

AGENDA

ENVIRONMENTAL MANAGEMENT COMMITTEE

Tuesday 26 April 2016 9.30am

**NORTHLAND REGIONAL COUNCIL
ENVIRONMENTAL MANAGEMENT COMMITTEE**

Agenda

Meeting to be held in the Council Chambers, 36 Water Street, Whangarei on Tuesday 26 April 2016 commencing at 9:30am

MEMBERSHIP OF THE ENVIRONMENTAL MANAGEMENT COMMITTEE

Cr J Carr, Chairman

Cr C Brown (Deputy Chairman)	Cr B Shepherd (ex officio)	Cr P Dimery
Mr R Booth (KDC)	Cr A Court (FNDC)	Mr A Clarkson
Ms Sue Reed-Thomas (DOC)	Cr T Cutforth (WDC)	Mr G Gover
Mr K Volkerling	Mr M Hunt	Cr M Knight

OPEN MEETING

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ISSUE: Confirmation of Minutes – 29 February 2016

ID: A834106

To: Environmental Management Committee, 26 April 2016

From: Nola Sooner, Committee Secretary

Date: 6 April 2016

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"/> Triggered	<input checked="" type="checkbox"/> Not Triggered	

Executive summary:

The purpose of this report is to present the minutes of the Environmental Management Committee meeting held on 29 February 2016 (**attached**) for confirmation.

Legal compliance:

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

Recommendations:

That the minutes of the Environmental Management Committee meeting held on 29 February 2016 be received.

**NORTHLAND REGIONAL COUNCIL
ENVIRONMENTAL MANAGEMENT COMMITTEE**

Minutes of the Environmental Management Committee Meeting
held in the Council Chamber,
Northland Regional Council, 36 Water Street, Whangārei, on
Monday 29 February 2016, commencing at 9.30 am

Present:

Northland Regional Council

Cr Joe Carr (Chairman)
Cr Craig Brown (Deputy Chairman)
Cr Bill Shepherd (ex officio)
Cr Paul Dimery

Whangarei District Council

Cr Tricia Cutforth

Far North District Council

Cr Ann Court

Kaipara District Council

Richard Booth

Farming Community

Alan Clarkson

Māori Interests

Keir Volkerling

Environmental Interest Groups

Martin Hunt

Forest Industry

Geoff Gover

In Attendance:

NRC Staff - Full Meeting:

Chief Executive Officer
Group Manager Environmental Services
Group Manager Regulatory Services
Committee Secretary

NRC Staff - Part Meeting:

Biosecurity Manager
Land Management Advisor (Clean Streams)
Estuary Management Advisor
Land Management Advisor
Resource Management Planning and Policy Manager
Compliance Monitoring Senior Programme Manager
Kaiahi – Matauranga Maori
Regional Harbourmaster
Environmental Monitoring Officer – Land Use
Rivers and Natural Hazards Manager
Natural Hazards/Rivers Officer
Waioa Northland Water Project Manager
Land Manager

The Chairman declared the meeting open at 9.30 am.

Apologies

Moved (Brown/Dimery)

That the apologies from Monty Knight and Sue Reed-Thomas for absence be received.

Carried

Declarations of Conflicts of Interest

It was advised that councillors should make declarations item-by-item as the meeting progressed.

Confirmation of Minutes: Environmental Management Committee Meeting – 7 December 2015 (Item 3.0)

Report from Nola Sooner, Committee Secretary.
A820898

Moved (Clarkson/Hunt)

That the minutes of the Environmental Management Committee meeting held on 7 December 2015 be confirmed as a true and correct record.

Carried

Waioira Northland Water Progress (Item 4.0)

Report from Natalie Blandford, Waioira Northland Water Project Manager.
A795263

Moved (Brown/Clarkson)

1. That the report Waioira Northland Water progress by Natalie Blandford, Waioira Northland Water Project Manager, and dated 5 February 2016, be received.
2. That Council approve the following nomination for the Waitangi catchment group:

Nominee	Representing
Steve Terlesk	Forestry

Carried

Sustainable Land Management Update (Item 5.0)

Report from Duncan Kervell, Land Manager.

A817221

Moved (Brown/Hunt)

That the report 'Sustainable Land Management Update' by Duncan Kervell, Land Manager and dated 9 February 2016, be received.

Carried

Hatea River Water Quality Improvement Project (Item 6.0)

Report from Colin Dall, Group Manager Regulatory Services.

A817276

Moved (Cutforth/Clarkson)

That the report, "Hatea River Water Quality Improvement Project", by Colin Dall, Group Manager Regulatory Services", dated 9 February 2016, be received.

Carried

Update on Far North Wild Fowl Management (Item 7.0)

Report from Lisa Forester, Environmental Assets Manager.

A817201

Moved (Brown/Dimery)

That the report "Update on the impacts of Black Swan and Canada Geese on Far North Habitats" by Lisa Forester, Environmental Assets Manager and dated 18 April 2016, be received and the item of business be left to lay on the table until the meeting of the Environmental Management Committee on 26 April 2016.

Carried

Biosecurity Update (Item 8.0)

Report from Don Mckenzie, Biosecurity Manager.

A813471

Moved (Hunt/Gover)

That the report 'Biosecurity Update' by Don Mckenzie, Biosecurity Manager, and dated 5 February 2016, be received.

Carried

Moved (Clarkson/Brown)

That staff facilitate a public meeting on fanworm control to be held in the Parua Bay area.

Carried

River Management & Natural Hazards Update (Item 9.0)
Report from Joseph Camuso, Rivers and Natural Hazards Manager.
A816793

Moved (Carr/Brown)

1. That the report River Management & Natural Hazards Update by Joseph Camuso, Rivers and Natural Hazards Manager and dated 4 February 2016 be received.
2. That council appoints the following nominees to the respective positions on the Taumarere Flood Management Liaison Committee:

Chairperson

Cr Joe Carr

Far North District Council

Willow-Jean Prime

Tangata whenua members

Tui Shortland

Murray Armstrong

Local Business community

Kevin Davidson

NZ Transport Agency

John Kooge

KiwiRail

Peter Ramsay

Ratepayer Representatives:

Kawakawa

Richard Cookson

Karetu

John Harawene

Motatau

Rowena Tana

Otiria/Moerewa

Ngahau Aperira Davis

Waiomio

Manuwai Wells

Maramaku

Aaron Taikato

3. That the Terms of Reference are amended to remove Far North Holdings Ltd.

Carried

**Environmental Monitoring for the period 1 December 2015 –
31 January 2016 (Item 10.0)**

**Report from Colin Dall, Group Manager Regulatory Services.
A815958**

Moved (Dimery/Cutforth)

That the Environmental Monitoring report for the period 1 December 2015 –
31 January 2016 from Colin Dall, Group Manager Regulatory Services, dated
3 February 2016 be received.

Carried

**Community wastewater treatment plant discharges – current
compliance status (updated) (Item 11.0)**

**Report from Tess Dacre, Compliance Monitoring Manager.
A816734**

Moved (Brown/Carr)

That the report Community wastewater treatment plant discharges – current
compliance status (updated) from Tess Dacre, Compliance Monitoring
Manager, dated 4 February 2016 be received.

Carried

Update on Shellfish Mortality Events (Item 12.0)

**Report from Ricky Eyre, Coastal Monitoring Manager.
A817128**

Moved (Hunt/Clarkson)

That the report Update on Shellfish Mortality Events by Ricky Eyre,
Coastal Monitoring Manager, and dated 5 February 2016, be received.

Carried

**The Ningpo, Whangarei Harbour Oil Spill, December 2015 -
Presentation (Item 13)**

**Report from Jim Lyle, Regional Harbourmaster.
A817073**

Moved (Dimery/Clarkson)

That the report “The Ningpo, Whangarei Harbour Oil Spill, December 2015 –
Presentation” by Jim Lyle, Regional Harbourmaster, dated 5 February 2016, be
received.

Carried

Consented Earthworks in Northland – Presentation (Item 14.0)
Report from Franco Meyer, Environmental Monitoring Officer – Land Use.
A817878

The Environmental Management Committee requested that the report “Consented Earthworks in Northland” by Franco Meyer, Environmental Monitoring Officer – Land Use, be deferred to another Environmental Management Committee meeting.

Agenda items for next Environmental Management Committee Meeting – 26 April 2016 (Item 15.0)
Report by Nola Sooner, Committee Secretary.
A817875

Moved (Carr/Brown)

That the Environmental Management Committee members recommend agenda items for inclusion into the agenda for the next Environmental Management Committee meeting on 26 April 2016.

Carried

Conclusion

The meeting closed at 12.28 pm.

ISSUE: Update on Far North Wild Fowl Management

ID: A826242

To: Environmental Services Committee, 29 April 2016

From: Lisa Forester, Environmental Assets Manager

Date: 5 April 2016

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 type="checkbox"/> Legislative function	<input type="checkbox"/> Annual\Long Term Plan	<input checked="" type="checkbox"/> Other
Significance:	<input type="checkbox"/> Triggered	<input checked="" type="checkbox"/> Not Triggered	

See [Guidance Note](#).

Executive Summary:

Anecdotal reports of increasing numbers of Black Swan and Canada geese occupying lakes, harbours and farm land in the Far North prompted discussion over reducing their populations. Concerns have been raised about the bird's potential impact on waterways, selected fisheries, human health and farm productivity. There has been little research on the wider impacts of these birds in Northland. Knowledge gaps could be addressed by a research by management approach. Given that issues with these birds appear to be confined to particular sites supporting management at problem sites as issues arise is the recommended approach.

Legal compliance and significance assessment:

The council 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. This matter is considered to be of low significance, as the report is only provided to be received for information.

Recommendation(s):

-
1. That the report "Update on the impacts of Black Swan and Canada Geese on Far North Habitats" by Lisa Forester, Environmental Assets Manager and dated 5 April 2016 be received.
 2. That NRC supports other agencies and stakeholders of problem wildfowl and assists with management at sites where issues arise.
-

Anecdotal reports of increasing numbers of Black Swan and Canada geese occupying dune lakes, Far North harbours and farm land has prompted community and iwi representatives to call for a reduction in their populations. However, the wider impacts of these birds, particularly on Northland harbours and dune lakes has not been

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studied or described. The reduction of dune lake water quality is of concern and, if waterfowl were implicated in this decline, then urgent action would be needed. Specific concerns have also been raised about the impacts of black swan and Canada geese on shellfish and fish harvested for food in harbours. Because of this a coordinated research by management approach with Northland Fish and Game, landowners and other stakeholders was recommended at the Environmental Committee meeting of 31 August 2015.

On 26 November a stakeholder meeting was held in Kaitia attended by Councillor Knight, Northland Fish and Game, Department of Conservation and key landowners. Fish and Game Officer Nathan Burkepile was able to answer a number of questions and concerns. It was agreed to undertake a field visit to assess some of the Far North habitats where these wildfowl are allegedly having an impact.

On 14 December Fish and Game Officer Nathan Burkepile, Councillor Knight and staff visited Parengarenga Harbour at Paua Station and two dune lakes at Mount Camel Farms. Few birds were seen on Parengarenga Harbour. The lakes on Mount Camel Farms where Canada geese have been an ongoing issue, had high numbers of geese during the visit. These lakes are also heavily infested with the aquatic weed hornwort which was helping to feed the wildfowl. Since the visit the landowner has undertaken a successful cull of Canada geese.

Canada geese are no longer listed as a gamebird and can be controlled at any time however black swan are protected and can only be hunted during the hunting open season. At the stakeholder meetings supporting a public shoot was discussed. Paua Station offered to provide a venue with assistance from organisations and Northland Fish and Game have suggested that Queens Birthday weekend in early June would be a suitable time. A public shoot would also offer the opportunity to autopsy black swan carcasses to investigate stomach contents using a research approach as there is a belief amongst the community that black swan eat young flounder, although it is known that swans harbour gut parasites that resemble young flounder.

NRC will be assisting Northland Fish and Game to organise the public open Black swan shoot in the Far North over Queens Birthday weekend.

On 14 January council staff assisted Northland Fish and Game with their annual aerial wildfowl trend counts in Northland - Far North, Central and East Coast. Black swan, paradise shelduck and Canada geese were counted on nominated dams, ponds and lakes. It is important to note that these trend counts are not an accurate count of bird numbers in Northland, though they do reflect population trends over long periods as shown in the graphs below.

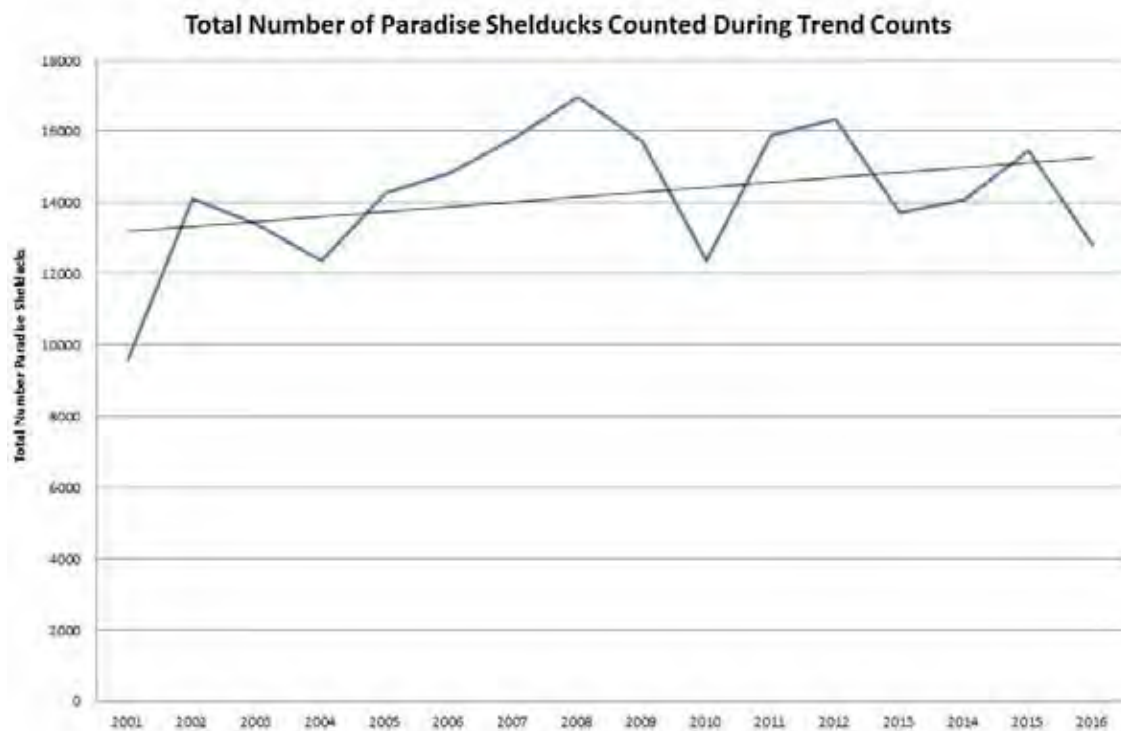
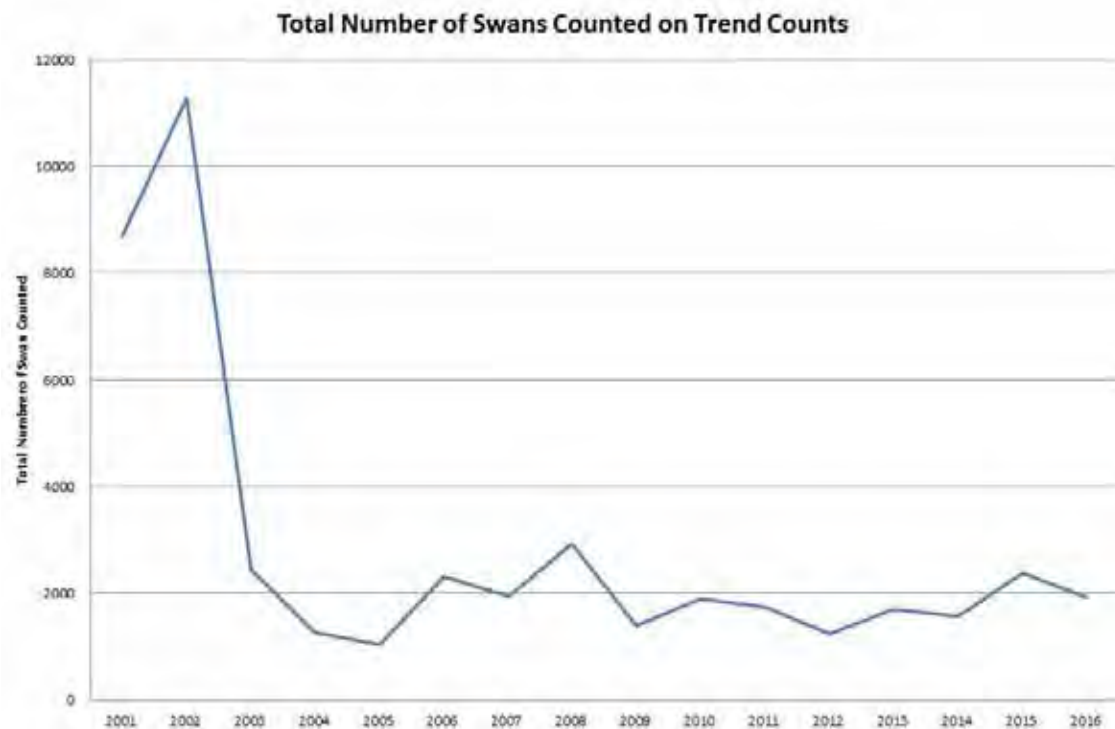
In summary it appears that black swan numbers have been relatively stable in Northland for some years whilst paradise shelduck numbers have decreased slightly. On the other hand Canada geese numbers appear to be increasing and, if they are implicated in the reduction of water quality in waterbodies, this is of concern. However, they are not listed as a gamebird and can be controlled as they are in other regions and countries. There are a number of reports outlining accepted culling methods.

Although concerns have been raised, council has not received an increasing number, or even many, complaints about black swan or Canada geese. These complaints are not widespread and are confined to particular areas in the Far North e.g. Houhora

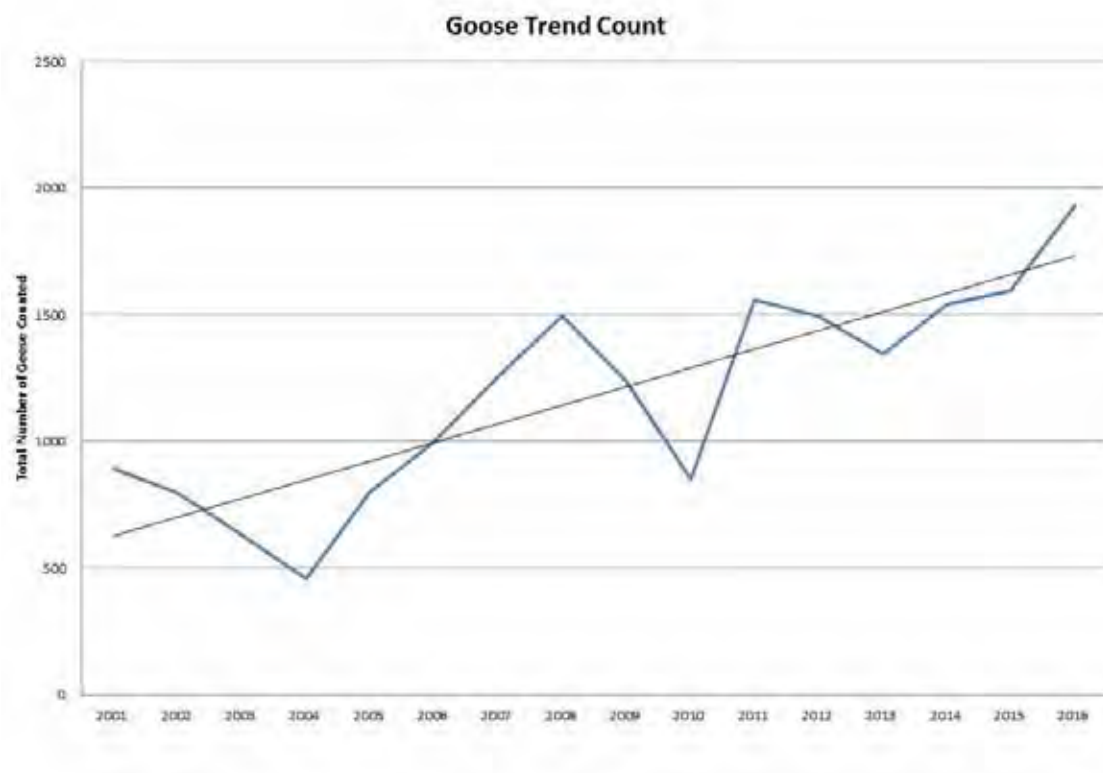
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harbour. The recommended approach is that council continues to support other agencies and stakeholders to assist with management at problem sites when issues arise.



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ISSUE: Waiora Northland Water Progress

ID: A826313

To: Environmental Management Committee, 26 April 2016

From: Natalie Blandford, Waiora Northland Water Project Manager

Date: 1 April 2016

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 type="checkbox"/> Annual\Long Term Plan	<input type="checkbox"/> Other
Significance:	<input type="checkbox"/> Triggered	<input checked="" type="checkbox"/> Not Triggered	

Executive Summary:

The purpose of this report is to provide an update on progress with Waiora Northland Water and contributing programmes between 6 February and 31 March 2016.

Legal compliance and significance assessment:

The activities detailed in this report are part of the council's day to day operations and as such are provided for in the council's 2015-2025 Long Term Plan, and are in accordance with the council's decision making process and sections 76-82 of the Local Government Act 2002. The report is therefore of low significance in terms of council's significance policy.

Recommendation:

-
1. That the report Waiora Northland Water progress by Natalie Blandford, Waiora Northland Water Project Manager and dated 1 April 2016, be received.
 2. That Diane Ruawhare, be approved as additional Waitangi catchment group hapu representative (Ngawha).
 3. That the catchment group resignations of Gerry Brackenbury (Mangere) and Nathan Burkepile (Waitangi), and Paul Dunn (Whāngārei) be accepted.
 4. That the nomination of Aaron Woolam as Forestry Industry representative to the Poutō catchment group be approved.
 5. That the nomination of Mark Dudley as Pukenui/Western Hills Forest Charitable Trust representative on the Mangere catchment group be approved.
 6. That letters of appreciation be sent to the catchment group members that have tendered their resignation as noted in this report.
-

Report:

Waioira Northland Water is council's programme to implement the National Policy Statement for Freshwater Management (NPS FM) and progressively improve water management in Northland. The programme comprises three core elements as follows:

- Regional planning
- Catchment planning (Priority catchments)
- Operational programmes.

NATIONAL INITIATIVES

Resource Legislation Amendment Bill 2015

The Resource Legislation Amendment Bill (the Bill) was introduced to Parliament on 26 November 2015 and represents the second round of resource management reform by the Government. The Bill proposes numerous changes to the resource management system to:

- Provide for greater national consistency and direction;
- Enable a more responsive plan making process;
- Simplify the consenting process;
- Recognise the importance of affordable housing; and
- Provide better alignment with other legislation.

As well as the RMA, the Bill also amends a number of other Acts, including the Exclusive Economic Zone and Continental Shelf Act 2012 (EEZ), the Environmental Protection Authority Act 2012, the Conservation Act 1987, the Reserves Act 1977, and the Public Works Act 1981, primarily to provide greater alignment and reduce duplication. The Bill provided an opportunity for submissions which closed 14 March 2016. Council lodged a submission on the Bill, which is attached (Attachment 1).

Next Steps for Freshwater Reform

The government has released the [Next Steps for Freshwater Consultation Document](#) outlining proposed next steps in its ongoing programme of water management reform. The consultation document outlines a number of new initiatives across four broad topics, but does not include detail on the timing of the proposals identified and the process to be used.

Staff have assessed the content of the consultation document and have recommended council lodge a submission. A draft submission has been developed for consideration by council at its meeting of 19 April 2016. Unfortunately, the timing of the consultation (submissions close 22 April 2016) meant there was no opportunity for input from the Environmental Management Committee prior to council approval of the submission. Staff note that Local Government New Zealand has made a draft submission which is generally consistent with Council's. The key points made in the draft submission recommended to council are summarised in the following table (staff hope to table a copy of the approved submission at this meeting):

Next Steps for Freshwater proposal		Indicative Council submission Points
Freshwater and the environment	<p>Freshwater and the environment, including regulations to exclude stock from specified freshwater bodies and amendments to the National Policy Statement for Freshwater 2014 (NPSFM) to:</p> <ul style="list-style-type: none"> • Provide exceptions to bottom lines for significant infrastructure • Require use of Macroinvertebrate Community Index as a monitoring tool for ecosystem health • Establish water quality attributes for intermittently closing lagoons • Clarify 'maintain or improve overall water quality'. 	<ul style="list-style-type: none"> • Support the principle of providing exceptions to bottom lines for infrastructure and that any such proposed exception is subject to public consultation. • Support the proposed amendment to Objective A2 of the National Policy Statement for Freshwater Management 2014 to maintain or improve overall water quality within an FMU (as opposed to within a region). • Support the clarification that maintaining water quality includes tolerating lower (or conversely higher) contaminant levels provided that they remain within an attribute band. • Support the use of MCI as a consistent measure of ecosystem health, but recommend that any mandatory requirement to use MCI as a measure recognise and provide for variation across regions and stream types. • Support the proposal to create national regulation requiring time-staged exclusion of livestock from freshwater bodies (other than in hill country >15°) as a nationally consistent approach is more efficient than debating the issue region-by-region.
Economic use of freshwater	<ul style="list-style-type: none"> • Development of technical efficiency standards • Facilitating the transfer of allocated water and discharge allowances • Use of good management practice • Improve the ability for councils to recover costs of monitoring, compliance and research. 	<ul style="list-style-type: none"> • Support for technical efficiency in relation to use of freshwater, but advise that any such standards should be developed in close association with the relevant industry and that standards only become a requirement once tested and supported by the relevant industry. • Support for use of good management practice, but again recommend this be developed in close association with the relevant industry. • Support the intent signalled in the discussion document that both technical efficiency standards and good management practices only be mandatory where councils have allocated discharge allowances and where catchments are near or at full allocation. • Support for increasing the ability of councils to recover costs from water users for monitoring, enforcement, research and management, but advise the changes proposed in the Resource Legislation Amendment Bill do not go far enough and should explicit that (in section 36 RMA) that councils can charge for permitted activity monitoring.

Next Steps for Freshwater proposal	Indicative Council submission Points
<p>Iwi rights and interests in freshwater</p> <ul style="list-style-type: none"> Strengthening Te Mana o Te Wai as a basis for community discussion on freshwater Improving iwi / hapu participation in freshwater governance and management, including a direction to identify all iwi / hapu relationships with water bodies in RMA plans and establishment of 'mana whakahono a rohe' (a similar mechanism to the Iwi Participation Arrangement concept recently proposed in the Resource Legislation Amendment Bill) Better integrating water conservation orders with regional water planning and allowing for increased iwi participation in decision making on water conservation orders. 	<ul style="list-style-type: none"> Support for amendment to the NPSFM to clarify the role and status of Te Mana o Te Wai in implementing the NPSFM, as this is currently ambiguous. Support for engagement with iwi and hapu to identify important relationships with water bodies, however if these relationships are to be identified in plans (as signalled in the discussion document), this should be based on a clearly stated resource management outcome – it is also suggested, it is better that iwi / hapu identify those relationships with water bodies that they consider are a matter to be addressed in RMA plans (rather than this being a nationally mandated directive). Support for the amendments to require applications for water conservation orders (WCO) to include evidence of consultation with tangata whenua; that tangata whenua be represented on any tribunal to hear the application (subject to appropriate qualifications and conflict of interest obligations) and; the proposal to provide a streamlined process for establishment of WCO over outstanding water bodies.
<p>Freshwater funding</p> <p>Changes to the Freshwater Improvement Fund to:</p> <ul style="list-style-type: none"> Broaden the scope so it is not limited to land purchase only Require that projects support users to transition to managing within water quality and water quantity limits Require projects to demonstrate environmental benefits. 	<ul style="list-style-type: none"> Support broadening of the scope of the Freshwater Improvement Fund beyond just land purchase to include support for other initiatives that provide environmental benefit and assist in managing within water quality and / or water quantity limits.

REGIONAL PLANNING

Industry and Council liaison for regional plan development

Industry Group	Meeting date	Outcomes	Next meeting
RMA Northland Forestry Development Group	23 February 2016	Draft Regional plan approach to dune lakes was discussed. NRC staff to provide further updates once land disturbance rules have been drafted (including riparian setbacks). A Scion report was also discussed in relation to nutrient/slash management on sand country – industry advised this was largely reflected in current practice.	12 April 2016
Drystock Industry Liaison Group			21 April 2016
Dairy Industry Liaison Group	14 March 2016	<p><u>Draft new rules and policies for managing the taking and use of water:</u> Council will look at the pros and cons of alternative ways of allocating water through a permitted activity rule and provide the findings to the group</p> <p><u>NRC monitoring of pond storage levels:</u> Council are advising farmers to empty ponds before winter.</p> <p><u>FNDC Draft Solid Waste Bylaw:</u> The group will encourage other industry members to provide submissions to FNDC on its draft bylaw.</p>	TBC

CATCHMENT PLANNING

The table below provides an outline of the key steps in the development of catchment plans in the five priority catchments and alignment with the development of the new regional plan.

Key Milestones	Description	Indicative timing
Knowledge building	<ul style="list-style-type: none"> • Catchment descriptions • Collation of monitoring data • Understanding the science 	Complete (all 5 established groups)
Identify uses & values	<ul style="list-style-type: none"> • Identify in-water values • Identify uses of water 	Complete (all 5 established groups)
Draft objectives	<ul style="list-style-type: none"> • Draft objectives (outcomes sought): • What? Where? And by when? 	January – April 2016
Test & confirm objectives and methods	<ul style="list-style-type: none"> • Consistency with RPS and NPS FM • Cost / benefit analysis • Revise as needed 	April - May 2016
Test need for catchment specific provisions in draft regional plan	<ul style="list-style-type: none"> • Compare catchment objectives with draft regional plan • Cost / benefit analysis • Identify any additional regulatory measures required 	April - May 2016
Draft catchment plan	<ul style="list-style-type: none"> • Draft catchment plan approval • Draft catchment plan released for comment / feedback. 	27 June 2016 8 August – 23 September 2016
Incorporate catchment provisions in regional plan	<ul style="list-style-type: none"> • Revise as needed and finalise catchment plan • Final catchment plan approved • Catchment specific provisions included in notified regional plan (as needed) • Catchment plan implementation (ongoing) 	November 2016 - Mid-2017

Catchment group progress

Catchment groups have made progress with catchment plan objective setting at a number of workshops held during the reporting period. Groups have discussed recreational, cultural and ecological objectives for rivers and lakes. River water quantity limits have also been considered. These discussions were held after considering the approach likely to be adopted in the draft regional plan.

All groups will be developing draft objectives for water quality, sediment and land management at their next workshop. Objectives will then be tested to ensure a coherent and holistic suite of objectives and implementation methods will result in draft catchment management plans. The plans are to be recommended for approval at the EMC's 27 June meeting.

Doubtless Bay

- Staff are preparing additional ecological information to enable the group to make recommendations for priority actions aimed at improving aquatic biological diversity.

Waitangi

- Waitangi catchment group hapu representatives have nominated Diane Ruawhare to represent Ngawha hapu on the group.

- Fish and Game staff member Nathan Burkepile, who was representing Recreational Interests on the group, has resigned due to taking a new position with his organisation in Hawkes Bay.

Whāngārei

- Paul Dunn, Marine Industry representative, has resigned from the catchment group due to other commitments.

Mangere

- Gerry Brackenbury, representative for the Pukenui/Western Hills Forest Charitable Trust, has resigned from the catchment group due to his relocating to Wellington.
- Mark Dudley has been nominated to be the new Pukenui/Western Hills Forest Charitable Trust representative on the group.

Poutō

- The group has prioritised particular lakes and riparian margins for planting.
- Aaron Woollam has joined the group as a Forestry Industry representative.

Ngunguru working group

- The 5 March forestry fieldtrip was rescheduled for 30 March 2016. After a number of late apologies on the day of the rescheduled trip, just 4 group members attended in addition to Andy Warren, who was leading the trip. Group members learned about Forestry Industry processes to mitigate sediment transport from their activities to waterways.
- The next catchment group meeting has been scheduled for 18 May 2016.



1 Ngunguru catchment group members and staff on their fieldtrip discuss Forestry Industry actions to mitigate sediment transport into waterways

OPERATIONAL PROGRAMMES

Integrated Kaipara Harbour Management Group (IKHMG).

- Terms of reference for the agreement to have the Fonterra processing sites at Kauri and Maungatoroto were signed 29 March. Parties to the terms of reference are Fonterra, Ngā Kaitiaki O Ngā Wai Maori and IKHMG. The involvement of Ngā Kaitiaki O Ngā Wai Maori increases the level of engagement in the upper catchment that is outside the rohe of Te Uri O Hau.
- The field day held February 7 at Whakapirau in conjunction with the Whakapirau Residents and Ratepayers Association family fun day was well attended despite poor weather. Ministry of Primary Industries fisheries compliance staff also attended. The focus was on the health of the harbour, fisheries research and invasive species. Feedback from the Whakapirau community was very positive.
- IKHMG quarterly hui was hosted 7 March by Kaipara District Council with good attendance from many agencies. The next quarterly hui will be 8 June and will be hosted by Otamatea marae.
- The IKHMG has been going through the process of appointing a Programme Manager. This will be a 0.6 FTE fixed term position and will take some of the workload of staff from the various partner agencies that have been covering the work. An offer of employment has now been made and will hopefully be confirmed in the very near future.
- Work is ongoing with the local flagship site farmers to finalise areas for fencing and planting over the coming 12 months and to identify topics for field days.

Kai Iwi – Taharoa Reserve Management Plan submission

- Staff have prepared a submission to the Taharoa Domain Reserve Management Plan and will speak to the submission at the hearing to be held Wednesday 13 April 2016.
- The submission supports the intent of the Plan, and highlights particular threats to the biodiversity of the lakes, including from fire, aquatic and terrestrial plant and animal invaders.

Environmental Education

- EnviroSchools is a kaupapa, a programme and a movement for change. EnviroSchools facilitators support schools to plan, design and implement sustainability actions that are important to their students and their local communities.
- There are currently 80 EnviroSchools in Northland, (75 schools and 5 kindergartens), including 19 operating at the Bronze stage, 15 at Silver and 4 at Green-Gold.



Submission



By the: Northland Regional Council

On

The Resource Management Reform Bill

**To: The Secretariat
Local Government and Environment Select Committee
Select Committee Services
Parliament Buildings
WELLINGTON 6160**

REF: A825744

Introduction

1. The Northland Regional Council (council) thanks the Government for the opportunity to submit on the Resource Legislation Amendment Bill 2015. This submission is made with council's statutory functions in mind and in the interests of promoting a workable resource management system for New Zealand.
2. Council supports improvement of the resource management system to reduce costs (to local government, communities and business), whilst improving environmental, economic, social and cultural outcomes. Council considers the changes proposed will go some way in addressing some of the problems with current processes and supports the overall intent of the Bill, subject to the specific comments raised below.
3. The Council does not wish to be heard in relation to this submission.
4. Our contact details are:

Attention: Malcolm Nicolson (Chief Executive)

Northland Regional Council
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Providing greater national direction

National planning template

5. Council supports the introduction of a national planning template (NPT) to provide greater consistency and efficiency in RMA plans. However council considers this mechanism should be used with caution as much of the variation in RMA plans has arisen for sound reasons to respond to local resource management issues. Council is also concerned that the amendments would give broad ministerial powers and relatively unfettered discretion over the content of a NPT and could unduly curtail local decision making. We note there are no appeal rights and much of the NPT content could be established through regulations which may not be subject to a public process. We also note the Bill at new section 29(da) enables the Minister to delegate the power to approve, change, replace and revoke the national planning template to the chief executive. While this may be administratively efficient we question whether this sits well constitutionally. This in effect confers regulation making power on a publically unaccountable civil servant rather than an Executive Order in Council. We recommend the proposed new section 29(da) be deleted.
6. Council certainly supports improved consistency in planning where appropriate. We consider appropriate circumstances to include situations where there is unnecessary variation / inconsistency across plans or unnecessary and costly debate over issues addressed under other legislation or where national direction has been set through regulations supported by a public process. These powers however need to be balanced with the ability for local government and local communities to manage local issues using local solutions. Council suggests that development of NPT content be limited to providing consistency across commonly used definitions and the like, rather than tackling more complex / substantive issues which are better addressed through instruments such as NES and NPS. We recommend new 58C be amended to restrict the scope of NPT content to this effect. We also recommend that the NPT provide for a degree of discretion in relation to some resource management topics to allow local variation in plans in order to respond to local issues.
7. Council also suggests that NPT provisions provide for merging of NPT content into existing Schedule 1 processes without the need for re-

notification / consultation. It is also recommended that the NPT use language and format that is consistent with that used in NPS and NES and regulations to ensure efficient integration with these mechanisms.

National Policy Statements (NPS) and National Environmental Standards (NES)

8. Council supports the use of NPS and NES to provide national direction, simplify processes and limit costs as a result of councils re-litigating the same issues throughout the country. We also support the potential to combine NES and NPS. Council would prefer to see national guidance on substantive resource management issues through these tools (rather than through direct ministerial intervention) as the process is more transparent, there is opportunity to engage in their development and a section 32 evaluation process is applied.
9. We support changes that would enable targeting such instruments to specific regions or areas where issues are apparent (rather than applying New Zealand wide). An example of where the ability to target NPS/NES to specific areas would be of benefit would be in relation to any NPS for urban development. Urban development issues are generally confined to several major centres - in many other parts of the country the imposition of a NPS for this purpose is not warranted. Any such NPS should ideally utilise the ability in new 45A(3) to target areas of concern.
10. In terms of priority areas for stronger national direction, council considers water, natural hazards (given the proposed elevation to a section 6 matter and the benefit of nationally directed consistency) and climate change should be the immediate focus.

Natural hazards

11. The addition of natural hazards as a matter of national importance to section 6 RMA is strongly supported as this will better enable local authority initiatives to manage natural hazard risks. The change proposed to section 106 is supported for the same reasons. As noted above council recommends this change be supported by national direction and would support development of a NES on the management of risk associated with natural hazards.

Changes to Section 30

New function to ensure land development capacity

12. The change to Sections 30 and 31 RMA to include provision sufficient residential and business development capacity to meet long-term demand as a function of both regional and district councils is supported. However, the change to section 30 as drafted does not fit well with regional functions - providing capacity is a district function through zoning and subdivision provisions and infrastructure. Regional councils can however complement this through provisions relating to infrastructure (such as water takes and discharges). Any change to section 30 RMA should reflect regional functions and should in our view relate to the *ability to sustainably utilise* development capacity (rather than provide capacity).
13. We also see a related issue with new Section 30(5) in that the definition of development capacity includes “....*the provision of adequate infrastructure...*” Again regional councils tend not to provide infrastructure to service land use change / development – the change to Section 30 outlined at Para 10 above would resolve this.

Deletion of hazardous substances

14. The removal of the express requirement for local government to manage hazardous substances from section 30 and 31 is supported. This is because the management of hazardous substances is better managed by the EPA under the HSNO Act processes which are specifically designed for this purpose and appropriate expertise can be brought to bear. The Bill however does leave some uncertainty as to the scope for local government control over adverse effects of the storage, use, disposal, or transportation of hazardous substances in the absence of section 30(1)(c)(v) and 31(1)(b)(iia). Council recommends this be clarified for certainty.

Stock exclusion

15. Provision for national regulations to exclude stock from water bodies is supported, as long as the regulations provide a pragmatic approach. We support the approach signalled to date that stock exclusion requirements would not be applied ‘broad brush’ and that exceptions are made for hill country and a reasonable lead in time is provided. Impacts on parts of the

rural economy would otherwise be severe. It is important that the regulations provide the ability for landowners to gain consent where stock exclusion is not practical and to allow access in some circumstances (E.g. stock crossings and / or where water reticulation and fencing are cost prohibitive). Council also suggests there be the ability for councils to be more restrictive than the regulations in certain circumstances – for example to meet national policy direction on outstanding freshwater bodies and / or to meet community objectives for contact recreation.

Regulation making powers

16. The new provisions that create new regulation making powers to permit or prohibit certain rules potentially override local decision-making. Council would prefer a focus on national direction to shape plans through current processes such as NPS/NES. The development of plans goes through a rigorous public process and evaluation against section 32 RMA. Plan making is also subject to hearings by accredited commissioners. The "necessary or desirable" tests in section 360D(8) are not an adequate threshold to justify interference with planning processes. Council opposes these new regulation making powers as they stand. If this mechanism is retained, we reiterate our comments on NPT content above and suggest it only be utilised for instances where there is widespread or general support for intervention by way of regulation and where this option would reduce unnecessary process costs through Schedule 1 RMA. Council considers this principle be embedded in any such provisions if retained.

Reversal of presumption of subdivision

17. The Bill reverses the statutory presumption that subdivision requires consent unless allowed by a rule in a plan. There is potential for tension between this reversal and the elevation of natural hazards into Section 6 as a matter of national importance and associated changes to section 106 (which provides that a consent authority may decline subdivision consent or may grant subject to the conditions to manage hazard risk). This could result in greater potential for development of land subject to natural hazard risk. Council also considers this change is unnecessary as section 11 does enable district councils to allow subdivision as a permitted activity if appropriate. There is also a risk that if this change is pursued that a precautionary approach is adopted and plans will include rules requiring consent as a default position in any case, potentially achieving the

opposite effect than intended. Council therefore prefer the status quo given the risk of unintended consequences.

Plan making

18. Council is generally supportive of the proposed changes in the Bill to the current plan-making processes under Schedule 1 of the RMA. Current plan change processes lack agility and are costly and can take many years.

New plan-making processes

19. Council supports the introduction of two new planning processes for plan-making in the Bill (collaborative and streamlined processes). However in relation to the streamlined process, council has concern with the scope / powers for Ministers for the Environment and/or Conservation in relation to substantive content of policy statements and plans – noting also that the Schedule 1 process would not necessarily apply and there would be no right of appeal. Council's view is that ministerial powers should be primarily limited to process rather than content to ensure local government has the ability to manage important local and regional resource management issues. There may however be situations where ministerial approval of content may be desirable, so council recommends that this be retained as an option on request by local government (I.e. the default position being ministerial approval of process only, not content).

20. Council support inclusion of a collaborative process for plan making. While the level of prescription in the proposed changes provides certainty and direction around set up, operation and process, council is concerned that some flexibility be retained in design. There is a danger that if the collaborative process is over-prescribed in the Act that it will be under-utilised by local government. Council also recommends specific changes to improve the workability of the collaborative planning provisions as follows:

- (i) New Clauses 37 and 38 read as if councils must consider whether to use a collaborative process for *all* policy statement / plan changes and notify that decision. Most such changes will not be conducive to a collaborative process, so Clauses 37 and 38 should only apply where a collaborative process is adopted.
- (ii) New Clause 38(2) states that a local authority cannot withdraw from a collaborative process. This could be problematic in the

event a group proves dysfunctional or the collaborative process proves unworkable. It also seems at odds with new Clause 47(3) which suggests that the Proposed Policy Statement or plan need not be notified. We recommend that New Clause 47 should clarify the process in the event a council chooses not to notify. We note there also seems to be contradiction between notification in new Clauses 47(3) and 48 (Clause 47(3) suggests the authority can decide whether to notify while Clause 48(1) states the authority must notify).

- (iii) Schedule 1 new Clause 40 sets mandatory appointments to a collaborative group. We recommend greater flexibility here as interests will vary and may also be subject agreements made in iwi participation arrangements.
- (iv) Schedule 1 new Clause 45 requires that the consensus position be given effect to provided it meets Parts 4 and 5 RMA while Clause 53(4) essentially allows for a departure from the consensus opinion under certain circumstances. We recommend making explicit reference to s32 RMA in Clause 53(4) as it often happens that a submitter can identify unrealised costs or more effective / efficient ways to achieve an objective.
- (v) It is unclear why in new Clause 54 a local authority can reject a recommendation and draft an alternative without a public process. Council recommend the process be the same as a typical plan change and the matter be re-heard.

21. Council strongly supports the option for limited notification of changes to policy statements and plans in new Clause 5A in Schedule 1. We note the wording at (8) suggests a hard copy – we recommend amending this (and other similar references in Schedule 1) to clarify that electronic copy is acceptable.

22. Council is also of the view that there should be a simpler / faster process for reviewed provisions where no changes are proposed – currently under section 79(3) reviewed plans must still follow Schedule 1 RMA even if no changes are proposed. In such circumstances, notification should be all that is required (i.e. allow for simpler process to ‘roll-over’ operative provisions).

23. Council also supports the requirement in new Clause 4A Schedule 1 to provide a copy of the draft proposed policy statement or plan to iwi authorities prior to notification. However the new clause uses the term “relevant” – it is not clear why as this infers that some proposed policy statements or plans are not relevant. We assume this is not the case and

that all policy statements and plans must follow this process. Council recommend the term “relevant” be deleted.

Section 18A procedural principles

24. The Bill introduces new procedural principles for plan-making in new Section 18A. Whilst the intent of this section is understood, the wording is ambiguous and could result in legal action. Council recommends a further provision similar to current section 17(2) be added to clarify that the principles are not of themselves enforceable against any person and no person is liable to any other person for a breach of the principles.

Iwi participation arrangements

25. The Bill seeks to place an obligation on councils to invite iwi to engage in plan-making processes through iwi participation arrangements (IPA). Council recognises there are issues with Maori engagement in current Schedule 1 processes and support initiatives to improve these mechanisms in the RMA. We therefore support in principle a requirement to invite Maori participation in plan making processes. Council does however have concerns about how the proposed IPA would affect existing relationships between councils and Maori. We would be extremely concerned if the new requirements resulted in established arrangements being constrained or undermined. Of particular concern is the potential impact on standing arrangements between council and hapū. For example, in 2014 council and Maori established a Te Taitokerau Maori Advisory Committee (TTMAC), which includes both iwi and hapū representatives: for more detail see <http://www.nrc.govt.nz/Your-Council/Working-with-Maori/Working-in-partnership/>
26. TTMAC has been established to address issues around participation and engagement by Northland Maori and council decision making processes. This is reflected in council's Significance and Engagement Policy developed in the 2015-2025 Long Term Plan as follows: *Opportunities are provided for Māori to contribute to our decision-making processes. The Te Taitokerau Māori Advisory Committee has been formed as the primary point of Māori engagement.*
27. TTMAC feedback on the IPA provisions in the Bill was that they support “...a model that provides for both iwi and hapū participation and recognises Te Tiriti o Waitangi”. Therefore, they as a committee do not

support the proposed IPA model proposed in the Bill. Council has similar concerns in that the new IPA provisions could undermine this type of bespoke arrangement by legislating an exclusive relationship with iwi authorities in relation to plan-making processes through IPA. Council does not support the IPA provisions as written in the Bill and recommend they be amended to provide a more inclusive framework for engagement with Maori that enables participation at all levels and that does not undermine current arrangements / decision making mechanisms developed to date between local government and Maori.

28. Council also recommends that any participation arrangement provisions in the Bill should be clear that in the event such arrangements are not entered into, then the normal Schedule 1 process continues to apply.
29. Council supports the intent in new Clause 4A into Schedule 1 RMA requiring councils to provide the relevant iwi authority with a copy of a draft proposed policy statement or plan before it is notified, and that councils must have particular regard to any advice received on that draft from the iwi authority. As currently drafted this Clause would apply regardless of any participation arrangements – it would be advisable to clarify that this Clause is a ‘default’ and is subject to the requirements of any participation arrangements.

Changes to Section 32

30. The requirement in new Section 32(4A) to provide a summary of iwi advice and responses is cumbersome and will add costs unnecessarily as all such material is discoverable in any case and already addressed in current sections 35(1) and 35(5).

Commissioner appointments

31. The requirement in new section 34A(1) to consult relevant iwi authorities for *all* Schedule 1 commissioner appointments is unnecessary. Council agrees it is appropriate for consultation to occur where matters of tikanga or Māori values are being considered, however this should be limited to these instances and not applied to all Schedule 1 hearings. Council considers that this issue is better addressed through participation agreements or left to the discretion of councils which already consider, as a matter of course, whether it is necessary to appoint a commissioner with an understanding of tikanga Māori. While it may not be appropriate to

establish this principle in the RMA, council is of the view that commissioners appointed to Schedule 1 RMA roles should be appropriately qualified and experienced and subject to standard conflict of interest checks and balances. We would be concerned if new 34A(1) were to undermine what we consider to be good practice.

New monitoring requirements

32. The Bill introduces a new requirement into section 35 requiring that councils monitor the efficiency and effectiveness of processes used, including matters such as timeliness, cost and overall satisfaction. The purpose of this is unclear and the terminology is vague. Many “processes” are also established in law (E.g. consent and plan change processes) and there seems little merit in this change, particularly when such matters are already addressed through the Local Government Act. This change would impose a significant additional financial burden for little benefit. For these reasons this amendment is opposed.

Compensation for land incapable of reasonable use

33. Amendments to section 85 of the RMA would provide the Environment Court with the ability to direct councils to acquire land (using the Public Works Act) that has been rendered incapable of reasonable use by planning provisions (in addition to existing powers of the Environment Court to require changes to the plan). This is a fundamental change to the principle of no compensation being payable under the RMA. While we understand the intention, this change could create tension between delivering on Section 6 matters of national importance and national policy direction (E.g. NZ coastal policy statement 2010), particularly in the light of court decisions such as King Salmon where the meaning of “avoid adverse effects” was interpreted. Local government may be put in a very difficult position if this change is retained – for example where national policy directs adverse effects or over-allocation be avoided, councils may have little choice but to purchase land at potentially significant cost. Government needs to resolve this tension if this change is pursued and determine where its priorities lie between delivering on national direction and recognising property rights.

Simplifying the consenting system

34. The Bill introduces a number of new consenting amendments, including a new fast-track for simple applications and significant changes to the notification of applications. The Bill contains significant proposals which reduce participatory rights, especially in relation to notification decisions. Participation in decision making is a cornerstone of the RMA. Council is concerned that proposals in the Bill will significantly erode rights to participate in consent processes. These and other concerns are outlined in more detail below.

10 day fast-track for minor consents

35. The 10-day fast track provision seems based on an assumption that controlled activities all fit into a 10 working day processing time. We agree that controlled activities are for the most part simple and generally low impact, however this is not always the case and at times criteria and standards are applied and must be checked (this can require specialist expertise and time). There also circumstances where consultation with iwi is required on a controlled activity application, which again takes time.
36. Imposing such fast-track requirements could also result in a perverse outcome whereby councils avoid the use of controlled activity status in plans given the onerous processing timeframe. Also there appears to be little evidence for any actual problem with current processing times for minor consents. Ministry for the Environment data shows median timeframes for non-notified applications to be well within the 20 working day maximum. Council therefore opposes this change on the grounds that there is no need for, or benefit from this provision and it may well act as a disincentive for use of controlled activity status.

New notification criteria

37. The new provisions require consent authorities to specify the reasons for notifying an application, and then limit the rights to submit to only those identified reasons. This seems contrary purpose of notification, which is to make sure all the potential effects are identified and addressed as a consent authority may not fully understand all potential effects until all potentially affected parties have their say. The change in our view is likely to lead to more challenges to notification decisions - if parties consider

there are shortcomings with a council's assessment of effects there will be legal challenge.

38. Council considers the proposed change to notification provisions is an unnecessary complication as very few applications are currently notified and plans are increasingly including non-notification clauses in rules. We also consider it will erode participatory rights and will be time consuming and litigious. Council considers the current approach about right and understands that use of limited notification option is working well. We therefore oppose the new notification provisions / process.

Strike out provisions

39. Council opposes the mandatory direction to strike out submissions in Section 41D(2). Council considers this change goes too far and will affect lay people the most (particularly 2(b)(ii) requiring evidence to support a submission). It is also uses ambiguous and subjective language (e.g. "sufficient factual basis"). Council considers the change will likely lead to an increasingly litigious and adversarial hearing process. Council recommends that the discretion whether or not to strike out submissions be retained and therefore opposes 41D(2).

Fixing of fees

40. Council opposes a prescriptive and mandatory regime for fixing fees for hearing commissioners in new Section 34B on the grounds that this is an unduly rigid approach. Councils use commissioners for a variety of reasons (including conflict of interest, transparency, resourcing, or where specialist expertise is required). The fixing of fees is likely to impede the flexibility to design hearing panels to suit individual circumstances and may reduce the likelihood the appropriately expertise can be applied.

Financial contributions

41. The Bill proposes phasing out financial contributions (FCs). Council opposes this change on the grounds there are benefits in retaining these provisions. These benefits include:

- (i) Financial contributions are the only option for regional councils to collect funds from the consent process (development contributions are not available).
- (ii) The basis for requiring FC's (that there will effects on the environment) and the scope to utilise FCs is broad and therefore more flexible than development contributions (which are limited to the provision of infrastructure).
- (iii) The retention of FC's would be consistent with changes to Section 104 (new 104(1)(ab)) in the Bill relating to recognition of positive effects / offsetting adverse effects which could conceivably include a financial contribution.
- (iv) Financial contributions may also provide a mechanism to recover costs of monitoring permitted activities (see below). For example permitted activity rules could include standards and terms requiring payment of administrative / monitoring charges (albeit this may require amendments to sections 108 and 36 of the Act).

42. In the absence of any replacement mechanism, council opposes the repeal of financial contributions provisions on the grounds that they are a useful tool and provide flexibility in the consent process.

Charging for permitted activities

43. Council sees merit in the ability to charge for the monitoring and administration of some types of permitted activities. This is because permitted activities typically include standards and terms that must be met to ensure adverse effects are managed (such as standards discharges for the purposes of managing water quality and to ensure section 70 RMA is met). This compliance monitoring comes at a cost. Currently the RMA is silent on the ability to apply administrative charges for permitted activities (current section 36 only refers to resource consents).

44. We note new section 36(cc) states that councils can apply administration charges to permitted activities but only if empowered to do so in accordance with new 43A(8). While not definitive, this strongly indicates that councils shouldn't be charging for permitted activities (unless empowered to do so by way of 43A(8)). Council recommends that it be made explicit in the RMA that councils can recover costs for monitoring and administration of permitted activities (whether provided for in NES / regulations or not). Some permitted activities require monitoring and the person carrying out that activity should pay reasonable council costs which is consistent with the user pays principle (rather than this falling on the

ratepayer). We consider a requirement to pay permitted activity charges should be able to be specified in plans via the standards and terms applying to the permitted activity (particularly for those associated with the use of fresh water, and other “commons” resources). We are also of the view that if permitted activities were explicitly “cost recoverable” this activity status would likely be used more frequently in plans to the benefit of the public and industry alike. The inability (or the uncertainty) to recover costs associated with monitoring permitted activities in our view acts as a disincentive to more frequent use of this activity status in plans (i.e. controlled activity status is used instead so costs can be recovered). Council recommends section 36 be amended to explicitly enable charging for permitted activity monitoring.

Changes to consent conditions

45. New Section 108AA acts to narrow the scope of consent conditions to:

- Those agreed to by the applicant.
- Matters directly connected to an adverse effect of the activity on the environment.
- Matters directly connected to an applicable district or regional rule.

The need to narrow the scope of consent conditions to these matters is unclear and in our experience current provisions work well. Conditions are often applied on broader grounds than the matters above (e.g. review, expiry or conditions requiring the establishment of liaison groups or third party consultation). In our view, new 108AA is likely to unnecessarily complicate the consent process rather than improve it and should be deleted.

Other consenting amendments

46. Council generally supports a number of other changes to the consenting process as outlined below (subject to any amendments recommended in Section 2 of this submission) :

- Allowing minor breaches of rules to be considered permitted activities.
- The explicit ability to consider positive effects from offsetting and environmental compensation proposals offered by an applicant.

Other matters

47. Council supports the change to section 12 to allow removal of abandoned structures from the common marine and coastal area.
48. The change to section 14 to refer to “person’s” instead of “individual’s” has some potential for unintended consequences. We note the definition of person under the RMA includes the Crown, a corporation sole, and also a body of persons, whether corporate or unincorporate. While we understand it would still only be a permission for domestic and stock drinking needs, there is some risk that a “person’s” domestic needs could be construed to allow far more significant extraction of water, heat or energy than an “individual’s” (e.g. what are the domestic needs of a corporate? – for instance a body corporate associated with a subdivision or residential development may be able to argue the change to Section 14(3) would allow a significant volume of water be taken as of right for ‘domestic’ purposes). This could potentially enable significantly greater rights to fresh water as of right by corporates or the Crown. An option may be to retain the reference to an individual for domestic needs but refer to person in relation to stock drinking.
49. The change to section 69 (that the water quality classes in Schedule 3 no longer apply to freshwater) is understood given the requirements of the NPS Freshwater 2014. Section 69 essentially provides the ability for regional councils to set water quality standards (for fresh and coastal water). However, the change to section 69 leaves some uncertainty as to whether councils would still be able to set freshwater water quality standards in plans (whether for NPS freshwater or other purposes, noting some details of the National Objectives Framework have yet to be developed). This should be clarified. Schedule 3 should also be amended for coherency as it includes classes related to water supply (for human consumption) and irrigation, neither of which are relevant if Schedule 3 only applies to coastal waters.
50. Council supports in general the proposed amendments to technologically update the servicing of RMA documents and amendments to better align with other legislation.

Conclusion

51. Council appreciates the opportunity to submit on the Resource Legislation Amendment Bill 2015. Overall, council supports the intent to amend the RMA to provide an improved resource management system subject to the recommendations in this submission.

Signed

Dated: 14 March 2016

A handwritten signature in black ink, appearing to read 'Shepherd', with a large loop at the end.

Councillor Shepherd
(Chairman)

A handwritten signature in blue ink, appearing to read 'Ramsey', with a large loop at the end.

Councillor Ramsey
(Deputy Chairman)

A handwritten signature in black ink, appearing to read 'Joe Carr', with a large loop at the end.

Councillor Carr

A handwritten signature in blue ink, appearing to read 'R. Samuels', written in a cursive style.

Councillor Samuels

A handwritten signature in black ink, appearing to read 'Malcolm Nicolson', written in a cursive style.

Malcolm Nicolson
(Chief Executive Officer)

ISSUE: **Sustainable Land Management Update**

ID: A826411

To: Environmental Management Committee, 26 April 2016

From: Duncan Kervell, Land Manager

Date: 31 March 2016

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 type="checkbox"/> Legislative function	<input checked="" type="checkbox"/> Annual\Long Term Plan	<input type="checkbox"/> Other
Significance:	<input type="checkbox"/> Triggered	<input checked="" type="checkbox"/> Not Triggered	

Executive Summary:

- Year to date **\$913,742.10** of the Environment Fund budget has been allocated to a total of **181** projects for land management, biodiversity and biosecurity projects (Inclusive of a \$100K over allocation to be met from the Land Management Reserve).
- Year to date a total of 98 FWQIPs have been commenced, 76 FWQIPs have been completed, with a further 52 still in progress.
- This report updates the Kaipara Hill Country Erosion Project.
- An update is provided on the Flyger Road nursery.
- An update is provided on the Hatea Water Quality project and Lake Ngatu.

Legal compliance and significance assessment:

The activities detailed in this report are provided for in the council's 2015-2025 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.

Recommendation(s):

That the report Sustainable Land Management Update by Duncan Kervell, Land Programme Manager and dated 31 March 2016 be received.

Environment Fund Update

The current status of the Environment Fund allocation year to date is shown below.

Environment Fund funding allocation for 2015/16

Delegated Authority	Land/ Biosecurity	NO of Projects	Allocation \$	Budget \$
1 – June 2015	Land	22	114,380.67	
2 – June 2015	Biosecurity	44	138,166.00	
3 – July 2015	Land	42	171,613.60	
4 – August 2015	Land	28	143,593.50	
5 – September 2015	Land	18	98,464.30	
6 – October 2015	Land	21	188,541.03	
7 – October 2015	Land	5	18,893.00	
8 – Wild Cat Traps	Biosecurity		13,000.00	
9 – March 2016	Land	1	2090.00	
Funded from Land Management Reserve				13,000.00
Soil Conservation			25,000.00	
Allocation to date			\$913,742.10	
Budget	Land			825,000.00
	Biosecurity			75,000.00
Total Budget				913,000.00
Withdrawal Amount				19,927.00*
Total Budget Amount (inclusive of withdrawals to date)				932,927.00
Allocation to date				913,742.10
Balance Remaining				\$19,184.90

*Reasons for withdrawals and withdrawal amounts are provided below.

Withdrawal Reasons	Amount \$
Two projects were withdrawn due to financial reasons	9462.00
One project was withdrawn due to time constraints	465.00
One project was withdrawn due to selling the farm	10,000.00
Total (withdrawal amount)	19,927.00

Farm Water Quality Improvement Plans (FWQIP) 1 July 2015 to 31 March 2016

Year to date a total of 98 FWQIP's have been commenced, 76 FWQIP's have been completed, with a further 52 in progress.

Status of FWQIP	Farm Type	Far North	Kaipara	Whāngārei	Total
Plans commenced : 1 July 2015 to 31 March 2016	Dairy	3	2	5	10
	Drystock	24	23	14	61
	Lifestyle	10	3	11	24
	Other	0	3	0	3
		37	31	30	98
Plans completed: 1 July 2015 to 31 March 2016	Dairy	4	6	4	14
	Drystock	15	16	11	42
	Lifestyle	7	1	11	19
	Other	0	1	0	1
		26	24	26	76
Plans still in progress	Dairy	2	0	3	5
	Drystock	12	14	10	36
	Lifestyle	5	2	2	9
	Other	0	2	0	2
		19	18	15	52

Kaipara Hill Country Erosion Project

Since beginning the hill country project in late February, staff have been venturing around the Kaipara catchment area with Bob Cathcart to understand the soils and geology. Field visits to various soil conservation schemes were included and a questionnaire has been formatted for farmers. Staff have also been working on a document which can be distributed to farmers, detailing issues within the Kaipara and future goals staff are working toward. Historic soil conservation schemes are being recorded and documented in GIS.

For the month ahead staff aim to visit a range of previous soil conservation projects on various soil types and liaise with farmers to run through the questionnaire staff have created. By assessing various schemes on various soil types, and communicating with farmers, we aim to improve the application of soil conservation methods.

Nursery Update

Flyger Road Poplar and Willow Nursery

The wet conditions experienced since December 2015 have resulted in excellent growth with each of the three blocks at Flyger Road. March saw the pruning completed for block 1 and block 2. Final counts of pole numbers are being confirmed in terms of what grades of material will be on offer for 2016. The target of 5000 3m poles should be met along with reasonable sub 3m pole grades also available.



Flyger Road Block 1 pruned poplars 2016 crop [March 2016]

Block 2 is showing excellent growth rates which should result in optimal pole specifications for 2017. Pruning was brought forward and undertaken with block 1 due to this.



Block 2 poplars following pruning – 2017 crop [March 2016]

Block 3 (winter 2015 plantings) have had a great strike with the wet conditions ensuring that these have fared well through the usual dry months of December-March.



1 Block 3 winter 2015 plantings growing well – 2018 crop [February 2016]

Northland Regional Council (NRC) has been asked to host the next poplar and willow nursery managers' meeting due in early February 2017.

Ngunguru Catchment

The Ngunguru Catchment working group has met once this year with a fieldtrip to Glenbervie Forest to view Matariki/Rayonier forestry operation. This was held on the 30 March and group members were taken on a tour of the forest that is a part of the Ngunguru Catchment. The group was able to view sediment mitigation measures used by the company, such as hydro-seeding and bunding of roads and sediment traps. Riparian setbacks and indigenous forest remnants were viewed and a bridge crossing of the Ngunguru River. The group's second meeting will be held 18 May 2016. This date was moved from the 13 April to allow for some relevant reporting on estuarine health from the coastal monitoring team.

Hātea Water Quality Project Update

Land management staff intend to apply to the Ministry for the Environment 'Community Environment Fund' for funding over a three year period for fencing, planting and stock water infrastructure in the upper Hātea catchment. The application's main objectives are to see improving water quality trends at the Hātea Falls. If this application is successful, funds allocated would support and extend NRC's Environment Fund in the area. A draft application has been forwarded to MFE for comment, with the final application due between 18 April and 2 May.

Lake Ngatu

NRC Staff have been continuing to support Ngai Takato, FNDC and DOC in undertaking an assessment of Lake Ngatu and areas to improve management of the lake. This includes a sanitary survey of the surrounding area and a stocktake of water take infrastructure. Ngai Takato Iwi are at present affixing chains to bollards that were installed to prevent vehicle access to the lake shore. Iwi will next be contacting council staff for assistance in developing appropriate signage for the lake. A World Wetlands Day event involving four local schools was held at the lake in early March.

ISSUE: Biosecurity Update

ID: A833081

To: Environmental Management Committee, 26 April 2016

From: Don McKenzie, Biosecurity Manager

Date: 05 April 2016

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 type="checkbox"/> Legislative function	<input checked="" type="checkbox"/> Annual\Long Term Plan	<input type="checkbox"/> Other
Significance:	<input type="checkbox"/> Triggered	<input checked="" type="checkbox"/> Not Triggered	

Executive Summary:

This report describes progress on key biosecurity issues across the region including updates on biosecurity site led programmes, marine pests and velvet leaf response.

Legal compliance and significance assessment:

The council activities detailed in this report are provided for in activities described in the council's 2015-2025 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 matter is considered to be of low significance, as the report is only provided to be received for information.

Recommendation(s):

-
1. That the report Biosecurity Update by Don McKenzie, Biosecurity Manager and dated 5 April 2016 be received.
 2. That the Environmental Management Committee agrees the CEO is to provide a submission to the Fiordland Marine Pest Pathways Plan on behalf of the committee.
-

Report

Site led Projects

Biosecurity staff are working with community and iwi groups throughout Northland to progress new Community Pest Control Areas (CPCAs). There has been pest control interest expressed for Russell forest with the aim of developing long term pest management plans on private and conservation land. Staff have attended several iwi led meetings to help develop suitable action plan to get work started. Potential Community Pest Control Areas are also being discussed with community groups around Whangaroa, Purua, Tangihua forest, Pataua North to Ngunguru, Houtu North

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and South, and Trounson. These projects are planned to begin during the latter half of 2016 or early 2017.

Biosecurity staff are also working with Te Rarawa, Reconnecting Northland and Department of Conservation to develop a ground based control programme to protect the endangered Rifleman in Warawara forest as a follow on from the 1080 possum control. A long term management plan is also being discussed to ensure ongoing forest and species protection throughout the co- governed and privately owned lands.

Sixty registrations of interest have so far been received for pest control materials from the Environment fund for next year and these agreements will be drafted over the next few months. Demand for pest control by private groups is increasing and applications will have to be prioritised to meet the current funding.

Velvet Leaf Incursion

In early March, the Ministry for Primary Industries initiated an Urgent Measures Response following the confirmed presence of Velvet Leaf (*Abutilon theophrasti*) on several farms in the South Island. Velvet Leaf is an Unwanted Organism and is a one of the worst broadleaf weeds of maize and soya bean in the USA, its impact on crop yields throughout NZ would be significant if left to establish and spread.

Asure Quality and Regional Councils are now coordinating the response operation along with other members of the National Biosecurity Capability Network. This incursion is linked to the importation of two lines of fodder beet seed found to be contaminated with Velvet Leaf seed from Italy. These seed lines have since been sown on over 400 properties throughout Southland, Otago, Canterbury, Horizons Manawatu, Hawkes Bay, Bay of Plenty and Waikato.

Currently, operational response priorities are to:

- Trace seed distribution via retailers and Case associated properties
- Identify presence/absence of Velvet Leaf on properties
- Limit seed dispersal
- Gather Farm data
- Develop Farm management plans (Dairy NZ/AgResearch/FAR/Seed Industry/Beef and Lamb NZ/Federated Farmers/MPI/AQ and Regional Councils)

Biosecurity staff have provide relevant links to the public through social media and other communication channels directing any enquiries back to MPI and reports of Velvet leaf should be made to the MPI hotline- **0800 80 99 66**.

Marine Hull Surveillance

The summer hull surveillance is complete for this financial year. Over 1000 hulls were checked and 114 were found to have a marine pest on their hull; 32 of these vessels were carrying fanworm however other marine pests such as sea squirts and undaria were also found. A meeting is scheduled in the second week of April to meet with the dive contractors to review the programme, discuss any issues and plan surveillance in the next financial year.

Mediterranean fanworm

A public meeting has been planned for the 7th of April to inform mooring owners, stakeholders and members of the public of the current status of fanworm in Whangarei harbour. Biosecurity staff will be presenting a power point and have a

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workshop set up for attendees to better understand the marine pests that threaten Northland and what can be done to reduce the risk of spread.

Marsden Cove Marina

NRC staff were requested by Marsden Cove management to review the Notice of Direction (NOD) in place in stage 2 of Marsden Cove marina in a meeting held at Marsden Maritime Holdings on 1 March. NRC has sought legal advice and has reviewed the current work being undertaken by Marsden Cove management and has decided it is not appropriate to lift the NOD at present.

A next round of surveillance in Tutukaka marina has been scheduled in for June 2016, this will provide an updated statement of the current status of fanworm in this marina.

Other Marine pests

In December 2014 a member of the public reported to the MPI hotline large Japanese paddlecrabs in the entrance to Ngunguru estuary and a recent survey has shown numbers are quite high within the estuary. The major prey items of Japanese paddlecrabs are bivalve shellfish and with the shellfish stocks already in decline in Ngunguru estuary it is timely to advise stakeholders of this potential additional pressure on the stocks. Biosecurity staff have two projects planned over the next two months to examine the diet and number of paddle crabs and to see if a trapping programme within the estuary would be successful in minimising impacts. There has been a high level of interest in this project from media, the local rate payers association and iwi.



Southland Regional Council has forwarded a copy of their proposed Marine Pest Pathways Plan for Fiordland and has invited the council to make a submission by 13 May. Staff propose the committee nominate the CEO to review and approve this submission on behalf of the Committee once the submission is prepared.

Trap testing results

Landcare Research has now completed the SA2 cat trap testing and the reported that the trap has not passed the standards required by the National Animal Welfare Association. They have advised the trap is of good design and construction and that further testing should be done given modifications to the trap. Following recommendations from the report, trap manufacturers are now working to make the appropriate modifications to the SA2 traps to improve effectiveness.



Proposal for a **Fiordland Marine Pathway Plan**

With its breathtaking scenery and pristine waters, Fiordland is one of New Zealand's most unique and nationally significant areas – ecologically and economically. It is vital we protect it.

The underwater world is as spectacular as the land above, and marine pests pose one of the biggest threats to this unique area. The impact of a marine pest establishing could be significant, jeopardising both the economic and ecological wellbeing of Fiordland.

This proposal to implement a Fiordland Marine Pathway Plan is the first of its kind in New Zealand and is a huge step towards protecting and securing the future of this precious area.

The Fiordland Marine Pathway Plan aims to greatly reduce the risk of marine pests being carried in on local and visiting vessels. Vessels of all types and sizes can provide a pathway for marine pests, which can attach to boats and gear, and in pockets of residual seawater and bilge water. Keeping these areas clean means the pests are unable to attach, there is no pathway, and Fiordland is protected.

The pathway approach is designed to work with the existing regional pest management plan by preventing marine pests from reaching Fiordland in the first place, rather than

responding after a pest has arrived and established.

The plan establishes clean vessel standards that vessels entering Fiordland must meet, and proposes a Fiordland Clean Vessel Pass to ensure vessel owners/operators understand and adhere to the standards.

The plan has been developed and will be implemented by a partnership group including Environment Southland, Fiordland Marine Guardians, Ministry for Primary Industries, Department of Conservation and Ngāi Tahu.

What are the risks to Fiordland?

Marine pests often spread rapidly, smothering or excluding native species. They would have a serious environmental impact on the fragile marine ecosystem in Fiordland. Pests such as seaweeds, fan worms, sea squirts, crabs and sea stars compete directly for food and space with existing species and can dominate the native flora and fauna.

Fiordland's precious beauty would be put in jeopardy by these pests, and trying to manage or remove them once they are established is extremely challenging and very costly. *Undaria pinnatifida* is a marine pest seaweed and a good example of a pest that has been introduced and now requires expensive, ongoing management.

A number of major commercial fisheries operate in the Fiordland area and, along with the huge tourism industry, are crucial to the economic wellbeing of the region. The establishment of marine pests would have a significant economic impact.

► What would the plan mean for boaties?

If you intend to visit Fiordland, regardless of the size of your vessel, you will need to comply with the proposed rules for clean vessels, clean gear and residual seawater. You can ensure that you understand the risks and the ways you can minimise these by applying for a Fiordland Clean Vessel Pass.

► What about cruise ships?

Cruise ship companies must sign a Deed of Agreement with Environment Southland to visit Fiordland, or seek resource consent. It is proposed that the Deed of Agreement is amended to require cruise ships to meet the clean vessel standards. This could be done by requiring the cruise

ship owner/ operator to hold a Biofouling Management Plan based on International Marine Organisation Guidelines (the equivalent of the clean vessel standards). Cruise ships that are operating under the Deed of Agreement would not be expected to hold a Clean Vessel Pass.



Proposed rules

► Rule 1

The owner or person in charge of a craft, be it a fishing vessel, trailer boat, or other vessel of any size, must ensure the craft complies with the following clean vessel, gear and residual seawater standards when entering the Fiordland Marine Area (FMA):

Clean vessel standard: The hull and niche areas have no more than a slime layer and goose barnacles.

Clean gear standard: All marine gear and equipment on the craft is visibly clean, free of fouling, free of sediment, and preferably dry.

Residual seawater standard: All on-board residual seawater has been treated or is visibly clean and free of sediment.

► Rule 2

The owner or person in charge of a craft in the FMA must keep records of the actions taken to meet the clean vessel, gear and residual water standards in Rule 1 of this plan, and must provide those records to an authorised person on request.

► Rule 3

Rules 1 and 2 do not apply to craft entering the FMA in an emergency. For the purposes of this rule, an emergency arises when the craft enters the FMA because of an emergency relating to:

- the safety of the craft; and/or
- the health or safety of any person on the craft.

Fiordland Clean Vessel Pass

A Clean Vessel Pass is one of the best ways to ensure all vessel operators/owners entering the FMA are aware of the clean vessel standards and their obligations. Any vessel without a pass would be considered to be high risk and may require inspection to ensure it complies with the rules.



Proposed bilge water code of practice

► Prior to entering the FMA, bilge water must either be pumped into purpose-built collection tanks for disposal on land or discharged overboard in accordance with current marine pollution regulations.

► Within the FMA bilge water must either be discharged into the same water body (fiord) as it originated from, or be subjected to chemical treatment options and discharged in accordance with health and safety and marine pollution regulations.

► About the pass

1. The pass would be specific to a vessel and, once issued, must be carried on that vessel at all times.
2. Applications for a pass could be made via website, email, fax or letter.
3. A pass would be issued after the applicant has provided all the required information and declared that he/she understands the standards and that the vessel will meet the clean vessel, gear and residual seawater standards, and conform to the proposed bilge water code of practice on each entry into the FMA.
4. The pass will be valid for one year, meaning a vessel could leave and re-enter over the course of the year without applying for a new pass, but the vessel must meet the clean vessel requirements on every trip. Vessels may still be subject to random inspections.
5. Vessel owners/operators would be reminded when the pass needs to be renewed.

► *Undaria pinnatifida* is an example of a marine pest that has been introduced into Fiordland and requires costly management.



Have your say

It's important that you tell us what you think about the Proposal for a Fiordland Marine Pathway Plan.

Many of the regular users of the FMA believe that a plan is a good idea but do you agree? Do we need a plan? Are the proposed rules the best way to manage the risk of marine pests?

Next steps

You are invited to make a submission on the proposal for a plan. If you wish to be heard in support of your submission, please indicate this clearly in your submission.

Submissions will be analysed and presented to Council for consideration, with a formal hearing if required. Once Council is satisfied that the issues raised during consultation have been considered, the Council will prepare a written report on the plan. The report will set out the Council's decision on the plan and the reasons for accepting or rejecting the submissions.

Once any appeals are resolved or if there are no appeals, the plan may then be implemented.



Making a submission

You can read the full proposal online at www.es.govt.nz or give us a call on 0800 76 88 45 and we can send you a copy.

Making a submission is easy. There are several ways to do this:

Online: www.es.govt.nz

Email: service@es.govt.nz

Fax: 03 211 5252

Mail: Private Bag 90116, Invercargill 9840

Deliver: Cnr North Road and Price Street, Waikiwi, Invercargill

Submissions close at 5.00pm on 13 May 2016.

The proposal for a Fiordland Marine Pathway Plan has been developed and will be implemented by a partnership group including:



Department of
Conservation
Te Papa Atawhai



Fiordland
Marine Guardians
Beneath the Reflections

Ministry for Primary Industries
Manatū Ahu Matua



Te Rūnanga o NGĀI TAHU

ISSUE: Kauri Dieback Update

ID: A832205

To: Environmental Management Committee

From: Kane McElrea – Biosecurity Projects Manager

Date: 04 April 2016

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 type="checkbox"/> Legislative function	<input type="checkbox"/> Annual\Long Term Plan	<input checked="" type="checkbox"/> Other
Significance:	<input type="checkbox"/> Triggered	<input checked="" type="checkbox"/> Not Triggered	

Executive Summary:

This report provides the committee with an update on Kauri Dieback activities across the region and describes actions being undertaken by the council and joint agency programme to reduce the impact of kauri dieback disease.

Legal compliance and significance assessment:

The council activities detailed in this report are provided for in activities described in the council's 2015-2025 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 matter is considered to be of low significance, as the report is only provided to be received for information.

Recommendation(s):

That the report Kauri Dieback Update by Kane McElrea, Biosecurity Projects Manager and dated 04 April 2016 be received.

Report

In Northland, there are 28 sites so far identified as having kauri dieback disease. Fifteen sites are known to be on private land and 13 sites have been confirmed from Department of Conservation (DOC) forests. The private land sites are:

- Herekino, (Far North)
- Bay of Islands x2, (Far North)
- Kauri Mountain, (Whangarei)
- McLeod's Bay (Whangarei)
- Glenbervie forest (Whangarei)
- Mangawhai, (Kaipara)
- Kaiwaka x 3, (Kaipara)
- Oneriri, x3 (Kaipara)
- Arapohue x 2. (Kaipara)

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DOC forests with Kauri dieback are listed below.

- | | | | |
|-------------|-----------------|---------------------|-------------|
| • Herekino, | (Far North) | • Punaruku | (Whangarei) |
| • Raetia | (Far North) | • Waipu | (Whangarei) |
| • Omahuta | (Far North) | • Montgomeries Bush | (Kaipara) |
| • Waipoua | (North Kaipara) | • Whenuanui | (Kaipara) |
| • Trounson | (North Kaipara) | • Pukekaroro | (Kaipara) |
| • Kaihu | (North Kaipara) | • Robert Hastie | (Kaipara) |
| • Mt Manaia | (Whangarei) | | |

See attached map for locations of where kauri dieback is currently found in Northland.

Biosecurity staff and contractors are working with affected landowners to ensure a risk management plan is developed aimed at reducing the risk of the disease spreading from infected sites.

Hygiene stations

The Department of Conservation is trialling four prototype hygiene stations in, Waipoua (near Te Mahuta Ngahere), Tangihua Forest and Puketi forest, and one in Waikawau Bay (Coromandel). These new style of cleaning stations are designed to ensure visitors clean their footwear and are informed of the risks of spreading the disease. Field observations indicate that there has been a significant improvement in the number of people using these new cleaning stations.



Hygiene station installed at Tangihua forest.

Ground truthing

Further kauri dieback ground truthing (field inspections) to investigate possible kauri dieback sites and to undertake soil sampling has continued to be carried out through funding provided to Northland Regional Council by the Ministry for Primary Industries (MPI).

Approximately \$50,000 of additional funding was applied for in late 2015 to carry out additional ground truthing and soil sampling of potential kauri dieback sites located through aerial surveillance throughout Northland.

Scientific research

The table below shows what research areas are currently being progressed and planned by the Kauri Dieback Programme.

Project	Stage	Purpose / Status
Genetic Research on diversity and resistance – Healthy Trees Healthy Future.	In progress	Ongoing research in determining genetic distance of kauri to PTA. 6 year research programme.
Phosphite - Continuation of current forest trials	In progress	To determine efficacy of phosphite trunk injections on disease symptoms in Ricker trees. Currently in the 3 rd year of a 5 year programme.
Phosphite - Large tree treatment.	Planned	To determine efficacy of phosphite trunk injections on disease symptoms in large trees.
Phosphite - Trunk paints and low injection rates	Planned	To determine efficacy of using phosphite as a trunk paint or spray on disease symptoms as well as investigating lower injection rates on toxicity and efficacy.
Phosphite - Toxicity and Impact (Water Injections)	In progress	To assess whether a number of environmental factors influence the uptake of water administered via trunk injections in Kauri.
Phosphite Barriers	Planned	To scope an effective phosphite tool that acts as a barrier to contain disease foci and prevent incursions into 'disease free' areas.
Phosphite - Twig assay refinement	In progress	Determining when trees required re-treatment with phosphite.
Alternative treatment methods	In progress	Ongoing efficacy trials of bio control & natural products.
Kauri Mapping Project	In progress	To develop a Geospatial database of natural stands of kauri distribution which includes abundance, composition, maturity and anthropogenic disturbance. Allows baseline information to be compiled to aid in management decisions.
Remote Sensing	In progress	To develop a method to identify Kauri trees and disease symptoms in the canopy based on remote sensing data.
Detector Dog Research	Planned/ In progress	Use of dogs as a detection tool.
PTA Origin	In progress	Diagnosis of oversea soil samples for the presence of PTA.
Waitakere Project	In progress	Collation of Waitakere field data for further assessment in temporal and spatial variation of kauri dieback disease since 2010.
Iconic Tree Project	In progress	Provision of a list of 'nationally iconic' kauri and baseline information that captures the tree/stands characteristics and risk profile to Kauri Dieback.
Matauranga Maori Research	Planned	A scoping exercise to come up with recommendations to the programme for further research in the area of rongoa (traditional Maori medicine).
Pig Assay testing	In progress	Complete assays to determine risk of feral pigs to PTA spread.
Epidemiology	In progress	A preliminary review of KDP field data in terms of its usefulness in undertaking further research into the areas of test sensitivity and specificity, causation, sample size and other spatial and temporal analysis.
Historical Pathways - Forestry	In progress	Identify historical plantations of kauri seedlings and other forestry related pathways in the spread of PTA.
High Level Prioritisation Framework	In progress	Development of a prioritisation and intervention tool to aid in decision making. A draft tool has been developed and is currently being tested by KDP Partners.
Management Unit	Planned	Definition of a management unit.

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Private land protection fund (Tindall and Aotearoa Foundation)

Staff have continued to put forward forest protection fencing applications to the joint agency for consideration. Four northland landowners have had over \$90,000 worth of funding approved for fencing by the joint agency to protect against the spread of Kauri Dieback, or the disease spreading further from known infected sites. Staff are working with landowners and contractors to complete these fencing applications before the end of this financial year.

Regional co-ordinating group for kauri dieback actions

A regional co-ordinating Kauri dieback group was formed in 2014 with the aim of improving the delivery of the joint agency programme in Northland. The group has improved communication between the various stakeholders and has a sharp focus on what needs to be done to solve regional issues. The regional co-ordinating group is chaired by regional council staff and made up of representatives from Northland Regional Council, Department of Conservation, district councils, Ministry for Primary Industries, local iwi, and community groups. Other interested parties such as the Matakōhe museum have also recently been welcomed to the group

Further information on the kauri dieback response can be found via the website <http://www.kauridieback.co.nz/>



Map of known positive and undetected Kauri Dieback sites throughout Northland on private and conservation land, April 2016. Red show positive results for PTA soil sample test, yellow shows where soil sample tests have not returned a positive result for PTA.

**ISSUE: Review of Regional Pest Management Strategies
– extension of timeline**

ID: A832755

To: Environmental Management Committee, 26 April 2016

From: Don McKenzie, Biosecurity Manager

Date: 6 April 2016

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"/>	Triggered	<input checked="" type="checkbox"/>	Not Triggered		

Executive Summary:

The review of the Regional Pest Management Strategies is making steady progress. Public notification of the proposed Pest Management Plan and Marine Pathway Plan was expected in June 2016, however this deadline will require review. There are significant benefits in extending the timeline for both plans until June 2017. These include meeting the statutory requirements of the national policy direction for pest management; completion of the required cost benefit analysis; ensuring national pest management alignment, and regional alignment with Auckland Council.

This report was also received by Council at the meeting on 19 April 2016. It was recommended that Council resolve to extend the expiry date of the Regional Pest Management Strategies 2010-2015 by 12 months to provide for further development of the proposed Northland Regional Pest and Pathway Management Plans.

Legal compliance and significance assessment:

The activities detailed in this report are part of the council's day to day operations, are provided for in the council's 2015-2025 Long Term Plan, and are in accordance with the council's decision making process and sections 76-82 of the Local Government Act 2002. The matters are not significant under council policy and are in accordance with the above legislation and Biosecurity Act 1993.

Recommendation(s):

1. That the report Review of Regional Pest Management Strategies - extension of timeline by Don McKenzie, Biosecurity Manager and dated 06 April 2016, be received.
 2. That the Committee support the revised timing for formal notification of the proposed Regional Pest Management Plan and Pathway Management Plan.
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Regional Pest Management Plans and Regional Pathway Management Plans

The Northland Regional Pest Management Strategies 2010-2015 are currently under review. Following a 2012 amendment to the Biosecurity Act 1993 (BSA), the Act now provides for the development of longer term (10 year) Regional Pest Management Plans and Regional Pathway Management Plans. The Council has chosen to develop a regional marine pathways plan, which will be a first for Northland.

The new Regional Pest Management Plan (RPMP) will manage identified pests as per the present strategies, whereas a Marine Pathway Management Plan will aim to manage the pathways (particularly transport via boat hulls) through which marine pests can be introduced to Northland.

A key background requirement is that, for each pest or related group of pests, or pathway, the Council must be able to show that the benefits of management via the plan would outweigh the costs, after taking account of the likely consequences of inaction or other courses of action. Where strict measures are being considered this requires a detailed level of cost benefit analysis.

Review progress

The review process is well underway with a proposed RPMP being gradually compiled section by section. However, it has become apparent that there are a number of recent national and inter-regional developments that need time to either be completed or be carefully assessed before they are incorporated into the review process and/or the RPMP. These are:

- the National Policy Direction on Pest Management 2015 and related published implementation guidance
- the Regional Chief Executives Group national pest management alignment project
- the proposal for a National Pest Pet Accord
- inter-council work on regional pathways management plans as a new statutory instrument
- alignment with the Auckland regional pest management plan review.

Below is a brief summary of these developments and their implications for the review.

National Policy Direction

As part of the 2102 amendments, the relevant Minister of the Crown (presently the Minister of Primary Industries) is required to prepare a national direction for pest management (NPD). The first NPD became operative in September 2015. This contains additional directions on the content and process for developing pest and pathway management plans, as well as their implementation, monitoring and good neighbour rules.

The NPD also provides information on the required level of cost benefit analysis that must be undertaken when proposing a new plan. This level of analysis is far more robust than was required previously, and is requiring significantly more time and resources to complete than originally anticipated. The proposed RPMP cannot be notified until the cost benefit is complete, and this information must be made available to the public during consultation.

All new plans are required by the Act to 'not be inconsistent with' the National Policy Direction. A 50 page guidance note has been produced by the Ministry of Primary Industries (MPI) to aid implementation of the NPD including:

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- criteria for determining the appropriate level of cost benefit analysis for particular pests; and
- directions on the proposed allocation of costs for pest and pathways management.

These matters remain subject to ongoing discussions between Councils and with MPI. It is critical that the Council allows time to fully understand and implement the NPD to ensure that the reviewed regional pest management plans and marine pathways management plan meets the requirements for consistency with the NPD.

National alignment

The Council is part of a national pest management alignment project with other regional councils. The Regional Chief Executives Group has endorsed a more collaborative process for the development of the next generation of pest management plans. The aim of the project is to develop new regional pest management plans that are:

- (a) consistent with the NPD
- (b) look and 'feel' similar
- (c) align pest programmes across regions where it makes sense to do so; and
- (d) recognise efficiencies from common methodologies and cost sharing in their development to achieve better pest outcomes for our regional communities.

A national template for the format of pest management plans has been developed and confirmed by chief executives. As may be expected, the template is very much focused on compliance with the BSA and NPD requirements. Thought is being given to ensuring that the template is followed while still providing a user-friendly document that suits day-to-day pest management operational needs. This will take additional time.

A process is also being developed for an independent peer review of proposed RPMPs to ensure that councils follow the agreed templates. This peer review process needs to be added to the timeline for the Northland review, and will be required before the proposed regional pest management plan is notified for public consultation.

A process is also underway to undertake cost benefit analyses for a group of species that are common to many regions, including Northland. Other ongoing work includes developing standard clearance distances for species with good neighbour boundary control rules, and liaison with the Department of Conservation regarding their role in paying for pest control on crown land when pests on their land affect neighbours.

National Accords

As part of its current pest management activities, the Council works in partnership with MPI to implement the National Pest Plant Accord (NPPA). The purpose of this is to prevent the sale and distribution of specified pest plants where the nursery trade is the most significant way of spreading the plant.

The NPPA is essentially a cooperative agreement between the Nursery and Garden Industry Association, regional councils and government departments with biosecurity responsibilities. All plants on the NPPA are unwanted organisms under the Biosecurity Act 1993. These plants cannot be sold, propagated or distributed in New Zealand. A role of Council staff under the accord is to undertake inspections of nurseries and follow up on reports of species in the accord being offered for sale.

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A new accord is currently in development which is designed to remove high risk species from the pet trade, for example, it may include some large lizard species, or birds which have the potential to establish populations in New Zealand. The new accord will mirror the NPPA, with council staff likely to undertake a similar inspection role. The list of the species to be included in the new National Pest Pet Accord has not yet been confirmed, but is likely to be released in the middle of the year. This list may affect the species that we do or do not include in the new Northland Regional Pest Management Plan.

Regional Collaboration

In addition to the above projects we are also working with several other councils throughout the county on the development of both pest and pathway management plans.

Regional Pathway Management Plans are new and as yet there are no operative pathway plans in New Zealand. Several other regions are also developing marine pathway plans or are about to start development, and staff are sharing ideas and information. Environment Southland and the Top of the South marine biosecurity partnership group (Malborough, Tasman and Nelson Unitary Authorities) are developing marine pathway plans. Other councils in the northern North Island marine biosecurity partnership, including Auckland Council, have also recently indicated that they are going to start developing plans. Feedback received from the marine industry is that alignment between regions would make it less confusing for marine users to meet requirements when travelling from one region to another.

Delaying the timeline for the Northland plans will ensure we coincide with national projects, and enable greater regional collaboration thus providing for closer alignment both regionally and nationally. It will also allow more opportunities for public awareness, education and consultation, which is expected to result in greater compliance with any new rules.

Alignment with Auckland Council Review

We have been working with Auckland Council on aspects of the cost benefit analysis, as well discussing possible alignment of some species and rules. This has involved sharing parts of the cost benefit analysis to avoid duplication of effort and greater efficiency. We are also discussing several species which both councils may propose to ban from sale. Auckland Council have also delayed their review timeline, and will now be notifying their proposed pest management plan during 2017.

Statutory allowance for further review process extension

The current RPMS have been extended and are now due to expire on 20 July 2016. The extension was allowed as a recent evaluation of the current pest management strategies (August 2014) demonstrated a high level of effectiveness of the strategies. Extending the operation of the strategies allowed for ongoing effective management of Northland's pests while the new Regional Pest Management Plan proceeded through the statutory process.

If it is accepted, based on the information set out above, that there is strong merit in further extending the timeframe for completing the RPMP review, this is legally allowable under the BSA. Legal advice has been obtained that the transitional provisions of the Biosecurity Law Reform Act 2012 provide for further extension of the expiry date of Pest Management Strategies by up to 12 months. Using this provision would mean the review process could be extended until 17 July 2017, if required.

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The process for extending the expiry date of the RPMS is resolution under section 100G of the Biosecurity Act 1993 and section 83(19) Biosecurity Law Reform Act 2012. To make a resolution under section 100G the Council must be satisfied that the resolution does not have a significant effect on any person's rights and obligations.

It is considered that continuance of the RMPS for a further 12 months will not have a significant effect on any person's rights and obligations, these will remain the same.

Proposed Regional Pest Management Plan timeline

It is proposed that the review timeline be extended for up to 12 months. However, if the recent national and inter-regional developments progress efficiently, staff are confident that the review could be completed several months earlier.

Draft to Communications team for final editing.	11 April 2017	Four weeks
Submit draft to council for notification approval.	Council meeting May 2017	
Notify Plan	June 2017	One month
Submission period closes	July 2017	
Submission summary period	July 2017	Two weeks
Hearings	Late July 2017	One week
Decision reporting, agenda item for plan approval	August 2017	Two weeks
Council approve plan	Council meeting August-September 2017	Three weeks (15 working days)
If no appeals to environment court, Council make plan with seal.	Council meeting September-October 2017	

Potential adverse implications of a timeline extension

The only risk identified due to a timeline extension is that there would be a delay in introducing new rules for the Northland region. However, any new rules introduced would be intended to add to the suite of rules and tools that are already in place, rather than replace them. As the existing strategies have demonstrated a high level of effectiveness, and would continue to remain operational, this is considered low risk.

ISSUE: River Management & Natural Hazards Update

ID: A833096

To: Environmental Management Committee, 26 April 2016

From: Joseph Camuso, Rivers and Natural Hazards Manager

Date: 6 April 2016

Report Type:	<input checked="" type="checkbox"/> Normal operations	<input type="checkbox"/> Information	<input checked="" type="checkbox"/> Decision
Purpose:	<input checked="" type="checkbox"/> Infrastructure	<input 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"/> Triggered	<input checked="" type="checkbox"/> Not Triggered	

Executive Summary:

- The Kotuku Dam blessing and public ceremony was held on 9 April 2016.
- Whangatane Spillway weir modification has reached practical completion.
- Construction for Mathew's Bridge, giving access across the Whangatane Spillway is underway, and expected completion is in late April.
- The second mediation meeting regarding the appeal on the Kerikeri Spillway scheme consents and land acquisition is scheduled for 13 April 2016.
- Coastal hazard assessments, including maps, have been prepared by Tonkin & Taylor engineers for over 60 Northland sites.

Legal compliance and significance assessment:

The council activities detailed in this report are provided for in activities described in the council's 2015-2025 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 matter is considered to be of low significance, as the report is only provided to be received for information.

Recommendations:

That the report River Management & Natural Hazards Update by Joseph Camuso, Rivers and Natural Hazards Manager and dated 6 April 2016 be received.

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Report

Whangarei

A dawn blessing was held for the Kotuku Street dam on Saturday 9 April followed by a 9:30am public civic ceremony. River/stream cleaning of sections under the bridges in Urban Whangarei is ongoing.

The Whangarei Urban Rivers Liaison Committee meeting is scheduled for 12 April 2016.

Awanui

Modification of the Whangatane Spillway Weir is complete.



Pile driving for the Mathew's stock bridge is near completion. Enabling works consisting of realignment of raceways and general bank maintenance that was not part of the bridge contract have been completed. The remaining elements will be completed before the end of May.

The annual scheme maintenance work is approximately 90% complete with the remaining work progressing on the Whangatane Spillway bank maintenance and grade control along the Awanui River near Bell's Hill.

The Awanui River Management Liaison Committee meeting is scheduled for 15 April 2016.

Kaeo-Whangaroa

Tree and sediment removal along the Tauranga Bay stream where there is roadway flooding has been scheduled and will be done in conjunction with FNDC.

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Kerikeri-Waipapa

The second mediation date for the appeals on the resource consent and land acquisition for the Kerikeri spillway scheme is set for 13 April and staff have met with the appellants' valuer and engineer regarding the spillway and likely effects.

In March 2016, the NRC hydrology team were able to undertake low level gaugings at the new Kerikeri SH10 gauge site. The results of the gaugings require some further investigation in relation to the channel roughness settings in the flood model at this site. Catchment model calibration in this reach was based primarily on surveyed flood levels, which have been established with confidence. There was no flow velocity data available for this reach at the time of calibration, and so there is potential for model flow to be higher based on the same flood levels with lower channel roughness settings. The site is still a high priority for the hydrology team to obtain some higher flood level gaugings which will help clarify the situation.

Kawakawa – Taumarere

The inaugural meeting of the Taumarere Flood Management Liaison Committee is scheduled for 22 April 2016.

Kaihu

Tree removal and long reach digger works are complete, leaving only rice grass spraying and rock protection work at Kaihu Woods Road Bridge remain to complete the annual maintenance contract.

Staff have requested quotes for a boundary survey to be undertaken at the Rugby Club near Kaihu Woods Road bridge. After this is staked out, staff intend to get feedback from the community to determine the final location of the fence.

Minor Rivers Works

The table of minor river works for 2015/16 is shown below.

River	Description of Minor River Work Programmed for Current Season	Status
AWANUI	Awanui - Bells Hill Drain installation + Drain Cleaning	Completed
	Awanui - Bells Hill Modelling revision and management option report	Completed
WAITANGI	Waitangi - Lilly Pond Large Pines, Puriri	To start this April
WAIARUHE	Waitangi –Bank protection planting on Waiaruhe River Bank u/s SH 10 Bridge	Completed
	Waiaruhe - Tree Removal adjacent to Puketona junction near Top Energy depot	Completed
WAIOMIO	Waiomio - Willows/Debris Removal	Completed
OTIRIA/ MOEREW A	Otiria/Moerewa - Willow removal upstream Pokapu Bridge - mulch/prune sides of high level by- pass spillway	Completed
	Otiria/Moerewa - Bund and vegetation removal (KiwiRail and Forest Loaders)	April
OHURI	Ohuri - Machine clean weeds 300 meters downstream of Duddy's Road to reduce	Completed

	road flooding	
MANGANUIOWAE	Manganuiowae - Slip Control Work (Gravel Management) at Broadwood A&P Society	Completed
MANGATOA & KAIKOHE	Mangatoa - Timber Extraction along SH 12 breaching roadside stopbanks Kaikohe - Willow Blockage Removal at 42 Guy Road.	Completed
WAIMA	Waima - Open Left Span of SH Bridge	2 nd week in April
OMANAIA STREAM	Omanaia Vegetation Removal	Completed
AWAPOKANUI	Awapokanui - Weed Spraying	Completed
NGUNGURU	Ngunguru - Willows/Debris Removal	Completed
OTAICA	Otaika - Willows/Sediment Removal	Completed

Waipu River Groyne

A joint request with the WDC has been made to the Local Government Commission to determine ownership of the Waipu Groyne structure. This matter had previously been workshopped with Council, with Council indicating a preference for the Commission to make a determination as to ownership. The timeframe for the Commission's decision has not yet been established.

Natural Hazards

Flood Mapping

Kaihu updated flood model outputs have been delivered together with a draft report. The model extension incorporates new 2015 LIDAR and will expand the model across the whole Dargaville CBD and into the Awakino flood plain. A further set of model runs has been commissioned to produce a more refined assessment of coastal flood hazard mapping for the Dargaville area.

Scoping for the channel survey required for the Waipu River flood model build has commenced.

Regional LIDAR Project

Funding is still being finalised for this project. The Te Tai Tokerau Action Plan includes a Northland Regional LIDAR survey as an "enabler" project. Staff are now working on a project charter in order to progress towards Central Government agency funding contributions.

A pilot LIDAR project funded by LINZ is being scoped for the northern Whangarei harbour, from Waikaraka to Ocean Beach, and for the Marsden Cove – Marsden Point areas. This project is primarily to demonstrate the worth of a higher quality LIDAR data set.

Coastal Hazard Assessments

The final draft mapping from Tonkin & Taylor has been largely delivered. It is proposed to release the mapping outputs as draft in May - June 2016, and invite comment from affected property owners.

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A workshop with Regional Councillors and staff from Regional and District Councils was held on 22nd March. Dr Rob Bell of NIWA, Dr Tom Shand of Tonkin & Taylor, Professor Paul Kench of the University of Auckland, and Graeme Mathias of Thompson Wilson Law gave presentations on various aspects of the Northland Coastal Hazard Assessments.

Agenda items relating to the new coastal hazard assessments was put to Council on 19 April with a recommendation to release the mapping as draft.

ISSUE: Proposed Release of Coastal Hazards Maps

ID: A833303

To: Environmental Management Committee, 26 April 2016

From: Toby Kay, Natural Hazards Advisor

Date: 30 March 2016

Report Type:	<input 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"/> Triggered	<input checked="" type="checkbox"/> Not Triggered	

Executive summary:

Coastal hazards assessments, including maps, have been prepared by Tonkin & Taylor engineers for over 60 Northland sites. The purpose of this report is to notify the Committee that the assessments have been completed and to seek the Committee's support that this information should be made available to the public as draft information.

Legal compliance and significance assessment:

Maintaining and making available natural hazards information are part of the council's day to day operations, are provided for in the council's 2015–2025 Long Term Plan, and are in accordance with the council's decision making process and sections 76–82 of the Local Government Act 2002. The decision in this report, to release coastal hazard mapping, is the final step in a process initially signalled, and consulted on, through the development of the new Regional Policy Statement for Northland. While the matter does not therefore trigger the council's significance policy, it's worth noting that considerable public consultation occurred through the development of the Regional Policy Statement and additional consultation with directly affected property owners is proposed in this report.

Recommendations:

-
1. That the report 'Proposed Release of Coastal Hazards Maps' by Toby Kay, Natural Hazards Advisor, and dated 30 March 2016, be received.
 2. That the Environmental Management Committee confirms its support for Council to make the mapping available to the public as a draft version via the online maps, and that property owners in the mapped areas are notified and invited to provide feedback on the maps.
-

Report:

Background

Tonkin & Taylor consultants have mapped potential coastal erosion hazards at 31 sites, and potential coastal flood hazards at 61 sites around the coast. The assessments have used the best information available at this time, and the methodology has been reviewed by Professor Paul Kench, University of Auckland.

Several workshops on the coastal hazards assessments have been held with staff from the regional council, district councils, and regional councillors, as follows:

- 28 August 2014 – Coastal Erosion Hazard workshop (council staff);
- 5 November 2015 – Natural Hazards / Climate Change Workshop (councillors);
- 27 November 2015 – Coastal Flood Hazard workshop (council staff); and
- 22 March 2016 – Coastal Hazards workshop (councillors, EMC, and council staff).

‘Final draft’ mapping outputs have now been delivered and the related reports are expected in April. As the new assessments will shortly be available, it is proposed to release this information to the public in a similar manner followed for the Priority Rivers flood mapping. This has involved making the maps available on the council website at www.nrc.govt.nz/floodmaps and writing to property owners to notify them of, and provide them with information about, the mapping.

Based on NRC held property data, the number of property parcels in the draft potential coastal flood hazard areas (CFHZ) is approximately 12,000 (see Table 1, Annex 1). The number of property parcels within draft potential coastal erosion hazard areas (CEHZ) is approximately 2,400. Given that there is likely to be some overlap in coastal areas potentially prone to both erosion and flooding, the total number of properties in the newly mapped potential coastal hazard areas, including potential wave run up areas, is estimated to be approximately 14,000.

This compares to over 26,000 properties located within the Priority Rivers Flood Hazard areas (see Table 2, Annex 1), for the 25 catchments which have been flood mapped since 2010. Property owners within these flood hazard areas were notified in writing at the time the river flood maps were released on the NRC website.

Of the 61 sites assessed for potential coastal flood hazard, 23 sites (or 38%) have also been flood mapped under the Priority Rivers project. For those 23 sites there are 4,131 properties located within the draft CFHZ 2 which are also within the mapped river flood hazard area (see Table 3, Annex 1). The 4,131 properties within coastal flood hazard areas at these 23 sites represent just over 34% of the total number of properties located within coastal flood hazard areas at all 61 sites assessed.

Final property numbers within the draft potential coastal hazard areas will not be available until the district councils have provided lists from their property databases. Requests to the district councils for property lists will be made in April, and it is expected that the physical mail out will be ready for dispatch in May, or early June.

A community engagement plan is being developed in consultation with the communications team. As with the Priority Rivers mapping releases, it is proposed to provide an information sheet with answers to frequently asked questions, together with web links to the new mapping and related Tonkin & Taylor reports. Hard copies of the information will be made available on request.

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An online questionnaire form for feedback on the draft mapping will be set up, and a link to this site will be provided in the mail out. Hard copies of the form will be made available on request. Information received by 1 September 2016 that has a bearing on the mapping will be provided to Tonkin & Taylor engineers for review and a recommendation on whether the mapping should be adjusted. NRC staff will make a final decision on mapping adjustments, and communicate these back to the relevant property owner by 1 November 2016. Following completion of mapping adjustments, the coastal hazard maps will be put to council to adopt as 'Final maps', together with a report on the feedback received, and the mapping adjustments made. The timeframe for undertaking this will depend on the number and complexity of the mapping adjustments that may be required. It is anticipated that final maps will be completed between February 2017–April 2017, and available to be adopted via council resolution.

Coastal inundation of high storage volume areas

Four sites assessed for coastal flood hazard are characterised by large low lying areas protected by coastal stopbanks. These are: Awanui estuary (site #44), Kaihu estuary (#57), Dargaville–Wairoa (#58), and Ruawai (#59). At these sites, the connected bathtub approach to mapping coastal storm surge extent may be overly conservative because this approach does not consider limitations on inflow volume from the sea. In practice, the volume of sea water that is able to overtop a coastal stop bank during several high tide cycles may be insufficient to raise the inland inundation level to the same level as at the coast.

Staff have commissioned a more refined coastal hazard assessment for the Kaihu–Dargaville–Awaroa area using the recently completed hydraulic flood model. Subject to review, it is intended to use the mapping from this assessment in preference to the Tonkin & Taylor mapping for the area covered by the flood model.

For the remaining high volume sites, staff propose to initially release potential coastal flood mapping relating to the 100 year timeframe (CFHZ 2) only. The rationale for releasing just the draft CFHZ 2 maps is that the depth of coastal stopbank overtopping for this potential scenario is likely to result in stop bank breaches, as the scenario is based on 1.0m of sea level rise, and a 1% AEP storm surge event. Further work will be initiated to better define the current (CFHZ 0) and 50 year (CFHZ 1) potential coastal storm surge extents for these high volume sites.

ANNEX 1 – Properties within flood hazard areas

Table 1: Properties within Draft Coastal Flood Hazard Zone 2 – (CFHZ2) (61 sites assessed)

	Parcels	Reserves	Total
Far North	3727	27	3754
Kaipara	3706	13	3719
Whangārei	4496	38	4534
Total	11929	78	12007

Table 2: Properties within 100 YR RIVER FLOOD EXTENTS

	Parcels	Reserves	Total
Far North	20013	72	20085
Kaipara	937	0	937
Whangārei	5323	37	5360
Total	26273	109	26382

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Table 3: Properties within both 100YR RIVER FLOOD EXTENTS and CFHZ2 (23 sites assessed)			
	Parcels	Reserves	Total
Far North	2091	8	2099
Kaipara	720	0	720
Whangārei	1309	3	1312
Total	4120	11	4131

**ISSUE: Environmental Monitoring for the period
1– 31 March 2016**

ID: A832105

To: Environmental Management Committee Meeting, 26 April 2016

From: Colin Dall, Group Manager Regulatory Services

Date: 5 April 2016

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"/>	Triggered	<input checked="" type="checkbox"/>	Not Triggered		

Executive Summary:

The purpose of this report is to provide an update on council's monitoring and compliance work for the period 1– 31 March 2016. It concludes with the recommendation that the report be received.

Attachment 1 shows a graph of the number and type of environmental incidents received during the reporting period compared with the 10 year mean for that period, and a graph of the number of compliance assessments made during the reporting period summarised by type.

Attachment 2 contains tables giving details of activities which have been monitored and found to have more than minor environmental effects, and a table summarising some of the State of Environment monitoring undertaken during the reporting period.

Legal Compliance and Significance Assessment:

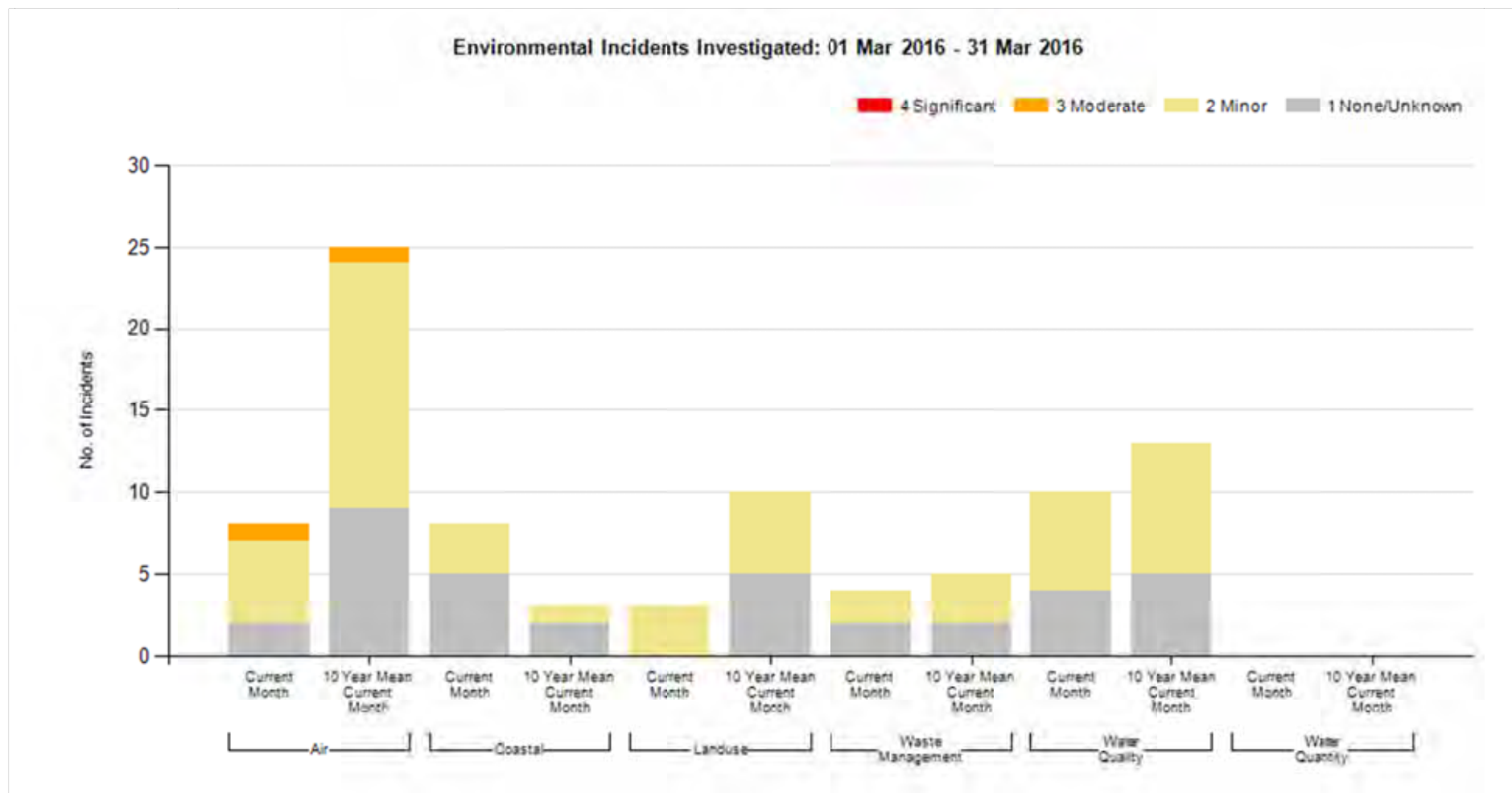
The receiving of this report is provided for in the council's 2015-25 Long Term Plan, meets the council's obligations under section 35 of the Resource Management Act 1991, and is in line with the council's decision making process and sections 76-82 of the Local Government Act 2002.

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.

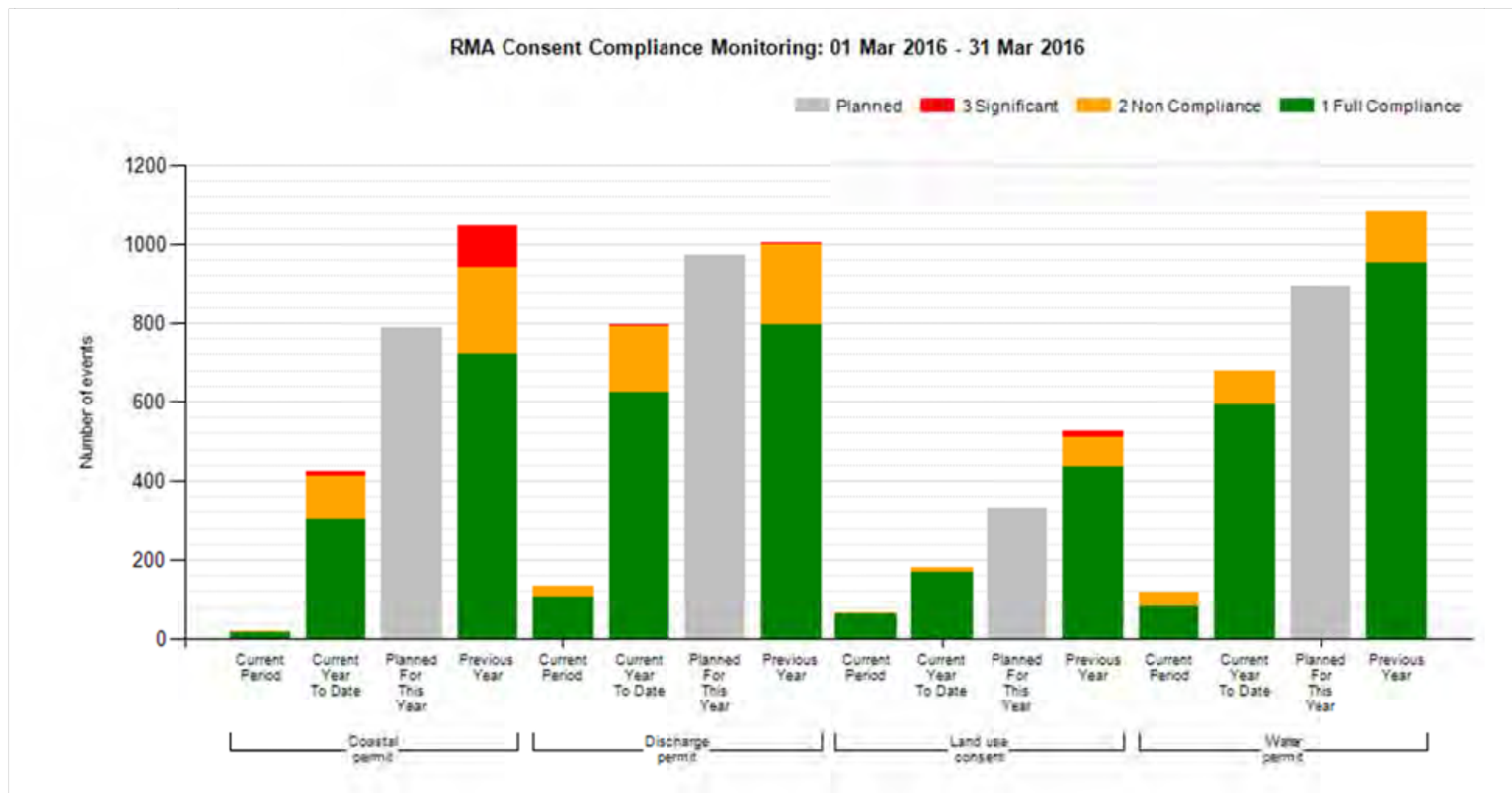
Recommendation:

That the Environmental Monitoring report for the period 1– 31 March 2016 from Colin Dall, Group Manager Regulatory Services, dated 5 April 2016 be received.

Environmental Incidents Investigated: 1– 31 March 2016



Resource Consent Compliance Monitoring: 1– 31 March 2016



Attachment 2 to Item 12

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ABBREVIATIONS KEY

WDC	Whangārei 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 Limited
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		

SIGNIFICANT NON-COMPLIANT EVENTS

No significant non-compliant events were recorded during the period 1 – 31 March 2016.

ENVIRONMENTAL INCIDENTS

Date	Reference No.	Description	Notes	Environmental Impact
1/03/2016	REQ.579850	Smoke nuisance @ Bickerstaffe Rd, Maungaturoto	<ul style="list-style-type: none"> Incident investigation was carried out by KDC. An infringement notice was issued by KDC to the person responsible. 	Moderate

SOE MONITORING – AIR, LAKES AND WATER

Classification	Date	Project	Notes
Air Quality	8/03/2016	Whangārei Airshed – Ambient Air Monitoring	<ul style="list-style-type: none"> Continuous ambient air monitoring results for PM₁₀, sulphur dioxide and carbon monoxide at Robert Street, Whangārei, indicated compliance with the National Environmental Standard during February 2016.
	23/03/2016	Marsden Point Airshed – Ambient Air Monitoring	<ul style="list-style-type: none"> Continuous ambient air monitoring results for PM₁₀ at Bream Bay College, Ruākakā, indicated compliance with the National Environmental Standard during February 2016.
	23/03/2016	Kerikeri Airshed – Ambient Air Monitoring	<ul style="list-style-type: none"> Continuous ambient air monitoring results for PM₁₀ at Edkins Road, Kerikeri, indicated compliance with the National Environmental Standard during February 2016.

ISSUE: NRC & DOC Memorandum of Understanding

ID: A831823

To: Environmental Management Committee, 26 April 2016

From: Bruce Howse, Group Manager Environmental Services

Date: 4 April 2016

Report Type:	<input 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 type="checkbox"/> Legislative function	<input type="checkbox"/> Annual\Long Term Plan	<input checked="" type="checkbox"/> Other
Significance:	<input type="checkbox"/> Triggered	<input checked="" type="checkbox"/> Not Triggered	

Executive summary:

The purpose of this report is to seek Committee support for recommending to Council approval of a Northland Regional Council and Department of Conservation draft memorandum of understanding.

Legal compliance and significance assessment:

The activities detailed in this report are provided for in the council's 2015–2025 Long Term Plan, in respect of Council's biosecurity, biodiversity and water management programmes and functions, and as such are in accordance with the council's decision making process and sections 76–82 of the LGA 2002. This report does not trigger council's Significance Policy.

Recommendations:

1. That the report 'NRC & DOC Memorandum Of Understanding' by Bruce Howse, Group Manager Environmental Services, and dated 4 April 2016, be received.
 2. That the Committee recommends to Council the approval of the draft memorandum of understanding and that Council delegates authority to the NRC Chairman to sign the memorandum on behalf of Council at a signing ceremony to be held at the 27 June 2016 Environmental Management Committee meeting.
-

ITEM: 13.0

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Report:

A draft memorandum of understanding (MOU) has been developed in conjunction with the Department of Conservation (DOC).

The MOU seeks to formalise closer collaboration and co-operation at all levels between NRC and DOC to achieve greater conservation outcomes for the Northland community.

As set out in the **attached** draft MOU, this is to be achieved through better alignment of strategies; greater collaboration in planning and integrating functions where appropriate; and some shared on-ground management and service delivery. The memorandum seeks to enhance our relationship and develop a greater understanding of how we work together by focussing on some specific shared strategic projects. The strategic projects and key areas of focus will be reviewed annually. The final version of the memorandum will be stylised into a single sided A3 document prior to signing.

It is recommended that the Committee recommends to Council the approval of the draft memorandum of understanding and that Council delegates authority to the NRC Chairman to sign the memorandum on behalf of Council at a signing ceremony to be held at the 27 June 2016 Environmental Management Committee meeting.

Attachment 1 – Draft NRC & DOC MOU

Memorandum of Understanding Northland Regional Council and Department of Conservation

PARTIES

- 1. Chairman Northland Regional Council**
- 2. Director General of Conservation**

DATED: Day Month 2016

Context

Northland Regional Council (NRC) and the Department of Conservation (DOC) have responsibility to care for many of the natural areas in the Northland Region and the protection of the biodiversity and natural heritage within it. They share common values, aims and objectives.

Northland Regional Council (NRC) has a regional responsibility for protection of biodiversity and natural heritage as well as a broad responsibility for biosecurity, planning and policy issues.

The Department of Conservation has a national responsibility as it is the central government organisation charged with conserving the natural and historic heritage of New Zealand on behalf of and for the benefit of present and future New Zealanders.

The two organisations have obligations under their parent legislation to mana whenua, especially in relation to the principles of the Treaty of Waitangi and Treaty of Waitangi settlements. Nothing in this memorandum or any actions or proposals arising from it will avoid or undermine those obligations.

By exploring closer collaboration and co-operation at all levels the two organisations seek greater outcomes for conservation and the Northland community.

Through better alignment of strategies; greater collaboration in planning and integrating functions where appropriate; and some shared on-ground management and service delivery, the two organisations can commit to reducing duplication and enhancing their mutual effectiveness for the benefit of the natural environment and the enjoyment of people who recreate within it.

Approach

This memorandum seeks to enhance our relationship and develop a greater understanding of how we work together by focussing on some specific shared strategic projects. The strategic projects and key areas of focus will be reviewed annually.

Principles guiding the MOU

- Building a greater understanding of both organisations
- Maximising opportunities to work together to strengthen Northlands environmental, cultural, economic and social wellbeing.

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- Working together more effectively to support the community as kaitiaki of our environment
- Improving coordination and knowledge sharing to maximise outcomes and avoid duplication.

Strategic Projects

Kauri Dieback

Key areas of focus to support working together

- Work collaboratively with stakeholders to progress Northland priorities
- Support Northland communities and groups to progress Kauri Dieback priorities
- Work cohesively across the region to communicate key messages

Waioara Northland Water

Key areas of focus to support working together:

- Support Northland communities to engage successfully in Waioara Northland Water.
- Collaborate effectively in the development of Waioara Catchment Management Group catchment plans
- Maximise opportunities to progress prioritised actions from final catchment plans
- Living Water alignment with Waioara Northland Water to ensure no duplication of resources

Warawara Forest Project

Key areas of focus to support working together:

- Work collaboratively to ensure that the effects of collective contributions are optimised.
- Contribute technical and logistical support in proportion to capacity to assist with the implementation of the Warawara Forest Project and to ensure its success.
- Understand and apply what has been learnt from the Warawara model to the development of an aspirational Northland pest control framework and work plan.

Other Key Work

Working together on other areas of key work that are of a common priority and mutual benefit.

The parties agree to progress these Principles and Strategic Projects and to seek other opportunities for mutual advantage. DOC's Director of Operations, Northern North Island and NRC's GM – Environmental Services will meet at least six-monthly to review progress and affirm the principles of this agreement.

The NRC and DOC will also report annually to the Northland Conservation Board and NRC Environmental Management Committee to update progress and seek governance input on matters identified in this memorandum of understanding.

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**Director-General - Department of Conservation
Chairman – Northland Regional Council**

Signed:

Signed:

Date:

ISSUE: Managing risk to Human Health/Pathogens in Waterways Presentation

ID: A834109

To: Environmental Management Committee, 26 April 2016

From: Nola Sooner, Committee Secretary

Date: 5 April 2016

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 type="checkbox"/> Legislative function	<input type="checkbox"/> Annual\Long Term Plan	<input checked="" type="checkbox"/> Other
Significance:	<input type="checkbox"/> Triggered	<input checked="" type="checkbox"/> Not Triggered	

Report

Dr Jacqueline Rowarth has been invited by the Chairman of the Environmental Management Committee to address the Environmental Management Committee on Tuesday 26 April 2016 for 45 minutes on the following topics

- Reflection on a balanced approach to managing risk to human health/pathogens in water ways.
- Consideration of prioritisation/focus on particular water way likely to have differing loads of human pathogens.
- Other topics of interest relating to these matters and the economic effects of the above."

Legal compliance and significance assessment:

This report is for information only and no decisions are required.

Recommendation:

That the presentation from Dr Jacqueline Rowarth be received.

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ISSUE: Agenda items for next EMC Meeting – 27 June 2016

ID: A834113

To: Environmental Management Committee, 26 April 2016

From: Nola Sooner, Committee Secretary

Date: 5 April 2016

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 type="checkbox"/> Legislative function	<input type="checkbox"/> Annual\Long Term Plan	<input checked="" type="checkbox"/> Other
Significance:	<input type="checkbox"/> Triggered	<input checked="" type="checkbox"/> Not Triggered	

Executive summary

The purpose of this report is to request committee members for agenda items for the next Environmental Management Committee meeting on 27 June 2016.

Legal compliance and significance assessment:

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

Recommendation:

That the Environmental Management Committee members suggest agenda items for inclusion into the agenda for the next Environmental Management Committee meeting on 27 June 2016.
