipps, Operations Director, and dated 15 May 2013, be received.
 2. That the committee approves the terms of reference as attached.
 3. That the committee appoints _____ (being a current member of the Environmental Management Committee) shall be the Northland Regional Council's representative on the Whangarei Harbour Catchment Advisory Group.
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Whangarei Harbour Catchment Advisory Group: Proposed Terms of Reference

Background

The Whangarei Harbour Catchment is situated on the east coast of Northland and has an area of approximately 300 km². The catchment flows to a drowned river valley/large estuarine harbour of approximately 107 km², which is highly valued for its ecological, economic, recreational, and cultural values. The catchment has heterogeneous geology, soils, and land uses, and is comprised of a number of smaller sub-catchments. The catchment contains much of Whangarei city urban area.

In their jointly prepared Whangarei Harbour Water Quality Action Strategy (2013), Whangarei District Council and Northland Regional Council (the councils) have agreed to the following short term (0-3 years) actions for improving the regulatory framework:

- Form a Whangarei Harbour and Catchment Advisory Group to confirm/amend the proposed water quality objectives for the Whangarei Harbour and establish freshwater objectives for the upper Whangarei Harbour sub-catchments (Action 22).
- Translate freshwater objectives and Whangarei Harbour water quality objectives into water quality limits and targets (Action 23).
- Assess the need to amend current policies and rules and/or develop new policies and rules to manage direct and diffuse source discharges to achieve freshwater objectives and Whangarei Harbour water quality objectives (Action 24).

The key action within the Whangarei Harbour Water Quality Action Strategy of forming a collaborative stakeholder advisory group will enable the WDC and NRC to partner with the community in each aspect of decisions around catchment-specific water management, including the development of objectives and limits, and management actions (regulatory and/or non-regulatory) to meet agreed objectives.

The Whangarei Harbour Catchment has been identified by Northland Regional Council in its Waioara Northland Water programme for implementing the National Policy Statement for Freshwater Management as a priority catchment.

Terms of Reference

The Collaborative Stakeholder Advisory Group for Whangarei Harbour will be known as the Whangarei Harbour Catchment Group (the Group).

The councils will look to the Group for advice and innovation in formulating solutions. Advice and recommendations made by the Group will be incorporated into WDC and NRC decisions to the maximum extent possible.

Purpose:

The purpose of the Group is to work collaboratively to make consensus recommendations on maintaining and improving the state and management of water resources in the Whangarei Harbour and its catchment.

Specific functions

1. To assist both councils in communicating with the community on the state of the harbour and actions being taken to achieve water quality objectives

2. To advise the Northland Regional Council and its Environmental Management Committee (EMC) on the delivery of the Waiora Northland Water programme in the Whangarei Harbour catchment.
3. To develop and recommend water management objectives, policies and rules for the Whangarei Harbour Catchment to be included in the relevant regional or district plans.
4. To help coordinate efforts to maintain and improve the quality of water in the Whangarei Harbour and its catchment by leveraging public and private resources and fostering cooperation and joint responsibility among stakeholders, including by making recommendations to the Whangarei District Council on water infrastructure management and land use development decisions.

**Establishment
and Reporting:**

The Group is established as:

1. An advisory group to Whangarei District Council; and
2. A sub-committee of the Northland Regional Council Environmental Management Committee under the Local Government Act 2002

The Group shall report to the Whangarei District Council District Living Committee and the Northland Regional Council Environmental Management Committee.

Membership:

Composition

Membership of the Group will reflect a balanced cross-section of interests in the Whangarei Harbour and its catchment. It is expected that members will engage with their organisations and wider networks to share information and to bring forward knowledge and information to the Group. The composition of the Group is as follows:

- One member appointed by the Environmental Management Committee (an elected councillor of Northland Regional Council preferably residing within the Whangarei Harbour catchment)
- One member appointed by Whangarei District Council (an elected councillor preferably residing within the Whangarei Harbour catchment)
- One member appointed by Te Runanga a Iwi o Ngapuhi and hapu
- One member appointed by Te Runanga o Ngati Whatua and hapu
- One member appointed by Ngati Wai Trust Board and hapu
- One member nominated by farming interests

- One member nominated by forestry interests
- One member nominated by fisheries interests
- One member nominated by other business/industry interests
- One member nominated by recreational interests
- One member nominated by environmental interests
- Three members from the community at large:
 - Two from the sub-catchments of the upper harbour
 - One from the sub-catchments of the middle/lower harbour.

Additional members

The size of the Group will achieve a balance between representation of interests and the need for an efficient process to fulfil the group's functions.

Where it is evident that an important interest or perspective is not represented on the Group, the councils will consider adding another member(s), taking into account their skills and knowledge, their availability, and the need to keep the group to a size that can effectively and efficiently work together.

The Group may establish working groups to advance work on specific topics and may request expert advice through the Technical Advisory Group.

Chairperson:

The Group will select a Chairperson and Deputy Chairperson from among its members.

If it is in the interests of the Group, the councils will appoint an independent facilitator to support the Chairperson, or to fulfil the role of Chairperson, for an open or fixed period.

The role of the Chairperson/Facilitator is to:

- Ensure a fair and equitable group process
- Create an environment where members can work together in good faith, with respect and with an open mind
- Facilitate input from all members of the group so that every voice is heard
- Ensure that the Catchment Group operates in accordance with its principles
- Ensure that the group has adequate support and information to efficiently and effectively carry out its terms of reference
- Provide or acquire guidance on collaborative decision making techniques, including constructive ways to voice disagreement and negotiate potential outcomes.

Meetings - Frequency:

Its specific tasks will likely demand a significant amount of time of the Group. Members should anticipate a commitment of approximately two years comprised of 6–10 meetings per year.

The Group will need to decide on a frequency of meetings that is adequate for its tasks.

Quorum

A quorum shall include the Chair or Deputy Chair and a minimum of 50% of the normal membership.

Collaborative decision-making:

A credible commitment to a collaborative process is required of the Group. Decisions must be made by consensus (or near consensus) not majority rule.

Consensus is defined as every member of the Group agreeing that they can accept a decision / recommendation.

Because the Group is undertaking a collaborative exercise based on consensus decision-making, at the end of a process, members will be asked to declare whether they can support the outputs and recommendations to the councils. Members will be expected to promote outputs and decisions to the interests, organisations, and constituents that they represent.

Operating principles:

All members will:

- Recognise that ecological, social, cultural and economic considerations are all an integral part of collaborative catchment planning.
- Develop and maintain effective and inclusive working relationships through open communication, respect, trust, and cooperation.
- Commit to collaborative discussions and decision making.
- Follow Chatham House Rules: Members are free to discuss matters with other parties (except the media), but are not to attribute people to the opinions or options being discussed.
- Contributions are made without prejudice i.e. notwithstanding any recommendations or agreements reached by the group, nothing said within the group process may be used in subsequent planning or legal processes.
- Not make any public statements on, or relating to, the workings of the Group without agreement from the Chairperson. (This also applies to technical advisors, staff and others who attend the meetings in support of the Group).
- Support decisions and recommendations reached by consensus by the group in subsequent public discussion, including appearing at any subsequent hearing if requested. Members will however be permitted to submit individually on decisions of either council on matters that the Catchment Group was unable to reach consensus on.

Key tasks:

1. To identify uses and values of water in the Whangarei Harbour and its catchment
2. To develop catchment objectives (desired environmental outcomes) relating to the identified uses and values
3. To determine water quality and quantity limits/targets that specify the maximum or minimum conditions to meet the water management objectives
4. To determine the policy and management options (regulatory and non-regulatory) to achieve the catchment objectives, including by reviewing the respective actions of the councils, set out in the Whangarei Harbour Water Quality Action Strategy 2013.
5. To make recommendations on aligning the maintenance and provision of water infrastructure and future development planning with catchment objectives.

Key outputs and Timeframes:

Reports to the Environmental Management Committee and District Living Committee recommending catchment objectives, limits, and management actions; details on the key points of deliberation and rationale for decisions, and any areas where consensus could not be reached.

[Initially suggest July 2015, however the deliverables could be staged over a period of time leading up to this date].

Administration and support:

Administrative

The councils will provide secretariat and administrative support.

Independent facilitator

The Group may request an independent facilitator to assist or fulfil the role of the Chairperson for fixed period or the full period of the group.

Technical Advisory Group

The Group will be supported by a Technical Advisory Group made up of technical advisors from a range of fields relevant to the functions of the Group, to be set up by the councils.

Application:

To fulfil its functions the term of the Group is expected to be at least two years.

These terms of reference will be reviewed on an annual basis by the Group and the councils and will be updated or modified as required.

ISSUE: Environment Fund Demand Pressures

ID: A536546

To: Environmental Management Committee, 28 May 2013

From: Dean Evans, Land Programme Manager

Date: 13 May 2013

Summary The purpose of this report is to update the Environmental Management Committee on the number of projects awaiting approval for Environment Fund funding for the new financial year and their approximate financial cost. It concludes with the recommendation that this report be received and implications considered.

Report Type:	<input checked="" type="checkbox"/> Normal operations	<input checked="" type="checkbox"/> Information	<input type="checkbox"/> Decision
Purpose:	<input type="checkbox"/> Infrastructure	<input checked="" type="checkbox"/> Public service	<input type="checkbox"/> Regulatory function
	<input type="checkbox"/> Legislative function	<input checked="" type="checkbox"/> Annual\Long Term Plan	<input type="checkbox"/> Other
Significance:	<input type="checkbox"/> High	<input checked="" type="checkbox"/> Moderate	<input type="checkbox"/> Low

Background

Since October 2012 land management staff have begun to work with farmers in priority catchments and across Northland to provide Farm Water Quality Improvement Plans (FWQIP) as part of the Waiora Northland Water, NPS Freshwater implementation project. FWQIP's highlight areas on a farm where water quality improvement actions can occur and list those actions in order of priority, based on water quality benefit.

A condition applied to receiving Environment Fund funding means that all recipients of the EFund funding must have a FWQIP or equivalent unless determined unnecessary during the approval process.

Discussion

In previous years, the EFund has only been fully allocated later in the financial year. This year however due to active programme promotion (Waiora Northland Water) and new dairy industry requirements, 98 projects requesting EFund funding have already been listed for the 2013/14 financial year; the total number of projects for 2012/13 was 116.

The average amount funded across projects in 2012/13 was \$5,288, which if applied to these new projects would mean that \$518,224 would need to be available for funding; whereas the current budget is \$410,000. This means that approximately 20 projects will already miss out and funding has now effectively been allocated a year ahead.

A point to note is that there is still a month and a half before the new financial year begins and that with active programme work across Northland and the spotlight on water quality and good management practice

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coming to the forefront of people's minds; it is assumed this number will continue to grow throughout 2013/14.

Additionally, there is already enough biosecurity projects on the books to fully allocate the biosecurity portion of the fund for the 2013/14 financial year, being \$85,000.

This raises the obvious question as to if, and if so how, the council will provide for increasing funding pressures in support of sustainable land management good practice actions that promote water quality benefit, align with council's and central government's objectives and that have been highlighted in FWQIPs that landowners and council staff have prepared.

This will be an issue for the council to consider later this year during the next annual plan and budget process.

Legal compliance and significance assessment:

The activities detailed in this report are provided for in the council's 2012-2022 Long Term Plan and as such are in accordance with the council's decision-making process and sections 76-82 of the Local Government Act 2002.

In relation to section 79 of the Local Government Act 2002, this issue is considered to be of low significance under Council policy because the report does not seek a decision other than that information be received.

Recommendation:

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1. That the report Environment Fund Demand Pressures by Dean Evans, Land Programme Manager and dated 13 May 2013, be received.
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**ISSUE: Community wastewater treatment plant discharges
– current compliance status (updated)**

ID: A296571

To: Environmental Management Committee, 28 May 2013

From: Tess Dacre, Monitoring Programme Manager – Water and Wastes

Date: 16 May 2013

Summary The purpose of this report is to give an update on the resource consent compliance status of Northland's 30 community wastewater treatment plants, and the actions being taken to remedy any non-compliance.

Report Type:	<input checked="" type="checkbox"/> Normal operations	<input checked="" type="checkbox"/> Information	<input type="checkbox"/> Decision
Purpose:	<input type="checkbox"/> Infrastructure	<input type="checkbox"/> Public service	<input checked="" type="checkbox"/> Regulatory function
	<input checked="" type="checkbox"/> Legislative function	<input checked="" type="checkbox"/> Annual\Long Term Plan	<input type="checkbox"/> Other
Significance:	<input type="checkbox"/> High	<input type="checkbox"/> Moderate	<input checked="" type="checkbox"/> Low

Background

This report and attached table provides an update to the status of the 30 community wastewater treatment plants operated by FNDC, KDC and WDC.

The FNDC has consent applications for four wastewater treatment plants (Ahipara, Rāwene, Russell and Taipa) which are still in various stages of the consenting process, details of which are included in the attached table.

FNDC is subject to one abatement notice. This notice relates to the on-going non-compliance with water quality conditions at Paihia. The abatement notice compliance date is 30 June 2013.

The majority of Northland's community wastewater treatment plants have up-to-date consents and routinely meet their required discharge and water quality standards.

There are about eight FNDC treatment plants that at times fail to comply with the water quality conditions of their consents. It is expected that this will be resolved, in time, through the re-consenting process for those treatment plants and plant upgrades. Where this is not the case for any of these treatment plants, formal enforcement action will be taken.

On the whole, the WDC and KDC wastewater treatment plants are complying with their water quality conditions of consent. Where there are some issues, these are being worked through with the WDC and KDC to resolve.

The compliance data for the last calendar year has been reviewed. There were eight community wastewater treatment plants (25%) that were significantly non-compliant with water quality conditions of consent at some point over this period.

Legal Compliance and significance assessment:

The activities detailed in this report are provided for in the council's 2012-22 Long Term Plan, and as such are in accordance with the council's decision-making process and Sections 76-82 of the Local Government Act 2002.

In relation to section 79 of the Local Government Act 2002, this issue is considered to be of low significance under Council policy because the report does not seek a decision other than that information be received.

Recommendation

1. That the report Community wastewater treatment plant discharges – current compliance status (updated) from Tess Dacre, Monitoring Programme Manager – Water and Wastes, dated 16 May 2013 be received.
-

Location/Consent Status	Plant Description	Status & Issues	Update as at May 2013
Ahipara (FNDC) Consent expired 2010. Replacement consent in process – on hold until consultation completed.	<ul style="list-style-type: none"> • Oxidation pond, surface flow wetland, overland flow to drain. • Discharges to a tributary of Wairoa Stream. 	<ul style="list-style-type: none"> • No major operational issues. • Management Plan submitted as per agreed schedule. • A pre-hearing meeting was held with submitters on the replacement consent in late March 2013. • It is likely the application will proceed to a hearing in mid to late 2013. 	<ul style="list-style-type: none"> • Wetland was renovated in February 2013.
Awanui (FNDC) Consent issued 2005, expiry 2021.	<ul style="list-style-type: none"> • Small aerated package treatment system and surface flow wetland. • System has UV disinfection. • Discharges to Awanui River. 	<ul style="list-style-type: none"> • Consistently complies with water quality conditions of consent. • Management Plan submitted as per agreed schedule. • Plant to be closed to reduce running costs and wastewater will be pumped to Kaitia system via a pressurised sewer line. 	<ul style="list-style-type: none"> • FNDC advise that pressure sewer will be up and running by June 2013. • The plant will be decommissioned a few months after the pressure sewer starts up.
Hihi (FNDC) Consent issued 2011, expiry 2022.	<ul style="list-style-type: none"> • Extended aeration treatment system with flow equalisation and UV disinfection followed by surface flow wetland. • Discharges to the Hihi Stream. 	<ul style="list-style-type: none"> • At times does not comply with the Ecoli condition of consent (for the discharge from the treatment plant). • Consent required an upgrade to the plant by 1 May. • There is significant stormwater infiltration to the reticulation system for the treatment plant. However, some improvements have been made in relation to this. Further work is planned to resolve key infiltration issues and then FNDC will re-assess the situation and determine what else needs to be done. • Management Plan submitted as per agreed schedule. • Abatement notice timeframe extended to 28 February 2013. 	<ul style="list-style-type: none"> • Wastewater treatment plant upgraded with filtration and UV disinfection to comply with consent standards. • Commissioning is complete and sampling results carried out associated with the commissioning phase to be provided to NRC.
Kaeo (FNDC) Consent issued 2007, expiry 2022. Changed consent issued October 2011.	<ul style="list-style-type: none"> • Settlement and oxidation ponds • Packed bed reactor incorporating vermiculture. • Wetland. • Discharges to the Kaeo River. 	<ul style="list-style-type: none"> • Consent requires 4-log reduction of viral indicators to protect downstream oyster farms. • The system and discharge standards were proposed by FNDC. • Management Plan submitted as per schedule. • Upgrade to treatment plant has been completed. • Sampling indicates treatment plant achieves a 3 to 3.5 log reduction of viral indicators. 	<ul style="list-style-type: none"> • FNDC are investigating options which will either involve installing UV at the end of the vermifilter or applying to change the 4-log consent limit.
Kaikohe (FNDC) Consent issued 2005, expiry 2021. Changed consent issued on 19 April 2011.	<ul style="list-style-type: none"> • Anaerobic pond, large facultative pond, three surface flow wetlands. • Discharges to a tributary of the Wairoro stream. 	<ul style="list-style-type: none"> • The Kaikohe ponds suffer from blue green algae blooms in summer. • Problems with compliance during low flows (ammoniacal nitrogen exceeds consent limit). • Floating wetlands proposed to improve treatment. • Stormwater infiltration report submitted as required by consent. • Management Plan submitted as per agreed schedule. • Consideration of process options and requirements will include review of Kaeo vermiculture data. • November sampling had elevated ammoniacal nitrogen concentration. 	<ul style="list-style-type: none"> • Investigations for suitable treatment solutions are now due to commence following performance data received from Kaeo WWTP upgrade.

Location/Consent Status	Plant Description	Status & Issues	Update as at May 2013
Kaitiāia (FNDC) Consent issued 2005, expiry 2021.	<ul style="list-style-type: none"> Two ponds plus floating wetland cells. Discharges to the Awanui River. 	<ul style="list-style-type: none"> Main issue is the blue green algae and discharge during summer. Should there be further significant blue green algae discharges, FNDC will be required to cease the discharge to the river, using formal enforcement action if need be. Recent upgrades have been carried out and include floating wetlands, baffle curtains and sludge reception. Upgrade condition requiring installation of a disinfection unit by August 2008 – this has not been done. However, monitoring results from January to April 2012 show >5 log reduction in phages. Average reduction over 2011 >4 log. FNDC need to apply for a change to the RC conditions regarding the requirement for disinfection. Management plan received as per agreed schedule. Resource consent for sludge drying beds obtained. 	<ul style="list-style-type: none"> Consent is meeting all discharge standards. However technically the consent is being breached because the WWTP does not include a “disinfection system”. FNDC will apply to change the consent to resolve the technical non-compliance.
Kawakawa (FNDC) Consent issued 2012, expiry 2036.	<ul style="list-style-type: none"> Aeration tank, a secondary clarifier, a disc filter, UV treatment and then to constructed wetlands. Discharges to Kawakawa River. 	<ul style="list-style-type: none"> System working well since upgrade. Upper Kawakawa shellfish monitoring site for viruses once one of the worst sites now one of the best. Management plan received as per agreed schedule. 	<ul style="list-style-type: none"> Nothing new to report.
Kerikeri (FNDC) Consent issued 2005, expiry 2015.	<ul style="list-style-type: none"> Aerated treatment system (solids separation, RCBs, and clarifiers). System has UV unit (operates poorly). Discharges to the Waitangi forest natural wetland (a tributary of the Kerikeri Inlet). 	<ul style="list-style-type: none"> Historically, the system has had significant odour problems. System upgraded a couple of years ago. However ongoing issues with performance of disinfection unit due to poor quality effluent. Balance tank collapsed during March 2012 storm event. All three balance tanks have been replaced. Management plan received as per agreed schedule. New consent for BOI issued (combined Paihia and Kerikeri system). 	<ul style="list-style-type: none"> Intermittent compliance issues are expected to be resolved as part of the solutions proposed under the Bay of Islands project, soon to be progressed through public consultation. Community liaison meeting outstanding. However, FNDC is not planning to carry out community liaison meeting given the extensive consultation that will be carried out in respect of the management of Kerikeri wastewater as part of the upcoming 2014/2015 annual plan.
Paihia (FNDC) Consent issued 2004, expiry 2014.	<ul style="list-style-type: none"> Two pond system. Discharges to the Waitangi forest natural wetland (a 	<ul style="list-style-type: none"> Resource consent granted for BOI scheme in mid 2012. Current system in significant non-compliance with consent conditions (ammoniacal nitrogen frequently exceeds consent limits) and in need 	<ul style="list-style-type: none"> FNDC is in the process of developing alternatives to the original BOI Scheme which

Location/Consent Status	Plant Description	Status & Issues	Update as at May 2013
	tributary of the Kerikeri Inlet).	<p>of upgrade regardless of progress on new system.</p> <ul style="list-style-type: none"> • Upgrade to meet ammonia conditions outstanding. • Management plan received as per agreed schedule. • FNDC investigated a biological (vegetation) filtration treatment system (currently being used in Europe). Unlikely that option will be pursued due to ammonia treatment. • No decision has been communicated to NRC regarding upgrade to Paihia. • An abatement notice was issued in November 2012. Compliance date is 30 June 2013. 	<p>will need to be put to the community under the consultation requirements set out in the LGA before making a decision on an appropriate path forward. That process will occur as part of the development of the 2014/2015 annual plan. Depending on the outcome of the consultation, the decision made by the FNDC may result in a substantial change to the original scheme that was developed nearly a decade ago.</p> <ul style="list-style-type: none"> • FNDC is maintaining discussion with NRC staff to work through the noncompliance issues and the abatement notice. • Options to fix the ammonia issue have been investigated and cost estimates sought.
Kohukohu (FNDC) Consent issued 2002, expiry 2016.	<ul style="list-style-type: none"> • Septic tanks followed by oxidation pond and surface flow wetland. • Discharges to Hokianga Harbour. 	<ul style="list-style-type: none"> • Consistently complies with water quality conditions of consent. • No outstanding issues. • Management plan received as per schedule. 	<ul style="list-style-type: none"> • Nothing new to report.
Opononi and Omāpere (FNDC) Consent issued 2009, expiry 2019.	<ul style="list-style-type: none"> • Primary screen, aerated pond, facultative pond, surface flow wetland. • Discharges to Hokianga Harbour (on outgoing tide). 	<ul style="list-style-type: none"> • Stormwater infiltration is an issue. • At times the plant discharges outside of the tidal flow condition to prevent overtopping of the wetland. • Management plan received as per agreed schedule. • FNDC are assessing options for refurbishing the wetlands. Access for sludge removal is a constraint. An affordable solution for desludging and replanting the wetland is being sought. Additional funding has been targeted in the Annual Plan although FNDC is yet to make a decision on how best to cost effectively refurbish the wetlands. • Issue complying with ecoli condition of consent. 	<ul style="list-style-type: none"> • FNDC intends to carry out a district wide investigation of inflow & infiltration and will include Opononi as part of a prioritised program. • Improvements in hydraulic retention and discharge pumping have been made to alleviate necessity to discharge outside of consented timeframes.

Location/Consent Status	Plant Description	Status & Issues	Update as at May 2013
Rangiputa (FNDC) Consent issued 2008, expiry 2032.	<ul style="list-style-type: none"> Oxidation ponds. Discharges to ground via the base of a third pond. 	<ul style="list-style-type: none"> No current known issues with this treatment system. Management plan received as per agreed schedule. 	<ul style="list-style-type: none"> Nothing new to report.
Rāwene (FNDC) Consent expired 2008. NRC decision on replacement consent appealed by local group.	<ul style="list-style-type: none"> Anaerobic pond, facultative pond and surface flow wetland. Discharges to the Omanaia River. 	<ul style="list-style-type: none"> No current performance issues with this treatment system. Still going through appeal process – awaiting Court decision. Management plan received as per agreed schedule. Infiltration study requested by appellants has checked Council reticulation and only minor issues identified. 	<ul style="list-style-type: none"> Nothing new to report.
Russell (FNDC) Consent issued 2002, expiry 2013.	<ul style="list-style-type: none"> Aerated treatment system, surface flow wetland, filtration and UV disinfection. Discharges to deep bores. 	<ul style="list-style-type: none"> No significant issues at this point. Consistently complies with water quality conditions of consent. Management plan received as per agreed schedule. Replacement consent application received in December 2012. 	<ul style="list-style-type: none"> Nothing new to report.
Taipā (East Coast Bays) (FNDC) Consent expired 2008. Replacement consent in process – on hold to allow assessment of land disposal option. Significant opposition to the current operation of the WWTP.	<ul style="list-style-type: none"> Facultative pond and aerated pond followed by surface flow wetland (4 cells). Discharges to a tributary of the Parapara Stream. 	<ul style="list-style-type: none"> Problems with blue green algae in the discharge at times. High ammonia and suspended solids from the marsh discharge at times. Currently investigating land application options as part of the consent renewal process. Application is still in process. FNDC have been granted an extension to pursue the land application option. Management plan received as per agreed schedule. 	<ul style="list-style-type: none"> Nothing new to report.
Whatuwhiwhi (FNDC) Consent issued 2007, expiry 2025.	<ul style="list-style-type: none"> Two aerated ponds equipped with biological growth media. Discharges to natural wetland which extends down to Karikari Bay. 	<ul style="list-style-type: none"> Consistently does not comply with faecal coliform discharge condition of consent. Discharge standards were proposed by FNDC. NRC does not consider there to be adverse effects on the receiving environment. Management plan received as per agreed schedule. FNDC investigating options for amending the resource consent. 	<ul style="list-style-type: none"> Nothing new to report.
Dargaville (KDC) Consent issued 2007, expiry 2022.	<ul style="list-style-type: none"> Facultative pond and wetland/maturation pond. Discharges to the Northern Wairoa River. 	<ul style="list-style-type: none"> Non-compliance with requirement to investigate stormwater inflow and infiltration. Consistently complies with water quality conditions of consent. 	<ul style="list-style-type: none"> Nothing new to report.
Kaiwaka (KDC) Consent issued 2010, expiry 2022.	<ul style="list-style-type: none"> Aerated pond and constructed wetland. Discharge to the Pukekaroro Stream. 	<ul style="list-style-type: none"> Issues with complying with water quality conditions of consent. Improvements to plant scheduled for 2013. 	<ul style="list-style-type: none"> Nothing new to report.
Maungaturoto (KDC) Consent issued 2008, expiry 2032.	<ul style="list-style-type: none"> Aerated pond, membrane filtration plant, storage pond, discharge to rock filter. Discharges to the Wairau River. 	<ul style="list-style-type: none"> No current issues. 	<ul style="list-style-type: none"> Nothing new to report.

Location/Consent Status	Plant Description	Status & Issues	Update as at May 2013
Mangawhai – Ecocare (KDC) Consent issued 2007, expiry 2042.	<ul style="list-style-type: none"> Screening, CASS tanks, chlorination and then pumped to storage dam. Irrigated to farmland. 	<ul style="list-style-type: none"> Consistently complies with water quality conditions of RC. Storage pond for irrigating holding more effluent than ideal due to lack of suitable application area. Irrigation area has been increased by 5 ha (now 30 ha). Further area is required. Kaipara LTP budget of \$400,000 for expansion of irrigation area. Lack of irrigation area resulted in over application during winter. 	<ul style="list-style-type: none"> Nothing new to report.
Te Kopuru (KDC) Consent issued 2010, expiry 2044.	<ul style="list-style-type: none"> Oxidation ponds and constructed wetland. Discharges to N Wairoa River. 	<ul style="list-style-type: none"> Still non-compliant for suspended solids and Ecoli. Waiting on KDC to indicate timeframes for planned improvements. 	<ul style="list-style-type: none"> Wetland de-sludging due for completion by June 2013.
Hikurangi (WDC) Consent issued 2007 (re-issued 2010), expiry 2025.	<ul style="list-style-type: none"> Settling pond, aerated pond, wetland and membrane filter for disinfection. Discharges to Mangawhero str. 	<ul style="list-style-type: none"> Plant has been non-compliant with respect to discharge volumes of treated wastewater for the 12 months to 31 March 2012. Change to the RC recommended. 	<ul style="list-style-type: none"> Nothing new to report.
Ngunguru (WDC) Consent issued 2010, expiry 2035.	<ul style="list-style-type: none"> Aerated pond, settling pond, constructed wetland and UV unit. Discharges to tributary of the Waitoi creek. 	<ul style="list-style-type: none"> Telemetry working, but alarm system still requires further work. 	<ul style="list-style-type: none"> Nothing new to report.
Oakura (WDC) Consent issued 2006, expiry 2025.	<ul style="list-style-type: none"> Screening, sedimentation tanks, biological contactor unit, disc filter and UV unit. Discharges to forest land via dripper lines. 	<ul style="list-style-type: none"> Plant now fully operational following failure in August. 	<ul style="list-style-type: none"> Nothing new to report.
Portland (WDC) Consent issued 2004, expiry 2024.	<ul style="list-style-type: none"> Oxidation pond and constructed wetland. Discharges to Tokitoki Creek. 	<ul style="list-style-type: none"> Consistently complies with water quality conditions of consent. 	<ul style="list-style-type: none"> Nothing new to report.
Ruakaka (WDC) Consent issued 2008, expires 2018.	<ul style="list-style-type: none"> Aerated pond and constructed wetland. Discharges to Bream Bay sand dunes. 	<ul style="list-style-type: none"> 3 bores (out of 20) are showing high nitrogen levels. Further investigation required to determine possible causes for elevated N levels. Elevated N possibly not related to WDC discharge. Have commenced working on the Rama Road disposal area (this is covered by the new Ruakaka consent). Still operating under the existing consent. 	<ul style="list-style-type: none"> 470 Ruakaka south properties plus Ruakaka campground now connected to the treatment system.
Tutukaka (WDC) Consent issued 2004, expiry 2024	<ul style="list-style-type: none"> Screening, primary treatment, denitrification recirculation tanks, sand filters, UV unit and constructed wetland. Discharges to a tributary of Tutukaka Harbour. 	<ul style="list-style-type: none"> Do not currently have reliable alarms. UV data now being received into SCADA and reports available. 	<ul style="list-style-type: none"> Contractor currently installing phone line to improve telemetry reliability.

Location/Consent Status	Plant Description	Status & Issues	Update as at May 2013
Waiōtira (WDC) Consent issued 2008, expiry 2030.	<ul style="list-style-type: none"> Septic tank and constructed wetland. Discharges to Waiōtira Stream. 	<ul style="list-style-type: none"> Consistently complies with water quality conditions of consent. 	<ul style="list-style-type: none"> Nothing new to report.
Waipū (WDC) Consent issued 2007, expiry 2015.	<ul style="list-style-type: none"> Aerated pond, constructed wetland with discharge to rapid in-fill basins. Discharges to the Bream Bay coast via subsurface flow. 	<ul style="list-style-type: none"> Consistently complies with water quality conditions of consent. 	<ul style="list-style-type: none"> Nothing new to report.
Whāngārei Main WWTP (WDC) Consent issued 2004, expiry 2022. Change to consent applied for – currently in process.	<ul style="list-style-type: none"> Screening, primary clarifiers, 1st and 2nd stage trickling filters, activated sludge basin and clarifiers, effluent filter, UV unit and normal to high flows go through wetlands. Discharges to Limeburners Creek. 	<ul style="list-style-type: none"> Over the last 2 years there have been minor non-compliances with the water quality conditions of consent and also for reporting requirements. Compliance is improving. With the upgrade of the Okara Park Pump Station it is recognised that the extra volume has resulted in the need to upgrade the main WWTP. The upgrade will occur in three stages: Stage 1: Upgrade existing UV channel to treat 50ML/d (currently 30 ML/d). Stage 2: Install new UV channel in UV building with capacity to treat a further 50 ML/d. Stage 3: Install new separate UV system to treat balance of influent that can't be processed by stage 1 and 2 units. Stage 2 UV channel installed. Installation went very smoothly. Recent upgrade works to UV unit means that increased flows can be treated prior to discharge to Limeburners Creek. 	<ul style="list-style-type: none"> Stage 2 upgrade complete. Stage 3 works due for completion mid-June 2013. This includes construction of separate UV disinfection plant.
Hātea Pump Station (WDC)	<ul style="list-style-type: none"> Storage tank, UV unit and chemical treatment. 	<ul style="list-style-type: none"> Newly constructed pump station with storage and treatment has been installed. RC will be issued shortly. Abatement notice issued in August 2010 now cancelled. 	<ul style="list-style-type: none"> Nothing new to report.

**ISSUE: State of the Environment Report for Northland
2007-2011**

ID: A533659

To: Environmental Management Committee, 28 May 2013

From: John Ballinger, Environmental Monitoring Programme Manager

Date: 20 May 2013

Summary The purpose of this report is to summarise the content of the council's 5-yearly State of the Environment (SOE) Report for 2007-2011. It concludes with the recommendation that this item be received.

Report Type:	<input checked="" type="checkbox"/> Normal operations	<input checked="" type="checkbox"/> Information	<input checked="" type="checkbox"/> Decision
Purpose:	<input type="checkbox"/> Infrastructure	<input checked="" type="checkbox"/> Public service	<input checked="" type="checkbox"/> Regulatory function
	<input checked="" type="checkbox"/> Legislative function	<input checked="" type="checkbox"/> Annual\Long Term Plan	<input type="checkbox"/> Other
Significance:	<input type="checkbox"/> High	<input type="checkbox"/> Moderate	<input checked="" type="checkbox"/> Low

Report:

The council has prepared its third five-year State of the Environment (SOE) Report for Northland, which builds on the previous reports of 2002 and 2007. It aims to inform both the council and public of the pressures acting on the environment, the current state of Northland's environment and, where possible, changes in Northland's environment through time, and then the council's and communities response to environmental issues.

This report brings together information gathered by the council's various monitoring programmes, including both state of the environment monitoring and compliance monitoring. Information has also been included from other agencies that collect environmental related data, such as the Department of Conservation (DOC), and the National Institute of Water and Atmospheric Research (NIWA).

The objectives and policies for managing resource management issues and land use effects that are of regional significance are set out in the operative *Regional Policy Statement for Northland* (2002) and the *Proposed Regional Policy Statement for Northland* (2012). The development of the *Proposed Regional Policy Statement* has been influenced by the findings of the monitoring undertaken during and prior to this state of the environment reporting period. In the report the findings are compared to the anticipated environmental results contained in both the proposed and operative regional policy statements, reflecting the environmental aims of the past and what Northlanders want for the future.

The report along with the two preceding five-year SOE reports serve to highlight issues and helps the council to plan for and prioritise its environmental management activities. It contains some 300 pages of information arranged into five chapters:

Our people; Our place; Our land, Our air, Our freshwater, and Our coast. The chapters provide a broad picture of the core components that make up the state of our environment. Each chapter:

- Begins with a scene-setting introduction which explains why this part of the environment is significant for Northlanders and what the major pressures on the environment are;
- Describes the current state of each aspect of the environment – core information is presented on the state of the environment and key trends or changes over time;
- Outlines the management responses to environmental conditions now and in the future. Information is presented on what is being done now to address issues raised and what might be done in the future; and
- Provides a summary of progress in achieving regional objectives and implementing policies in relation to the chapter topic.

Each chapter also contains direct links to related technical and background reports already available on the council's and other agencies websites.

Publication of the SOE Report

The SOE report will be published on the council's website with an online and printable version available. Brief hardcopy summary report cards will also be produced once the report is ready for publishing. Public awareness of the report will be promoted through media releases, the Regional Report and displays at field days and public meetings.

Some key points from 2007-2011

Below is a brief summary of some of the key findings presented in the SOE Report¹:

Our people

- Northland is home to just over 158,000 people (3.6% of New Zealand's total population). It is the most rurally-based population in NZ with the highest proportion of people living outside urban areas, and it's becoming more rural.
- We're also the region with the highest non-working age population (40% of our population) and have the lowest number of 15-39 year olds of any region.
- Northland's GDP value was just under \$5.2billion in 2011; 2.6% of NZ's GDP.
- Over the 2007-2011 period annual economic growth was 0.2% compared with 3.5% in the period 2002-06.
- Primary industries account for 16% of Northland's GDP compared with 7% nationally. The service industries account for 48% in Northland compared to 62% nationally. While forestry and logging grew, milk production fell by almost 10% and beef stock numbers have also fallen by 20% during the 2007-2011 period. The oil refinery makes a valuable contribution to the economy being directly responsible for 5% of Northland's GDP.

Our place

- Northland's climate is mild, humid and windy, with mean annual temperatures the highest in NZ. Droughts and cyclones are common.

¹ State of the Environment Report for Northland 2007-2011 is intended to be accessed electronically. Committee members will be provided with a pdf of the 300-page draft report on USB.

- Nearly 14% of Northland's land area remains in native forest and shrubland, including over half of the nation's remaining kauri forest. Our forest and shrubland areas support a rich diversity of wildlife with large populations of nationally rare or declining species.
- Council has embarked on a regional mapping project to provide a consistent approach to identifying the coastal environment, outstanding natural features/landscapes and high and outstanding natural character areas.
- Flooding is the most frequent natural hazard that affects Northland. The Priority Rivers Flood Risk Reduction project aims to assess what is at risk from flooding and looks at what can be done to reduce risk.
- There is a focus on moving towards high-volume energy, communications and transport networks, and modern, quality municipal utilities (such as water and wastewater). A geographically balanced approach to infrastructure spending is essential to ensure that economic development throughout the region is evenly distributed, equitable and of maximum benefit to the people of Northland.

Our land, our air

- Forty six percent of Northland's land is in pasture, 14% exotic forest, 1% horticulture and 32% indigenous forest. Only around 10% of Northland's land area is considered to have "highly versatile soils".
- Large areas of land with prime soils suited for agricultural and horticultural production continues to be subdivided for lifestyle blocks and urban development.
- Farm Water Quality Improvement Plans are now developed for any applicants for the Environment Fund. In 2011/2012, 44 fencing projects were assisted through funding, with the focus on excluding stock from the coastal marine area, streams and wetlands, and protecting erosion-prone land.
- Thirty-nine community pest control plans have been developed targeting multiple species including feral goats and possums. Of these, 21 were set up in the last five years and now involve more than 830 people, and 38,000 hectares of land. Feral deer have now been removed from Northland.
- Over most of the region for most of the time air quality in Northland is very good. While there are no large-scale persistent air quality problems, dust emissions from unsealed roads are a particular air quality issue.

Our freshwater

- In most summers, at least a quarter of the freshwater swimming spots sampled generally meet the suitability for swimming guidelines, while at least a quarter have water quality that does not meet the guidelines. Faecal bacteria levels usually exceed guidelines after rainfall which washes contaminants off the land into waterways.
- Rivers in at least partly forested catchments remain in relatively good health. Lowland streams are often highly modified and water quality is often poorer, largely the result of agricultural land use, and associated runoff. Point source discharges (such as farm dairy effluent) are improving, but diffuse agricultural runoff (directly off the land) remains a significant problem.
- Lake water quality varies widely over the rest of Northland with eutrophication apparent in some lakes on Aupouri and Pouto Peninsulas. Despite this, 67% of the lakes surveyed by NIWA are classed as either "outstanding" or "high value" based on ecological and water quality data.

- Several of Northland's catchments have relatively high levels of allocation for a variety of consumptive uses. Abstraction of the full allocation has the potential to cause environmental issues during prolonged dry periods because demand during this time is the highest. Uses include agriculture, horticulture, water supply to towns and cities and industry purposes.
- In 2009, the council started the Top Wetlands Project. More than 900 of Northland's remaining wetlands have been added to a database and 304 of the region's best and most irreplaceable wetlands were ranked (using a scoring system based on national methods) and prioritised for management and protection. However, Northland continues to lose significant indigenous wetland and species through human activities, such as land drainage.

Our coast

- The council currently conducts routine monitoring of harbour water quality in the Whāngārei Harbour, the Bay of Islands, and Kaipara Harbour, and undertakes water quality investigations in other harbours. Water quality is good in Northland's harbours with a general pattern of good water quality in the lower harbour and reduced water quality in the upper harbour nearer contaminant runoff sources.
- A total of 74 coastal swimming sites were monitored over the last five seasons. In general, the open coast has excellent water quality while enclosed estuaries and harbours occasionally exceed the suitability for swimming guidelines after rainfall.
- Monitoring of commercial oyster growing areas of Kerikeri Inlet and Whangaroa was undertaken in 2009 – results showed that concentrations of faecal coliform bacteria were occasionally above the guidelines for the collection of shellfish in 2008-09.
- Northland's coastal waters contain the highest diversity of fish and invertebrates of any region in mainland New Zealand.
- The current Regional Pest Management Strategies 2010-2015 is the region's first marine pest strategy and aims to try and protect Northland's marine environment from the variety of non-indigenous marine species that have either established, or are at risk of establishing in the region.

Legal compliance and significance assessment:

The activities detailed in this report are part of the council's day-to-day operations and are provided for in the council's Long Term Plan 2012-2022, and are in accordance with the council's decision making process and sections 76-82 of the Local Government Act 2002. The programme (along with other State of Environment programmes) also fulfils the council's statutory obligations under section 35 (2)(a) of the Resource Management Act 1991. As a consequence of the above, it is considered to be of low significance under council policy.

Recommendations:

- 1) That the report "State of the Environment Report for Northland 2007-2011" by John Ballinger, Environment Monitoring Programme Manager dated 20 May 2013 be received.
 - 2) That the Environmental Management Committee support the public release of the State of the Environment Report for Northland 2007-2011.
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ISSUE: Environmental Monitoring for the period 1 April – 24 April 2013

ID: A536059

To: Environmental Management Committee Meeting, 21 May 2013

From: Colin Dall, Consents/Monitoring Senior Programme Manager

Date: 13 May 2013

Summary The purpose of this report is to provide an update on council's monitoring and compliance work for the period 1 April – 24 April 2013. It concludes with the recommendation that the report be received.

Report Type:	<input checked="" type="checkbox"/> Normal operations	<input checked="" type="checkbox"/> Information	<input type="checkbox"/> Decision
Purpose:	<input type="checkbox"/> Infrastructure	<input type="checkbox"/> Public service	<input checked="" type="checkbox"/> Regulatory function
	<input checked="" type="checkbox"/> Legislative function	<input checked="" type="checkbox"/> Annual\Long Term Plan	<input type="checkbox"/> Other
Significance:	<input type="checkbox"/> High	<input type="checkbox"/> Moderate	<input checked="" type="checkbox"/> Low

Report:

ABBREVIATIONS KEY:

WDC	Whāngārei District Council	FNDC	Far North District Council	KDC	Kaipara District Council
DOC	Department of Conservation	NPC	Northland Port Corporation	NZRC	NZ Refining Company
NRC	Northland Regional Council	FNHL	Far North Holdings Ltd	CH	Consent Holder
STS	Sewage Treatment System	POD	Point of Discharge	PA	Permitted Activity
ESCP	Erosion and Sediment Control Plan	RAQP	Regional Air Quality Plan	RWSPN	Regional Water and Soil Plan for Northland
RC	Resource Consent	CMA	Coastal Marine Area	RCPN	Regional Coastal Plan for Northland

CONSENT COMPLIANCE – AGENDA CODE DESCRIPTION:

This code indicates:

- the degree of environmental **Impact**;
- the **Response** taken, or to be taken, by staff; and
- the **Status** of the situation.

Impact to the Environment

N	Natural Event	Such as flooding, earth movement or algae blooms over which there is little or no control.
U	Unknown	Results do not clearly differentiate between contamination and natural causes; or an incident has been reported sometime after its occurrence and the impact cannot readily be estimated.
0	None Detected	Inspection and/or sampling shows no impact.
1	Minor	The impact of the activity on the receiving environment was minor; effects were localised and/or temporary with non-significant deterioration in water quality, flows, and amenity value and/or land stability.
2	Significant	Environmental impact is likely to extend over some distance or area, and/or could continue for some time (1-3 days), and/or a significant human health risk is likely.
3	Large	The impact is large with the environment requiring restoration or a substantial amount of time to recover (more than one week) and/or a major human health risk is likely.

Response of Regional Council

N	None Required or Warranted	It is a natural event or no impact has been detected. Source unknown further investigation is not warranted. Report resulting from a routine monitoring event where no follow up is required.
F	Further Investigation Required	To confirm impact, to assess impact, to locate source, or to determine compliance.
I	Information or Advice	Given on how to avoid future adverse effects.
R	Request	An explanation of the situation or how the situation arose, a statement of the mitigation measures proposed or request certain mitigation measures to be undertaken, maintenance or upgrading to prevent impacts occurring in the future.
W	Written Warning	Written warning to avoid recurrence.
C	Clean Up	Clean up by Regional Council.
E	Formal Enforcement	Abatement Notice, Enforcement Order, Infringement Notice, Prosecution.

Status

R	Resolved	Party has fully complied with Regional Council's requests and there is no unacceptable impact to the environment, natural event that the Regional Council cannot realistically influence, no response required or warranted.
P	Pending Inspection	Prevention or mitigation measures have been reported to the Regional Council, as being in place but this has not yet been confirmed by re-inspection.
U	Unresolved	Regional Council requests to prevent or mitigate environmental impacts have not yet been met. The situation has not yet been investigated thoroughly enough to determine environmental impact. The time given for requested or required mitigation measures to be put in place have not elapsed.
M	Routine Monitoring	Routine monitoring.

Compliance Code Key

SNC1	Repeated minor non-compliance or significant non-compliance resulting in minor to moderate effects.	SNC2	Significant non-compliance with significant effects.	FUS	Follow up significant non-compliance.
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ENVIRONMENTAL INCIDENTS

S	Significant Impact
M	Moderate Impact

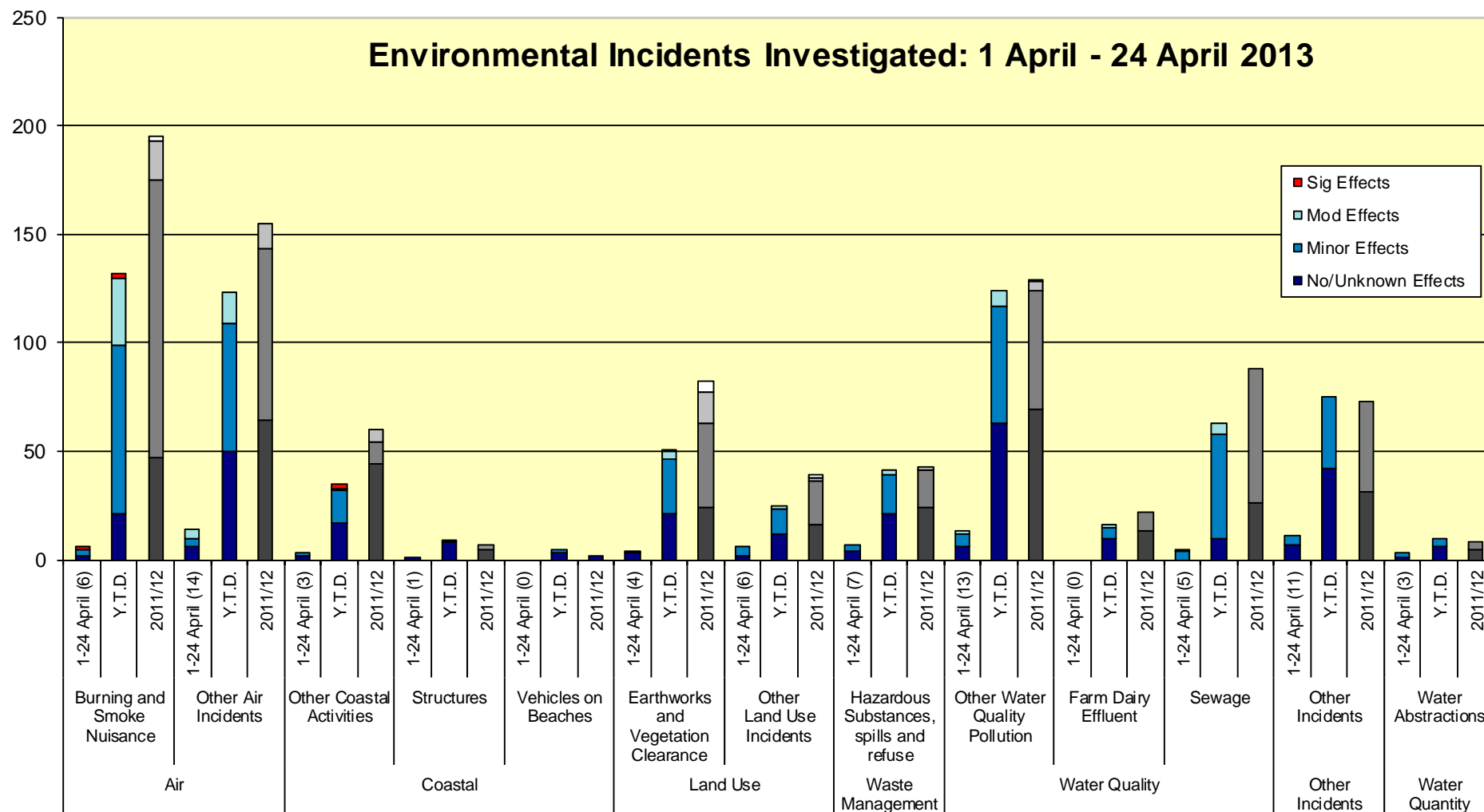
MARITIME INCIDENT RESPONSE CODES

Response

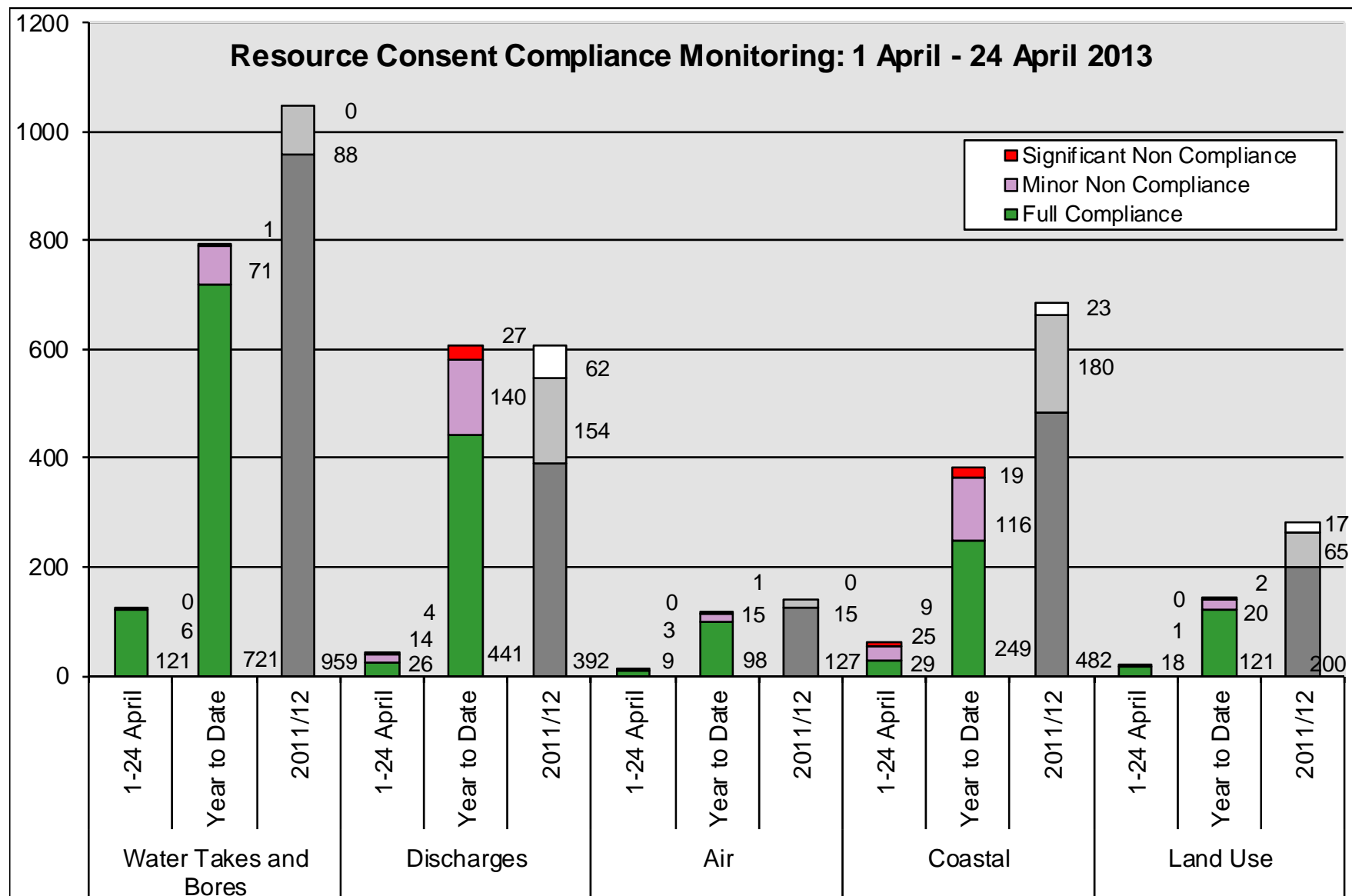
N	No Response Required
F	Further Investigation Required
I	Information or Advice
R	Repaired/Replaced/Removed
W	Written warning issued to offender (offence notice, abatement notice)
P	Prosecution action pending
O	Other Agency

Status

R	Resolved	Party has fully complied with Regional Council's requests and there is no unacceptable impact to the environment, natural event that the Regional Council cannot realistically influence, no response required or warranted.
P	Pending Inspection	Prevention or mitigation measures have been reported to the Regional Council, as being in place but this has not yet been confirmed by re-inspection.
U	Unresolved	Regional Council requests to prevent or mitigate environmental impacts have not yet been met. The situation has not yet been investigated thoroughly enough to determine environmental impact. The time given for requested or required mitigation measures to be put in place have not elapsed.
M	Routine Monitoring	Routine monitoring.



Notes: (1) Number of incidents **investigated** will differ from number of incidents **reported** during period
(2) Greyscale data represents the previous year's total incidents investigated, for comparison purposes



Note: Greyscale data represents the previous year's total compliance monitoring reporting, for comparison purposes

DISCHARGES TO AIR - No significant non-compliant events were recorded during the period 1 April – 24 April 2013.

LAND USE ACTIVITIES - No significant non-compliant events were recorded during the period 1 April – 24 April 2013.

WATER TAKES - No significant non-compliant events were recorded during the period 1 April – 24 April 2013.

COASTAL ACTIVITIES

Date	Consent	Details	Location	Notes	Code	Comp
11-Mar-13	1295801	Mitimiti Community Trust: Oyster farm lease No. 167	Waireia Creek, Hokianga Harbour	<ul style="list-style-type: none"> There was a significant amount of debris on the sea floor that needed to be taken away. No navigational markers were visible. 	2RM	SNC1
15-Mar-13	1292201	Olsen D C & Murray S H: Oyster farm lease No. 62	Kaipara Harbour	<ul style="list-style-type: none"> Large amounts of shell and farm debris present. Some parts of structure in need of repair. Some build-up of seabed. Farm well marked. No improvements appeared to have been made since the last annual inspection. 	2RM	SNC1
15-Mar-13	1293501	Jannock Investments Limited: Oyster farm lease No. 97	Pahi River, Kaipara Harbour	<ul style="list-style-type: none"> Farm in derelict condition. No improvements appeared to have been made since the last annual inspection. 	2RM	SNC1
15-Mar-13	1294101	Zephyr Oyster Farms Ltd: Oyster farm lease No. 111	Kaipara Harbour	<ul style="list-style-type: none"> Farm in a similar condition as noted following the last annual inspection, but is now well marked. Major seabed build-up. Structures in poor condition. Some debris present. 	2RM	SNC1
15-Mar-13	1294301	Olsen D C & Murray S H: Oyster farm lease No. 117	Arapaoa River, Kaipara Harbour	<ul style="list-style-type: none"> Farm in a similar poor condition as noted following the last annual inspection. Large areas of debris and structures in poor condition. Farm well marked. 	2RM	SNC1
15-Mar-13	1295001	Transcoastal Limited: Oyster farm lease No.147	Kaipara Harbour	<ul style="list-style-type: none"> Farm in a similar poor condition as noted following the last annual inspection. Farm in derelict condition and abandoned. 	2RM	SNC1
15-Mar-13	1296701	Symes P L and G: Oyster farm lease 185	Arapaoa River, Kaipara Harbour	<ul style="list-style-type: none"> Majority of the farm in derelict condition. Farm is adequately marked. 	2RM	SNC1
15-Mar-13	1407501	Waihaua Trust Trustees: Oyster farm lease No. 326	Kirikiri Inlet, Kaipara Harbour	<ul style="list-style-type: none"> Farm appeared to be in poor condition. Western block in derelict condition. Farm poorly marked. 	2RM	SNC1
15-Mar-13	2739501	Zephyr Oyster Farms Ltd: (ex leases 182,240)	Pahi River, Kaipara Harbour	<ul style="list-style-type: none"> Majority of the farm in poor condition. Farm well marked 	2RM	SNC1

DISCHARGES TO WATER OR LAND

Date	Consent	Details	Location	Notes	Code	Comp
25-Mar-13	110801	FNDC: Discharge treated municipal sewage - Paihia	Paihia Sewage Treatment System, Waitangi Forest	<ul style="list-style-type: none"> The water sample results from the downstream site indicated elevated ammonia levels in non-compliance with RC conditions. The proposed upgrade to the system has not been undertaken. 	2FM	SNC1
25-Mar-13	411101	FNDC: Discharge treated municipal sewage - Kerikeri	Kerikeri Sewage Treatment System	<ul style="list-style-type: none"> The water samples taken after UV treatment indicated non-compliance with the median faecal coliform levels. However, the receiving environment levels were in compliance with RC conditions. Reports and plans have not been received as required. 	1NM	SNC1
18-Apr-13	272401	Ota Point Effluent Society Inc: Discharge treated communal sewage to coastal waters	Ota Point, Whangaroa	<ul style="list-style-type: none"> The water samples taken from the final effluent discharge from the plant indicated that the faecal coliform levels were not in compliance with RC conditions. The UV unit was working under the effective limit. Formal enforcement action taken and further sampling will be carried out. 	1FM	SNC1

ADMINISTRATIVE NON-COMPLIANCES

Date	Consent	Details	Location	Notes	Code	Comp
03-Apr-13	93201	FNDC: Discharge treated municipal sewage - Kaitaia	Kaitaia Sewage Treatment System	<ul style="list-style-type: none"> The water samples taken from the receiving river environment did not indicate elevated contaminant levels. The upgrade of the treatment system has not been fully completed as required by the RC. 	0RM	SNC1

FARM DAIRY EFFLUENT DISCHARGES – NON CONSENTED (MNC) - Follow-up of significant non-compliance (non-consented farms)

Date	Consent	Details	Location	Notes	Code
21-Mar-13	804424	Henderson M C & L J: FDE 1901	Millbrook Road, Taipuha	<ul style="list-style-type: none"> The land application system still had insufficient pressure at the sprinklers. An embankment on the main pond had been raised to increase storage but was likely to leak. A new solids pond and feed pad had been constructed. Additional works required. 	2IU
28-Mar-13	801006	K & H Inch Road Trust: FDE 8633	Inch Road, Tokatoka	<ul style="list-style-type: none"> Both storage ponds leaked to a drain and effluent from the feed pad needed to be reticulated to the system. Entry/exit race effluent to be contained. 	2IU

02-Apr-13	800012	Bryan N A: FDE 31	Far North Road, Houhora	<ul style="list-style-type: none"> No contingency storage. Farmer agreed to upgrade the land application system. 	2IU
02-Apr-13	800031	Frost M W: FDE 74	Far North Road, Waiharara	<ul style="list-style-type: none"> Farmer agreed to have all storage ponds empty before winter. 	0NR
02-Apr-13	801445	Rule N: FDE 897	Te Ahu Ahu Road, Waimate North	<ul style="list-style-type: none"> Run-off from silage storage area will now flow overland to a storage pond. 	0NR
05-Apr-13	801032	Jefcoate W A: FDE 8709	State Highway 12, Turiwiri	<ul style="list-style-type: none"> Farmer agreed to be more vigilant around sump area. 	0NR
05-Apr-13	801036	Montgomery W B & M F: FDE 8740	State Highway 12, Mititai	<ul style="list-style-type: none"> Farmer agreed to provide storage for effluent from the feed/standoff pad before it is used again. 	1IU
10-Apr-13	800978	Beatty M A & J D: FDE 8555	State Highway 14, Tangiteroria	<ul style="list-style-type: none"> New covered feed pad in use. Effluent is scraped dry into a storage bunker. Two additional ponds were under construction. A new dairy was being built. A weeping wall and upgraded land application system are planned. Application for RC to be made. 	0NR
11-Apr-13	801049	Harvest Farms Ltd: FDE 8769	Pouto Road, Tatararaki	<ul style="list-style-type: none"> Land application system had been improved. Major improvements required if the feed pad is to be used. 	1IU
11-Apr-13	801071	Pouto Topu A-Trust: FDE 8823	Opuna Road, Poutō	<ul style="list-style-type: none"> High risk of non-compliance due to infrastructure limitations. Additional storage and improvements to the land application system recommended. 	2IU
19-Apr-13	800556	Chapman I W & L G: FDE 3514	Brewer Road, Whatatiri	<ul style="list-style-type: none"> High risk of non-compliance. Major upgrade and application for RC recommended. 	2IU

FARM DAIRY EFFLUENT DISCHARGES - CONSENTED (MCO) - Follow-up of significant non-compliance (consented farms)

21-Mar-13	876701	Rural Skyline Ltd: FDE 1441	Porter Road, Ararua	<ul style="list-style-type: none"> Farmer agreed to provide additional effluent storage. No longer winter milking. No more feeding on entry/exit race. Entry/exit race is being upgraded to improve cow flow. 	1IU
21-Mar-13	1272501	Nelson P L & V J: FDE 1938	Russek Road, Waiotira	<ul style="list-style-type: none"> Farmer agreed to construct a third treatment pond by 30 April 2013. 	0NR
22-Mar-13	928201	Whitaker A & M E: FDE 5643	Kapawiti Road, Kaiwaka	<ul style="list-style-type: none"> Farmer had installed guttering on roof and stormwater diversion at yard. Treatment system had been desludged and a cut-off drain installed up-gradient of the ponds. 	0NR
02-Apr-13	1332501	Travers G J: FDE 371	Te Rore Road, Takahue	<ul style="list-style-type: none"> Pond embankments were repaired. Cooling water to be piped away from the treatment system. 	0NR

05-Apr-13	961801	Bickers D C & A M: FDE 4442	Tokatoka Road, Rehia	<ul style="list-style-type: none"> Farmer had upgraded the silage pad so that any leachate run-off enters the treatment system. 	0NR
05-Apr-13	1144201	Elmrock Farms Ltd: FDE 8631	Mititai Road, Arapohue	<ul style="list-style-type: none"> Farmer agreed to improve the system for effluent from the standoff pad. 	1IU
05-Apr-13	1161301	Tuupari Farms Ltd: FDE 4234	State Highway 12, Ruāwai	<ul style="list-style-type: none"> Effluent system in a poor state. Multiple areas require urgent repair. 	2IU
10-Apr-13	885101	Kokopu Dairy Farms Ltd: FDE 3862	Kokopu Block Road, Maungatapere	<ul style="list-style-type: none"> Stormwater diversion system now has a large red flag which indicates that the system is in stormwater diversion mode. 	0NR
11-Apr-13	901401	Guest W J & N M: FDE 8768	Pouto Road, Repia	<ul style="list-style-type: none"> High risk of non-compliance. Farmer agreed to increase pond storage now and commission a new land application system by October 2013. 	2IU
11-Apr-13	2866801	Harding H K & Smart P F Family Trading Trust: FDE 8174	242 Pouto Road, Dargaville	<ul style="list-style-type: none"> Ponds all empty, however had not been emptied prior to winter 2012. 	0NR
12-Apr-13	949101	Harrison R D: FDE 8813	Pouto Road, Rototuna	<ul style="list-style-type: none"> Three new ponds had been constructed. 	1IU
16-Apr-13	1778201	M T Ventures Ltd: FDE 6704	State Highway 1, Kaiwaka	<ul style="list-style-type: none"> Farmer agreed to upgrade the system. 	1IU
18-Apr-13	3002601	Kokopu Dairy Farms Ltd: FDE 3862 stock underpasses	Kokopu Block Road, Whāngārei	<ul style="list-style-type: none"> Farmer agreed to change management of standoff and to install guttering on barn roof. Ponds had been improved. 	0NR
22-Apr-13	241801	Keripapa Dairy Ltd: FDE 502	Cnr State Highway 10 & Waipapa Loop Road, Waipapa	<ul style="list-style-type: none"> High risk of non-compliance and contamination of water by effluent from the entry/exit race. Stormwater control required for a large area of the yard. 	2IU
22-Apr-13	1051401	K & M Trust: FDE 954	Mill Road, Kawakawa	<ul style="list-style-type: none"> Farmer agreed to modify the race, divert stormwater from the catchment and redirect the effluent. 	1IU

SOE MONITORING – AIR, LAKES AND WATER

Date	Number	Project	Location	Comment
3-Apr-13 to 9-Apr-13	802744	Fish monitoring	Hātea catchment	<ul style="list-style-type: none"> Four tributaries in the Hātea catchment monitored for fish using electric fishing, trapping and spotlighting.
17-Apr-13	801427	Regional Water Quality Monitoring Network - Eastern		<ul style="list-style-type: none"> Routine monthly water quality sampling of Waitangi, Waipapa, Kerikeri, Waiharakeke, Waiotu, Ngunguru, Hātea and Whakapara Rivers, and two sites on Mangahuru Stream.
17-Apr-13	801427	Regional Water Quality Monitoring Network - Northern		<ul style="list-style-type: none"> Routine monthly water quality monitoring of the Mangamuka, Victoria, Awanui, Kaeo and Oruru Rivers.
17-Apr-13	801303	Regional Water Quality Monitoring Network -		<ul style="list-style-type: none"> Routine monthly water quality sampling of Kaihu, Waipoua, Waimamaku, Punakitere, Utakura, Mangakahia and Opouteke Rivers.

		Western		<ul style="list-style-type: none"> • River levels were low and periphyton growth noticeable in all waterways. • Blue-green algae present in a number of rivers (Kaihu, Mangakahia, Oputeke). • Mulletts spotted in a few rivers (Waimamaku, Utakura, Mangakahia).
17-Apr-13	801314	Regional Water Quality Monitoring Network - Southern		<ul style="list-style-type: none"> • Routine monthly water quality sampling of the Ruakaka, Hakaru, Manganui, Waipao, Mangere and Otaika Rivers, and two sites on the Waiarohia Stream. • River levels low in general due to drought.

ENVIRONMENTAL INCIDENTS

Date	Number	Details	Location	Comment	Code
11-Apr-13	424588	Odour nuisance.	Whāngārei Heads Rd, Waikaraka	<ul style="list-style-type: none"> • Site visit confirmed strong odour beyond the property boundary. • New owner and manager asked to improve their odour management procedure. • Warning given that enforcement action will be taken for non-compliance in the future. 	M
15-Apr-13	424502	Dust nuisance.	Kerikeri Rd, Kerikeri	<ul style="list-style-type: none"> • Deposition gauge result was found to be higher than the recommended level. • The result may have been affected by rotting flowers and leaves caught on the gauge. • Majority of high deposition dust was soluble particulate matter, which is not considered to cause dust nuisance. 	M
16-Apr-13	424571	Lack of notification of intended spraying activity.	Matarau Rd, Pipiwai	<ul style="list-style-type: none"> • Incident investigation confirmed non-compliance with the RAQPN as the occupier of the land had failed to notify his neighbours. • Enforcement action taken against the person responsible. 	M
16-Apr-13	424660	Vessel antifouling on foreshore.	Ōpua basin	<ul style="list-style-type: none"> • A vessel's hull was being scraped on the foreshore which resulted in contaminants being discharged to the CMA. • Formal warning issued to the person responsible. 	M
23-Apr-13	424690	Smoke nuisance from crematorium.	Wiroa Rd, Kerikeri	<ul style="list-style-type: none"> • Site inspection confirmed large quantities of black smoke discharging from the cremator stack during the cremation process. • Formal enforcement action taken requiring that the discharge cease. Further formal enforcement is likely. 	S
23-Apr-13	424697	Run-off from mobile carwash.	Awaroa Rd, Whāngārei	<ul style="list-style-type: none"> • Formal warning to be served to the alleged offenders. 	M
24-Apr-13	424677	Sewage spill.	Montgomery Ave, Dargaville	<ul style="list-style-type: none"> • Further investigation and follow up works required by KDC. 	M

MARITIME INCIDENTS

Date	Number	Details	Location	Comment	Code
2-Apr-13	604692	Personal water craft operating without the necessary registration.	Doves Bay, Kerikeri	<ul style="list-style-type: none"> Warning letter and jet ski registration forms issued to alleged offenders. 	WU
2-Apr-13	604693	Child reportedly hurt by speeding boat propeller.	Tinopai	<ul style="list-style-type: none"> Incident investigated by local harbour warden. It was concluded that the child was injured in a fall and not due to high speed. 	IR
2-Apr-13	604694	Diesel slick in CMA.	Paihia	<ul style="list-style-type: none"> No evidence of oil spill discovered. 	0IR
2-Apr-13	604700	Yacht on mooring without owner's permission.	Tapu Point	<ul style="list-style-type: none"> Attempting to identify owner of yacht. 	FU
3-Apr-13	604699	Moored vessel in disrepair.	Parua Bay	<ul style="list-style-type: none"> Vessel being handled as an abandoned vessel and is scheduled to be dismantled and removed from the water. 	FU
6-Apr-13	604702	Buoy missing.	Kaipara Harbour	<ul style="list-style-type: none"> Missing navigation buoy replaced by maritime team. 	RR
10-Apr-13	604703	Commercial vessel steaming at high speed in confined waters.	Tamaterau Reach	<ul style="list-style-type: none"> Vessel operators asked to review safety procedures and advise harbourmaster of outcome. 	FU
10-Apr-13	604704	Possible oil spill.	Hātea River, Whāngārei	<ul style="list-style-type: none"> No evidence of oil spill discovered. 	0NR
14-Apr-13	604706	Oil slick.	Paihia	<ul style="list-style-type: none"> Slick left to disperse naturally. 	1RR
15-Apr-13	604705	Fishing vessel run aground.	Whangaruru Harbour	<ul style="list-style-type: none"> Vessel re-floated without damage to the environment or vessel. 	RR
15-Apr-13	604707	Fishing vessel broken free from mooring and grounded on beach.	Paihia	<ul style="list-style-type: none"> Vessel re-floated. Affected area on beach reinstated satisfactorily. 	RR
15-Apr-13	604708	Vessel broken free from mooring, lost one engine and called distress in bad weather.	Paihia	<ul style="list-style-type: none"> Vessel was beached safely by the skipper and later towed to safety. 	RR
20-Apr-13	604710	Diesel slick.	Hātea River, Whāngārei	<ul style="list-style-type: none"> Spill was left to disperse naturally. Source was not identified. 	1NR
20-Apr-13	604711	Diesel spill.	Whāngārei Marina	<ul style="list-style-type: none"> Spill was left to disperse naturally. Source was not identified. 	2NR
22-Apr-13	604568	After hours request to carry out hot work on board vessel.	Northport	<ul style="list-style-type: none"> Verbal permission given for Hot Work permit. 	IR

Legal Compliance & Significance Assessment:

The receiving of this report is provided for in the council's 2012-22 Long Term Plan, meets the council's obligations under section 35 of the Resource Management Act 1991, and is in line with the council's decision making process and sections 76-82 of the Local Government Act 2002.

In relation to section 79 of the Local Government Act 2002, this issue is considered to be of low significance under Council policy because the report does not seek a decision other than that information be received.

Recommendation:

-
1. That the Environmental Monitoring report for the period 1 April – 24 April 2013 from Colin Dall, Consents/Monitoring Senior Programme Manager, be received.
-

ISSUE: River Management Update

ID: A532921

To: Environmental Management Committee, 28 May 2013

From: Joseph Camuso, Rivers Programme Manager

Date: 13 May 2013

Summary The purpose of this report is to provide an update on progress with the council's river management activities.

Report Type:	<input checked="" type="checkbox"/> Normal operations	<input checked="" type="checkbox"/> Information	<input type="checkbox"/> Decision
Purpose:	<input type="checkbox"/> Infrastructure	<input type="checkbox"/> Public service	<input type="checkbox"/> Regulatory function
	<input checked="" type="checkbox"/> Legislative function	<input checked="" type="checkbox"/> Annual/Long Term Plan	<input type="checkbox"/> Other
Significance:	<input type="checkbox"/> High	<input type="checkbox"/> Moderate	<input checked="" type="checkbox"/> Low

RIVER MANAGEMENT WORKS

Awanui

The annual maintenance programme is approximately 95% complete, with only floodgate inspection and maintenance remaining. The dry weather also helped to progress the works with minimal downtime.

Staff have started walking the river corridors to complete a stopbank and channel condition assessment of the Awanui Flood Scheme. The purpose of this assessment is to identify areas that may require work and to better estimate future maintenance costs.

The preliminary design work for the Awanui Flood Scheme upgrade was awarded to Tonkin and Taylor. The main objective of the proposed upgrade is to improve the standard of flood protection of the Awanui Flood Scheme for urban Kaitaia.

Flood map production has been completed by GHD. The flood maps are currently being reviewed by staff with a view to making the maps available on council's GIS site by June. As with previous priority rivers catchments, letters will be sent to affected land owners advising them that at least part of their land is flood affected. The flood model has also been copied to Tonkin and Taylor for work on the preliminary design of scheme modifications.

The Awanui River Liaison Committee met on 22 March 2013, minutes attached.

Kaeo-Whangaroa Rivers

Works are complete on the annual river maintenance programme.

Staff have finalised negotiations with the preferred tender for the Stage 1 Kaeo Flood Scheme works, which are scheduled for construction during the 2013-2014 work season. Staff are refining the Kaeo Flood Scheme Stage 2 costs and meeting with NZTA to confirm funding arrangements for the state highway works. This information will be taken to the liaison committee for discussion, prior to presenting the Stage 1 tender to the NRC Tender Committee for a decision on the award of the tender.

Two land owners have not agreed to the use of their land for the flood scheme. No objections were received to the Public Works Act notification for the taking of the land. Formalising the taking of the remaining land (by way of easement) where agreement has not been achieved is anticipated by July.

An update on progress with the use of funding assistance to reduce flood risk to flood vulnerable homes in Kaero was provided to Council for the meeting on 21 May 2013.

The Kaero Flood modelling project with GHD has been concluded and a model upgrade report has been commissioned. Simulations with the updated model will now be run by GHD for the combined stage 1 and 2 scheme works. The flood maps are due to be posted on council's GIS site by June. Affected land owners will be notified as with other catchments.

Kerikeri-Waipapa River

Work on the maintenance programme is nearing completion with targeted log and tree extraction, bridge clearance maintenance and cleaning floodway overflow paths opposite the Culinary Institute. Staff have been working with landowners that have established shelter belts near river banks to pro-actively remove problem trees before they end up in the river.

Model results for the simulation of the proposed Kerikeri-Waipapa flood scheme are currently being processed. The results will be presented to the liaison committee on 29 May.

Flood map production for Kerikeri-Waipapa has been completed. The flood maps are due to be posted on council's GIS site by June. Affected land owners will be notified as with other catchments.

Kaihu River

River maintenance long reach digger work is continuing with approximately 65% complete; the contractor has experienced some machinery breakdowns.

A proposal to clean an old stream bed below the Rotu bottleneck, to assist with the early and late conveyance of floodwaters, has been put on hold following feedback from stakeholders.

Whangarei Urban Rivers

The river maintenance works programme is approximately 80% complete.

Staff have completed a comprehensive topographical survey for the Kotuku Street detention dam footprint for detailed design. Negotiations to secure the land required for the dam are progressing, with five properties now purchased and several more close to being purchased. The resource consent and designation applications are progressing well. A decision on the applications will be made by an independent commissioner without a hearing, as staff have managed to work through issues with submitters, with no submitters now wishing to be heard.

Calibration of the upgraded Whangarei River model is nearing completion, with production of flood maps scheduled for June. The flood maps are due to be posted on council's GIS site by June. Affected land owners will be notified as with other catchments.

The Urban Whangarei River Management Liaison Committee met on 10 April 2013, minutes attached.

Kawakawa River

Staff have commissioned a model to simulate overland spillways to reduce flooding in Otiria and Moerewa. Staff have met with representatives from the Otiria Marae, KiwiRail and neighbouring landowners regarding these options and plan to present the results when completed.

Staff have notified the Kawakawa Business Association, Ngati Hine Runanga and Ngati Manu that due to the likely high cost relative to the potential modest benefits and small numbers of beneficiaries, and resulting lack of support from the community, NRC have put on hold the detailed design work for the lower township stopbank option. Initial estimates indicate that the physical works could cost approximately \$300,000. This would require a targeted rate to fund the stopbank and there is little community support for this additional rate.

Minor River Works

The minor river works are approximately 75% complete. The following table summarises progress with the minor works programme.

River	Work Programmed for this Work Season	Proposed date for Physical Works
Rotokakahi @ Pawarenga	Gravel/Shingle Management with FNDC	Complete
Panguru and Lower Waihou	Gravel management around bridges	May/June 2013
Whirinaki	Maintenance Assistance for Whirinaki Toiora Project	NRC have supplied herbicide to assist with weed control along the river corridor
Waima	Clear gravel under SH Bridge	Complete
Waihou	Lower earth mounds/berm along Rahiri Rd with FNDC	Complete
Waihou - Rangiahua	Rock armouring adjacent to SH1	May 2013
Waitangi River	Haruru Falls RC application to allow removal of shingle island build up in CMA	Resource Consent Pending
Otiria Stream, Turntable Hill	Shingle extraction and willow spraying SH1 Bridge to be funded by NZTA	Complete
Otiria and Moerewa	Clearance around spillway and Waiharakeke Bridge	Complete
Waiharakeke (Willowbank, kawakawa)	Remove tree affecting NRC Gauging Station	Complete
Waiharakeke (Kawakawa)	Spillway modelling options assessment	May/June 2013
Kawakawa	Design and Resource Consent for Township Stopbanks	On hold due to lack of Community support
Maungahuru (Piano Hill)	Remove tree/island blocking upstream flow SH1	May 2013
Otaika Stream	Willow spraying/removal	Completed
Whangarei Heads Road	Remove flame tree (Waikaraka) with WDC	May 2013
Ngunguru River	Remove problem Pine Trees on the edge of the river bank with WDC	May 2013
Ahuroa River (Waipu)	Willow spraying/removal	Complete
Mangapai	Tree removal	May 2013
Paparoa	Removal of Tree with KDC	Complete

Legal compliance and significance assessment:

The activities detailed in this report are provided for in activities described in the council's Long Term Plan and as such are in accordance with the council's decision making process and sections 76-82 of the Local Government Act 2002.

In relation to section 79 of the Local Government Act 2002, this issue is considered to be of low significance under council policy because the report does not seek a decision other than that information be received.

Recommendations:

1. That the report River Management Update by Joseph Camuso, Rivers Programme Manager and dated 13 May 2013, be received.
 2. That the Draft Minutes from the Whangarei Urban Rivers Liaison Committee meeting of 10 April 2013, and the draft minutes from the Awanui River Liaison Committee meeting of 22 March 2013 be received.
-

URBAN WHANGAREI RIVERS FLOOD MANAGEMENT LIAISON COMMITTEE

Report of the meeting of the Urban Whangarei Rivers Flood Management Liaison Committee, held on Wednesday 10 April 2013
Council Chambers, Northland Regional Council, Water Street, Whangarei.
commencing at 10.30 am

Present :

Committee Members

Craig Brown	Chair
Vince Cocurullo	Whangarei Chamber of Commerce
Selwyn Norris	Port Road/Commerce Street Ratepayer representative
Crichton Christie	Whangarei District Council
Peter Geddes	Whangarei CBD/Hatea Ratepayer representative

Also in Attendance

Bruce Howse	Northland Regional Council
Toby Kay	Northland Regional Council
Neville Wilson	Northland Regional Council
Nola Sooner	Northland Regional Council
Joseph Camuso	Northland Regional Council
Murray Bourke	Landowner
Murray Coop	Landowner
Roland Chiu	Landowner
Inju Prentice	Whangarei District Council
Conal Summers	Whangarei District Council
Andrew Carvell	Whangarei District Council
Adrian Tonks	Cook Costello

Apologies: Wally Yovich, Simon Weston

Moved (Cocurullo/Brown)

That the apologies from Wally Yovich and Simon Weston for absence be received.

Carried

MINUTES OF PREVIOUS MEETING

Moved (Cocurullo/Norris)

That the Minutes of the Urban Whangarei River Flood Management Liaison Committee dated 9 July 2013 be accepted.

Carried

MATTERS ARISING

Iwi Representative

Selwyn confirmed he is continuing to make enquiries regarding future iwi representatives.

CORRESPONDENCE

Email received from Wally Yovich dated 10 April which set out the following concerns:

- The Committee is focused on Kotuku Dam – this is an expensive capital cost which will do little to resolve the overall potential flooding problems.
- Nothing is being done to resolve the Porowini Avenue, Morningside flooding problem and the Rust Avenue flooding problem.
- Nothing is being done to clean up the streams.
- \$268840 of urban water rates has been blown on consultants and legal fees.

Bruce advised these concerns will be covered in the course of this meeting agenda.

Moved (Brown/Cocurullo)

That the email from Wally Yovich dated 10 April 2013 is accepted and the specific items mentioned in his email will be addressed during the course of the meeting.

Carried

BUDGET AND MAINTENANCE WORKS UPDATE

Bruce summarised the Revised Annual Budget for Whangarei Urban Rivers. In response to a query, Bruce advised that 30 June 2013 is the end of the financial year.

Bruce confirmed he would give Peter Geddes an update on the accounting convention used by the finance department, to denote negative sums. **Action: Bruce Howse**

Crichton requested that a budget be circulated that includes Year 2013/2014. **Action: Bruce Howse**

Joseph summarised the Maintenance Works Update and covered the following:

- Port Road to Woods Road Bridge gravel extraction
- Railroad Bridge gravel extraction
- Lovers Lane Bridge repair
- Hatea area
- Whangarei Boys High School area – gravel trap
- Kotuku Dam

Vince asked if the Contractors have been making good use of the weather – Joseph confirmed the contractors have been averaging 7.2 hours per day, working around the tide.

KOTUKU DAM UPDATE

Bruce provided an update on Kotuku Dam.

Preliminary Design

The preliminary design and hydraulic optimisation for the proposed Kotuku Street Detention dam has been completed.

A preliminary dam embankment crest level of RL67.2 OTP has been selected, with emergency spillway crest levels of RL64.8 OTP (One Tree Point Datum).

In order to accommodate the probable maximum flood flows the dam design will have 2 emergency spillways one on either side of the dam with a total weir length of 45 m. The final determination of alignment/geometry of these features will be refined during detailed design.

Design Peer Review

Hydrology and design peer reviews have been running concurrent with the preliminary design. Recommendations from the reviews have been resolved, or where more appropriate, will be resolved during detailed design. In response to a query, Bruce confirmed Pickford Consulting Limited has completed the design peer review and Alistair Keane of Keane Associates Limited completed the hydrology peer review to date.

Detailed Design

Final geotechnical investigations for detailed design are complete. Detailed design is currently being undertaken.

Resource Consents & Designation

Resource consents and designations were applied for during December 2012.

Applications were publically notified with the submission period closing 9 March 2013. Nine submissions received on the notice of requirement (NoR), 9 submissions received on the resource consent application. A high number of the submissions were duplicates (i.e. served by same person on the NoR and resource consent applications).

Staff are liaising with those submitters that wish to be heard (4 in total) in an attempt to resolve issues outside of a formal hearing.

Building Consent

Submission of building consent application is scheduled for June 2013, following completion of detailed design.

Archaeology

An archaeological assessment has been completed. Only one identified archaeological site is directly affected by the proposed works.

Permissions are required from affected landowners before we can apply to the NZ Historic Places Trust for an authority to modify or destroy sites. We are waiting for confirmation of permission from affected landowners.

Land Use Negotiations

Notices of desire to acquire land have been served on all directly affected land owners, and registered valuation reports provided to land owners. Meetings and/or phone conferencing has taken place with all affected land owners.

The land required is comprised of nine properties with dwellings where outright purchase is required, four properties with dwellings where an easement or taking part of the land only is required, two greenfield properties where outright purchase is required and four greenfield properties where an easement or taking part of the land only is required.

Negotiations for purchase of land or obtaining easements over land are underway.

The purchase of several properties is complete.

Setting Aside Of Reserve Land & Road Stopping

Eleven parcels of WDC reserve land are required to be set aside (either fully or partially) for the public work, and the stopping of the ends of Kotuku Street and Raumanga Valley Road is required.

As part of the project, NRC formally requested WDC to set aside reserve land for the public work and stop the ends of Kotuku Street and Raumanga Valley Roads.

WDC resolved to support the following resolutions at its Council meeting of 27 March 2013:

'That the closing of legal roads to allow the construction of the Kotuku Dam be supported subject to provision for a future road link between Kotuku Street and Raumanga Valley Road be included in the design and;

That Council approves the setting aside of reserve land as required for another Public Work being a detention dam.'

Prior to requesting WDC to commence the road stopping procedure, NRC had obtained engineering advice on the feasibility of including a road link based on a range of potential options. This advice was provided to WDC. Post Meeting Note: WDC Roothing Engineers, NRC Rivers Team and Rileys Engineers have met and have identified a potentially viable alignment for a future road link between Kotuku Street and Raumanga Valley Road.

In response to a query, Toby advised the emergency spillways have been assessed for a maximum probable flood event. It was noted that the Dam is designed for the 100 year ARI plus climate change event without water released thru the spillways. Crichton advised the emergency spillway has never been utilised at Whau Valley dam. Joseph confirmed that the capacity of the Kotuku Dam 1.3M is less than Whau Valley (1.8M).

Bruce summarised Kotuku Detention Dam – Hydraulics as follows:

- 1.4 metre diameter culvert passes through base of dam – culvert permanently open, enables all flows to pass without detaining water up to the 2 year flood event.
- Dam reservoir dry for all times, except for flood events larger than a 2 year ARI.
- Dam only detains water for a short period of time
- 48 hours from inflow to empty for the 100 year event
- 72 hours from inflow to empty for the 1,000 year event
- Extent of temporary water impoundment within dam reservoir for a range of annual recurrence interval flood events (ARI) i.e. 20 year ARI = 20 year average recurrence interval flood.

* 11.29 a.m. Murray Bourke left the meeting.

Peter asked for more clarity on the effect of the dam further down. Bruce confirmed the engineers have placed a huge amount of emphasis on the safety of the dam. Peter queried underutilisation of the basin and wondered if we are getting benefit enough for the town. Toby advised as the water level head builds up the outlet flow gradually increases. Peter wondered if we could put in a second outflow which could have a significant effect on dealing with water peaks. Bruce to request Riley's to consider a second outlet. . **Action: Bruce Howse**

Craig asked what is the saving to the CBD from the Kotuku St Dam. Bruce reported the annualised damage cost was \$5.6M damage to the CBD from flooding for all rivers. Bruce to update the relevant document to match the configuration and circulate to the Committee to show the effect this has on the CBD **Action: Bruce Howse**

Craig requested up to date figures as to the cost saving potential to ratepayers and the CDB by installing the Kotuku St Dam. **Action: Bruce Howse**

Craig asked is there a plan on the WDC horizon to put a road through there in a works plan. Andrew said it hasn't been budgeted for. Craig noted NRC started this dam proposal and providing for a road link is a threat as to the cost viability of the dam. Crichton said WDC have had this paper road as an indicative road for the past 20 odd years as an emergency road.

RUST AVENUE BRIDGE UPDATE

Conal provided an update on Rust Avenue Bridge and advised a design/build tender document is envisaged to be released in the next month with construction to be completed by Christmas. Conal advised it will be 20 metre single span bridge with 2m footpath on either side and a cycle underpass..

MORNINGSIDE FLOOD RELIEF CHANNEL UPDATE

Conal provided an update on the Morningside flood relief channel. He advised consent has been granted from WDC and NRC to proceed. Conal confirmed it has the capacity to convey the 1% AEP flow (not including river catchment), but will be tidally controlled.

* 12.05pm Murray Coop left the meeting.

. WDC have budgeted 2 million for the project.

COOK COSTELLO PRESENTATION ON WHANGAREI MODEL REVIEW

Adrian Tonks presented the Waiarohia/Raumanga Catchment Priority Rivers Flood study results review. He covered the following:

- What was assessed
- Result Review Objective
- Summary of Predicted Flows
- Weather Events
- Storm Surge, Wave Setup, Spring Tide, Sea Level Rise
- Whau Valley Reservoir

It was noted further work includes:

- Gauging of high stage stream flow
- Advance high intensity rainfall data for Northland (HIRDS4?)
- Develop design hyetographs that are representative of Northland rainfall, appropriate for the catchment critical duration, and do not overstate the Depth-Duration-Frequency
- Investigate Whau Valley Reservoir feasibility for further flood protection potential.

Peter noted we need to concentrate on economic costs for the current time, but we shouldn't try and resolve future society's problems with today's society's income. Peter noted it is good to have a report for future planning. He noted that often the best option (Greenways) gets dropped as a cost benefit analysis often makes it unviable to build in one generation. Crichton will take back to WDC Peter's concerns re long term planning and the green-ways concept. **Action: Creighton Christie**

Craig noted we should be signalling long term plans in our Annual Plans and Long Term District plans e.g. protecting the corridor for long term building.

GENERAL BUSINESS

Whareora Road Earthworks Update

Toby summarised the Whareora Road earthworks update (Paraunui Valley Road):

- Location of earthworks
- Earthworks located on old channel – land elevated to 18.5m OTP
- Pre-Earthworks Situation
- Post-Earthworks Situation
- Previous control for overflow 17.85 OTP
- Modified overflow XSEC
- Hatea Cross Section Area

The conclusion is that the effect on the flow for the downstream properties is not significant (less than 1%) and they would already be flooded beforehand. Toby confirmed he would report back to the affected landowners. **Action: Toby Kay**

Craig thanked everyone for their input which was greatly valued.

The meeting closed at 1.05 p.m.

The next meeting date will be advised in due course.

AWANUI RIVER LIAISON COMMITTEE

Minutes of the meeting of the Awanui River Liaison Committee, held on Friday 22 March 2013 at the Te Ahu Centre, Church Road, Kaitaia, commencing at 10.30 a.m.

Committee Members present:

Joe Carr	(NRC - Councillor)
Fiona King	(Kaitaia Drainage Board)
Gary May	(Southern Area)
Joe King	(Eastern Area)
Michael Masters	(Western Area)
Mate Radich	(FNDC Councillor)
Dennis Bowman	(Te Hiku Community Board)
Marie Berghan	(Kaitaia Business Assn)
Lester Bridson	(DOC)

Also Present:

Joe Camuso	(NRC)
Toby Kay	(NRC)
Peter Wiessing	(NRC)
Wendy Jecenth	(NRC)
Amrit Lal	(Switzer Trust)
Robert Campbell	(Resident)

APOLOGIES

Resolved: That the apologies from Kaio Hooper, Abe Witana, Bernie Butler, Marius Gabriels and Tony Brljevic be received.

Mr May : Mr Bridson

CONFIRMATION OF MINUTES

Resolved: That the minutes of the last Awanui Flood Management Liaison Group meeting held on 6 July 2012 be confirmed.

Mr Masters : Mr May

MATTERS ARISING

Joseph Camuso confirmed that Te Rarawa representatives had been consulted regarding the proposed new Waihoe floodgate location. Abe Witana, due to his absence, had provided correspondence confirming that they were happy with the process being followed regarding this matter.

Joseph Camuso was requested to confirm that FNDC were written to requesting that approval is sought from Awanui Flood Scheme managers before conditions are placed on resource consents requiring riparian fencing and or planting within the scheme area. Confirmation is also required that NRC Planning and Consents Departments were advised of the same.

The Committee reiterated drainage easements should be taken by FNDC at every opportunity e.g. subdivisions and resource consents rather than the Scheme possibly having to acquire or purchase land further down the track.

RESIGNATION OF NORTHERN AREA REPRESENTATIVE

Tony Brljevic has tendered his resignation as Northern Representative advising that this was done with regret but was necessary as he and his wife were relocating to Auckland to be closer to family.

He also advised that Awanui resident Ken Subritzky was interested in putting his name forward as replacement Northern Area Representative.

The Committee acknowledged the great contribution made by Mr Brljevic during the last four years and gave special thanks for his hospitality and the use of his boat for river inspections on the lower Awanui River.

Discussion followed on the process for replacement and the Committee decided the normal process would be followed which would involve publically advertising for nominations for a new Northern Area Representative.

BUDGET AND 2012/13 WORKS PROGRAMME UPDATE

Joe Camuso circulated scheme financials and also a report on urgent repair works that were required on the Tarawhataroa Stream bank behind the Switzer Home.

Peter Wiessing reported on the river maintenance works programme for the 2012/2013 season. He advised the bulk of the works had been completed and the only outstanding works were some fascinating works in the lower Awanui. He advised these works will be completed on time and on budget.

Resolved: That the report on Awanui River Scheme Urgent Repair Works from the Land/Rivers Senior Programme Manager, Bruce Howse, dated 5 December 2012 be received and that the funding advanced from the emergency fund to cover these urgent repair works is repaid from the targeted Awanui River Flood Scheme rate

Mr Radich : Mrs King

WAIHOE FLOODGATE UPDATE

Toby Kay gave a presentation on the proposed new flood gate planned for the Waihoe outfall. He advised that option 4, as chosen by the Committee at the last meeting, had been investigated and hydraulic modelling is still underway.

The tendered Awanui Flood Scheme Upgrade Preliminary Design will investigate this proposed structure as part of the overall scheme. Further investigation on downstream effects still needs to be carried out.

Discussion followed on the reason for requiring an addition floodgate given future planned improvements on the Whangatane Spillway.

The Committee felt that consideration needed to be given in the Awanui Flood Scheme Upgrade Preliminary Design to include an option excluding the additional floodgate. They felt given the planned Whangatane Spillway improvements that a second floodgate may be unnecessary.

MODEL UPDATE AND FLOOD MAPS

Toby Kay advised that the model calibration on the January 2011 event had been completed and 10 year and 100 year design storms events had also been completed. These are currently being reviewed by staff. The resulting flood maps were displayed to the Committee and will be publically released once review is completed.

Resolved: That the flood maps are received and following review by staff will be released to the public.

Mr Carr : Mr Bowman

The Chairman suggested that the Te Ahu Centre Atrium would be a suitable venue for public display.

Awanui Flood Scheme Upgrade Preliminary Design A request for proposal (RFP) has been advertised for the preliminary design of the proposed Awanui Flood Scheme Upgrade Preliminary Design. A report with time lines was distributed. Pending outcomes of consultation and Annual Plan deliberations, detailed design could commence during the middle of 2014.

Resolved: The report on the Awanui Flood Scheme Upgrade Design be received and supported in principal.

Mr May : Mr Bowman

RATING REVIEW IDEAS

Ideas for the proposed scheme rating review were circulated. The purpose of the review is to assess the equality of how the scheme is funded and adjust the model to reflect this accordingly. Discussion followed with the Committee requesting further clarification of the financials at the next Liaison Group meeting.

GENERAL BUSINESS

Discussion on stock exclusion and Fonterra rules for riparian fencing took place. The Committee considered that the potential effect this may have on the flood scheme needs to be considered given that stock exclusion results in weed infestation and greater costs of management for the scheme.

Peter Wiessing and Fiona King were requested to prepare a report for inclusion in a submission to Fonterra on riparian fencing and planting as it relates to flood scheme management. The Committee suggested that this report needs to include 'good practice' that could become a 'code of practice' for the scheme.

Gills Road drainage and overflow areas were discussed with the Committee requesting that historic ponding and overflow areas needed to be taken into consideration when planning river works. The flooding now occurring along part of Gills Road needs to be rectified.

Paparore Banks upgrade works and landowner consultation has now been completed by the Kaitia Drainage Board and land owners have acknowledged rating and jointly requested inclusion in the scheme. Discussion followed and staff were requested to prepare a report on the Paparore Banks.

Resolved: That the landowner request for inclusion in the Scheme is received and that staff prepare a report on the Paparore Banks.

Mrs King : Mr King

Meeting closed 2 10 p.m

ISSUE: Update on Biosecurity responses and redirection of budget to meet the fanworm response.

ID: A537785

To: Environmental Management Committee, 28 May 2013

From: Don Mckenzie, Biosecurity Senior Programme Manager

Date: 10 May 2103

Summary The purpose of this report is to update the Committee on biosecurity responses and propose how the costs of the fanworm response can be met using existing biosecurity funds. It concludes with the recommendation that the committee note the information and support the proposal.

Report Type:	<input checked="" type="checkbox"/> Normal operations	<input checked="" type="checkbox"/> Information	<input checked="" type="checkbox"/> Decision
Purpose:	<input type="checkbox"/> Infrastructure	<input checked="" type="checkbox"/> Public service	<input checked="" type="checkbox"/> Regulatory function
	<input type="checkbox"/> Legislative function	<input checked="" type="checkbox"/> Annual\Long Term Plan	<input type="checkbox"/> Other
Significance:	<input type="checkbox"/> High	<input checked="" type="checkbox"/> Moderate	<input checked="" type="checkbox"/> Low

Background:

This item updates the committee on responses to Kauri dieback disease, the marine pest, Mediterranean fan worm and the kiwifruit vine disease PsA-V.

Kauri dieback

Members of the joint response to Kauri dieback, Auckland Councillor Sandra Coney Waitakere Local Board Chair Denise Yates, and Council Chairman Craig Brown attended a ministerial briefing in May. This was aimed at updating Hon. Nathan Guy, Minister for Primary Industries on the issue of kauri dieback and clarifying the crown's intention for future funding of the joint partnership which is seeking \$4M over the next four years. The briefing covered the research investment given the four years of the project and need to pay for further science advice to complete the development of better control tools and prevent further spread. Iconic kauri trees such as Tane Mahuta are at risk from the disease and the loss of such a national treasure and the predicted damage to other kauri forests would impact significantly on tourism and the wider economy. The Minister was also advised that a business case would be prepared and presented to him in September. The briefing was received by the Minister and he acknowledged the information indicating that he wanted to consider the business case before making any decisions.

Mediterranean fanworm response

Divers have completed the second phase of the eradication at Marsden Cove, Port Nikau and Ship repair and the numbers of fanworm found is well down on the previous survey when 1500 fanworm were removed. Staff are confident that a further round of survey and removal will continue to reduce populations. What is important now is to consolidate the gains that have been made so that fanworm populations do not recover and the project will require funding until 2016 to ensure all fanworm are removed. In addition, preventing new populations requires additional staff resources and operating budget to establish agreements with the marine service industry in Whangarei and Bay of islands and also respond to any new fanworm incidents as they

arise. Staff have reprioritised work to cope with the increasing demands on time and for next year project costs can be met within existing funding given the level of resourcing for some projects is reduced and the time taken to complete them is extended. Examples include control work on lantana and African feather grass. Staff propose a slight reduction in the annual number of community plans produced and the funds freed up used to meet the costs of the fanworm response. A minimum of three instead of five new community pest plans per annum are proposed. The total cost of the response next year is estimated at \$250k and staff resources are proposed to be used in survey and incident management. If nothing is done fanworm populations are predicted to return to pre control levels within a year and the future cost burden to reduce populations is estimated at many millions. Preventing a future cost now by reprioritising other species and site led work which can be funded over a longer time period is proposed as the way forward for the coming year

Kiwifruit vine Psa-V - removal of unmanaged kiwifruit orchards

Pseudomonas syringae pv. *actinidiae* (Psa-V) is a bacteria that can result in the death of kiwifruit vines. More than 2102 orchards have been identified with Psa-V this translates to more than 71% of New Zealand's kiwifruit hectares are on an orchard identified with Psa-V. Throughout Northland growers are maintaining their watch on risk goods such as pruning equipment and orchard machinery which might convey the disease throughout the region and adopting more intensive orchard hygiene and spray regimes aimed at reducing the risk of PSA-V becoming established.

NRC staff have been involved in removing abandoned orchards and this work is now coming to an end with over 50 properties being treated and wild or unmanaged kiwifruit vines removed.

Legal compliance and significance assessment:

The activities detailed in this report are provided for in the council's 2012-2022 Long Term Plan and as such are in accordance with the council's decision-making process and sections 76-82 of the Local Government Act 2002. This issue is considered to be of moderate to low significance under council policy, because it is in keeping with the council's overarching programmes for pest management as detailed in the 2012-2022 Long Term Plan.

Recommendations:

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1. That the report Update on Biosecurity responses by Don Mckenzie, Biosecurity Senior Programme Manager and dated 10 May 2013, be received.
 2. That the Committee supports the redirection of existing biosecurity budget to the Mediterranean fanworm response from less critical species programmes and reduced spending on new CPCAs.
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ISSUE: Climate and Water Resources – update

ID: A537667

To: Environmental Management Committee Meeting, 28 May 2013

From: Dale Hansen, Water Resources/Hydrology Programme Manager

Date: 16 May 2013

Summary The purpose of this report is to provide an update on Northland's rainfall patterns, soil moisture deficits and river flows in response to the Northland drought conditions. It concludes with the recommendation that the council receives the report.

Report Type:	<input type="checkbox"/> Normal operations	<input checked="" type="checkbox"/> Information	<input type="checkbox"/> Decision
Purpose:	<input type="checkbox"/> Infrastructure	<input type="checkbox"/> Public service	<input type="checkbox"/> Regulatory function
	<input checked="" type="checkbox"/> Legislative function	<input type="checkbox"/> Annual\Long Term Plan	<input checked="" type="checkbox"/> Other
Significance:	<input type="checkbox"/> High	<input type="checkbox"/> Moderate	<input checked="" type="checkbox"/> Low

Report:

This report provides a brief update of Northland's current climate conditions and water resources in response to prolonged drought conditions. The update also includes NIWA's seasonal climate outlook for May to July 2013.

Figures 1-15 (**attached**) show rainfall and soil moisture trends. Accumulative rainfall trends and probabilities, soil moisture graphs are supplied by the NIWA Climate Centre.

Background

The impact of the drought had continued to affect the rural and urban communities in the Northland region throughout early to mid April, particularly in the western areas of the Far North and Kaipara districts. These areas were subjected to low rainfall amounts, large soil moisture deficits and low river flows whereas the other areas of the region were less severe having received adequate rainfall.

During late April to mid May there was a substantial improvement in conditions throughout the region as a result of a number of moderate to heavy rainfall events.

Recent Rainfall, Soil Moisture, and River Flows

- Near or above average April rainfall in the central areas of the Far North and eastern areas from Kaeo to Whangarei. Below average in the western and southern Kaipara areas.
- Temperatures during April were 1.2 °C above normal.
- Regionally, May rainfall to date is 65% of expected May average. The drier Kaipara areas had recorded 70mm to 90mm during early and mid May.
- Soil moisture deficits were at or above their normal levels for this time of year.
- River flows were well elevated during mid May.

Seasonal Outlook

The seasonal outlook for Northland from May to July 2013 indicates:

- temperatures are likely to be above average,

- rainfall totals, soil moisture levels and river flows are likely to be average.

The probabilities for Northland are shown in the following table.

	Temperature	Rainfall	Soil Moisture	River Flows
Above Average	65%	30%	25%	20%
Near Average	25%	50%	50%	50%
Below Average	10%	20%	25%	30%

Although Northland has now received adequate rainfall amounts, and there has been good recovery with the soil moisture levels and river flows, there is a risk that water resources may once again be under pressure next summer if the region does not receive average to above rainfall over the winter months.

Over the following months council officers will:-

- Continue to monitor rainfall, ground water levels and river flows incorporating the council's hydrometric network and rainfall and water level station operated by NIWA. The particular focus of this monitoring will be in the Kaipara areas.
- Provide regular climate and water resources updates to council, territorial authorities the Rural Support Trust and major industrial/agricultural water users.

The Northland CDEM Group and NRC staff have been monitoring and assisting the Northland Rural Support Trust with the response to the severe drought declared by MPI in the region.

The immediate impacts of the drought, water shortages for stock and stock feed shortages have been alleviated by recent rainfall and warm conditions. There is still concern about the impacts associated with the longer term recovery, mainly stock condition coming into winter, financial management and in some areas sufficient feed for the winter. The CDEM and NRC will continue to assist the RST during the recovery phase which will extend through until late September when MPI have indicated that the drought declaration may be lifted.

Legal Compliance and Significance Assessment:

The activities detailed in this report are part of the Council's day to day operations, they are provided for in Section 7.1.1(b) in the Council's 2012-2022 Long Term Plan and in the Council's 2012-2013 annual plan, and are therefore in accordance with the Council's decision making process and sections 76-82 of the Local Government Act.

The programme (along with other State of Environment programmes) also fulfils the Council's statutory obligations under section 35 (2)(a) of the Resource Management Act 1991.

In relation to section 79 of the Local Government Act 2002, this issue is considered to be of low significance under council policy because the report does not seek a decision other than that information be received.

Recommendations:

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1. That the report Climate and Water Resources – update by Dale Hansen, Water Resources/Hydrology Programmer Manager dated 16 May be received.
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Fig 1: NZ Rainfall Anomalies 1 May to 13 May 2013

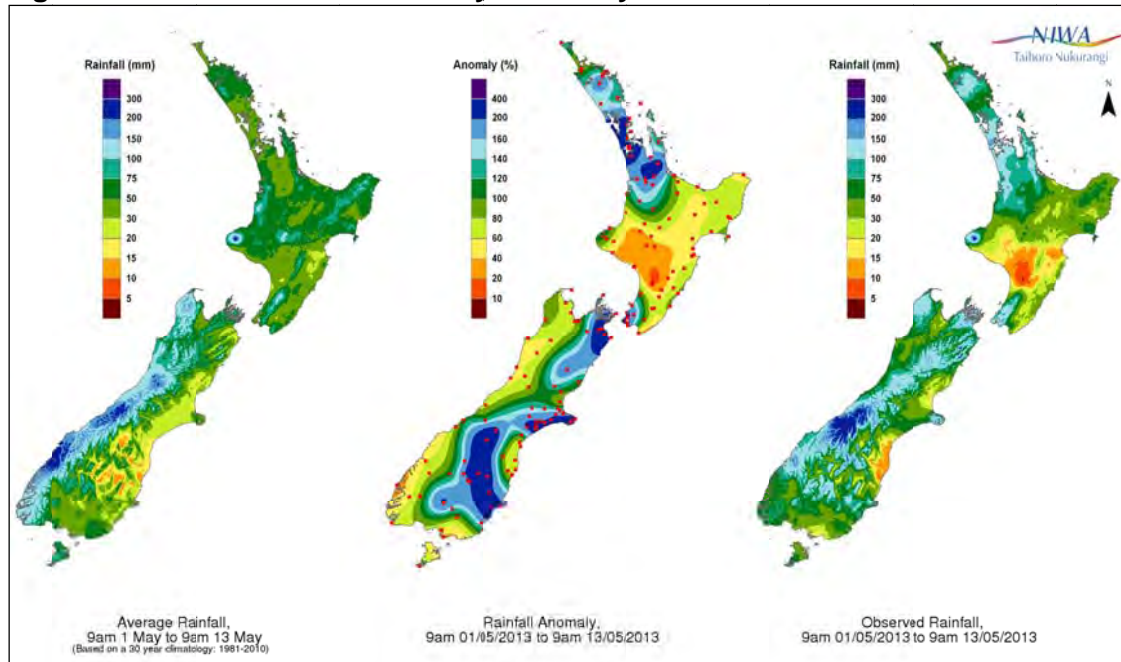


Fig 2: NZ Soil Moisture Deficits 1 to 15 May 2013

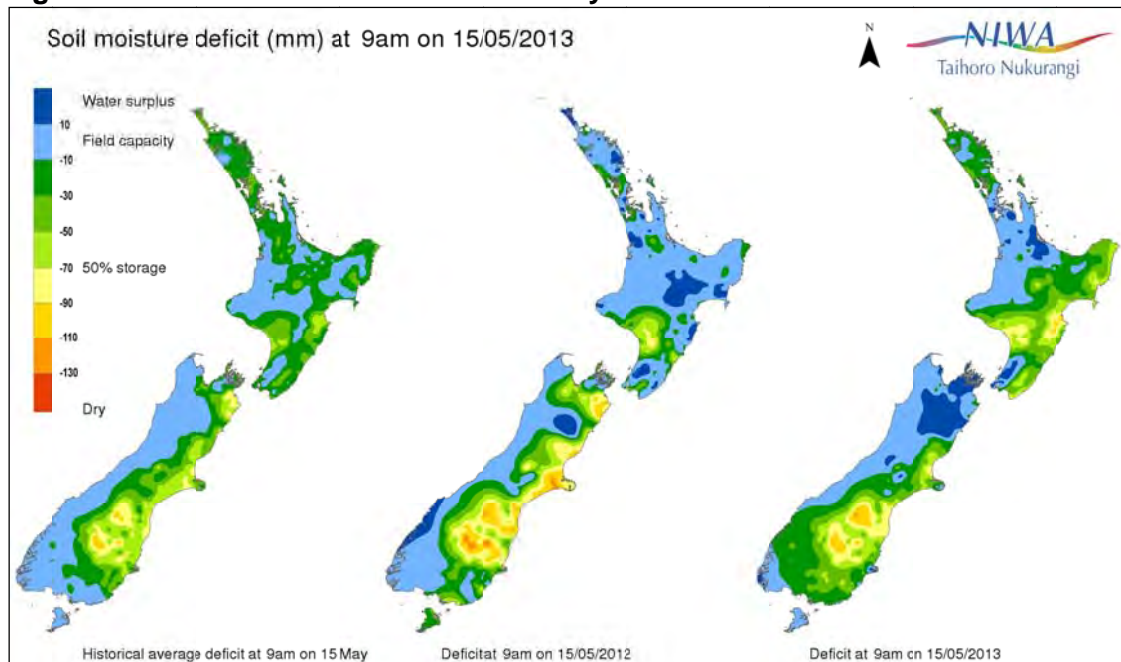


Fig 3: New Zealand Soil Moisture Deficit 13 May 2013

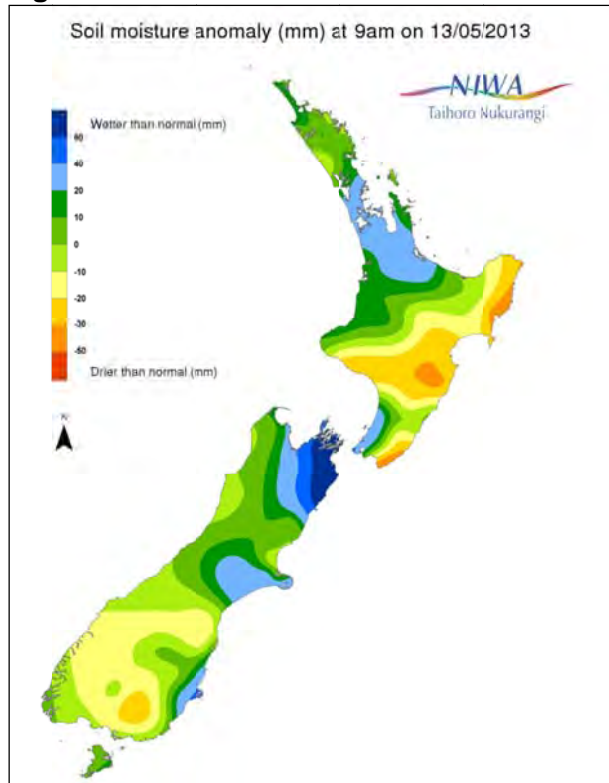


Fig 4: Rainfall Patterns (% of average) April 2013

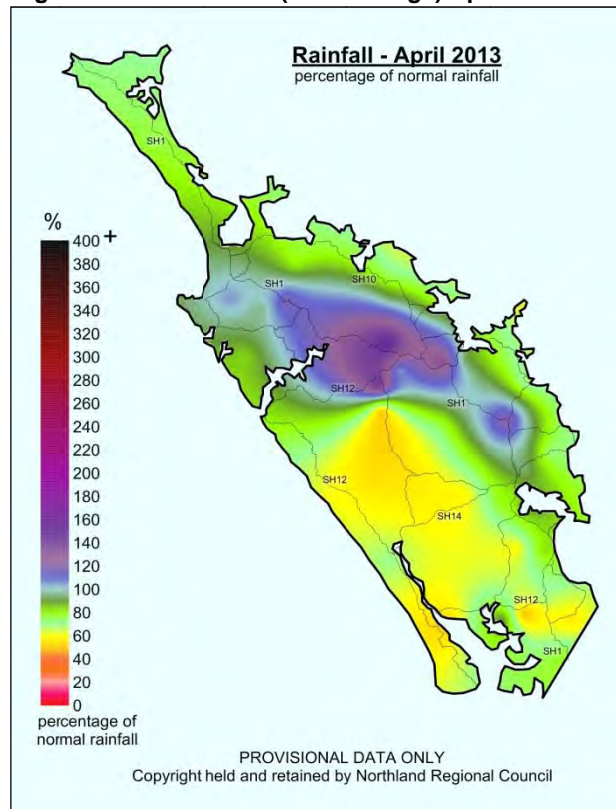


Fig 5:-Rainfall Amounts 1 May to 13 May 2013

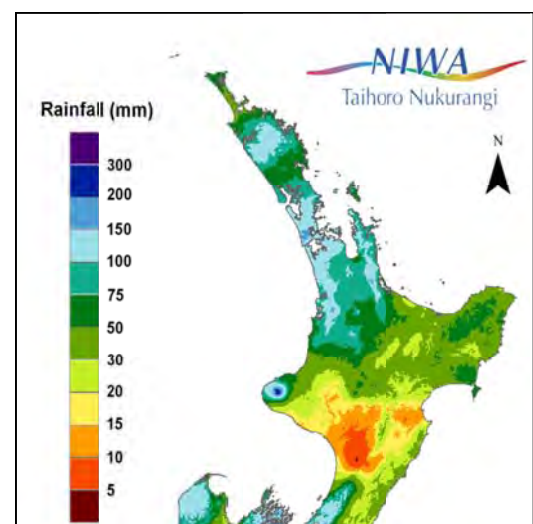


Fig 6: Kaitaia - Accumulative Rainfall Trends and Probabilities

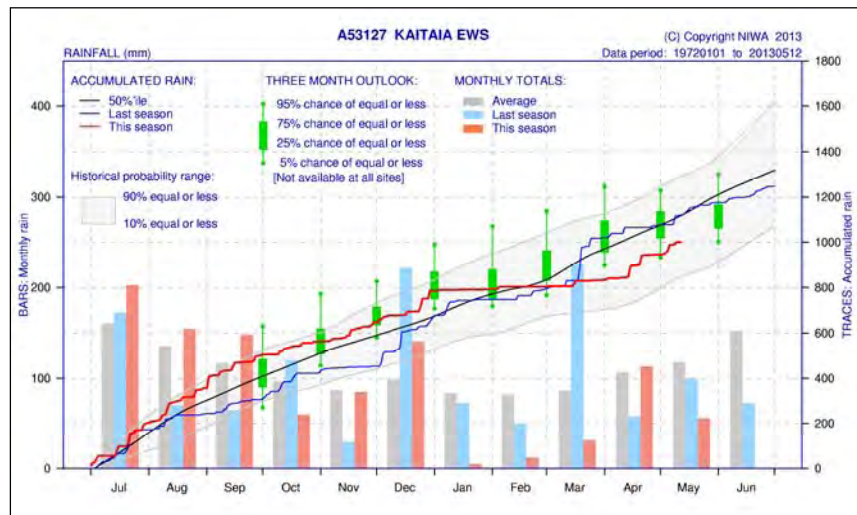


Fig 7: Kaitaia - Soil Moisture Deficits

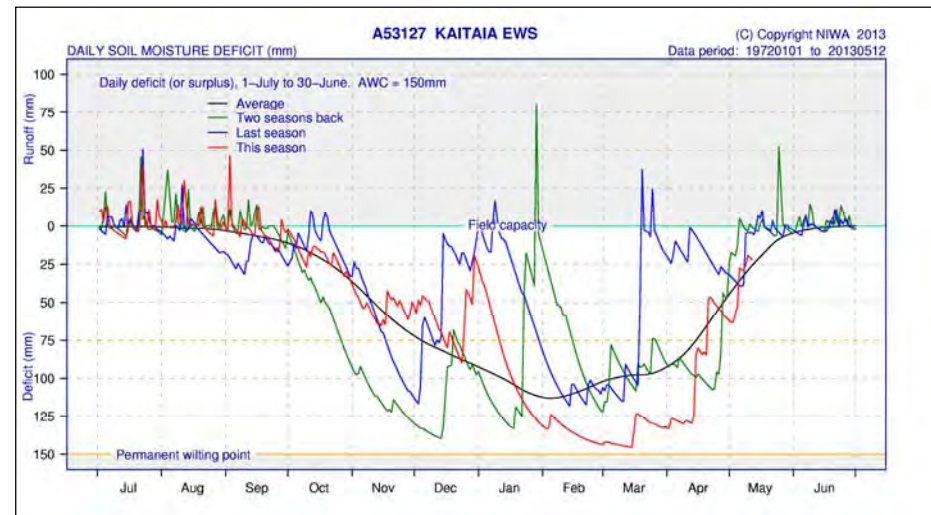


Fig 8: Kerikeri - Accumulative Rainfall Trends and Probabilities

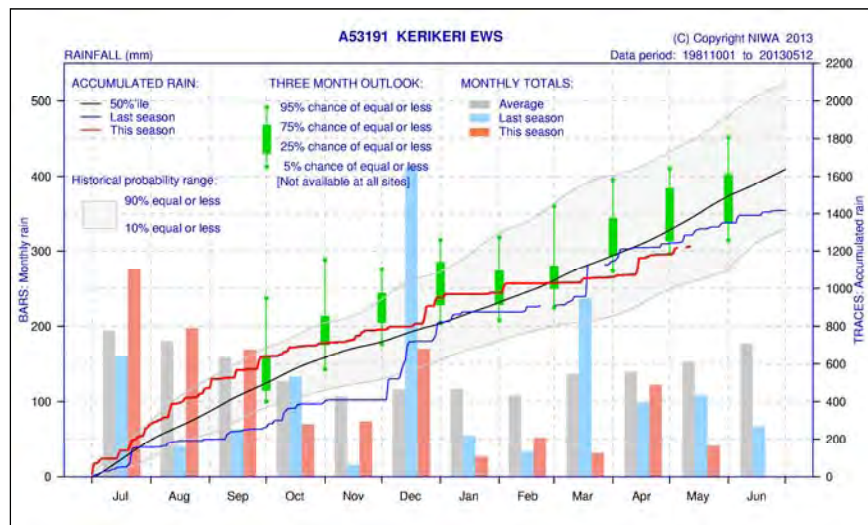


Fig 9: Kerikeri - Soil Moisture Deficits

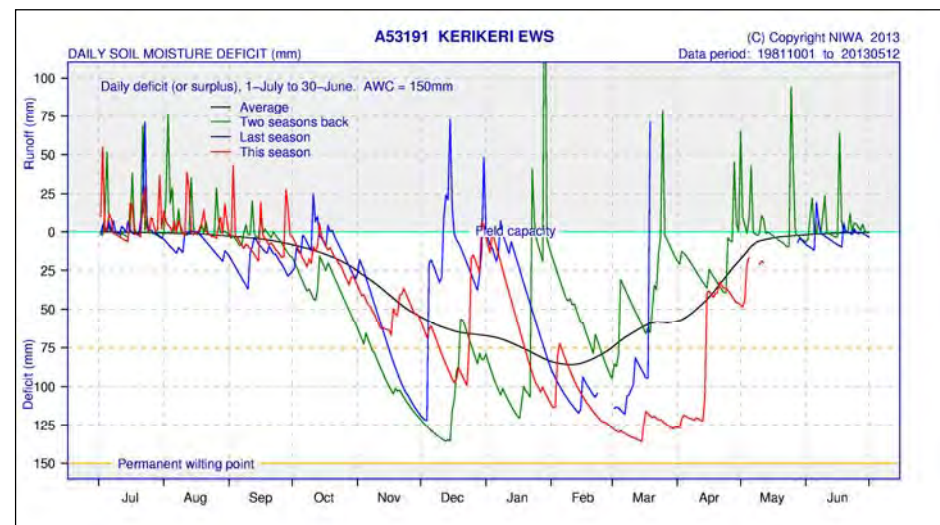


Fig 10: Kaikohe – Accumulative Rainfall Trends and Probabilities

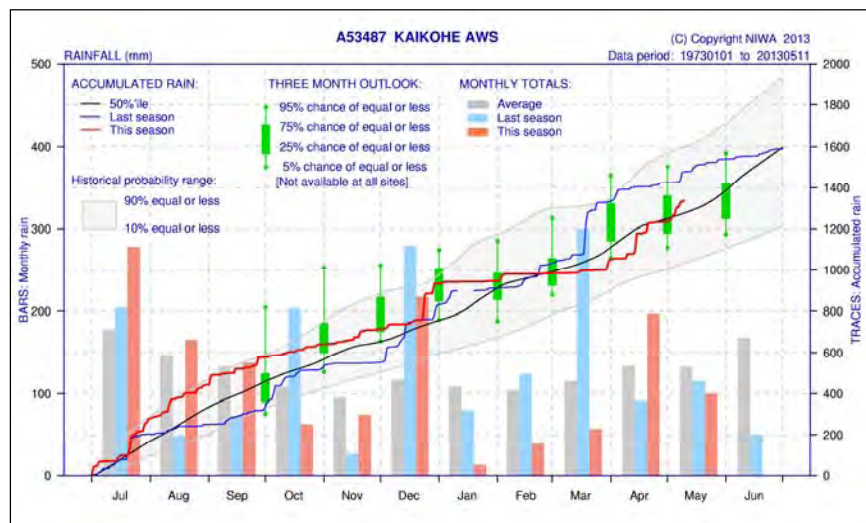


Fig 11: Kaikohe - Soil Moisture Deficits

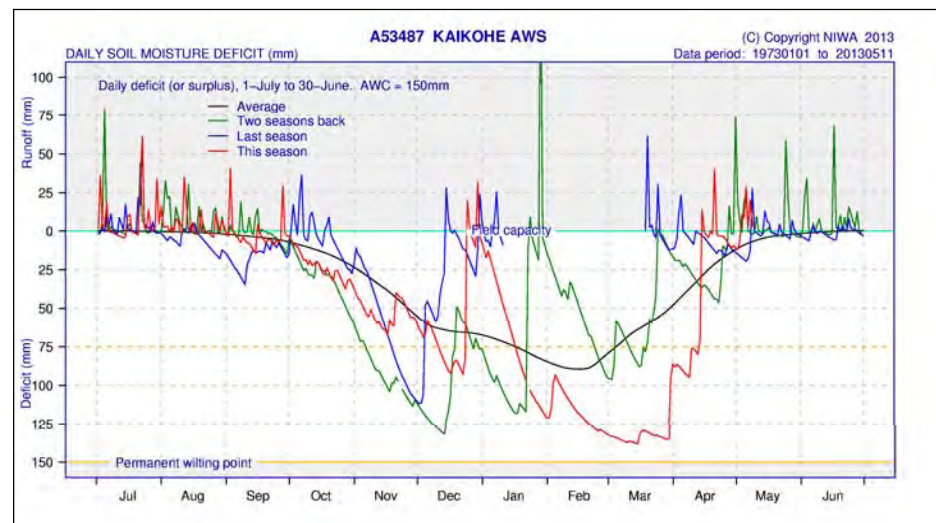


Fig 12: Dargaville – Accumulative Rainfall Trends and Probabilities

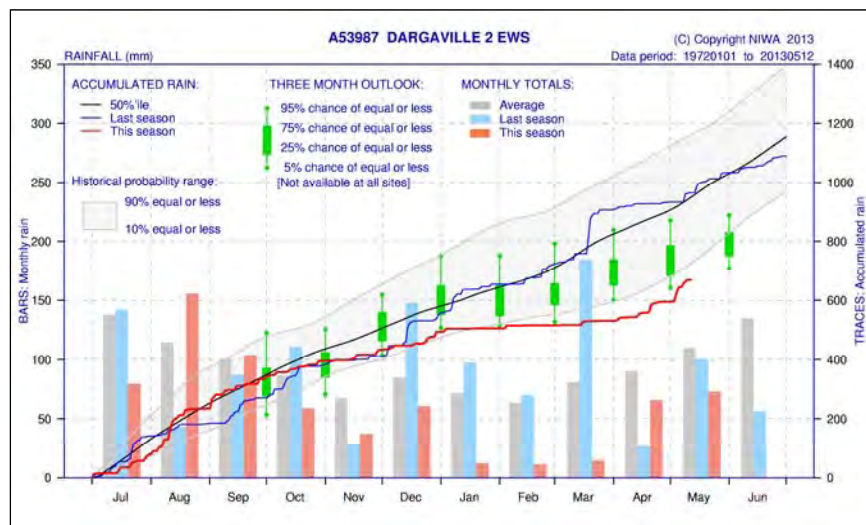


Fig 13: Dargaville - Soil Moisture Deficits

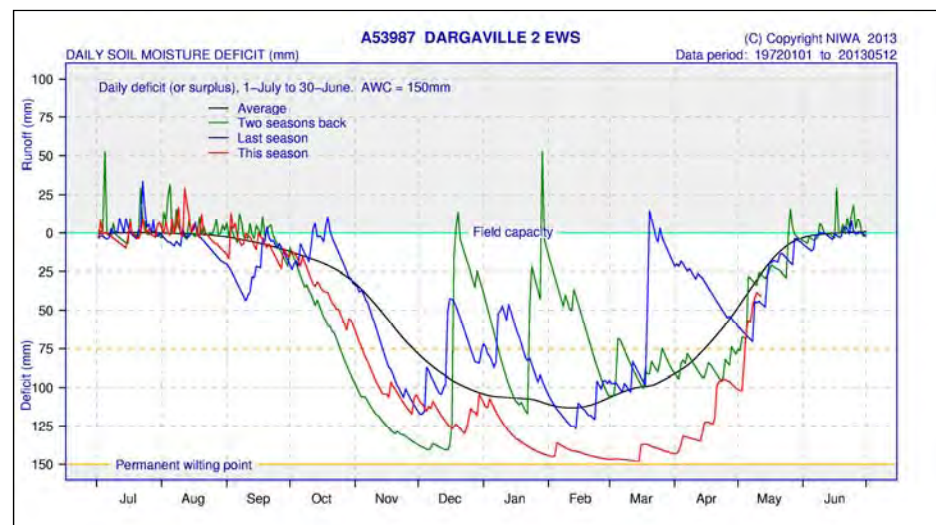


Fig 14: Whangarei Aero - Accumulative Rainfall Trends and Probabilities

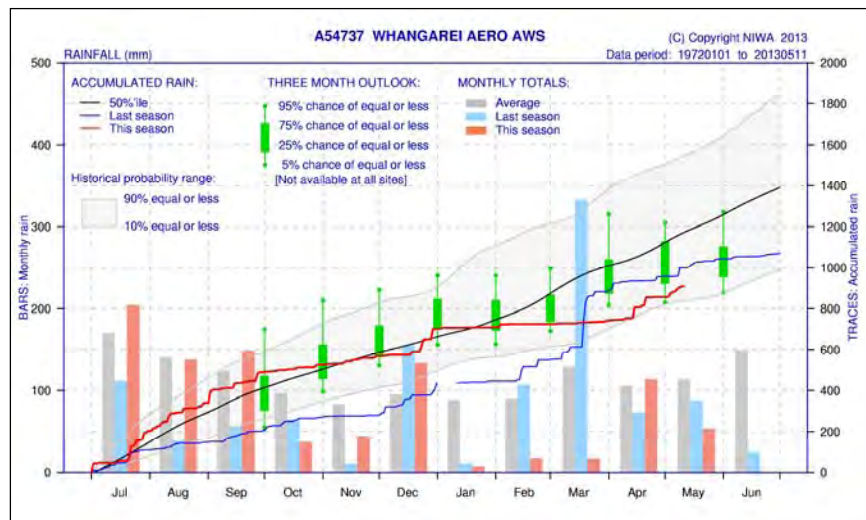


Fig 15: Whangarei Aero - Soil Moisture Deficits

