

Notice is given that an ordinary meeting of the Environment and Planning Committee will be held on:

**Date:** Thursday 9 February 2017  
**Time:** 9.30 am  
**Meeting Room:** Tasman Council Chamber  
**Venue:** 189 Queen Street  
Richmond

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## Environment and Planning Committee

### AGENDA

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#### MEMBERSHIP

<b>Chairperson</b>	Cr T King	
<b>Deputy Chairperson</b>	Cr S Brown	
<b>Members</b>	Mayor R G Kempthorne	Cr S Bryant
	Cr P Canton	Cr M Greening
	Cr P Hawkes	Cr K Maling
	Cr D McNamara	Cr D Ogilvie
	Cr P Sangster	Cr T Tuffnell
	Cr A Turley	Cr D Wensley

(Quorum 7 members)

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## AGENDA

### 1 OPENING, WELCOME

### 2 APOLOGIES AND LEAVE OF ABSENCE

#### Recommendation

That apologies be accepted.

### 3 PUBLIC FORUM

### 4 DECLARATIONS OF INTEREST

### 5 LATE ITEMS

### 6 CONFIRMATION OF MINUTES

That the minutes of the Environment and Planning Committee meeting held on Thursday, 17 November 2016, be confirmed as a true and correct record of the meeting.

### 7 REPORTS OF COMMITTEE

Nil

### 8 PRESENTATIONS

Nil

### 9 REPORTS

9.50 am:	9.1	Building Fees Paper .....	5
10.20 am:	9.2	Environmental Policy Manager's Report on Environmental Policy Programme: 2016 progress and 2017 - 2019 programme outlook ...	17
11.05 am:		Morning Tea Adjournment	
11.20 am:	9.3	Restriction of access to Takaka River at Reilly Street, Takaka .....	41
11.30 am:	9.4	Regulatory Manager's Report – 1 March 2016 to 31 January 2017 .	47
11.45 am:	9.5	Compliance Monitoring Six Monthly Report - 1 July to 31 December 2016 .....	61
12 Noon:	9.6	Environment & Planning Chair's Report.....	75
12.05 pm:	9.7	Environment & Planning Manager's Report .....	77
12.30 pm:		Luncheon Adjournment	



## 9 REPORTS

### 9.1 BUILDING FEES PAPER

Decision Required

<b>Report To:</b>	Environment and Planning Committee
<b>Meeting Date:</b>	9 February 2017
<b>Report Author:</b>	Sharon Threadwell, Building Control Manager; Dennis Bush-King, Environment and Planning Manager
<b>Report Number:</b>	REP17-02-01

#### 1 Summary

- 1.1 Building fees were last reviewed with effect from 1 January 2016. We are currently experiencing a deficit and this is projected to continue unless we can improve our recovery levels. Costs have increased as we have employed additional staff and outsourced work to meet demand without dropping our level of service. We continue to achieve a 98% compliance rate with statutory time frames and do our best to provide a 24-hour turn around in inspections. Staff have taken the view that these service levels should be maintained or bettered.
- 1.2 This paper proposes that our building fees increase in accordance with the new fees outlined in Attachment 1. We have reviewed the fees to better match complexity and risk and the effort needed to process or inspect consents. In order to bridge an expected \$246,000 deficit the new fees have moved closer to our neighbouring councils of Nelson City and Marlborough District.
- 1.3 It is proposed the new fees come into effect on 1 March 2017.

#### 2 Draft Resolution

##### That the Environment and Planning Committee

1. receives the Building Fees Paper report; and
2. agrees to the fees and charges set out in Attachment 1 of this report under section 219 of the Building Act 2004, and that they become effective 1 March 2017.

**3 Purpose of the Report**

- 3.1 This report seeks Council's approval to increase the Building Consent fees and other associated fees related to building work in light of increased costs we have incurred as a result of increased levels of activity and an emerging funding deficit arising from the cost of outsourcing in order to meet current demand.

**4 Background and Discussion**

- 4.1 This paper has been necessary because building control staff continue to labour under increased pressure in processing building consents and inspecting building work. The workload composition is changing with a 24% increase in consent numbers for new dwellings experienced over the last year. Non-chargeable work, including leaky home case management continues to place pressure on the system. We have tried to manage the workload through caseload management but we have still had to recruit some additional staff in the last twelve months and have seen our use of contractors increase to maintain timeliness of decision making.
- 4.2 We are still achieving around 98% compliance with processing building consents within the 20 working day statutory requirement, and try to respond to inspection requests within 24 hours. While it is possible to spread costs by increasing processing time and delaying inspections response, staff have viewed this as an unacceptable reduction in level of service and have resourced up to respond.
- 4.3 Over the last two financial reports our expenditure in the Building cost centre now exceeds our ability to fund the activity. We are currently in deficit by \$2193,000 and without extra income or general rate subsidy, this situation will escalate. It is appropriate that we review our fees and charges.
- 4.4 The fee schedule also needs to be reviewed for relevance, ease of use, and understanding.
- 4.5 The review of the fee schedule structure needs to account for the approach taken by our neighbouring authorities, both now and in the future, especially as we investigate collaboration, including the potential formation of a combined Building Consent Authority and increased digitisation of processes. The fee schedule does incorporate a \$30.00 surcharge to cover the GoShift alliance we have joined with 22 other councils that will see much greater consistency and a common portal to work through.
- 4.6 We await the Government's changes in relation to what has been referred to as risk based consenting - foreshadowed in 2010, trialed in Christchurch in 2014, but still to see the light of day nationally. This involves the creation of four classes of consent categories where processing effort is dependent on the type of work and who does the work.
- 4.7 In the meantime, we have our own risk-based components which are reflected in our current structure. We have instituted a policy of using Schedule 1(2) to grant exemptions and in 2015-2016, 71 building works went through this process (and we are proposing that this now be a flat fee at \$235.00 rather than scale charge). We also have a charging category for minor consents that are low risk and proportionally involve less effort.

- 4.8 We are also looking to extend this approach to cover:
1. Approved Standard Dwelling Partnership - where will enter in an MOU with companies who wish to go through this track and offer a simplified fee structure in return for improved quality performance which maintains cash flow and has the potential of offering a premium service achieved through the assessment of high quality documentation and physical builds. This has the purpose of reducing processing effort and ensuring a higher percentage of time is spent delivering value to the customer. This model needs to be defined and managed without causing additional workload and is reliant on a willingness on both parties to commit to on-going focus on quality outcomes but we will explore this with key stakeholder groups. Such a model may be seen to give a preference to frequent customers over and above the smaller projects/mum and dad investors and encourage them to use professional design and build services but this is not the intent
  2. Fast Turnaround for applications like log-burners, stand-alone garages through a risk based approach to decision making.
- 4.9 Staff consider these initiatives together are preferable to trying to manipulate the fees schedule to reflect the degree of effort and cost more than the current schedule already does.

## 5 Options

- 5.1 Traditionally our approach to fee setting has been to set a fixed fee in most cases. This provides certainty and assists customers with budgeting. But there are essentially two options open to Council.
- 5.1.1 Option 1: Fixed fees (with flexibility)
- A fixed fee structure based on the time normally expected to complete a service or function required by the Act and the standard hourly rates of the officers involved provides certainty to builders and reduces the degree of administration around invoicing. It is possible under this structure that high performing operators could subsidise those whose applications require more processing effort. For this reason, the fee structure should allow for additional charging where poor performance occurs. Additional charging creates an increase in the level of administration necessary but is viewed appropriate to ensure charging is performance based. This is our current model.
- 5.1.2 Option 2: Variable fees (no upfront charging, except minimal deposit)
- This option allows for very precise cost recovery for time incurred. While poorer performers would be incentivised to improve to reduce costs to themselves, this approach does not provide sufficient degree of certainty for businesses and is likely to be excessively demanding to administer. We would have to convert to full time recording by consent. This approach would not work well for the inspection component of the building consents process.
- If we were to set fees in proportion to effort, then we could consider variable charges based on such things as travel time. However, to not penalise residents who live a long way from the service centres, travel time has in the past been covered as an overhead cost.

- 5.2 On balance, staff prefer Option 1 and it best meets the operating principles discussed below.
- 5.3 The Council has the legal ability to recover a reasonable proportion of the costs of building control through fees and charges. What is not covered through fees becomes a cost to the general rate. In times past we have tried to recover 95% of the cost of the building control activity from applicants but this has proven not to recognise the non-chargeable work associated with this activity. If the 75% recovery rate in the Revenue and Finance Policy is the current target, then we need to raise an additional \$246,000.
- 5.4 In relation to the options to address the deficit therefore, Council can either increase non-rate fees or cover through general rate. Staff have the view the Council would prefer not to cover this shortfall by general rate so the only realistic option is to increase non-rate income.
- 5.5 In the time available, closing the deficit gap will be difficult but can be minimised by bringing in a fee increase as soon as possible. Attachment 1 identifies the fee changes requested and the scale of charges have been set to carry through into the 2017/2018 Annual Plan. It is proposed that these fees be absorbed into the Schedule of Fees and Charges to be released as part of the 2017/2018 Annual Plan round.

## 6 Strategy and Risks

- 6.1 In order to maintain service in light of increased activity levels we have recruited extra staff and used external contractors. The cost of this has been carried to date. Workload has not decreased so it is necessary, and financially prudent, to provide for the recovery of these costs. Our last fee increase for the building activity was 1 January 2016.
- 6.2 Our review of the fees schedule has been based on the following operating principles that are consistent with the Auditor General's guidelines for public sector charges.
- 6.2.1 Equity - This principle requires that funding should come from the persons using or benefiting from the functions, power or service. Those obtaining a building consent or receiving inspection assurances are viewed as direct beneficiaries. The public generally also derive some benefit from Council's Building Act functions. For this reason, Council investigates complaints, monitors compliance, prepares associated building policies, and provides duty BCO services without charge (except where some complaints/non-compliance are substantiated or monitoring reveals non-compliant activity). This approach recognises that educative services and general complaint investigation has public benefits and should not be directly recovered from building owners.
- 6.2.2 Efficiency - This principle requires that Council seek to allocate and recover costs so that maximum benefits are delivered at minimum cost. The preferred option seeks to deliver functions in the most efficient manner possible and this would be reflected in the charges set out.
- 6.2.3 Justifiability - This principle requires that costs should be collected only to meet actual and reasonable costs (including indirect costs). The proposed fees have been determined based on observation of the time taken to process applications and an assumed number of inspections. The hourly rate has been determined by drawing on previous analysis of direct and indirect costs for chargeable activities across all of Council rather than individual activities as this is most administratively expedient.



However further work on introducing a scale of charge out rates has still to be completed.

- 6.2.4 Transparency - This principle requires that costs are identified and allocated to the building control activity for the recovery period in which the service is provided. The proposed fees are based on the observed and reasonable time taken for each of the functions. Charges include administration work such as recording consent details, providing permit certificates and invoicing. Should further inspections be required provision has been made to allow for additional charging to reflect the commitment of officer time. This provides transparency of delivery of service.

## 7 Policy / Legal Requirements / Plan

- 7.1 Under Section 219 of the Building Act 2004 territorial authorities are entitled to recover costs associated with processing building consents and other related functions. Council's current policy position is to recover at least 75% of the costs associated with the public health and safety activity from applicants on the basis that this reflects the degree of private benefit overall from undertaking the activity.

## 8 Consideration of Financial or Budgetary Implications

- 8.1 The purpose of this paper is to minimise the size of any operating deficit in the building control activity as explained elsewhere in this report.

## 9 Significance and Engagement

- 9.1 Changing the fees for building control, in terms of the Council's policy on significance and engagement is a decision of low significance. It has been normal practice to promote fee changes through the annual planning process. The Building Act however gives the Council ability to fix charges at any time without having to go through the Special Consultative Procedure, and in light of the need to better cover our costs, it is recommended that the fees change as at 1 March 2017. This gives us time to announce the changes - contact with the building industry indicates that if we can improve our service there is a reluctant acceptance that this will cost.

Issue	Level of Significance	Explanation of Assessment
Is there a high level of public interest, or is decision likely to be controversial?	Moderate	No one likes to pay Council fees if they can avoid them
Is there a significant impact arising from duration of the effects from the decision?	No	

Does the decision relate to a strategic asset? (refer Significance and Engagement Policy for list of strategic assets)	No	
Does the decision create a substantial change in the level of service provided by Council?	No	It allows us to continue to meet our service level commitments.
Does the proposal, activity or decision substantially affect debt, rates or Council finances in any one year or more of the LTP?	No	Even though there is an increase in non-rate income, that is to meet a corresponding increase in expenditure
Does the decision involve the sale of a substantial proportion or controlling interest in a CCO or CCTO?	No	
Does the proposal or decision involve entry into a private sector partnership or contract to carry out the deliver on any Council group of activities?	No	
Does the proposal or decision involve Council exiting from or entering into a group of activities?	No	

## 10 Conclusion

10.1 It is reasonable that the Council recovers charges from those people who have to obtain Council approval or reassurance for building related activities. To ensure a reasonable rate of recovery and minimise costs falling on the general ratepayer, it is proposed that fees for building control functions increase in line with suggestions in Attachment 1 to this report.

## 11 Next Steps / Timeline

11.1 We will advise the building sector of the new fees prior to them coming into effect.

## 12 Attachments

- Attachment 1: Schedule of Building Fees

11

Building Control	Charges from 1 July 2016 including GST	Proposed Charges from 1 July 2017 including GST
<p>Building Consents Includes issue of consent, inspections and code compliance certificate. All applications for building consent shall be accompanied by a deposit of \$550.00 or the actual charge whichever is the lesser amount. The balance of any charge will be invoiced along with Territorial Authority Checking Fee (where PIM not applied for), government and other levies when the consent is ready for issue. For Multiple unit projects and 'Multi-proof' consents, estimated costs will be advised before consent is issued.</p>		
<p>Residential Dwellings: New Dwellings: Single Storey up to 120m<sup>2</sup> Total Floor Area Single Storey 121m<sup>2</sup> – 250m<sup>2</sup> Total Floor Area Single Storey 251m<sup>2</sup>+ Total Floor Area Relocated Dwellings</p> <p>New dwellings Value up to \$200,000 Value - \$201,000 to \$300,000 Value - \$300,001 to \$499,999</p>	<p>2,592 3,294 3,888 1,450</p>	<p>\$1,950.00  \$2,900.00 \$3,700.00 \$4,500.00</p>
<p>Proprietary kitset buildings involving no more than two inspections (i.e. carports, kitset garages and kitset outbuildings)</p>	<p>\$1,033.00</p>	<p>\$1,150.00</p>
<p>Minor Consents involving one inspection (e.g. log burners, solar heating panels, wetback connections and building work under the value of \$5,500) Additional fees (per inspection) will be charged if additional inspections are required.</p>	<p>\$296.00 \$150.00</p>	<p>\$320.00 \$150.00</p>
<p>Marquee &gt;100m<sup>2</sup></p>	<p>\$250.00</p>	<p>\$320.00</p>
<p>All Other Building Work (excluding commercial) Value: \$2,001 to \$5,000 \$5,001 to \$10,000 \$10,001 to \$19,999</p>	<p>\$540.00 \$1,080.00 \$1,350.00</p>	<p>\$500.00 \$850.00 \$1,650.00</p>

\$20,000 to \$49,999	\$1,728.00	\$1,950.00
\$50,000 to \$99,999	\$2,322.00	\$2,900.00
\$100,000 to \$249,999	\$2,970.00	\$3,250.00
\$250,000 to \$499,999	\$3,834.00	\$4,000.00
Commercial Building Work: (buildings requiring assessment in terms of accessibility, fire safety and those buildings accessible to the public) Value:		
\$2,001 to \$19,999	\$1,242.00	\$1,380.00
\$20,000 to \$49,999	\$2,106.00	\$2,500.00
\$50,000 to \$99,999	\$2,592.00	\$2,870.00
\$100,000 to \$199,999	\$3,240.00	
\$100,000 to \$299,999		\$3,770.00
\$200,000 to 299,999	\$3,888.00	
\$300,000 to \$499,999	\$5,076.00	\$6,000.00
Commercial and all other building work: Value:		
\$500,000 to \$999,999	\$6,615.00	\$6,950.00
\$1,000,000 to \$3,999,999.	\$7,500.00 Deposit	
\$4,000,000 and not elsewhere covered.	\$9,000.00 Deposit	
Amended Plans after Consent granted and before Code Compliance Certificate.	\$250.00 Deposit	
Plan Rechecking Fee A surcharge will be added when plans are returned for a second time, and any subsequent occasion, for rechecking.	\$150.00 Per hour	
* Note: It is Council policy to apply a standard charge as above, however, it reserves the right to assess individual cases as required. Additional charges may be requested by virtue of Section 219(2) of the Building Act 2004 if costs incurred exceed the standard charge. Applications that require consultation with New Zealand Fire Service or Historic Places Trust will have costs recovered. Review of engineer design buildings by consultant will be charged at cost.		
On site wastewater installation only building consent	\$1,075.00	\$1,150.00
Associated Building Costs (GST inclusive): BRANZ Levy		

< \$20,000 assessed value > \$20,000 assessed value MBIE Levy < \$20,000 assessed value > \$20,000 assessed value	Nil \$1/\$1,000 value of project  Nil \$2.01/\$1,000 value of project	Nil \$1/\$1,000 value of project  Nil \$2.01/\$1,000 value of project
Building Consent Authority Accreditation Fee (per consent)	\$10.00	\$10.00
Project Information Memorandum (PIM) New Construction, additions and alterations	\$290.00	\$300.00
Territorial Authority Checking Fee (TAN) (not applicable if PIM applied for at the same time as building consent)	\$290.00	\$300.00
PIM/TAN Rechecking fee	\$170.00	\$190.00
Building Certificates required under other legislation (e.g. Sale & Supply of Alcohol Act 2012) Plus inspection charge (if required)	\$150.00 \$150.00	\$150.00 \$150.00
Building Warrant of Fitness Inspections Deposit if required	\$148.00 \$150.00	\$150.00 \$150.00
Compliance Schedule – new application, whether or not associated with Building Consent	\$395.00 deposit	\$400.00 deposit
Compliance Schedule Amendments	\$250.00 deposit plus recovery of costs at \$150.00 per hour for time spent in excess of 3 hours	\$250.00 deposit plus recovery of costs at \$150.00 per hour for time spent in excess of 3 hours
Swimming Pool Registration fee – includes an inspection fee	\$315.00	\$325.00
Swimming Pool Fencing Exemption Fee Deposit (plus any additional costs associated with staff time, hearings and inspections)	\$250.00	0
Notice to fix (each) issue and administration where building consent is held	\$160.00	\$170.00

Notice to fix (each) issue and administration where no building consent is held	\$500 plus recovery charges at \$150.00/hour for investigation and monitoring of notices under the Building Act 2004	\$510 plus recovery charges at \$150.00/hour for investigation and monitoring of notices under the Building Act 2004
Building Act 2004 Infringement Notice issue and administration	\$150 plus recovery charges at \$150.00/ hour for investigation and monitoring of notices under the Building Act 2004	\$150 plus recovery charges at \$150.00/ hour for investigation and monitoring of notices under the Building Act 2004
Building Code Waivers Including Section 72, Section 75 decision, plus legal disbursements	\$250.00 Deposit	\$250.00 Deposit
Application for Certificate of Acceptance (Section 97 of the Building Act 2004) has a \$800.00 deposit fee. Applicants will be charged a \$300.00 application fee, plus fees, charges or levies that would have been payable had building consent been applied for before carrying out the work. Any structural checks or other engineering checks, where appropriate will be charged out at cost. The deposit will be a down-payment towards these costs.	\$780.00 Deposit	\$800.00 Deposit
Re-inspection for any purpose including Code Compliance Certificate (per inspection).	\$150.00	\$150.00
Building Act Schedule 1(2) Exempted Work Equal or less than \$100,000 in value More the \$100,000 in value	\$210.00 \$420.00	\$215.00 \$432.00

Building Control	Charges from 1 July 2016 including GST	Proposed Charges from 1 July 2017 including GST
Lodgement of unauthorised building reports (pre Building Act work only) (pre June 1991)	\$80.00	\$80.00
Lodgement of Building Act Schedule 1 – Exempt work reports with owner’s declarations	\$80.00	\$80.00
Lapse and cancellation of building consent administration	\$80.00	\$80.00
Work completion extension request	\$150.00	\$150.00
Work start extension request	\$150.00	\$150.00
Documents requiring Council resolution, certification or Council seal Plus actual cost (over 60 minutes) and any legal disbursements	\$192.00 \$150.00/hr	\$150.00 \$150.00/hr
Certificate of Public Use – Section 363A Building Act 2004	\$364.00	\$375.00
Dam classification application plus consultant costs	\$185.00	\$185.00
Monthly Building Consent list	\$250.00 pa	\$250.00 pa
Application fee for Alternative Solutions Assessment	\$495.00 Deposit	\$495.00 Deposit
Consultancy Specific design peer reviews	At cost	At cost





## 9.2 ENVIRONMENTAL POLICY MANAGER'S REPORT ON ENVIRONMENTAL POLICY PROGRAMME: 2016 PROGRESS AND 2017 - 2019 PROGRAMME OUTLOOK

Decision Required

<b>Report To:</b>	Environment and Planning Committee
<b>Meeting Date:</b>	9 February 2017
<b>Report Author:</b>	Barry Johnson, Environmental Policy Manager; Steve Markham, Principal Planner Environmental Policy
<b>Report Number:</b>	REP17-02-02

### 1 Summary

- 1.1 The report outlines the progress made with the environmental policy programme in 2016 and invites the Committee to review the programme outlook. There are a number of work streams to complete but there are also opportunities to sequence future work.

### 2 Draft Resolution

That the Environment and Planning Committee

1. receives the Environmental Policy Manager's Report on Environmental Policy Programme: 2016 progress and 2017 - 2019 programme outlook report; and
2. directs the delivery of the work programme for 2017 as listed in Table 1 of Report REP17-02-02 and as part of this programme;
  - a. approves the commencement of scoping the programme of urban rezonings arising from the review of the Growth Model and in order to give effect to the National Policy Statement for Urban Development Capacity 2016;
  - b. approves the commencement of the further change following Change 58 Wakefield strategic review;
3. notes the emerging priorities for the work programme for calendar years 2018 and 2019 as listed in Table 2 of Report REP17-02-02; and
4. approves proposed Changes 52 and 58 to the Tasman Resource Management Plan under Clause 17 Schedule 1 of the Resource Management Act 1991 to commence as operative from the notification date of the next update expected to be May 2017.

### 3 Purpose of the Report

- 3.1 This report describes the environmental policy programme of work, its progress with current plan change projects from 2016, and the nature of challenges over the three year period of 2017 to 2019. It recommends a priority-setting approach for all plan amendment projects ahead, and recommends approval of a 2017 programme based on this approach. It provides for noting a list of further projects for consideration in the period 2018 - 2019.

### 4 Background and Discussion

#### Progress in the environmental policy programme through 2016

- 4.1 This report provides some high level background in recognition of eight new councillors on the Committee. The Committee carries out the Council's resource management functions as a unitary authority under the Resource Management Act (RMA) through preparing, changing or reviewing all plans to address resource management issues, where the powers of the RMA through plans can successfully resolve such issues. "Plans" include the regional policy statement, the regional coastal plan, the district plan and the various regional plan provisions. For over 20 years the Council has maintained the Tasman Regional Policy Statement (TRPS) and the Tasman Resource Management Plan (TRMP). Even though the region and the district are the same area, we have to maintain and review the TRPS alongside the TRMP, which is our unitary plan. The five parts in the TRMP (land, coastal marine, rivers & lakes, water, and discharges) combine the scope of the above list of RMA plans.
- 4.2 While the TRPS is several years overdue for review, the Committee has previously been comfortable with this situation, as the TRMP has remained the longstanding focus for an active programme of "rolling review". We now have five operative parts, with a number of live or current proposed plan changes affecting four of these parts, as well as the introductory provisions. More is provided on the TRPS review project further on in this report.
- 4.3 The environmental policy programme each year progresses live TRMP changes through each life cycle of development and operative status. This life cycle is:
- Committee confirmation of the need for any change, and its scope of issues and aims, community interests affected and the engagement process;
  - assessment of issues and testing of options to achieve the intended results and resolve issues;
  - preparation of a draft change;
  - a proposed change;
  - following submissions and hearing, the decisions version of the proposed change; and
  - following any appeals, the operative change.
- 4.4 Different provisions in any plan change have legal effect at different stages once a proposed change is notified (made public).
- 4.5 Projects for amending the TRMP may be large or small; the fastest complete process if the change is minor or uncontested might be as little as three months. Work to deliver a

proposed change as a set of linked amendments, can take up more staff time than once the change is notified, if its reception with stakeholders is largely positive. However, most projects span over a year or more from commencement to operative status. If there are challenging features or submission challenges that are not satisfied, this may run to more than five or six years.

- 4.6 As plan changes go through start - stop stages, staff are routinely dealing with more than one project at any time, to optimise efficient use of the staff.
- 4.7 Progress with the live programme is reported on usually at six-monthly periods and current issues with priorities or with delivery of the programme are advised on.
- 4.8 In February 2016 the Committee last considered the environmental policy programme (REP15-01-07 refers). A heavy last year of term with several hearings and an under-capacity staff section meant a six month report was abandoned for that year. Since a year ago the following key achievements have taken place:
- Notification, submissions hearing and decisions notification of Change 60 Rural land use and subdivision policy review - a part-review of the rural land use planning framework dealing with rural dwellings, rural subdivision, rural business and temporary activities in rural areas. Appeals known by late February 2017; set of rural rezoning issues are raised by out of scope submissions.
  - Appeals resolution for Change 52 Upper Motueka water allocation review (withdrawal following mediation) and change effectively operative.
  - Notification, submissions hearing and decisions notification of Change 58 Wakefield strategic review. Change effectively operative but with set of rezoning issues raised by out of scope submissions.
  - Decisions notification, approval and operative status of Changes 54 - 56 Waimea water management (security of supply).
  - Notification of Change 63 Waimea water transition management. Submissions to be heard.
  - Notification, hearing and decision of Change 61 Wainui Bay Spat Catching Group (private change request). Appeals known by late February 2017.
  - Notification, hearing by delegated commissioner of Change 62 Progressive Enterprises Ltd (private change request). Report and recommendations awaited.
  - Approval and operative status of Change 51 Review of planning framework for deferred urban development.
  - Notification, approval and operative status of Change 64 Update to protected trees schedule.
  - Receipt of final report of Golden Bay landscapes small working group on outstanding natural landscapes and features, draft plan change development and community feedback round on the draft. Staff assessment of feedback issues and solutions.
  - Takaka water management freshwater & land advisory group (FLAG) development of decisions framework (as instructions for draft plan change) through monthly meetings and online feedback invitation. Staff drafting of draft change commenced.

- Development of Nelson-Tasman Land Development Manual by cross-department staff with Steering Group oversight including stakeholder feedback round, legal review and restructuring content in progress. Scoping of hosting plan change to incorporate the manual by reference in TRMP, in progress.
- Richmond residential density review: staff drafting in progress after hold in 2016 for limited capacity.
- Land disturbance management review: staff assessment of scope of issues and options in progress after hold in 2016 for limited capacity.
- Brightwater strategic review: submissions and further submissions received. Temporarily paused due to retirement of project lead. Hearing of submitters likely second quarter of 2017.

### **Changes for approval**

4.9 Two proposed changes are now beyond challenge, having either received no appeals on the decisions version, or where appeals have been resolved. These are Changes 52 Upper Motueka water allocation review, and Change 58 Wakefield strategic review. It is appropriate for the Committee to now approve these proposed changes so that they can commence as operative, from the notification of the next TRMP update later this year expected in May.

### **Capacity to deliver the environmental policy programme**

- 4.10 Since the advent of the TRMP, the Committee has taken a progressive development approach described as rolling reviews, rather than leaving issues or aspects of the unitary plan to sit for the statutory 10 year limit before any review. This has had the advantage of keeping much of the planning framework more current and responsive, with up to three generations of amendments on parts of the plan. The disadvantage is that very many plan amendments have been progressed on defined issues or provisions, with much process effort and time in completing what now amounts to over 130 separate changes or variations (amendments to changes) over more than 20 years.
- 4.11 The ability to make progress with policy development through the TRMP has been for many years a tightrope for both the Committee and staff. The size of the programme of plan change projects relative to the staff resources historically available, and the ongoing demand for its expansion from a range of pressures or drivers, has meant constrained achievement relative to expectation. Despite regular priority reviews of the current programme, there has been expressed understandable frustration on the part of the Committee. Balanced against those difficulties has been the satisfaction of many achievements for good planning framework decisions across a large arena of environmental management policy. There are constant demands on the Committee for high quality and difficult decision-making, often on several plan changes at once. Community expectations as to participatory process continue to increase, and community collaboration takes time.
- 4.12 There is now movement in capacity improvement and succession for the policy planning staff section that supports the Committee's environmental policy planning function. For much of the previous term of Council and particularly in 2016, there was a significant policy staff capacity shortfall through a succession of retirements, new staff and some difficulty in recruitment.

- 4.13 However, what is now freshly in place is the appointment of a new section manager Barry Johnson, with two co-ordinators for natural resources policy and urban and rural development policy, Lisa McGlinchey and Maxine Day respectively, and retention of Steve Markham (previously Environmental Policy Manager) as principal planner environmental policy, reporting to the section manager in a technical and project lead role. The section structure thus is two units, natural resources and urban and rural policy matters, each with a co-ordinator who reports to the manager along with the principal planner and the TRMP administrator (Pam Meadows). Within this structure, staff have various specialist areas of knowledge, as a pool for the makeup of any policy project team together with other staff from other sections or departments.
- 4.14 This restructuring and creation of an additional position in the staff section will provide for service continuity and some additional capacity to respond to increasing demand for policy development. The result of these improvements will be to enhance the Council's capacity to achieve either a larger programme or for some plan change projects, a faster delivery of outputs across the stages of plan changes. With additional capacities, there will be more choice available to Council to accelerate progress where the particular stage of the project enables additional staff effort to do this, as opposed to having to pause while community responses come in or for appeals to be resolved. In addition, the staffing will support maintaining or improving community satisfaction with the planning process and quality of planning outputs across Tasman.
- 4.15 With new staff and positions, there will be natural priorities for the section to refresh working practices, look for efficiencies and increase uptake of digital technology support, and to enhance the delivery of programme priorities.

### **Demand for the environmental policy programme**

#### Previous priority-setting

- 4.16 The Committee has responded in the past to ongoing and generally accelerating demand to develop the TRMP by assigning time priorities for plan reviews or changes. This has been done to limit inefficient effort across too many projects at once, and to see those considered most important, completed ahead of others. In order to see delivery on the right priorities, a longstanding position is that the Committee requires staff advice on the case to start any potential new project, and approves its commencement.
- 4.17 The Committee has previously applied the principles of giving priority to completing live projects ahead of starting new ones, and to give priority to those projects where the particular issues are assessed as significant, whether urgent or important to do. In 2014 a survey of Committee members' opinions on priorities saw a resequencing of the programme priorities, with urban and rural development and some natural resource issues assuming highest priority. However this approach did not fully account for the commitments and completion value of some live changes, and the staff remained working across a broad front. Last year the Committee agreed on a list of individual projects from the programme list as that year's priorities, in order to achieve milestones by the end of the term. Most of these milestones were either met or altered by the Committee through the year, as shown in the list of achievements for 2016 in the report above.
- 4.18 In addition to plan changes and reviews, the policy programme has included a project to improve the useability of the TRMP as the central planning document, by simplified structuring and content and by digital systems as an e-plan. The TRMP print version has become an increasingly complex, large and difficult document to navigate through and

understand by users, both in its text and maps. This is mostly because of the rolling review and large numbers of changes, limiting new across the board presentational approaches. Improving its useability has been a standing priority for several years but paused for RMA reform relating to standards for plans as documents. Using a data application and geographic information system (GIS) to support an e-plan (electronic or digital plan) has a great potential to resolve some of these difficulties.

- 4.19 This project has close alignment with the project to review and combine the Tasman Regional Policy Statement (TRPS) with the TRMP. It is assessed for the 2017 programme as a separate project but there are links between the two, and outline notes are provided further on.

### **Proposed priority-setting approach**

- 4.20 In this report, we advance three approaches to priority-setting for policy projects. First, we propose a set of criteria for use in assessing plan development project priorities, allowing an adaptive but consistent form of review ahead, in a changing operating environment. These build on criteria applied to date by the Committee and are qualitative principles. We have used these to score both live and potential plan changes and so provide an indicative ranking for projects in the total programme of work. The criteria are explained below.
- 4.21 Second, in applying these criteria, we recommend a 2017 programme, with an explanation of the features of each project to support the scoring. Third, we chart expected priorities for the remainder of the three-year period to October 2019.
- 4.22 Attachment 1 to the report provides a list of projects in the categories of advanced live changes, live changes still in development, projects committed but not started, paused projects and potential projects. This list provides an initial perspective on programme priorities for scoring under the criteria. The scorings help to support the recommended 2017 programme, as well as indicate the outlook for priority work for the remainder of the term (2018 - 2019). Many of the latter list of projects will run on beyond 2019.
- 4.23 Attachment 2 to the report shows the priority list resulting from scoring against the criteria, all currently identified projects.
- 4.24 Attachment 3 to the report shows the total list of projects and expected timelines over the three year period.

The priority-setting criteria used are:

1. Response to National and Legal Requirements

Our resource management functions under the RMA include duties to respond as appropriate, to national policy and regulatory instruments, as national policy statements, national environmental standards and other regulations, by amending or developing resource management plans according to the issue and form of requirement, often with time requirements. This criterion is becoming a frequent driver for plan changes as the government ramps up its programme of national resource management instruments, arising from increasing monitoring of local authorities under the RMA, and a desire to use the law to regularise or improve efficiencies of what is achieved under the Act. As well, the Environment Court decisions continue to confirm the need to act under our statutory functions for resource management in sections 30 and 31 RMA.

2. Scope, Nature and Significance of the Issue

The issues that drive the need for a plan amendment response range across all our functions, and may have specific environmental, socioeconomic, community and so political significance. An aspect of significance is the nature of any risk to part of the Tasman environment, including its quality or availability as a place of living or business, or as a natural resource. The significance of a project is unrelated to its size, however.

### 3. Functionality Improvement

The TRMP is a planning framework for making future resource management decisions. This framework consists of management objectives, policies and rules together with other methods of management such as guidance, monitoring and funding. As a unitary plan the TRMP influences how people live, work and play in Tasman including how network infrastructure services and community facilities may be provided by Council. Sometimes other Council services, or community/industry feedback can drive a need to improve an aspect of the plan. The TRMP's functionality includes its completeness, responsiveness and the efficiency of operating the planning framework where uncertainty or inconsistency may constrain its value for decision-making. In some cases these functionality issues can have large cost and/or time implications for users.

### 4. Size and Complexity

This criterion indicates the relative amount of effort in issue and policy assessment and public process. A single larger project can be better than many smaller ones, with process efficiencies, but only up to a point. There is an optimal size of plan change project where there is efficiency in the scale of its purpose and its likely time and cost.

### 5. Completion Value

This longstanding criterion is used to reflect the investment in effort to date on a plan change, the value gain from completion of a live project, and the risks arising from not completing it. The further through the plan change life cycle the higher this value is likely to be.

- 4.25 The scoring and so ranking of projects in Attachment 2 is priority high. A simple approach is taken to scoring with the use of values 1 (low), 3 or 5 (high). In this scoring and ranking, the individual criteria have not been weighted (ie. each has equal scoring value) but could so be.

## 5 Options

- 5.1 The Committee has choices in priority-setting about the programme for the present year and subsequent years. It may choose to see a greater number or scope of live projects, and accept a certain degree of progress for each. Or it may focus on a lesser number each with defined scope, and expect a degree of acceleration in these workstreams, where increased staff effort and pace of decision-making can do this, given the stages at which such projects may be. There are tradeoffs between size and the pace of the programme for any year. There are inevitable uncertainties with any plan change through community responses to draft or proposed versions. Committee and staff effort and time leading to a notified proposed change can reap rewards with rapid completion with no appeals, or it may not. There is managerial judgement in estimating the scale and expected pace of any project, aggregating this and so constructing the aggregate programme that is achievable within that year with regard to the staffing and contract resources available.

- 5.2 The scoring of the list of live and potential projects in Annex 2 provides only an indicative priority sequence. The circumstances for each project leading to its scoring and a rank are specific to each identified project, and require some explanation. In addition, the circumstances specific to some projects could support a higher or lower priority score, where a weighting for a particular criterion is considered appropriate.
- 5.3 What is proposed below is a recommended 2017 programme of projects.
- 5.4 Table 1 lists all policy projects that are assessed to have sufficient priority to form the 2017 programme and it mostly consists of live projects and some new ones. The scoring broadly supports the inclusion of each project in the program; however as indicated, there are particular circumstances and weightings that could be applied. Following the table are outline assessments of the business case for certain projects for 2017, in terms of each's nature, drivers and value, to validate the scoring given or to indicate where there is a particular weighting to support its inclusion.
- 5.5 The size of this programme (the number of projects together with the expected progress under milestones) is considered achievable, if ambitious, given the current capacity of the staff team. This assumes the policy staff reliance on other staff availability to help advance plan change assessment work, is also not more at risk than in the past. This is a programme risk flagged under risks in the report. This recommended programme can be delivered, provided this risk can be controlled and provided the pace of progress as indicated by the milestones is not to be significantly accelerated. We can readily provide further background information to give a fuller picture of the case for any of the projects that are there by virtue of the scoring given in Annex 2.
- 5.6 The option of shrinking this programme in order to increase the pace of progress for remaining projects is not recommended as:
1. All those live projects have current commitments and values with a variety of implications of pausing the work;
  2. The commencement of those new projects has important values and implications of not proceeding in 2017
  3. There are limits to the capacities and capabilities in redeploying staff, as certain investigation, evaluation or engagement tasks may not be materially sped up; and staff knowledge-bases are more efficiently used in their respective areas unless contract work can be utilised.
- 5.7 The option of additional projects in this year is also not recommended, as the enhanced capacity limit is already there as recommended; without contemplating additional staff or contractors. Even then some progress is reliant on either Committee decision-making or engagement steps.



**Table 1. Recommended environmental policy programme for 2017**

<b>Title</b>	<b>Change No. (where notified)</b>	<b>Priority score from ranking table (Attachment2)</b>	<b>Next milestones</b>	<b>Expected timing of next milestone in 2017</b>
Upper Motueka water allocation review	52	n/a	For approval	This meeting
Wakefield strategic review	58	n/a	For approval	This meeting
Programme of urban rezonings arising from Tasman growth demand and supply model (GDSM) 2016 review (to support LTP 2018 - 2028 and give effect to National Policy Statement for urban Development Capacity (NPSUDC))		25	Approval to commence (under approved appropriate scope and process)	By July 2017
Takaka & coastal catchments water management		23	Decision on either draft change engagement or proposed change notification	By July 2017
Waimea Plains water quality management		23	Decision on either draft change engagement or proposed change notification	By November 2017
Review of Tasman regional policy statement and combination with TRMP		23	Approval to commence (under approved appropriate scope and process)	By May 2017
Rural land use & subdivision policy review	60	21	For resolving appeals	Uncertain
Nelson-Tasman land development manual (NTLDM) for incorporation by reference.		21	Draft NTLDM	By April 2017 (associated amendments to TRMP will form part of land disturbance review plan change)

<b>Title</b>	<b>Change No. (where notified)</b>	<b>Priority score from ranking table (Attachment2)</b>	<b>Next milestones</b>	<b>Expected timing of next milestone in 2017</b>
Land disturbance areas & slope instability area review		21	Consideration of issues and options paper	By July 2017
Golden Bay outstanding natural landscapes & features		19	Proposed change notification	By August 2017
PPCR Commercial Richmond north	62	19	For Commissioner recommendation and decisions notification	By March 2017
Brightwater strategic review	57	19	For reporting and hearing	By May 2017
Waimea water transition management	63	17	For further submissions and hearing (if needed)	By April 2017
Richmond residential density review		17	Draft change approval for engagement	By May 2017
PPCR Wainui Bay	61	17	For resolving appeals	Uncertain
Programme of rural rezonings (Rural 1, Rural 2, Rural Residential and Rural Industrial) arising from Change 60		17	Approval to commence (under approved appropriate scope and process)	By October 2017
Mooring management review		17	Draft change approval (and draft bylaw amendment) for engagement	By April 2017
TRMP useability review (including decision on and procurement of e-plan application)		15	Approval of programme of improvements for delivery	By September 2017
TRMP administration issues (logged within Council, for technical fixes)		15	Adoption of draft changes for technical fixes or assignment to live projects	Ongoing

Title	Change No. (where notified)	Priority score from ranking table (Attachment2)	Next milestones	Expected timing of next milestone in 2017
NPSET - electricity transmission lines		13	Discussion paper feedback Draft change approval for engagement	By April 2017 By July 2017
Richmond central business zone review		13	Draft change approval for engagement	By December 2017
Further change following Change 58 Wakefield strategic review		13	Approval to commence	This meeting
Coastal occupation charges		11	Proposed change notification (with mooring area review change package)	By April 2017
Richmond greenway	37	9	For reporting and hearing	By July 2017
Responses to proposals for national policy and legal changes		n/a	Approval of submissions	Ongoing

- 5.8 The following are explanations of the drivers, scope and value for some of the projects included in the list for the 2017 programme, to enable understanding of the business case for this inclusion as against 2018 - 2019.

Urban rezonings arising from Tasman growth demand and supply model (GDSM) 2016

Drivers and value:

- (i) need for strategic urban development planning that integrates the GDSM 2016 review's land demand implications with infrastructure planning and funding needs from the LTP and infrastructure strategy;
- (ii) Requirements to give effect to the NPSUDC.

This is a programme of changes under priorities to be determined, to enable sufficient urban development capacity accounting for appropriateness of location, design and scale and servicing needs. The 2017 milestone is simply the approval of the appropriate scope and process for this work.

Review of Tasman regional policy statement and combination with TRMP

Drivers and value:

- (i) RMA section 79 where the ten year period for review of the operative TRPS is past by 5 years

- (ii) Need to refresh the currency of all high level policy content in both TRPS and TRMP and its adequacy of integration.

Following agreement by the Committee to be advised on the scope of the project in 2015 work paused by agreement in 2016. Key content includes an iwi Maori dimension to the framework so that tangata whenua significance and support of all high level policy is refreshed. The 2017 milestone is approval of the appropriate scope and process for this work and its links with other key projects.

Rural rezonings (Rural 1, Rural 2, Rural Residential and Rural Industrial) arising from Change 60

Drivers and value: A significant part of the rural framework of TRMP Part 2 in which Change 60 sits includes a refresh of the appropriate pattern of rural zoning, both boundaries of zones and zone locations, the present zoning pattern is approaching 20 years. A large number of out of scope submissions that came with Change 60 supports that need. This is a programme of changes under priorities to be determined, to enable appropriate technical improvements to boundaries, and further capacity for particular rural development forms to be enabled.

TRMP useability review

Drivers and value: Initial scoping work on useability improvement opportunities is paused from 2014 pending changes to requirements for plans under RMA, expected now through RLAB. Recent discussions with Ministry for the Environment officials indicate that adoption of an E-plan should not wait until any national template arises as it is unlikely to adequately address unitary plan requirements. More recent work to early 2016 confirms the value of using a versatile e-plan application as a text and map data system, to solve some of the useability issues.

Further change arising from Change 58 Wakefield strategic review

Drivers and value: A number of out of scope submissions came with Change 58, with EPC decisions on C58 in 2016 as further actions, to promote a subsequent change to rezone additional land than under that change.

Richmond central business zone review

Drivers and value: This change is complementary to the Richmond town centre upgrade project for centre revitalisation, with a community engagement round in early 2016 raising built form, site parking requirements and boundary issues.

Richmond greenway Change 37

Drivers and value: This is a technical change to update urban open space zoning over the greenway network, notified 4 years ago and stranded through other priorities preventing its advance. Some review of its purpose and scope in the face of significant opposition in submissions is indicated.

- 5.9 Table 2 below lists all policy projects that for some, despite high priority scoring are for good reasons able to be deferred until years 2018 or 2019, or for others have lower priority scores.

<b>Title</b>	<b>Change No. (where notified)</b>	<b>Priority score from ranking table (Attachment 2)</b>	<b>First milestones</b>
Natural hazards risk and response assessments - flooding and erosion, rivers and coastal		23	Refreshing EPC on scope and progress with investigations and assessment work as at 2016
Implementation programme for National Policy Statement on Freshwater Management (where not covered by individual projects)		21	Subject to a review of the progressive implementation programme (PIP), approval to commence further projects set out in the PIP
Review of urban development planning framework (policies, rules, and zones) - Part 2 Partial Review s.79		21	Approval to commence (under appropriate scope and process)
Upcoming work: NPS Natural Hazards (NPSNH)		21	Subject to requirements of NPSNH; not yet in place
Upcoming work: NES Plantation Forestry (NESPF)		21	Advice on NESPF - TRMP alignment issues and approval to commence any consequential change; NESPF not yet in place
Upcoming work: NPS Indigenous Biodiversity (NPSIB)		21	Subject to requirements of NPSIB; not yet in place
NZCPS Implementation		17	Implementation programme status reporting and agreement on further priorities not dealt with by other projects
Upcoming work: RLAB delivery (Implementation of RMA Phase 2 reforms)		15	Subject to eventual scope of requirements not yet in place; approval to commence any relevant change
Upcoming work: Review of PM10 air discharges strategy in Richmond airshed		15	Subject to review of NESAQ for PM10 not yet in place; status report on monitoring results and need for further modelling
Onsite wastewater management review		15	Following briefing report, approval to commence (under appropriate scope and process)
Upcoming work: NESCS		13	Subject to review of NESCS not yet in place;

<b>Title</b>	<b>Change No. (where notified)</b>	<b>Priority score from ranking table (Attachment 2)</b>	<b>First milestones</b>
implementation of review outputs			approval to commence (under appropriate scope and process)
Golden Bay settlement strategy: Pohara-Tarakohe-Ligar-Tata		13	Following briefing report, approval to commence (under appropriate scope and process)
Golden Bay settlement strategy: Takaka		11	Following briefing report, approval to recommence (under appropriate scope and process)
Tasman Bay Landscapes		11	Following briefing report, approval to commence (under appropriate scope and process)
Implementation of National Policy Statement on Renewable Energy Generation (NPSREG)		9	Approval to commence, report on issues and options

## **6 Strategy and Risks**

- 6.1 The recommended 2017 programme and indicative 2018 - 2019 programme deliver on the strategy of:
1. Continuing responsive rolling review of the TRMP framework, with significant part reviews of it to create a future-oriented, single RMA planning framework, supported by digital technology to improve access and understanding; and
  2. Responsiveness to national and legal policy directions after assessment of the region/district's resource management needs and what is appropriate.
  3. Giving effect to Council's strategic priorities, in particular enabling risk moderated decisions, digitization of services, improving service delivery to customers.
- 6.2 As part of the first item in this strategy, responsiveness with project priorities is reliant on straightforward processes and efficient staff control of effort. There is the internal risk of delays through constraints on the availability of other staff within Council who provide collaborative support on technical inputs. Year 2017 is a very busy year for staff across Council as the LTP and several major projects are all under way; the pace of demand for Council services through growth is a pressure on staff availability. This means active process planning by project managers to obtain time and other internal resources for advancing the programme to head off some of this risk.
- 6.3 There is a further internal risk particularly with a Council new term and a sizeable number of new councillors, that the Committee itself will have capacity limits to stay in front of all the live issues and plan change proposals; the mandatory accreditation for hearing panels on plan changes, mitigates this to a degree. However, inevitably much new knowledge has to

remain in councillors minds to allow for straightforward sequential decision-making by the Committee, as the Committee ultimately makes the policy.

- 6.4 There is the external risk of contests over the policy, either developing or not being resolved. Many projects can lead to further stages or situations where disputes over policy remain or develop. This is a standing risk with all policy development under the RMA. How these project risks are managed and so the whole programme is steered, remains in the hands of good communication between section management and the Committee. The scale of the recommended 2017 programme relative to previous years is large; so this is a live risk. The presence of new staff positions to support work, and continuity of staff service will mitigate this risk to a good degree.

## 7 Policy / Legal Requirements / Plan

- 7.1 Projects are at all stages of the plan change life-cycle. The report has outlined this sequence of stages. RMA Schedule 1 and good practice both prior to using the Schedule, as well as under it, require many process steps to deliver quality and timely policy proposals. The staff section is now in a good position to for continuity and succession, and to refresh its operating procedures to seek to improve efficiencies in delivery for each project milestone.

## 8 Consideration of Financial or Budgetary Implications

- 8.1 The recommended 2017 programme is within forecasted budget for staff time and direct costs. There are no new budgetary considerations with this recommended programme. As in past years, there is a staffing capacity, deployed across the programme, with contract and other direct expenditure similarly allocated by the manager to best effect under Committee directions.
- 8.2 We have still to address the retention or otherwise of the rates remission policy on rezoned land.

## 9 Significance and Engagement

- 9.1 The table following is a qualitative assessment of significance of the recommendations in the report. All legal duties together with good practices will be incorporated in the recommendations for the next stages of all policy projects.

Issue	Level of Significance	Explanation of Assessment
Is there a high level of public interest, or is decision likely to be controversial?	Moderate	There are many communities of interest in the programme for which the timing of projects will have significance
Is there a significant impact arising from duration of the effects from the decision?	High	Where changes either provide opportunities or restrict them in resource use the timings and projects in the programme will have impact on communities of interest

Does the decision relate to a strategic asset? (refer Significance and Engagement Policy for list of strategic assets)	No	
Does the decision create a substantial change in the level of service provided by Council?	No	
Does the proposal, activity or decision substantially affect debt, rates or Council finances in any one year or more of the LTP?	No	
Does the decision involve the sale of a substantial proportion or controlling interest in a CCO or CCTO?	No	
Does the proposal or decision involve entry into a private sector partnership or contract to carry out the deliver on any Council group of activities?	No	
Does the proposal or decision involve Council exiting from or entering into a group of activities?	no	

## 10 Conclusion

10.1 The environmental policy programme for 2017 and succeeding years has many drivers and values, and the recommended programme has sought to recognise these in dealing with the most important current and future commitments.

## 11 Next Steps / Timeline

11.1 The timelines for individual projects in the programme will play out with further reporting and advice for Committee meetings and hearings through 2017 and beyond. Further briefings on the policy development process and on each project will follow into the year.

## 12 Attachments

- |    |  |    |
|----|--|----|
| 1. | Attachment 1: List of Live and Potential Environmental Policy Projects 2016 - 2019 | 33 |
| 2. | Attachment 2: Environmental Policy Programme Prioritisation Matrix                 | 35 |
| 3. | Attachment 3: Environmental Policy Programme Timelines                             | 39 |



Attachment 1

**Environmental Policy Work Programme 2016 - 2019**

**TRMP = Tasman Resource Management Plan**

**TRPS = Tasman Regional Policy Statement**

**As at 16 January 2017**

1 TRMP changes currently notified, proceeding through the plan making process

Upper Motueka water allocation review – Change 52 (for approval)  
Wakefield Strategic Review – Change 58 (for approval)  
Rural Land Use and Subdivision Policy Review – Change 60 (for appeals)  
Private Plan Change Request: Wainui Bay Spat Catching Group, Wainui Bay – Change 61 (for appeals)  
Private Plan Change Request: Progressive Enterprises Ltd Richmond north – Change 62 for decision from delegated commissioner)  
Richmond greenway – Change 37 (for hearing)  
Brightwater strategic review – Change 57 (for hearing)  
Waimea Water Transition Management – Change 63 (for further submissions)

2 Work programmed and under way but not yet at proposed notification stage

Nelson Tasman Land Development Manual (and change to incorporate NTLDM by reference as update of the engineering standards, and amend urban network infrastructure standards for transportation, onsite and offsite stormwater)  
Golden Bay Outstanding Natural Landscapes and Features  
Takaka and coastal catchments water management  
Waimea water quality management  
Mooring management review  
Coastal occupation charges  
Electricity transmission lines review  
Richmond residential density review  
Richmond Central Business Zone review  
Land disturbance areas and slope instability risk area review  
review  
External document references update

3 Work programmed but not yet commenced

Variation to Change 58 – Wakefield strategic review  
Review and combination of Tasman Regional Policy Statement and Tasman Resource Management Plan  
TRMP useability review, including investigation of electronic plan (e-plan) delivery  
Implementation of National Policy Statement on Renewable Energy  
Implementation of National Policy Statement on Freshwater (where not covered above)  
Review of PM10 air discharges strategy in Richmond airshed  
Onsite wastewater management review  
TRMP administration issues requiring review (technical fixes to remove difficulties with rules)

4 Work which has been previously paused under Committee direction

Golden Bay settlement strategy: Takaka  
Golden Bay settlement strategy: Pohara-Tarakohe-Ligar-Tata  
Tasman Bay Landscapes

5 Work which is necessary but not yet programmed in three-year time frame

Urban rezonings arising from Tasman Growth Demand and Supply Model review 2016 and implementation of NPS for urban development capacity

Rural rezonings for Rural 1, Rural 2, Rural Residential, Rural Industrial zones to complement Change 60

Review of urban development planning framework (policies, rules, and zones) as part review of TRMP Part 2 under s 79 RMA

Responding to the need to give effect to intended national policy and regulatory instruments as new national policy statements or national environmental standards:

NES for Plantation Forestry

NPS for natural hazards

NPS for indigenous biodiversity.

Environmental Policy Programme Prioritisation Matrix

	National and Legal requirements (RMA function , national policy direction)	Scope and significance of Issues (Environmental/ Political/ Community)	Functionality improvements (to TRMP or wider Council programme Implementation)	Complexity/size of undertaking the project (value of sizing to economise on overall effort)	Completion value (extent of work already undertaken or public engagement/notification; and reputation risks if not completed)	Priority score (high score = high priority)	change no.
Urban rezonings arising from Tasman Growth Demand and Supply Model review 2016 (including NPS UDC)	5	5	5	5	5	25	
Takaka and coastal catchments water management review	5	5	3	5	5	23	
Waimea water quality review	5	5	3	5	5	23	
Review of Tasman Regional Policy Statement and combination with TRMP	5	5	5	5	3	23	
Natural hazards risk and response assessments - flooding and erosion, rivers and coastal	3	5	5	5	5	23	
Rural Land Use and Subdivision Policy Review – Change 60 (Appeals)	5	5	5	1	5	21	60
Nelson Tasman Land Development Manual (update of the engineering standards combined with Nelson LDM; and associated TRMP plan change)	1	5	5	5	5	21	
Land disturbance areas and slope instability risk area review	3	5	5	5	3	21	
Implementation programme for National Policy Statement on Freshwater Management (where not covered by individual projects)	5	5	5	5	1	21	
Review of urban development planning framework (policies, rules, and zones) - Part 2 Partial Review s.79	5	5	5	5	1	21	
Upcoming work: NPS Natural Hazards	5	5	5	5	1	21	
Upcoming work: NES Plantation Forestry	5	5	5	5	1	21	
Upcoming work: NPS Indigenous Biodiversity	5	5	5	5	1	21	

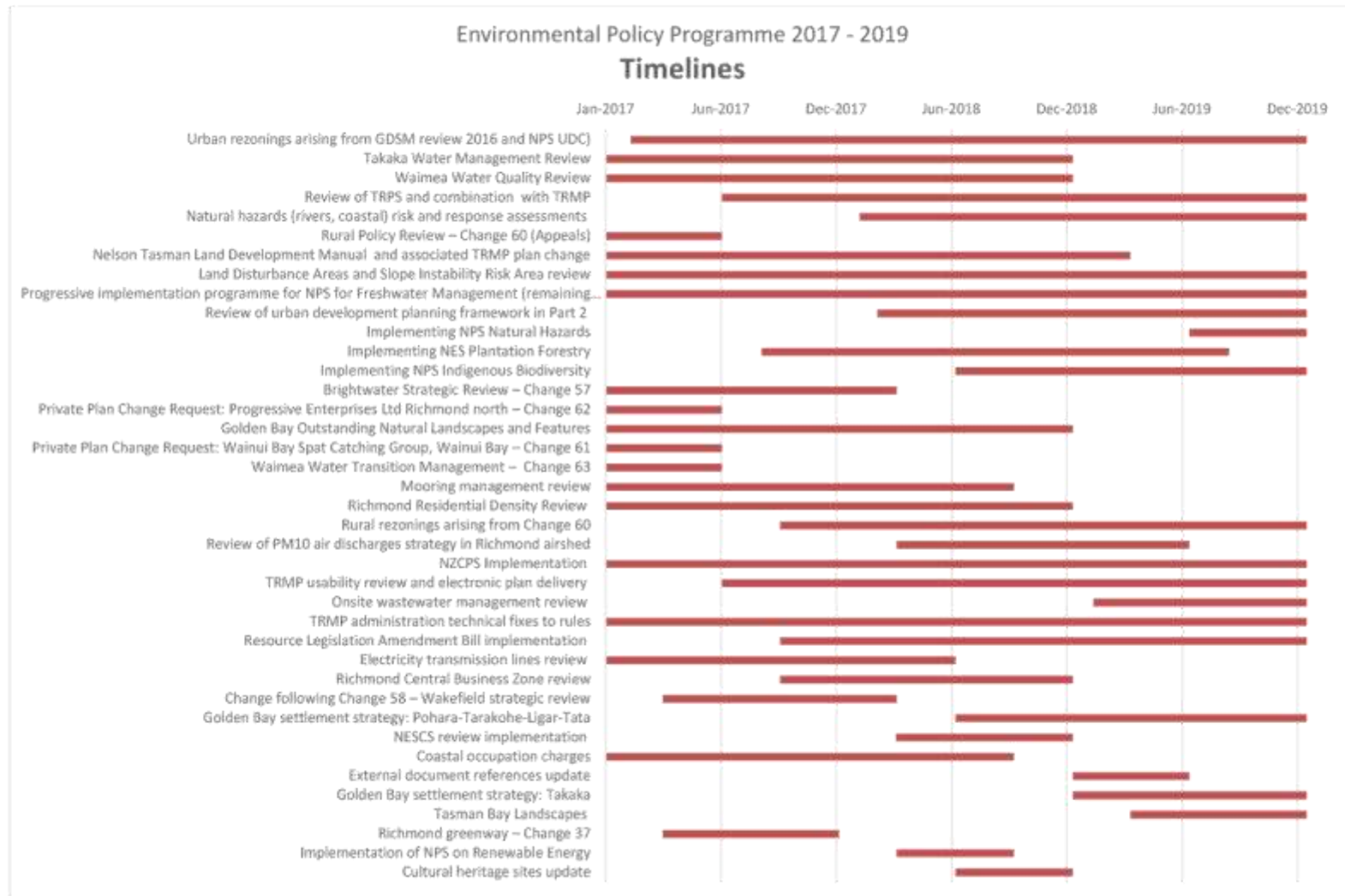
Environmental Policy Programme Prioritisation Matrix

	National and Legal requirements (RMA function , national policy direction)	Scope and significance of Issues (Environmental/ Political/ Community)	Functionality improvements (to TRMP or wider Council programme implementation)	Complexity/size of undertaking the project (value of sizing to economise on overall effort)	Completion value (extent of work already undertaken or public engagement/notification; and reputation risks if not completed)	Priority score (high score = high priority)	change no.
Brightwater strategic review – Change 57	1	5	5	3	5	19	57
Private Plan Change Request: Progressive Enterprises Ltd Richmond north – Change 62	5	5	1	3	5	19	62
Golden Bay Outstanding Natural Landscapes and Features	5	3	1	5	5	19	
Private Plan Change Request: Wainui Bay Spat Catching Group, Wainui Bay – Change 61	5	5	1	1	5	17	61
Waimea Water Transition Management – Change 63	1	5	5	1	5	17	63
Mooring management review	5	3	1	3	5	17	
Richmond residential Density review	1	5	3	3	5	17	
Rural rezonings for Rural 1, Rural 2, Rural Residential, Rural Industrial zones	1	5	5	3	3	17	
Upcoming work: Review of PM10 air discharges strategy in Richmond airshed	5	5	3	3	1	17	

Environmental Policy Programme Prioritisation Matrix

	National and Legal requirements (RMA function , national policy direction)	Scope and significance of Issues (Environmental/ Political/ Community)	Functionality improvements (to TRMP or wider Council programme Implementation)	Complexity/size of undertaking the project (value of sizing to economise on overall effort)	Completion value (extent of work already undertaken or public engagement/notification; and reputation risks if not completed)	Priority score (high score = high priority)	change no.
NZCPS Implementation	5	3	3	3	3	17	
Tasman Resource Management Plan usability review, including investigation of electronic plan delivery (e-plan)	1	3	5	5	1	15	
Onsite wastewater management review	1	3	5	5	1	15	
TRMP administration issues requiring review (mostly technical fixes to remove difficulties with rules)	1	3	5	3	3	15	
Upcoming work: RLAB delivery (Implementation of RMA Phase 2 reforms)	5	3	3	3	1	15	
Electricity transmission lines review	5	1	1	3	3	13	
Richmond Central Business Zone review	1	3	3	3	3	13	
Change following Change 58 – Wakefield strategic review	1	5	3	3	1	13	58
Golden Bay settlement strategy: Pohara-Tarakohe-Ligar-Tata	1	5	3	3	1	13	
Upcoming work: NESCS implementation of review outputs	5	3	3	1	1	13	
Coastal occupation charges	5	3	1	1	1	11	
External document references update	3	1	3	1	3	11	
Golden Bay settlement strategy: Takaka	1	3	1	3	3	11	
Tasman Bay Landscapes	5	1	1	3	1	11	
Richmond greenway – Change 37	1	1	1	1	5	9	37
Implementation of National Policy Statement on Renewable Energy	5	1	1	1	1	9	
Cultural heritage sites update							









**9.3 RESTRICTION OF ACCESS TO TAKAKA RIVER AT REILLY STREET, TAKAKA**

**Decision Required**

<b>Report To:</b>	Environment and Planning Committee
<b>Meeting Date:</b>	9 February 2017
<b>Report Author:</b>	Adrian Humphries, Regulatory Manager
<b>Report Number:</b>	REP17-02-10

**1 Summary**

- 1.1 At a meeting on 23 January 2017, the Mayor, Cr Brown and the Golden Bay Community Board proposed movement restrictions to control safety, nuisance and potential environmental protection issues at the Takaka River end of Reilly Street.
- 1.2 This proposal was fully supported by the adjacent landowner who has a large number of unauthorised people camping on his families' land.
- 1.3 The new movement restriction is presented for approval in accordance with the Council's Traffic Control Bylaw 2016.
- 1.4 The new parking restrictions will come into effect on 1 April 2017 unless decided otherwise by the Council.

**2 Draft Resolution**

**That the Environment and Planning Committee**

- 1. receives the Restriction of access to Takaka River at Reilly Street, Takaka report; and
- 2. approves the movement restrictions described Table 1 below; and

<b>Table 1: Parking Restriction Description</b>	
a)	Restrict vehicles from accessing the river and the lower car park at Reilly Street Takaka as per <b>Attachment 1</b> .

- 3. agree that the new restriction will be added to the Traffic Control Devices Register and will become effective on 1 April 2017; and
- 4. agrees to notify the public of the new movement restrictions in the Council's Newslines as well as on its website.

**3 Purpose of the Report**

- 3.1 This report presents a new restriction on vehicular movement for Council approval.

**4 Background and Discussion**

- 4.1 The area of land shown in detail in Attachment 1 is the Takaka River end of Reilly Street in Golden Bay. It has been recently established through Land Information New Zealand (LINZ) that the adjoining land (commonly known as the car park) is owned and under the control of the Rose family. Control of this land was previously unclear and it was assumed that council controlled some of its use as it had for many years carried out gravel crushing operations on the site and had recently leveled some of the area at the request of the Community Board.
- 4.2 The car park site has been used for camping for many years, however, more recently a small group of people have taken up permanent residence in the wooded area adjoining the car park and call themselves the “River Tribe”. The presence of the “River Tribe”, social media and possibly the provision of basic toilet facilities during the 2015/16 summer at the site, has seen use of the site increase exponentially. This year it has been reported that as many as 400 people can be staying there at any one time. The car park area, the beach and the roadway have all been used by campers/itinerant people in addition to those staying there as members of the “River Tribe”.
- 4.3 The presence of so many people, perceptions of pollution of the area through littering, toileting and bathing, and media reports have inflamed public opinion to the point where the Rose’s, the Community Board and the Council have been put under pressure to clear the area of occupants.
- 4.4 As the land is not under the ownership of Council, our immediate options to remove the people camping or residing on the property are limited. The use of the Trespass Act provisions are not available to us and we have no powers under the Freedom Camping Act as it is not public land.
- 4.5 A meeting was held at the Council office in Takaka on Monday, 23 January between David Rose who represented the Rose family, the Mayor, Cr Brown, Golden Bay Community Board Members Abbie Langford, Grant Knowles, Lynne Ensor and the Regulatory Manager Adrian Humphries. It was established at the meeting that the Rose family do not want occupation of their land, primarily as they fear liability should a health and safety issue arise.
- 4.6 The Rose family suggested restricting access to the river and their land at Reilly Street by using a bund and two gates. It was agreed by the meeting that this would be recommended to Council as an option.

**5 Options**

5.1 The options available to Council are:

<b>1 Table 2: Options</b>			
<b>2 Option</b>	<b>3 Description</b>	<b>4 Discussion</b>	
5 1	6 The Council approves by resolution restrictions as outlined in Table 1 <b>without</b> amendment.	7	The proposed movement restrictions are recommended by staff and the Community Board as the most appropriate solutions to address the issues on the Rose’s property. This would remove a safety issue where vehicles access the river and camp on the floodplain and assist in protecting the environment from damage.
8 2	9 The Council approves by resolution outlined in Table 1 <b>with</b> amendment.	10	The restriction on the access to the river could be removed and only the access to the car park be approved. This would still allow access to the Rose’s property via the riverbank and is not recommended by staff.
11 3	12 The Council does not approve the movement restrictions as outlined in Table 1.	13	The restrictions have been recommended to address community concerns about nuisance and safety. A decision to not approve the restrictions may require the Council to re-consult on an alternative solution with the Community Board and landowner.

**6 Strategy and Risks**

6.1 Complaints direct to council about the use of Reilly Street have been very few, however, complaints to Councilors, Community Board members and posts on social media indicate that this is an issue where Council should take a leadership role with regards to a resolution. There is a safety issue (from flood) for those camping on the river beach and immediate surrounds and the presence of so many people can cause environmental damage through toileting and fires. If we were not to assist the Rose family with a solution, it is a significant reputational risk for Council.

**7 Policy / Legal Requirements**

7.1 Clause 7.1(d) of the Traffic Control Bylaw 2016 (shown below) is the relevant provision which allows Council to make this decision.

**7 Regulations, controls, restrictions and prohibitions**

(1) The Council may from time to time by resolution regulate, control, restrict or prohibit the following matters or things:

.....

- (d) restrict the use of motor vehicles on unformed legal roads for the purpose of protecting the environment, the road and adjoining land, and the safety of road users;

## 8 Consideration of Financial or Budgetary Implications

- 8.1 The proposed work will cost approximately \$6,000 and is not specifically budgeted for; however, costs can be met through Engineering's Rivers Budget.

## 9 Significance and Engagement

- 9.1 The Golden Bay community is divided over the presence of "freedom campers" and whatever decision is made will upset some of community. If the restriction is approved there will be a reduction in freedom camping at Reilly Street but if demand does not diminish people will transfer elsewhere. The Traffic Control Bylaw allows for measures such as this that is proposed to be undertaken without community consultation. The Community Board and adjacent landowner have been consulted on the proposed restrictions.

## 10 Conclusion

- 10.1 Staff consider that the recommended changes represent the most appropriate immediate solution to address pollution, nuisance and safety concerns in the area.
- 10.2 By installing the gates from 1 April it will mean that most, if not all illegal residents of the area will have left or will have the opportunity to find alternative locations.
- 10.3 The Rose family will be able to enjoy their property and the public would still be able to access the river, albeit on foot.

## 11 Next Steps / Timeline

- 11.1 Assuming the Council approves the new restrictions, staff will add the restrictions to the Traffic Control Devices Register.
- 11.2 The new movement restrictions will come into effect on 1 April 2016.
- 11.3 Staff will coordinate the installation of the gates and bunds with the adjacent landowner so that they are in place by 1 April 2017. Some signage and/or road marking may be in place earlier, this will help to educate the public of the changes prior to them coming into effect.
- 11.4 Staff will publically notify the new movement restrictions through a media release and a feature article in Council's Newline.

## 12 Attachments

- |  |    |
|--|----|
| 1. Attachment 1: Area Under Discussion | 45 |
|--|----|

**Attachment 1 to  
REP17-02-10**

**VEHICULAR ACCESS RESTRICTIONS REILLY STREET TAKAKA  
AREA UNDER DISCUSSION IN CONTEXT**



**PROPOSED BARRIERS**





**9.4 REGULATORY MANAGER'S REPORT – 1 MARCH 2016 TO 31 JANUARY 2017**

Information Only - No Decision Required

<b>Report To:</b>	Environment and Planning Committee
<b>Meeting Date:</b>	9 February 2017
<b>Report Author:</b>	Adrian Humphries, Regulatory Manager
<b>Report Number:</b>	REP17-02-03

**1 Summary**

- 1.1 The Regulatory Section has responsibility for a broad range of local government regulatory activities.
- 1.2 The resourcing needs of the Compliance Department are being reviewed to prepare for the construction or otherwise of the Waimea Community Dam. It is likely that there will be a significant increase in monitoring required regardless of the outcome.
- 1.3 Dog Control continues to perform well. The appropriation of Central Government funding for neutering will enable us to assist owners of high-risk dogs.
- 1.4 The requirements of the Food Act are proving to be a challenge some business owners and staff are coping with the uncertainty caused by implementing the new legislation. It is hoped that better guidance from the Ministry of Primary on certain aspects of the legislation will be forthcoming.
- 1.5 Additional parking enforcement resources has resulted in a sharp increase in infringement fines from the Kaiteriteri area. Unfortunately, this is not having the effect of reducing offending. Abandoned vehicles are at record levels; this is probably due to the value of scrap metal declining.
- 1.6 Maritime New Zealand (MNZ) have provided funding for initiatives to improve boating safety. Community engagement programmes have raised our profile regarding safety on the water.
- 1.7 The anticipated changes in the provision of Rural Fire services to our communities has affected our work regimes this year. Staff are making every effort to ensure that the transition goes as smoothly as possible and that our volunteers are suitably supported until the transition is complete.
- 1.8 Our Civil Defence team have made good progress with community engagement initiatives.
- 1.9 Council has a full complement of suitably trained oil spill response staff.
- 1.10 Freedom camping is a perennial issue for council. The community is divided on the acceptability or not of the practice; if possible, we need to find a state that is tolerable for most. A new draft bylaw will be put to Council for input and approval soon. We are aligning our draft bylaw with Nelson City Council as much as possible to make education and enforcement easier.

- 1.11 Development contribution enquires have increased following debt collection action by council. Some date back as far as 2005 and cover five different Policies. This has added significantly to the Regulatory Manager's workload.

<b>2 Draft Resolution</b>
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**That the Environment and Planning Committee receives the Regulatory Manager's Report – 1 March 2016 to 31 January 2017 report REP17-02-03.**



### 3 Purpose of the Report

- 3.1 This report is to inform the Council of the activities of the Regulatory section over the stated period.

### 4 Background and Discussion

- 4.1 The section is part of the Public Health and Safety Activity carried out within the Environment and Planning Department. Most staff have defined functions with very specific roles i.e. Harbourmaster, Environmental Health and Compliance. The Administrative Officers support all areas of the section, although they also have specialties and support specific teams most of the time. In addition to managing the regulatory functions of council, the Regulatory Manager sits on the Waimea Rural Fire Authority Board for Council and has oversight and budgetary control of Rural Fire, Oil Spill Response and Civil Defence. The Regulatory Manager also acts as a Regional On Scene Commander for Oil Spill and is a subject matter expert on Development Contributions (DCs). With other delegated managers, he deals with the more complicated customer enquiries, reconsiderations and objections regarding DCs.
- 4.2 Our team protect the public and prevent harm to the environment.

### 5 Compliance

- 5.1 Carl Cheeseman is the Coordinator Compliance. His team consists of seven Compliance Officers and one Senior Administration Officer. The compliance section are responsible for monitoring and enforcement of the Resource Management Act. With other council officers they also enforce the Local Government Act, Litter Act and associated bylaws. The Compliance Coordinator is delivering his six-monthly report at this meeting, it is therefore unnecessary to go into great detail of the teams activities in this report.
- 5.2 One foreseeable resourcing issue for the Compliance team which is being assessed, is the likely impact of the construction or otherwise of the Waimea Community Dam.

### 6 Animal Control

- 6.1 Administration of animal control is carried out by Ross Connochie, the necessary dog and stock control functions are provided for council by contract to Control Services Limited.
- 6.2 **Dog Registrations** - as at 31 December 2016, 99.41% of all known dogs were registered. Action continues to account for the 60 or so dogs not yet registered.

<b>Table 1: Dog numbers as at 31 December 2016</b>	
Dogs Registered	10582
Dogs Unregistered	63
<b>Total</b>	<b>10645</b>
<b>This Includes Classified Dogs as Follows</b>	
Dangerous Dogs	20
Menacing Dogs	79

6.3 **Enforcement** - One prosecution has been taken over the period, this related to a dog attack against a person in Takaka. The case will be heard on 9 February in Nelson Court.

6.4 **Infringement Notices** - The following infringement fines have been issued:

Summary of Dog Infringements March - December 2015 & March - December 2016						
Infringement	Issued		Cancelled		Sent to court	
	2015	2016	2015	2016	2015	2016
Failing to register dog	172	128	67	68	58	63
Failing to keep Controlled	8	10	1	1	1	4
Failing to keep Controlled or confined		1				2
Wilful Obstruction		1				1
Failure to comply with classification		5				5
Failure to comply with Barking abatement		1				1
Failure to comply with Bylaw	1			1		1
Fail/Refuse to supply correct information	1		1			
Failure to implant microchip			1			
<b>Total</b>	<b>182</b>	<b>146</b>	<b>70</b>	<b>70</b>	<b>59</b>	<b>77</b>

6.5 **Microchipping:** A six-month amnesty for un-microchipped dogs is running from 1 October 2016 to 31 March 2017. Free microchipping clinics were held throughout the district in November and we will repeat the exercise in March 2017. Enforcement action will be taken against owners of un-microchipped dogs post March 2017.

6.6 **Avian Aversion Training:** In conjunction with Department of Conservation (DoC) free Weka and Kiwi aversion training was provided to the public at Eves Valley Reserve in June. DoC have recently approached council for support again.

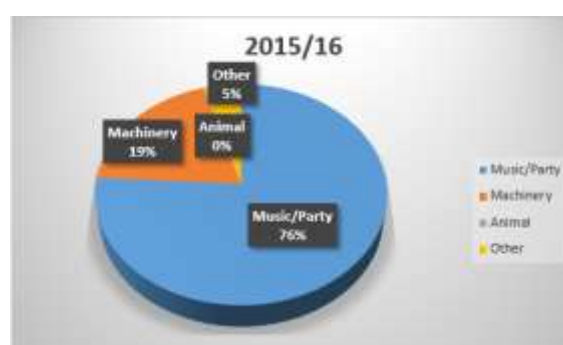
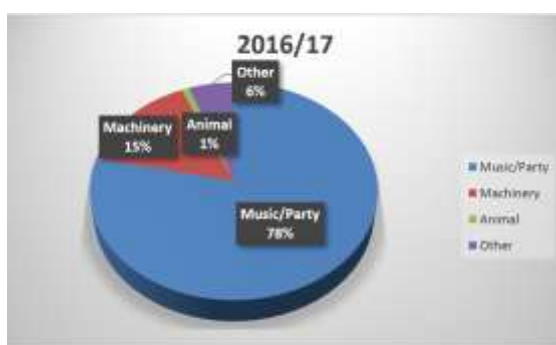
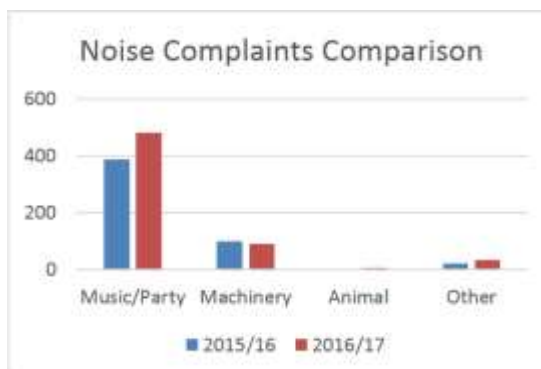
6.7 **Dog Neutering** - Changes to the Dog Control Act regarding the ownership of dogs classified as Menacing will come into effect mid-2017. Compulsory neutering of dogs classified as menacing is one of the proposed amendments. Current regulations allow Territorial Authorities discretion in regards to neutering and Council's Dog Control Policy reflects this discretionary approach. The Department of Internal Affairs have made \$840K in grants available to Territorial Authorities to subsidise the neutering of dogs that are, or could be, classified as menacing. Council has secured \$27K of this money and will coordinate a neutering program in collaboration with Nelson City Council and the Society for Prevention of Cruelty to Animals.

## 7 Environmental Health

7.1 This team is led by Graham Caradus - the Coordinator, Environmental Health, he has three Environmental Health Officers (EHOs) and one Administration Officer in his team. They have a responsibility for public health and monitor and enforce standards under a broad

swathe of legislation, primarily the Health Act, Food Act and the Sale and Supply of Alcohol Act. Three different companies are contracted for out of hour's noise control.

- 7.2 **Noise** - There were 613 noise complaints in 2016/17 Period compared to 511 in the same period in 2015/16. Comparative charts are shown below:



Music and parties continue to cause most nuisance and more recently animals have caused some complaints. It is possible that complaints about animal noise will continue to increase as more residential properties are constructed bordering rural areas.

- 7.3 **Food Safety** - The introduction of the Food Act in 2014 has caused a lot of additional work. The three EHOs are warranted as assessors under the new Act and continue to work with food operators to ensure that food standards are maintained. Full implementation of the new Act will take another two years and during that time all remaining food premises will be required to convert to the documented food control plans.

EHOs report that the implementation of the new regime is a long drawn out process, and causes significant additional work for both council staff and operators.

In 2016 Council opted out of covering National Programmes as it has a significant quality assurance system requirement attached to it. Unfortunately National Programmes include small operators such as coffee carts and retailers who handle food but don't manufacture or prepare it. These operators have been told that the costs of audit will be punitive e.g. six-eight hours to audit a coffee cart operation. Given the hourly rate at which the contracted auditors work it is likely that many small businesses will no longer be viable. We have received lots of enquiries from such operators as they have encountered major problems with the cost of registration through accredited auditors. We have voiced our concerns to the Ministry and await a response.

- 7.4 **Insanitary Building** - The Environmental Health Officers (EHOs) dealt with an insanitary dwelling over the period. A cleansing order was issued to ensure compliance and liaison with other agencies such as Child, Youth and Family and the District Health Board was carried out where necessary

7.5 **Alcohol** - Work in this area has been at the same level as the previous year. Our council is considered as a model to follow by many other Territorial Authorities. Serious effort is being made to reduce the complexity of delivering the service, especially regarding the renewal of Managers Certificates. It is anticipated that simplification of the processes will bear fruit in the very near future.

7.6 **Camping Grounds** - Two new camping sites have been registered over the period, one in the Kina area and the other in Upper Moutere. Staff are working with another operator in the Motueka area with a view to establishing another campground.

Visits to all registered camp grounds are being conducted at present, where these are on a private water supply samples are taken for analysis. Staff report that inspections have been carried out on all camp grounds in the District, except for those in Murchison and Tapawera.

7.7 **Licenses Issued** - As can be seen the number of licenses issued has increased significantly in health licensing, this is due in the main to additional administrative support. Liquor Licensing has slightly increased, except for Temporary Authorities that have declined.

Environmental Health Licences Issued Year to Date 1 March 2016 - 26 January 2017			
Health Licences	2016	2017	Var
Food Premises	301	291	97%
Other	138	196	141%
<b>Health Licences Total</b>	<b>440</b>	<b>487</b>	<b>111%</b>
Sale and Supply of Alcohol Act			
Club Licence	10	10	N/A
Manager's Licence	278	297	100%
Off Licence	34	35	103%
On Licence	47	54	115%
Special	51	55	108%
Temporary Authority	22	9	41%
<b>SSAA Total</b>	<b>442</b>	<b>450</b>	<b>102%</b>



2016/17



2015/16



**8 Parking and Abandoned Vehicles**

8.1 This service is administered by Ross Connochie and provided to council by Control Services Limited.

8.2 An additional \$10,000 was provided for parking enforcement in the Mapua and Kaiteriteri areas over summer. The intent was to discourage vehicles parking on footpaths and areas zoned as “no parking” for road safety reasons. Between 1 Dec 2016 and 24 Jan 2017, 152 parking infringement notices were issued at Martin Farm Road, Kaiteriteri and 55 at Moonraker Way. Although the potential revenue exceeds the \$10k it did not have the wanted effect of deterring parking. It is hoped that the message will get out there, but given

that most people infringed are visitors to our district it is unlikely to be fully effective. This is a problem where we have popular areas with limited parking capacity. It is suggested that a new strategy focusing on preventative rather than punitive measures needs to be developed for these areas.

- 8.3 The number of abandoned vehicles continues to increase; we have removed 32 over the period at approximately \$200 each to remove. Where the owner can be identified removal and disposal costs are recouped, however, this is often impossible.
- 8.4 Parking infringements dating back to 2006 that have been processed to Court, and are still outstanding, total \$108,129. The Ministry of Justice is responsible for collection and makes a monthly return to the council.
- 8.5 Parking infringements issued are shown below:

<b>Parking Transactions March 2014- February 2015 &amp; March 2015- February 2016</b>				
Transaction	Count 2015/16	Count 2016/17	Amount \$ 2015/16	Amount \$ 2016/17
Infringements Issued	1847	1627	\$79,628	\$70,030
Cancellations	100	95	\$14,567	\$7367
<b>Total</b>			\$65,061	\$62,663

Received Actuals:

<b>Received Actuals</b>		
	Amount \$ 2015/16	Amount \$ 2016/17
Court Lodgement Fees	-\$14,310	-\$9,390
Infringements Paid	\$26,198	\$22,823
Fine Returns	\$33,015	\$22,290
Lodgement returns	\$11,124	\$8,451
Court Write-Offs	-\$7,831	-\$7,422
<b>Totals</b>	\$48,196	\$36,752

% of Total Tickets Issued by Area:

Area	2015/16	2016/17
Richmond	73%	67%
Motueka/Mapua/Kaiteriteri	26%	32%
Takaka	1%	1%

## 9 Maritime Safety

- 9.1 We have a full time Harbourmaster Dan Cairney and employ deputies over the busy summer period. These operate under the Maritime Transport Act and our Navigation Safety Bylaw. Their primary role is to enhance maritime safety for commercial and recreational boat users by monitoring such activities, education and taking enforcement action where necessary.

- 9.2 A mixture of Commercial Vessel licensing fees, concession recoveries, and General Rates funds this function. MNZ have funded additional on-water resources this year (and for two more years) to the tune of \$15,000 per year. We also received \$15,000 from MNZ for boat ramp education. This has enabled us to employ two deputy Harbourmasters rather than one during the summer. MNZ have also given us \$5,000 to support enforcement, in this case MNZ Enforcement Officers accompany the Harbourmaster on his patrols and pay us \$1,000 per day.
- 9.3 **Harbourmaster Vessel** - “Sentinel” arrived in early May 2016 and it has now done around 250 hours of patrolling. The previous vessel (Legato) was 15 years old and had done over 7000 hours. Legato was sold once the new vessel had passed survey requirements, we had three independent valuations done and the vessel was sold at the top valuation.
- 9.4 **Community Engagement** - We place a lot of emphasis on community engagement to enhance maritime safety and we have done a lot in this area:
- 9.5 We ran Harbourmaster boat-naming competition in April 2016 and received over 80 entries. The name **Sentinel** was chosen by a panel of Councillors, staff and an Iwi representative. Sentinel was officially blessed and launched in May 2016 and ~70 people attended the ceremony. Subsequently we have also run a kids colouring-in competition using a picture of Sentinel, we received ~100 entries and three winners were chosen from three age categories as judged by Council staff. These winners received a ride on the Harbourmaster boat, a lifejacket and a “Harbourmaster for the day” hat.
- 9.6 The Tasman Harbourmaster was invited to participate in the “Clued Up Kids” program. This involved running a weeklong boating safety set at the Richmond showgrounds. Around 500 Richmond schoolchildren were advised about lifejackets and general boating safety. The Harbourmaster worked alongside ACC, Civil Defence, Police, Fire service, etc.
- 9.7 Fourteen boating safety related articles have been published over the last 12 months, (Nelson Evening Mail, Waimea Weekly, and Guardian Newspapers), articles have also been written for The Fishing Paper and The New Zealand Professional Skipper magazine.
- 9.8 The Tasman Harbourmaster and Regulatory Manager have also done summer boating safety interviews on Fresh FM and Radio New Zealand.
- 9.9 **Commercial Operators** - We have 33 commercial operators, including a new paddle craft and Waka Ama operator. One commercial operator is currently being audited as their safety practices are allegedly not up to standard. The new appointment of a Regulatory Administrator has helped significantly with the Harbourmaster’s administrative workload.
- 9.10 **MNZ Funding** - This year boating safety organisations and councils were invited to put in regional boating safety proposals to contest for ~\$430,000 of fuel excise duty money; MNZ had previously spent this money on media advertising. The Tasman Harbourmaster put in three proposals including one proposal jointly with the Nelson Harbourmaster team, two of the proposals were funded. We will be granted \$15,000 to share with Nelson for Boat ramp safety education and media advertising and a further \$15,000 to increase our on water patrolling and enforcement. Two new part time staff have been hired using this MNZ funding. We have employed a student who on behalf of MNZ has been recording on water behaviour, lifejacket wearing etc and we have also employed another Deputy Harbourmaster. This has meant that we have been able to operate the Harbourmaster boat with two crew at most times.

- 9.11 Along with six other councils, we have agreed to take MNZ staff out on our patrol vessel to undertake the nationally advertised “no excuses” days, MNZ are giving us a further \$5000 to support this program.
- 9.12 **Incidents at Sea** - Although search and Rescue are a Police/Coastguard responsibility, the Harbourmaster is often engaged to assist them in their operations.
- 9.13 A high-speed collision occurred in late November between an anchored yacht and a 7-meter speedboat. The skipper of the speedboat received a minor head injury that required medical attention and the two vessels involved have been written off. The Harbourmaster wrote a report on the accident that has been passed onto investigators at Maritime New Zealand.
- 9.14 A kayaker was blown out to sea near Ruby Bay and the Harbourmaster was asked to assist in the rescue by the Rescue Co-ordination Centre (RCCNZ).
- 9.15 A jet skier broke down and was unable to make it back to shore and the Harbourmaster was asked to assist by RCCNZ.
- 9.16 A fire occurred on an anchored yacht in Anchorage bay in the Abel Tasman; the Harbourmaster vessel was the first on the scene and the fire was extinguished using Sentinels fire-fighting equipment. Fortunately, no one was injured during the fire. Had the Harbourmaster vessel not been on scene the vessel may have been a total loss and a dive salvage may have been necessary.
- 9.17 Seven other vessels have been assisted over the period by the Harbourmaster, some have had engine failures or have been dragged onto the shore during storms. Most were assisted and were then able to make their own way, six others have required towing back to a safe haven.
- 9.18 **Honorary Launch Wardens** - These are appointed to assist with getting the boating safety message across to recreational boaties. Two new launch wardens were signed up in 2016, they will be assisting with Navigation Safety in both Torrent Bay and Tarakohe.
- 9.19 **Bylaw** - The new Bylaw came into force at the end of 2015. Due to the legislative complexity required to allow enforcement of local rules, it was not until 24 November 2016 that a Parliamentary Order in Council approved the infringement provisions. Despite this, most infringements will be issued under Maritime Transport Act Rules Part 91, and we will be using MNZ Ticket books for these infringements. Seven infringements have been issued so far this year.
- 9.20 **Signs and Marks** - New signs have been added at Torrent Bay, Kaiteriteri rocks, and the Kaiteriteri launching ramp. These include clearly defined maps and plain English for these high-use recreational activity areas. This is an acknowledgement of the fact that many recreational boaties do not have a great deal of maritime knowledge.
- 9.21 The Kaiteriteri swim area now has flags on the outer boundary as this more clearly defines the “swimming area” (no power craft) boundary.
- 9.22 **Propeller Guards** - These have been added as a requirement on the Mapua ferry Commercial Operators Licence, and were added to the vessel in August 2016. The Kaiteriteri wardens boat is regulated under our Maritime Operator Safety System and this vessel also had a propeller guard fitted due to this vessel working in close proximity to swimmers.
- 9.23 **Warning Flags** - This year an initiative has been run by council to reduce the likelihood of injury or death to water skiers and ski biscuiters. In New Zealand two children have been

killed in the last four years after falling in the water and being hit by following boats. Bright orange flags were imported from China and these have been offered to observers on tow vessels. The idea is that the observers wave the flag if someone falls into the water, this alerts following boats that they need to move out of the area, and also that the boat in front is about to turn back on their path to pick up their person in the water. We have received very positive feedback following this initiative.

- 9.24 **Brochures** - Another 6000 updated Boating Safety brochures were printed and distributed this year, the free tide tables have been extended out to six months (November - April) in the hope that people will keep these very useful booklets on their boats for longer.
- 9.25 **Body Camera** - A camera has increasingly been worn by the Harbourmaster, almost all incidents that have resulted in infringements have been recorded.
- 9.26 **Assistance to Other Council Departments** - The Harbourmaster resources have been used by other branches of Council for approximately 20 days over the year. This has included transporting building staff into the Abel Tasman and Compliance staff to Jacketts Island. Bio-security divers were carried on-board the Harbourmaster boat for four days this summer, the primary focus of the biosecurity team was assessing yachts for their biosecurity risk.
- 9.27 **Oil Spill Training** - The Harbourmaster vessel has been used for oil spill training with MNZ. The CEO of MNZ spent a day with the Tasman Harbourmaster in early January to discuss the MNZ initiatives they have been funding.
- 9.28 **Light Runs** - Three nighttime lights runs have been done this year. We commonly find problems such as non-operating navigation lights and storm damage to navigation aids. With the assistance of various contractors our marine farmers usually keep their navigation aids to a good standard, however, it is very important that we ensure compliance with the navigation aids requirements.
- 9.29 **Support to Community Events** - The Harbourmaster has administered 16 events over the period; most have been attended by the Harbourmaster but attendance priority is given to those that have the greatest safety risk. These events range from fireworks set off on a barge to waka racing and high-speed power boating. This year the Harbourmaster was also the safety boat for the high profile Godzone adventure race. This involved assisting the team of assigned medics in both the Abel Tasman and the Nelson Lakes, as this was an adventure race it involved a lot of night work.
- 9.30 **Channel Guides** - The Motueka channel guide is now on version 9; the channel markers have been shifted four times in the last 12 months and were last shifted in December 2016. Over 300 copies of the channel guide have been printed and distributed from the Motueka ramp brochure holder in the last 12 months. The local knowledge channel marker buoys were changed in December to be a standard mussel float that has been distinctively marked with yellow stripes and yellow reflector tape.
- 9.31 **Stakeholder Updates** - Email notifications have been issued to commercial operators and boat clubs by the Harbourmaster following navigation hazards, tsunami warnings, storms, VHF frequency changes etc
- 9.32 **Wreck Removal** - Three derelict boats have been removed by Council and eight more have been removed by owners following Harbourmaster enforcement actions. The Harbourmaster team is currently working to have a derelict 50-foot yacht removed from the coastal marine environment.



- 9.33 **Additional Staff** - The Deputy Harbourmasters have made an invaluable contribution to Maritime Safety in the Tasman District this summer. With the assistance of the two MNZ funded staff members, we have had a presence on the water most days over summer. We have also managed to have concurrent navigation safety patrols at the Nelson Lakes and the Abel Tasman by using the smaller jet powered Council vessel - *Hydro*.

## 10 Rural Fire

- 10.1 Council is a member of the Waimea Rural Fire Authority (WRFA) along with Nelson City Council, Department of Conservation, Tasman Pine Forests Ltd and Nelson Forests. Adrian Humphries sits on the WRFA Board as the council representative. Our responsibilities are administered by a contractor - Rural Fire Network, who oversees the day-to-day operations of our eight Volunteer Rural Fire Forces (VRFF).
- 10.2 In March 2017 a Bill will be put to Parliament to amalgamate the NZ Fire Service and Rural Fire across the country, the new organisation will be called Fire and Emergency NZ (FENZ). Council will cease to have a direct responsibility for rural fire if the Bill passes in its current form and may or may not be included on a Local Advisory Committee. Once the Bill has been before Parliament a report will be submitted to Council explaining what our options are regarding rural fire assets.
- 10.3 In anticipation of the Bill passing we have been working with our partners in the WRFA and FENZ to make the transition as smooth as possible and to ensure that our rural fire volunteers are adequately supported before and after transition.

## 11 Civil Defence

- 11.1 Our Civil Defence (CD) administrative functions are covered jointly with Nelson City Council (NCC) and we employ full time staff to deliver this service. We are members of the local Coordinating Executive Group where we work with the emergency services, Ministry of Social Development, District Health board and the Ministry of Civil Defence and Emergency Management (MCDEM).
- 11.2 In the event of an emergency, council staff and the community provide the necessary expertise with support from MCDEM as required. CD staff have been engaging successfully with the community groups over the last year with a view to reviving partnerships with council. This has borne fruit in that it has had local volunteers be more proactive in contacting our CD team when events occur. Engagement has also identified capability gaps that the CD team are now addressing.
- 11.3 An assessment of our capabilities by MCDEM about a year ago resulted in them rating us as the most capable group in the country. Our CD Group Plan will be fully reviewed in the next year to ensure currency.

## 12 Oil Spill Response

- 12.1 Council is required to provide a regional oil spill response capability under the Maritime Transport Act. This service is paid for by MNZ who also provide the training and equipment. We provide this service jointly with NCC and together we currently have 20 trained Responders (13 from TDC), one Senior Responder (TDC) and three Regional On Scene

Commanders (ROSC) - Adrian Humphries is the ROSC for our council. This meets the MNZ threshold and does not include trained wildlife rescue staff who we also have in council.

- 12.2 Responders must attend at least one of two half-day training sessions annually. ROSCs are revalidated every two years.

### **13 Freedom Camping**

- 13.1 The perennial issues around freedom camping have been most evident this year in Reilly Street, Takaka. It is a very divisive issue with different parts of the community voicing strong opinions for and against freedom camping. It is fair to say that media reporting on the subject has in some cases been very subjective and did not mirror the experiences of staff who have been involved with managing the issue.
- 13.2 Staff are members of the Responsible Camping Forum - a group consisting of Central Government Agencies, Local Government, Tourism Industry representatives and Social Media App providers. This group has been working on solutions to the negative aspects - real or perceived, of freedom camping. So far, media campaigns, establishment of authorised information sources and trials of rental companies collecting fines have been initiated through this forum.
- 13.3 Staff are also members of the Department of Internal Affairs “basecamp” group which is creating a best practice guide to assist councils and to assess how Central Government can best support Local Government and freedom campers.
- 13.4 A remit from this Council requesting legislative changes to assist in controlling freedom camping was supported by Local Government New Zealand (LGNZ). A response from Central Government is awaited.
- 13.5 There is no “silver bullet” for this issue and whatever action Council decide upon will attract some criticism. The best we can hope for is that a situation will be achieved that is tolerable for most people. To this end, staff will present a draft bylaw to a Council Workshop in April for guidance on content. If the Council agrees on the bylaw being the way forward, the draft will be released for public submission. Following any necessary hearings the bylaw would come into force before next summer.
- 13.6 We are also working with NCC to align our bylaws as much as possible, this should reduce confusion amongst freedom campers and allow more effective education and enforcement measures.

### **14 Development Contributions (DCs)**

- 14.1 The Regulatory Manager has the responsibility of dealing with the more complex day-to-day enquiries about DCs. More aggressive debt collection actions taken by council has resulted in many more enquiries than is normal, with some dating back to 2005. This has meant that a significant amount of time has been spent on this activity.
- 14.2 One objection to a DC was raised by a developer in Collingwood. This was subsequently withdrawn when it was realised that they would have to fund the cost of the objection.
- 14.3 Staff have carried out Special Assessments on a number of developments where the developer indicated that the impact of their development on infrastructure was not

proportionate with the charges being requested. Where appropriate the charges were modified.

- 14.4 A new DC Policy will be put before Council as part of the Long Term Plan (LTP) process. It is hoped that the new Policy will allow appropriate flexibility to deal with developments that do not fit the normal criterion e.g. smaller residential properties.

## **15 Conclusion**

- 15.1 As can be seen in the report the Regulatory section has a diverse range of functions. We continue to carry these out to the best of our ability, as far as remit and resources allow.

## **16 Attachments**

Nil



**9.5 COMPLIANCE MONITORING SIX MONTHLY REPORT - 1 JULY TO 31 DECEMBER 2016****Information Only - No Decision Required**

<b>Report To:</b>	Environment and Planning Committee
<b>Meeting Date:</b>	9 February 2017
<b>Report Author:</b>	Carl Cheeseman, Co-ordinator Compliance Monitoring
<b>Report Number:</b>	REP17-02-04
<b>File Reference:</b>	

**1 Summary**

- 1.1 Tasman District Council operates tailored Resource Management monitoring programmes. These programmes focus efforts on the range of activities seen as most significant to the district, either in terms of environmental resources, actual or potential adverse effects or community interest. Council also provides a 24-hour complaint response service and undertakes a range of education and enforcement actions in response to detected non-compliance. Council's Compliance & Enforcement section is tasked to undertake these activities and this report summarises the programme of work for the period 1 July 2016 to 31 December 2016. Noise control is reported through the Regulatory Manager and is not covered in this report.
- 1.2 Responding to complaints continues to our first priority and a considerable amount of time is spent responding to the public. Interestingly, complaints in the second half of 2016 totalled 429 and essentially mirrored the same period last year. These two periods are much lower than the recorded average over the five years preceding - that being 460 complaints. Overall complaint reduction was observed across most categories with the exception of the category of discharges, where there was a noticeable increase in smoke complaints. This is likely associated with horticultural replanting programmes and windier spring/early summer conditions. Most of the complaints were in the Motueka Ward or south of the Richmond urban area.
- 1.3 During the period, Council undertook a range of enforcement action for consent breaches of consents, plan rules or regulations, with 12 abatement notices and 33 infringements fines issued. Two Enforcement Orders were initiated and two prosecutions are in varying stages of action before the Environment Court.
- 1.4 While 12 Abatement notices were issued to a number of companies or persons as a means of gaining compliance because the message was not necessarily getting through, pleasingly this was far fewer than required last year. Infringement fines are also used as a low-level response to some offending and these were up significantly on last year. This is because effort was put into dealing with the rubbish dumping on the river berms and those less than willing to comply with Councils rules and consent conditions.
- 1.5 Four significant enforcement actions in the form of prosecutions and enforcement orders were due to some serious offences being detected. These were used where other enforcement options were deemed inappropriate, given the nature and scale of the offences,

**Item 9.5**

environmental effects, lack of remorse, or no willingness to comply. These are needed to provide a deterrent effect and to remediate damage.

- 1.6 Despite the impact complaint and enforcement response has on the department, it continues to operate its targeted monitoring programmes which focus efforts on the range of activities seen as significantly impacting on the district either in terms of resource use, environmental effects or community interest. Over the period a total of 1404 resource consents and targeted permitted activities were monitored.

<b>2 Draft Resolution</b>
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**That the Environment and Planning Committee receives the Compliance Monitoring Six Monthly Report - 1 July to 31 December 2016 REP17-02-04.**

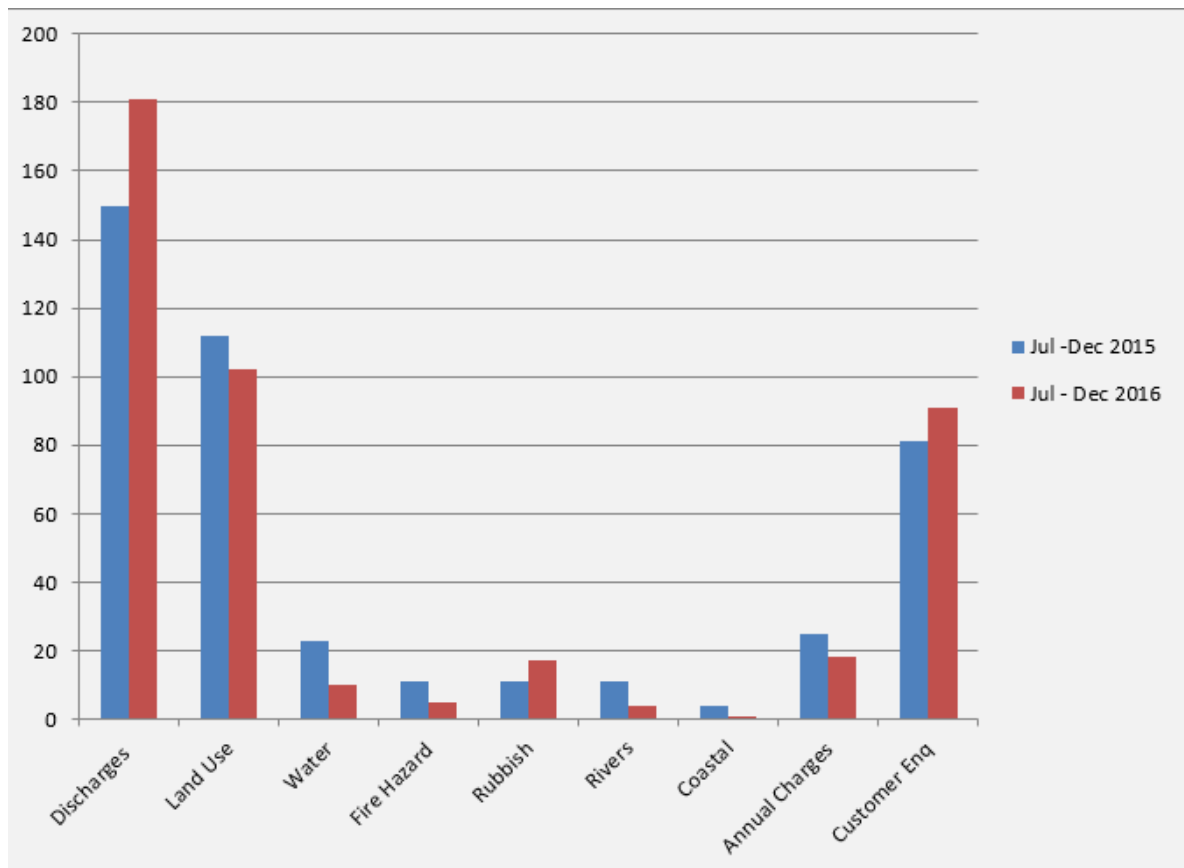
**3 Purpose of the Report**

3.1 This report provides a summary of the complaints, incidents and general monitoring undertaken as part of the Compliance Monitoring Department's programme of work over the period 1 July - 31 December 2016.

**4 Background and Discussion**

**Complaints**

- 4.1 Between 1 July and 31 December a total of 429 complaints or requests for service were received by the Compliance Department. This figure excludes some noise complaints, which are managed by the Environmental Health team and included in their reporting.
- 4.2 The number of complaints received across the second half of this year more or less mirrors the previous year (428) and is lower than the complaint average for the preceding five years, which sits at 460 complaints.
- 4.3 The following graph displays the complaints or enquires received through the Compliance Office for this 2016 reporting period in the broad categories. The graph also compares these against the previous year's totals in those categories for ease of reference.



- 4.4 The graph displays a noticeable increase in the category of discharges. This is always the area where the most complaints are received and is usually associated with the increase in outdoor activities associated with burning and horticultural spraying. The increase this year was predominantly in smoke complaints which increased by 20 and a modest increase in spray drift. Most of these were from activities in the Motueka ward but also a number of smoke complaints from outdoor burning activities on the southern boundary of the Richmond urban area. All the other activities that we measure against were lower this year with the exception of rubbish and customer enquiries. Rubbish dumping is a perennial problem particularly in the Waimea River area. Customer enquiries capture a range of topics and are mostly associated with enforcement responses or compliance actions.
- 4.5 The following table produced from the database breaks down the complaints to the more specific types

**Service Requests**

17 Jan 2017 11:50:39 AM

Summary of 429 Requests Received from 01/07/16 to 31/12/16

Department: Compliance	Total
Annual Charges	18
Coastal disturbance	1
Customer Enquiry	75
Discharge to CMA - stormwater	4
Discharge to air - dust	4
Discharge to air - odours	13
Discharge to air - smoke	78
Discharge to air - spray drift	15
Discharge to land - chemical/fertiliser	5
Discharge to land - dairy effluent	2
Discharge to land - other effluent	2
Discharge to land - sewerage	5
Discharge to land - stormwater	14
Discharge to land - water/other wastewater	3
Discharge to water - dairy effluent	2
Discharge to water - industrial effluent	3
Discharge to water - other effluent	17
Discharge to water - sediment	9
Discharge to water - sewerage	1
Discharge to water - stormwater	3
Fire Hazard - long grass	5
Freedom Camping - 1 May to 31 August	5
Information Request	7
Inwards Correspondence	3
Land Disturbance	8
Land Use - Breach Zone Rule	36
Land Use - Forestry/Shelter Belts	9
Land use - Building/Structures	12
Land use - Quarry/mining	4
Land use - Resource Consent Breach	20
Land use - Signage	12
Landuse - Trees amenity damage/destruction	1
Refuse/rubbish	1
Richmond Airshed Enquiry	1
Rivers/Lakes - bed disturbance	3
Rivers/Lakes - gravel/sand extraction	1
Rubbish-Enforcement	16
Stormwater	1
Water - Breach of consent/329	1
Water - Groundwater Take	3
Water - Impounded/Diverted	2
Water - Surface Take	4
	-----
Total for Compliance	429
	=====
Grand Total:	429

Table 2: Request numbers by sub category for period 01/07/16 - 31/12/16



## Abatement Notices

- 4.6 Twelve abatement notices were issued over the period. This is well down on the 25 issued for the same period last year, which more or less reflects improved compliance in the area of wastewater discharges. A brief summary of those notices issued are contained in the following table.

Section 9 - Land Use
<ul style="list-style-type: none"> <li>• Breach of the Resource Consent. Failure to register covenant and meet other conditions</li> <li>• Breach of TRMP. Non complying earthworks - Pakawau</li> </ul>
Section 12 - Coastal
<ul style="list-style-type: none"> <li>• Breach of TRMP. Destruction of vegetation in Coastal Marine Area. Pakawau</li> </ul>
Section 15 - Discharges
<ul style="list-style-type: none"> <li>• Breach of resource consent. Discharge of domestic wastewater in breach of conditions. Dwelling in Tasman</li> <li>• Breach of the TRMP. Discharge of domestic wastewater into roadside drain. Dwelling in Tasman.</li> <li>• Breach of resource consent. Discharge of domestic wastewater in breach of conditions. Dwelling in Moutere.</li> <li>• Breach of resource consent. Discharge of domestic wastewater in breach of conditions. Dwelling in Tasman</li> <li>• Breach of TRMP. Discharge of domestic wastewater in breach of rules. Dwelling in Brightwater area.</li> <li>• Breach of TRMP. Discharge of domestic wastewater from dwelling in Waimea West without building consent and in breach of permitted activity rules.</li> <li>• Breach of TRMP. Discharge of domestic wastewater from caravan and ancillary building in Takaka.</li> <li>• Breach of TRMP. Discharge of domestic wastewater across neighbouring boundary. Dwelling in Wai-iti</li> <li>• Breach of TRMP. Discharge of domestic wastewater in breach of rules. Dwelling in the Waimea area.</li> </ul>

Table 3: Abatement Notice by Type

## Infringement Fines

- 4.7 33 infringement fines were issued for breaches against the Resource Management Act or Litter Act as outlined in the following table. As with complaints, this data only reflects the fines issued by the Compliance Team and not any fines or enforcement that may have been undertaken by the wider Regulatory Section such as the noise provisions of the RMA, dogs or maritime.

Act	Offence	Fine
RMA Section 12	Disturbance of foreshore and destruction of vegetation in coastal marine area - Pakawau	\$500
RMA Section 14	Unauthorised take of groundwater in breach of consent - Motueka	\$500
RMA Section 15	Unauthorised discharge of sediment to Buller River from goldmining activity - Murchison	\$750

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RMA Section 15	Unauthorised discharge of sediment to Reservoir Creek from land disturbance - Richmond	\$750
RMA Section 15	Unauthorised discharge of sediment to Reservoir Creek from land disturbance - Richmond	\$750
RMA Section 15	Unauthorised discharge of a contaminant to air from outdoor burning - Motueka	\$300
RMA Section 15	Unauthorised discharge of a contaminant to air from outdoor burning of prohibited materials (Treated timber) - Lower Moutere	\$750
RMA Section 15	Unauthorised discharge of a contaminant to land from industrial premises - Lower Moutere	\$1000
RMA Section 15	Unauthorised discharge of a contaminant to air from industrial premises (burning of plastics and waste) - Appleby	\$1000
RMA Section 15	Unauthorised discharge of a contaminant to land from industrial premises - Brightwater	\$1000
RMA Section 15	Unauthorised discharge of a contaminant to air from outdoor burning of prohibited material (Motor vehicle) - Waimea River	\$300
RMA Section 15	Unauthorised discharge of a contaminant to air from outdoor burning of prohibited material (Treated Timber and Rubber) - Moutere	\$300
RMA Section 15	Unauthorised discharge of domestic wastewater - Waimea.	\$750
RMA Section 15	Unauthorised discharge of contaminant from outdoor burning of prohibited materials (plastic) - Moutere	\$750
RMA Section 332	Breach of abatement notice requiring cessation of unauthorised discharge of domestic wastewater- Waimea	\$750
RMA Section 332	Breach of abatement notice requiring cessation of unauthorised discharge of domestic wastewater - Waimea	\$750
RMA Section 332	Breach of abatement notice requiring cessation of unauthorised discharge of domestic wastewater - Redwood Valley	\$750
RMA Section 332	Breach of abatement notice requiring cessation of unauthorised discharge of domestic wastewater - Waimea	\$750
RMA Section 332	Breach of abatement notice requiring cessation of unauthorised discharge of domestic wastewater - Brightwater	\$750
RMA Section 332	Breach of abatement notice requiring cessation of unauthorised discharge of domestic wastewater - Tasman	\$750
RMA Section 332	Breach of abatement notice requiring cessation of unauthorised discharge of domestic wastewater - Brightwater	\$750
Litter Act	Dumping of rubbish on Road Reserve - Moutere	\$400
Litter Act	Dumping of rubbish on river reserve- Waimea River	\$400
Litter Act	Failing to comply with a notice of direction under the Litter Act- Moutere	\$400
Litter Act	Dumping of rubbish on river reserve - Waimea River	\$400
Litter Act	Dumping of rubbish on river reserve - Waimea River	\$400
Litter Act	Dumping of rubbish on river reserve - Waimea River	\$400
Litter Act	Dumping of rubbish on river reserve - Waimea River	\$400

Litter Act	Dumping of rubbish on river reserve - Richmond	\$400
Litter Act	Dumping of rubbish on river reserve - Takaka	\$400
Litter Act	Dumping of rubbish on river reserve - Waimea River	\$400
Litter Act	Dumping of rubbish on river reserve - Waimea River	\$400
Litter Act	Dumping of rubbish on river reserve - Waimea River	\$400

Table 4: Infringement Notices by Type

### Enforcement Orders

- 4.8 Two applications for enforcement orders under Section 316 of the Resource Management Act 1991 were initiated within the reporting period. These orders are at varying stages of development and while one matter has recently been filed in the Environment Court, the other is still at the drafting stage. As neither have been called before the Court, the summary below does not include the respondents' details. It is anticipated that both matters will not be heard until March.
- 4.9 The first matter now filed before the Court is a farming operation where the cattle are reared in sheds. The nature of this intensive livestock farming has created significant effluent disposal issues as well as discharges resulting from other waste streams including disposal of dead stock. A brief summary of the orders sought in this application are as follows:

The company and property owners are required to:

- Cease housing any cattle (or any other animals) on the farm in any existing or new shed or building, until a Council approved Effluent Management Plan, including a recommended effluent management system, is in place
- Cease disposing of cattle effluent generated from the indoor housing of cattle and cattle carcasses to the existing effluent mounds on the farm and the farmland generally.
- Ensure that the farm is managed and maintained so that effluent from cattle housed in the sheds and the existing effluent mounds is prevented from entering any water body located on the farm by containing run off from these areas.
- Engage a suitably qualified and experienced advisor (or advisors) experienced in animal effluent management who is approved by the Environment and Planning Manager of the Council (Effluent Advisor) to:
  - (i) undertake a detailed inspection over all areas of the farm;
  - (ii) prepare a plan which sets out the findings of the inspection, addresses the management of effluent and recommends an effluent management system for the housing of cattle in the sheds (or any other animals the Respondents plan to house in the sheds) in order to achieve compliance with the Tasman Resource Management Plan (TRMP) and the Act (Effluent Management Plan). The recommendations of the Effluent Management Plan shall also set out the number

of cattle (or other livestock) that can be housed at any one time in each existing shed on the farm or any proposed new shed.

- (iii) Prepare a plan recommending measures to remove and dispose of the existing waste (cattle effluent mixed with cattle carcasses and other materials) contained in mounds on the farm (Remediation Report). The Remediation Report is to be submitted to the Environment and Planning Manager of the Council for written approval before being finalised;
  - (iv) Undertake an inspection (or inspections) of the farm following the implementation of the recommendations of the Effluent Management Plan and the Remediation Report, and to provide written confirmation to Council's Environment and Planning Manager that all the recommendations set out in the Effluent Management Plan and Remediation Report have been implemented and the effluent management system has been installed and is fully operational prior to sheds on the farm being used to house cattle (or any other animals).
- Implement the recommendations set out in the Effluent Management Plan.
  - Comply with the Effluent Management Plan on an ongoing basis.
  - Implement the recommendations set out in the Remediation Report.
  - Any further composting activity on the farm must comply with Rule 36.1.2.9 of the TRMP (discharge of leachate from compost) or be otherwise authorised by way of a resource consent.
  - Any animal carcasses from farming operations are to be disposed of into a purpose built offal pit that complies with Rule 36.1.2.10 of the TRMP (discharge of leachate from offal pits).

4.10 The second enforcement order is in the preparation stage and Council is yet to finalise the specific actions it seeks, however, the subject of the application is a rural property that is currently being used to store scrap and vehicles in various states of disrepair. The landowner is also using the property in breach of the Tasman Resource Management Plan.

### Prosecutions

4.11 Two prosecutions are active during this reporting period.

4.12 The first relates to the burning of a large fibreglass launch in a field on the defendants property in Appleby in May 2016

Defendant: Brett Edward Mytton

Charge: Contravention of section 15(2A) of the Act by discharging contaminants into air in a manner which breached a Regional Rule, namely Rule 36.3.7.1 of the Tasman Resource Management Plan (TRMP) by the open combustion of prohibited materials, namely plastic products, when the discharge was not expressly allowed by the national environmental standard or other regulations, or by a resource consent or was not an activity allowed

4.13 This person has pleaded guilty to the charge and the matter has been adjourned for assessing his suitability for restorative justice.

- 4.14 The second case has yet to appear before the Court and is set for first call on the 9<sup>th</sup> February. Given the matter has not been before the Court details of the defendants has not been included in this report however the case relates to a series of discharges of dairy effluent from a farm in the Golden Bay area. There are three defendants in this case being the company, owner and manager.

### **Monitoring**

- 4.15 During this period 536 resource consents received one or more monitoring actions as part of the Council's targeted compliance monitoring programme. This is outside of the two large specific monitoring programmes associated with Dairy effluent and Water which are reported on through their own databases and comprise a range of permitted activity monitoring along with consented. Adding these gives a total of 1404 consents or targeted permitted activities having received monitoring actions in this period.
- 4.16 As always the level of service put to programmed consent monitoring is dictated by the need to respond to public complaints and incidents and this often has a detrimental effect on the total number of consents monitored in any one period. Despite this, the department does achieve a significant number of monitoring actions against priority consents and while the number of individual consents monitored this period (excluding dairy and water) was down compared to the same period last year (1200 consents monitoring) the number of monitoring actions was comparable . This is largely attributed to the targeting of the larger industrial and high-risk activity consents and those with complex enduring conditions.

Consent Type	Monitored Consents	Monitoring Actions
Coastal Disturbance	3	23
Coastal Marine Farm	1	1
Coastal Occupation/Structure	2	20
Coastal Discharge	1	9
Discharge - Air	8	13
Discharge - Land	360	1,281
Discharge - Water	14	92
Land Use	67	284
Land Use Controlled	2	2
Land Use - Bore	13	89
Land Use - Disturbance	15	149
Land Use - Excavate	1	2
Land Use - Gravel Extraction	5	35
Land Use - Hazardous Facilities	9	56
Land Use: Restricted Discretionary	1	1
Land Use: Non-complying	1	1
Land Use/Designation	1	9
Land Use - Watercourse	2	2
District: Land Use Non-complying	5	5
District: Land Use Discretionary	5	5
Subdivision	2	2
Bed - Culvert/Bridge/Ford Structures	3	14
Bed - Dam & Weir Structures	1	6
Bed - Entering & Passing Across	1	7
Bed - Gravel Extraction	1	28
Bed - Other Structures	1	1
Water - Dam	2	16
Water Take - Surface	1	1
Water Take - Underground	8	33
<b>Totals</b>	<b>536</b>	<b>2187</b>

Table 5: Total number of monitoring actions against resource consents within the consent types for 6-month period 1 July-31 Dec 2015.

4.17 While a wide range of consented activities received monitoring during the period (as shown in the table above), the following activities are considered significant in terms of effects or public interest and have dedicated monitoring programmes. A summary of these follows.

## Water

4.18 While meter returns are required to be supplied yearly for those taking water for frost fighting provisions, most consent holders find the season kicks off in late October with the announcement of the requirement for meter returns. For this season, the first week of returns was 30 October 2016.

4.19 With frequent rainfall and positive aquifers there were no restrictions imposed over the first few months of the season. This was in dramatic contrast to the previous season.

4.20 Missing readings occurred from the onset, primarily because there was no pressure on the users given the weather and with many not utilising their takes in the lead up to Christmas. This resulted in many consent holders overlooking the requirement to furnish readings irrespective of consumption. For many, resolution was direct contact and a reminder, however, some continued to miss returns requiring 18 to receive further action.

- 4.21 Overtakes were not a significant issue in the first few months of the metering season and many of these were attributable to missing readings or incorrect readings as opposed to over extraction. Unfortunately since Christmas genuine overtakes were being recorded and enforcement action is pending on some of these. This will be covered in the more detailed water summary report presented to Council at the end of the water-metering season.
- 4.22 The summer student continues to assist in auditing meters across the district. This is an essential function in the water-metering programme and the student proves to be an invaluable resource. However, the one difficulty is that the summer student traditionally finishes in the mid part of January when the drier weather prevails and auditing becomes a critical part of the compliance process. The Compliance Department will have to look at utilising another resource to continue this core job.
- 4.23 Alongside the requirements of the water meter season, the enforcement of the Resource Management (Measurement and Reporting of Water Takes) Regulations continues for the water team and 27 consent holders require follow up regarding the 10 November 2016 deadline for meter installation and verification for takes of 5-10l/s.

**Dairy**

- 4.24 The 2016 -17 dairy farm survey started in September as farms commenced milking. As at the end of December, 54 farms had been inspected. The following table extracted from the database contains a snapshot of the survey results as at 31 December.

## TDC Dairy Farm Monitoring Program

### Permitted Activity Analysis

This report details the findings of the worst Permitted Activity Inspection Result for each Farm, conducted during the 2016/17 milking season.

Inspections were conducted at 54 farms. The results of the worst inspection at each farm were as follows:

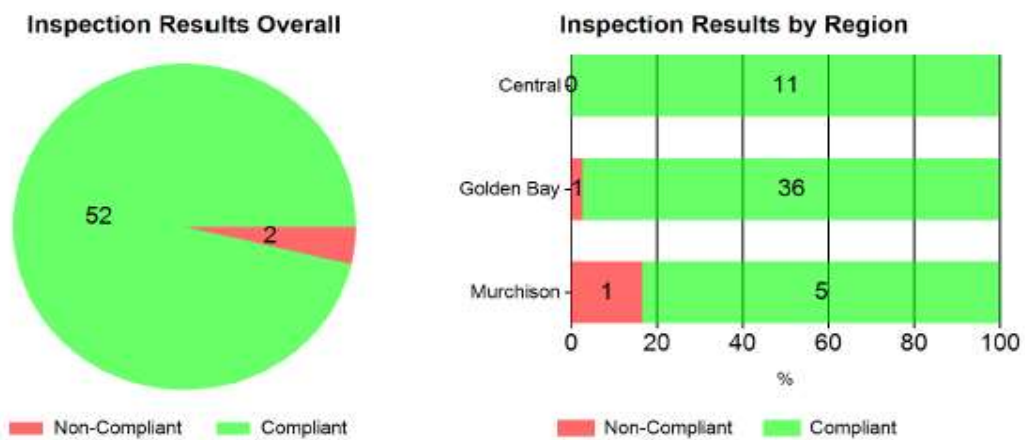


Table 3: Interim results of the Dairy Monitoring Programme 01/07/16 - 31/12/16

- 4.25 The season has started well in respect to compliance performance with only two instances of non-compliance compared to the six recorded at the same time last year and both have been categorised as minor in nature as opposed to three significant and three minor last season. The non-compliance for these farms were one instance of ponding of effluent on the surface longer than one hour after application and one where the discharge from the spreader was within 20 metres of surface water. Neither required any further enforcement action.

### **Earthworks**

- 4.26 Some large-scale developments had earthwork activities that were in full swing over the period and these were the focus of attention by Compliance due to their scale and public interest. Attention was on ensuring provision of erosion, sediment and stormwater control plans and the active monitoring of actual works to ensure that conditions were adhered to at all times. Some of the significant works were the final stages of the Hart Road subdivision, the start of the Arizona subdivision, forestry harvesting operations in Golden Bay and Marahau and various Council stormwater upgrade/maintenance works.
- 4.27 A lot of the work involved in this area is associated with pre-works approvals of sediment and erosion control plans and ensuring implementation of the plans at works stage.
- 4.28 Overall compliance in this area continues to be at a high standard with most of the developers, consultants and contractors well aware of their obligations and Council's expectations with regard to plan approvals, site controls and compliance with consent conditions. As a result, little action was required to address issues and most sites were well managed to avoid any adverse environmental effects.

### **Wastewater**

- 4.29 Over the reporting period considerable effort was put into monitoring resource consents associated with discharge of domestic or municipal wastewater. These were either site inspections and or audit of submitted reports and design information.
- 4.30 As has been the case in recent years a lot of work was also put into following up with property owners who had previously been identified as non-complying with the conditions of their consents or permitted activity rules and had failed to respond. This is the area where the most significant enforcement action has taken place as can be seen in the preceding enforcement section of this report. This has generally come about due to the lack of response to Councils communications or a general disregard to the obligations imposed on consent holders through their resource consents.
- 4.31 The Compliance Department continues to put significant effort into this area in order to gain better compliance and this has started to pay dividends particularly with the installers and service providers.

### **Gravel Extraction (land based)**

- 4.32 This is an area where there is a lot of public interest and where poorly run operations can have a detrimental effect on the environment particularly the backfilling operation. It is also



an activity where non-compliance can be concealed if monitoring is not frequent - which is also an issue for this department with the level of work demands.

- 4.33 At present the monitoring focus is on the large-scale extractions on the Waimea and Motueka River berms, as these are the priority sites particularly given the current lack of suitable clean fill in the district. At present, some issues of non-compliance have been detected at two sites and the Compliance Officers are working through addressing this using a range of enforcement processes. It also highlights the inconsistencies that are apparent between these older consents and the need for Council to bring them in line as they undergo renewals. This matter will need to be followed up within house.

## **5 Conclusion**

- 5.1 As highlighted, complaints numbers were very similar to last year's totals for the second half of the year and much lower than the average over the five years preceding that. Complaint reduction was seen across most categories with the exception of the category of discharges where there was a noticeable increase in smoke complaints. This is likely associated with horticultural replanting programmes and windier spring/early summer conditions. Most of the complaints were in the Motueka Ward
- 5.2 Enforcement response to the more serious offending was another area where staff time was absorbed and while compliance was generally gained quickly, some matters did take a lot more time and effort at the expense of other work areas, particularly in the area of domestic wastewater discharges. Abatement notices were issued to a number of companies or persons as a means of gaining compliance where the message was not necessarily getting through, but pleasingly far fewer of these were required compared to last year. Infringement fines were also used as a low-level response to some offending and these were up significantly on last year as effort was put into dealing with the rubbish dumping on the river berms and with the less than willing to comply with Council's rules and consent conditions. Four significant enforcement actions in the form of prosecutions and enforcement orders were initiated this period. These were due to some significant offences being detected where other enforcement options were deemed inappropriate given the nature and scale of the offences and environmental effects, lack of remorse or willingness to comply and need to provide deterrent effect.
- 5.3 On a positive note, due to the reduction in complaints and the absence of any significant enforcement actions, the Compliance Team was able to put effort into the consent monitoring programmes. Proactive monitoring always pays dividends as it tends to prevent subsequent non-compliance down the road and it is hoped the interaction with consent holders will see less need for future enforcement action. High priority programmes such as water, dairy and those activities having potential to adversely impact on the district's water quality continued to get emphasis on monitoring.

## **6 Attachments**

Nil



## 9.6 ENVIRONMENT & PLANNING CHAIR'S REPORT

Information Only - No Decision Required

<b>Report To:</b>	Environment and Planning Committee
<b>Meeting Date:</b>	9 February 2017
<b>Report Author:</b>	Tim King, Chairman, Corporate Services
<b>Report Number:</b>	REP17-02-06

### 1 Welcome

1.1 Welcome to the first E&P meeting of the calendar year.

### 2 Draft Resolution

**That the Environment and Planning Committee**

**1. receives the Environment & Planning Chair's Report report REP17-02-06.**

**3 Consents**

- 3.1 I am sure people are aware there is a huge amount of activity across the region in both the resource and building consent areas. This is leading to significant challenges in meeting the communities' expectations. Council staff are working extremely hard to process applications in a timely and efficient manner and are looking at options that may improve our performance in this area. In the area of resource consents the impending changes to the RMA are likely to require some changes in how we operate. This may also have implications for our resourcing. As can be seen from today's report on building fees, the additional workload has significant financial implications.

**4 Policy**

- 4.1 Today's agenda contains a report on the Environmental Policy Programme, it is clear there are a significant number of important policy issues in the Council's agenda over the next three years. Guidance is sought from Councillors as to whether the priorities set out are in line with your expectations. If either changes in priority or other issues are important to you today, then this is the opportunity to have that conversation. Bearing in mind, there is only so much the Policy team and the community can process at any one time.

**5 Regulatory / Compliance**

- 5.1 Pleasing to see that the number of complaints was similar to last year and below the five-year average, in particular good to see the reduction in the need for abatement notices that demonstrates the effectiveness of staff working through the complaints of those responsible without the need to resort to legal mechanisms. Resolving issues this way also enables time to be spent in proactive monitoring of consents, particularly those that have the potential to impact on the environment / community.

**6 Attachments**

Nil

## 9.7 ENVIRONMENT & PLANNING MANAGER'S REPORT

Decision Required

<b>Report To:</b>	Environment and Planning Committee
<b>Meeting Date:</b>	9 February 2017
<b>Report Author:</b>	Dennis Bush-King, Environment and Planning Manager
<b>Report Number:</b>	REP17-02-07

### 1 Summary

- 1.1 This report covers a number of general matters concerning the activities of the Environment & Planning Department since our last meeting on 17 November 2017

### 2 Draft Resolution

**That the Environment and Planning Committee:**

- 1. Receives the Environment & Planning Manager's Report REP17-02-07; and**
- 2. Endorses the submission on fire permitting attached as Attachment 1 to REP-17-02-07**

### 3 Mediterranean Fanworm (*Sabella spallanzanii*)

- 3.1 Mediterranean Fanworm is an “unwanted organism” and is notifiable in terms of the Biosecurity Act 1993 (the Act). It is highly invasive and can form dense colonies of up to 1000 individuals per square metre, displacing native species and disrupting ecosystems. It can result in serious economic loss for marine farmers through competition with farmed species and fouling of lines and structures (Colin Johnston, Technical Director Aquaculture New Zealand pers com).
- 3.2 Mediterranean Fanworm has been discovered in three locations within the Top of the South. In the Waikawa Marina within Marlborough District Council, Nelson Haven within Nelson City Council and most recently in Tarakohe Harbour within Tasman District. Initial site-led control programmes are underway within the Marlborough and Nelson areas, being a jointly funded initiative between the Ministry for Primary Industries and the relevant council. Initial clearance of port structures within Tarakohe Harbour has been undertaken, which removed thirteen Mediterranean Fanworms, however a full search of the harbour seabed and rock work still needs to be undertaken and funding options are being explored.
- 3.3 The Top of the South Marine Biosecurity Forum considers it is necessary to slow the spread of Mediterranean Fanworm and to prevent it from being transferred to other areas. We expect to receive advice that Council should invoke special powers it has under the Biosecurity Act this risk. This will involve the declaration of a Small-Scale Management Programme (SSMP) where an organism is present in small numbers and requires early action to control. A SSMP does not require the normal plan consultation and procedure (no consultation or right of appeal). The Bay of Plenty Regional Council has already declared a Small-scale Management Plan for Mediterranean Fanworm in order to gain control in the Tauranga area.
- 3.4 Marlborough District is currently taking the lead on developing an SSMP. A separate report will be brought to the Committee in due course.

### 4 Aquaculture Decision

- 4.1 The High Court, on 24 December 2016, released its long awaited decision whether the Aquaculture Management Areas in Golden Bay provided for in the TRMP have an undue adverse effect on fishing. The effect of the decision is to open up 2100 hectares of new space for aquaculture development. There is the opportunity to seek leave to appeal to the Court of Appeal but hopefully this will not happen. Our original application was made back in 2006 and we have been embroiled in legal debate since then.
- 4.2 All of the new space is already covered by applications that have been held over since 2003 and 2005. As a next step, in the absence of an appeal, the council will work with iwi and marine farmers to identify and allocate 20% of the space as part of the settlement of Maori claims to commercial aquaculture. The Maori Fishery Trustee has six months to advise us of the 20% arrangement from the date we serve formal notice. Provided our decision is unchallenged, the Government then gazettes the available areas and we can process the applications.

**5 Fire Permitting Submission**

- 5.1 Fire and Emergency New Zealand released a discussion paper before Christmas on a revised fire permitting system that needs to be in place before 1 July 2017. The options that are subject to consultation are:
- 5.1.1 Option 1A - regulating information to grant fire permits (preferred) through a form for fire permits. The form requires information like the permit holder's name, address and location of the fire, and imposes specified conditions.
  - 5.1.2 Option 1B - regulating information to grant fire permits, plus decision-making criteria to guide FENZ when determining a permit application. This would help ensure safeguards around FENZ's exercise of its power to grant permits.
  - 5.1.3 Option 2 - regulating FENZ's use of power to grant permits by, for example:
    - i. enable FENZ to require information from applicants which it considers reasonably necessary (instead of requiring the same information from all applicants);
    - ii. regulate criteria that FENZ must consider when assessing a permit application
- 5.2 One of the issues currently experienced is that while the rural fire authority grants fire permits for burn-offs, Council ends up with any complaints about smoke nuisance. A submission was prepared asking that the new system ret and align with any environmental nuisance rules that may be in place.

**Recommendation**

**That the Environment & Planning Committee endorses the submission on fire permitting attached as Attachment 1 to REP 17-02-07**

**6 Regional Pest Management Plan**

- 6.1 Progress is being made on preparing a draft Regional Pest Management Plan but it has not been notified by the expected date of February 2017. In part, this is because, at the national level, discussions are still taking place on what is expected around assessing the cost and benefits of intervention options. This will have to take place before November 2017 when the current strategy expires. Staff will continue to work with the Joint Committee to achieve this.

**7 Financial Accounts**

- 7.1 A copy of the December 2016 financial accounts are attached as Attachment 2. At 50% of the financial year expenditure is slightly under budget overall and non-rate income overall is ahead of budget. Professional fees and labour costs in Building Assurance are ahead of budget because of legal costs and use of external contractors to manage workload, especially as the new staff are still under training. The proposal to increase fees seeks to mitigate this impact.

**8 Health and Safety Update**

- 8.1 A near miss event was reported over summer involving the harbourmaster vessel. The incident is being investigated and conclusions drawn. If Councillors wish to have further details I would recommend discussion in committee to protect the privacy of natural persons and avoid prejudice to measures protecting the health and safety of members of the public.

**9 Action Items**

- 9.1 Attachment 3 updates Councillors on actions items from previous Environment & Planning Committee meetings

**10 Attachments**

- |    |  |    |
|----|--|----|
| 1. | Attachment 1: TDC Fire Permitting Submission | 81 |
| 2. | Attachment 2: December Accounts              | 83 |
| 3. | Attachment 3: Action Items                   | 91 |



**Submission to the Department of Internal Affairs on:  
Setting of Regulations for Fire Permitting under the proposed Fire and Emergency  
Act 2017**

Tasman District Council (TDC) is a Unitary Authority in the South Island of New Zealand. We are full members of the Waimea Rural Fire Authority (WRFA) and are submitting separately to them.

**Preferences.** It is the preference of the council that the future fire permitting system undertaken by FENZ takes into account the following:

- Local Authorities sometimes have rules which prevent the use of fire e.g. to prevent a smoke nuisance. Any permitting system must ensure that adequate checks and balances are in place to prevent the issue of permits that contradict such rules. It is suggested that any standardised form includes a check box to ensure they have taken such rules into account before issuing the permit. This will prevent compliance issues.
- Any permitting system must be flexible enough to take into account local circumstances e.g. stubble burns in Canterbury V's cooking fires on beach's in Golden Bay.
- The system must allow FENZ to successfully influence the way fire is used and therefore its safety.

Of the options put forward for drafting Regulations, the council preference is for a blend of all options. It is felt that regulations should require basic information and allow for local flexibility. More specifically we suggest:

- Have standard information that must be supplied, such as name, address, location of fire, size of fire, material to be burnt. This would be consistent with a national permitting database and application process.
- Have standard higher-level conditions such as "*the fire must be contained so as not to escape and become out of control*".
- Have standard wording around the offences under the Act that may come into effect if the permit is not complied with.
- Have standard emergency contact details – i.e. "111".
- Allow for conditional exemptions from permits being required. These should be listed in a Local Area Fire Plan e.g. charcoal BBQs, gas BBQs, braziers etc, along with a set of conditions to be adhered to (wind speeds, distance from flammable material, suppression capability on hand etc).
- An allowance should be made for specific local permit conditions to be applied by the issuing officer.
- In issuing a fire permit FENZ must do so as to not be in conflict with any Local Authority rule where fire related effects other than safety are regulated e.g. smoke

Yours sincerely

Adrian Humphries  
Regulatory Manager



Environment & Planning Department Activity Financial Statement For the year to December 2016									
YTD Actual Dec 2015	YTD Actual Dec 2016	YTD Forecast Dec 2016	YTD Variance	Total Forecast 2016/17	Total Budget 2016/17	Total Forecast Variance	YTD % Total Forecast	YTD % Total Budget	YTD % Total Forecast
<b>BUILDING CONTROL</b>									
<b>OPERATING ACTIVITIES</b>									
<b>Operating Income</b>									
130,640	120,740	130,750	2	250,481	266,481	(0)	96%	96%	96%
1,347,335	1,369,510	1,369,510	120,441	2,393,358	2,393,328	4,732	57%	57%	57%
52,339	60,721	60,721	1	121,443	121,443	(0)	50%	50%	50%
<b>1,530,315</b>	<b>1,550,971</b>	<b>1,559,970</b>	<b>120,444</b>	<b>2,975,882</b>	<b>2,974,166</b>	<b>4,732</b>	<b>56%</b>	<b>56%</b>	<b>56%</b>
<b>Operating Expense</b>									
604,920	754,652	782,043	27,392	1,564,878	1,350,764	(214,114)	48%	48%	48%
22,675	69,238	84,120	(25,118)	94,634	64,210	(30,424)	73%	73%	73%
-417,297	301,532	195,290	(106,242)	371,485	166,167	(205,318)	81%	81%	81%
0	848	36,000	35,154	90,000	0	(90,000)	1%	1%	1%
570,654	772,941	800,332	27,391	1,601,457	1,287,343	(214,114)	48%	48%	48%
-454	0	2,905	2,905	(0)	539	539	0%	0%	0%
<b>1,636,200</b>	<b>1,899,209</b>	<b>1,850,690</b>	<b>(38,519)</b>	<b>3,722,454</b>	<b>2,371,023</b>	<b>(751,431)</b>	<b>51%</b>	<b>51%</b>	<b>51%</b>
<b>(105,285)</b>	<b>(218,795)</b>	<b>(300,720)</b>	<b>81,925</b>	<b>(743,572)</b>	<b>3,127</b>	<b>(746,699)</b>	<b>29%</b>	<b>29%</b>	<b>29%</b>
<b>CAPITAL FUNDING</b>									
Application of Capital Funds									
0	608	1,688	680	3,127	3,127	0	26%	26%	26%
0	949	1,688	880	3,127	3,127	0	26%	26%	26%
0	(898)	(1,688)	890	(3,127)	(3,127)	0	26%	26%	26%
(0)	0	219	(219)	313	927	(615)	0%	0%	0%
<b>(105,285)</b>	<b>(219,603)</b>	<b>(302,190)</b>	<b>82,586</b>	<b>(746,387)</b>	<b>927</b>	<b>(747,314)</b>			
<b>CLOSED ACCOUNT BALANCE</b>									
115,390	0	0	0	0	0	0	0	0	0
(105,285)	(219,603)	(302,190)	82,586	(746,387)	927	(747,314)			
0	0	0	0	0	0	0	0	0	0
<b>(89,895)</b>	<b>(219,603)</b>	<b>(302,190)</b>	<b>82,586</b>	<b>(746,386)</b>	<b>927</b>	<b>(747,314)</b>			

FOR INTERNAL PURPOSES ONLY

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Environment & Planning Department  
Activity Financial Statement  
For the year to December 2016

YTD Actual Dec 2016	YTD Actual Dec 2016	YTD Forecast Dec 2016	YTD Variance	Total Forecast 2016/17	Total Budget 2016/17	Total Forecast Variance	YTD % Total Forecast
<b>EMERGENCY MANAGEMENT</b>							
<b>OPERATING ACTIVITIES</b>							
<b>Operating Income</b>							
236,682	248,796	248,796	0	497,593	497,593	0	50%
0	0	0	0	0	(41,697)	(41,697)	100%
8,330	9,636	9,636	1	19,215	19,215	0	50%
<b>244,912</b>	<b>258,432</b>	<b>258,432</b>	<b>1</b>	<b>516,809</b>	<b>558,505</b>	<b>(41,696)</b>	<b>50%</b>
<b>Operating Expense</b>							
2,046	0	0	0	0	0	0	100%
4,773	6,337	12,361	6,024	25,759	25,759	0	24%
121	86	340	254	867	867	0	6%
115,907	232,487	127,935	(104,552)	391,862	391,862	0	59%
37,854	43,249	49,273	6,024	99,862	99,862	0	43%
(2,107)	(1,965)	(2,430)	(465)	(3,059)	(3,067)	(8)	46%
3,540	3,768	3,842	74	7,572	8,122	(550)	50%
<b>162,224</b>	<b>284,011</b>	<b>191,376</b>	<b>(92,636)</b>	<b>521,921</b>	<b>523,365</b>	<b>(1,444)</b>	<b>54%</b>
<b>82,678</b>	<b>(25,608)</b>	<b>67,027</b>	<b>(92,636)</b>	<b>(5,113)</b>	<b>35,140</b>	<b>(40,253)</b>	<b>581%</b>
<b>CAPITAL FUNDING</b>							
<b>Source of Capital Funds</b>							
0	0	0	0	0	62,546	(62,546)	100%
0	0	0	0	0	82,546	(82,546)	100%
<b>Application of Capital Funds</b>							
0	0	0	0	0	104,244	104,244	100%
0	0	0	0	0	1,364	1,364	100%
0	0	0	0	0	105,808	105,808	100%
0	0	0	0	0	(43,262)	43,262	100%
<b>2,959</b>	<b>3,788</b>	<b>3,842</b>	<b>(64)</b>	<b>7,572</b>	<b>8,122</b>	<b>(550)</b>	<b>90%</b>
<b>85,628</b>	<b>(21,820)</b>	<b>70,869</b>	<b>(92,689)</b>	<b>2,459</b>	<b>0</b>	<b>2,459</b>	
<b>CLOSED ACCOUNT BALANCE</b>							
(138,504)	165,631	165,631	0	165,631	165,631	0	
85,628	(21,820)	70,869	(92,689)	2,459	0	2,459	
0	0	0	0	0	0	0	
<b>(50,366)</b>	<b>143,811</b>	<b>236,500</b>	<b>(92,689)</b>	<b>168,090</b>	<b>165,631</b>	<b>2,459</b>	

FOR INTERNAL PURPOSES ONLY

Environment & Planning Department Activity Financial Statement For the year to December 2016									
YTD Actual Dec 2015	YTD Actual Dec 2016	YTD Forecast Dec 2016	YTD Variance	Total Forecast 2016/17	Total Budget 2016/17	Total Forecast 2016/17	Total Forecast Variance	YTD % Total Forecast	YTD % Total Forecast
<b>ENVIRONMENTAL POLICY</b>									
<b>OPERATING ACTIVITIES</b>									
Operating Income	696,470	696,478	0	1,396,957	1,396,958	1,396,957	(1)	59%	59%
General Rates	177,573	193,059	(15,486)	197,890	28,853	171,037	171,037	95%	95%
Fees & Recoveries	30,769	(2)	(2)	61,576	61,578	(2)	(2)	59%	59%
Subsidy Income									
<b>754,899</b> Total Operating Income	<b>906,840</b>	<b>922,339</b>	<b>(15,488)</b>	<b>1,656,426</b>	<b>1,485,389</b>	<b>1,711,087</b>	<b>171,087</b>	<b>55%</b>	<b>55%</b>
Operating Expense	4,000	0	(4,000)	0	0	0	0	100%	100%
Wage Related Expenses	236,417	256,348	46,896	536,237	536,238	1	1	36%	36%
Wage TimeSheet Allocation	20,267	32,327	18,350	82,580	78,318	(4,262)	(4,262)	17%	17%
General Operating Costs	194,966	254,033	20,012	374,051	305,702	(68,349)	(68,349)	83%	83%
Professional Fees	280,829	294,079	49,890	696,800	656,910	(2)	(2)	40%	40%
Overheads	(795)	(1,400)	(220)	(2,451)	(1,805)	646	646	48%	48%
Loan Interest									
<b>734,715</b> Total Operating Expense	<b>706,319</b>	<b>640,208</b>	<b>133,898</b>	<b>1,597,326</b>	<b>1,525,363</b>	<b>(71,963)</b>	<b>(71,963)</b>	<b>44%</b>	<b>44%</b>
<b>19,784</b> SURPLUS (DEFICIT) FROM OPERATIONS	<b>260,520</b>	<b>82,128</b>	<b>118,410</b>	<b>89,099</b>	<b>(38,984)</b>	<b>99,093</b>	<b>99,093</b>	<b>339%</b>	<b>339%</b>
<b>CAPITAL FUNDING</b>									
Source of Capital Funds	0	0	0	0	40,000	(40,000)	(40,000)	100%	100%
Reserve Transfers									
<b>0</b> Total Source of Capital Funds	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>40,000</b>	<b>(40,000)</b>	<b>(40,000)</b>	<b>100%</b>	<b>100%</b>
<b>0</b> SURPLUS (DEFICIT) OF CAPITAL FUNDING	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>40,000</b>	<b>(40,000)</b>	<b>(40,000)</b>	<b>100%</b>	<b>100%</b>
<b>19,784</b> SURPLUS (DEFICIT) FUNDING BALANCE	<b>208,030</b>	<b>82,128</b>	<b>118,410</b>	<b>89,099</b>	<b>6</b>	<b>59,093</b>	<b>59,093</b>	<b>6</b>	<b>59,093</b>
<b>CLOSED ACCOUNT BALANCE</b>									
Opening Balance	102,539	102,539	0	102,539	162,539	0	0	0	0
Funding Balance (as above)	19,784	82,128	118,410	59,099	6	59,093	59,093	6	59,093
Reserve Transfers (as above)	0	0	0	0	(40,000)	40,000	40,000		
<b>(31,786)</b> CLOSING SURPLUS (DEFICIT) BALANCE	<b>300,069</b>	<b>184,669</b>	<b>118,410</b>	<b>161,036</b>	<b>62,545</b>	<b>99,093</b>	<b>99,093</b>	<b>62,545</b>	<b>99,093</b>

FOR INTERNAL PURPOSES ONLY

Environment & Planning Department Activity Financial Statement For the year to December 2016									
ENVIRONMENTAL INFORMATION									
YTD Actual Dec 2015	YTD Actual Dec 2016	YTD Forecast Dec 2016	YTD Variance	Total Forecast 2016/17	Total Budget 2016/17	Total Forecast Variance	YTD % Total Forecast	YTD % Total Forecast	
<b>OPERATING ACTIVITIES</b>									
<b>Operating Income</b>									
1,543,635	1,543,635	1,543,635	0	3,087,270	3,087,271	(1)	50%	50%	(1)
149,928	105,566	105,566	1,547	199,509	199,509	(0)	81%	81%	(0)
498,592	536,466	536,466	121,234	723,513	848,320	(124,807)	81%	81%	(124,807)
73,998	75,745	75,745	(1)	159,460	159,460	(0)	50%	50%	(0)
<b>2,266,332</b>	<b>2,265,402</b>	<b>2,265,402</b>	<b>122,790</b>	<b>4,199,781</b>	<b>4,254,560</b>	<b>(124,859)</b>	<b>57%</b>	<b>57%</b>	<b>(124,859)</b>
<b>Operating Expense</b>									
552,545	612,171	612,337	3,216	1,233,357	1,239,368	(6,059)	50%	50%	(6,059)
9,307	11,281	16,200	5,625	44,977	41,920	3,057	32%	32%	(3,057)
335,802	221,244	235,711	15,467	663,659	694,550	(30,891)	33%	33%	(30,891)
299,676	153,711	225,116	71,405	594,655	700,769	(106,114)	27%	27%	(106,114)
0	0	0	0	0	0	0	0%	0%	0
695,353	701,911	701,911	6,469	1,406,355	1,402,339	4,016	49%	49%	(4,016)
29,676	23,391	21,388	2,003	41,293	37,835	3,458	57%	57%	(3,458)
44,354	53,763	71,647	17,884	143,478	142,531	947	37%	37%	(947)
<b>2,090,712</b>	<b>1,771,634</b>	<b>1,889,979</b>	<b>118,065</b>	<b>4,197,878</b>	<b>4,168,219</b>	<b>31,659</b>	<b>43%</b>	<b>43%</b>	<b>(31,659)</b>
<b>285,619</b>	<b>611,158</b>	<b>370,323</b>	<b>340,835</b>	<b>61,911</b>	<b>125,371</b>	<b>(63,460)</b>	<b>967%</b>	<b>967%</b>	<b>(63,460)</b>
<b>CAPITAL FUNDING</b>									
<b>Source of Capital Funds</b>									
(5,148)	0	(5,196)	5,196	(12,991)	238,429	(251,420)	0%	0%	(251,420)
(5,148)	0	(5,196)	5,196	(12,991)	238,429	(251,420)	0%	0%	(251,420)
8,674	34,456	173,010	138,550	410,624	417,627	6,803	8%	8%	6,803
65,957	44,454	44,454	(0)	88,909	85,910	2,999	50%	50%	(2,999)
<b>76,581</b>	<b>78,921</b>	<b>217,470</b>	<b>138,549</b>	<b>499,533</b>	<b>506,337</b>	<b>6,804</b>	<b>16%</b>	<b>16%</b>	<b>(6,804)</b>
<b>(81,730)</b>	<b>(78,821)</b>	<b>(222,666)</b>	<b>143,745</b>	<b>(612,054)</b>	<b>(267,809)</b>	<b>(344,245)</b>	<b>15%</b>	<b>15%</b>	<b>(344,245)</b>
36,988	53,783	71,647	(17,864)	143,478	142,531	947	37%	37%	(947)
<b>261,877</b>	<b>586,019</b>	<b>219,364</b>	<b>366,715</b>	<b>(207,135)</b>	<b>(6)</b>	<b>(207,129)</b>	<b>37%</b>	<b>37%</b>	<b>(207,129)</b>
<b>CLOSED ACCOUNT BALANCE</b>									
(503,895)	487,421	487,421	0	487,421	487,421	0	0%	0%	0
281,537	586,019	219,364	366,715	(307,135)	(6)	(307,129)	0%	0%	(307,129)
5,148	0	5,196	(5,196)	12,991	(238,429)	(251,420)	0%	0%	(251,420)
<b>(256,869)</b>	<b>1,073,441</b>	<b>711,921</b>	<b>361,519</b>	<b>193,277</b>	<b>248,986</b>	<b>(55,709)</b>	<b>0%</b>	<b>0%</b>	<b>(55,709)</b>

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**Environment & Planning Department  
Activity Financial Statement  
For the year to December 2016**

	YTD Actual Dec 2015	YTD Actual Dec 2016	YTD Forecast Dec 2016	YTD Variance	Total Forecast 2016/17	Total Budget 2016/17	Total Forecast Variance	YTD % Total Forecast
<b>RESOURCE CONSENTS</b>								
<b>OPERATING ACTIVITIES</b>								
Operating Income								
General Rates	537,386	532,151	532,152	(5)	1,084,303	1,084,303	(0)	50%
Fees & Recoveries	618,110	715,235	890,323	172,113	1,488,201	1,464,393	23,808	49%
Summary Income	48,362	54,890	54,890	(1)	109,780	109,780	(0)	50%
<b>1,203,856</b> Total Operating Income	<b>1,203,856</b>	<b>1,243,363</b>	<b>1,243,363</b>	<b>39,507</b>	<b>2,632,283</b>	<b>2,578,476</b>	<b>53,807</b>	<b>49%</b>
Operating Expense								
Wage Timsheet Allocation	576,004	616,779	616,779	40,775	1,223,337	1,151,155	(72,182)	48%
General Operating Costs	8,231	1,357	14,346	(12,989)	27,038	27,039	1	5%
Professional Fees	104,836	145,548	105,548	(40,001)	193,010	193,011	1	75%
Overheads	624,491	616,716	644,957	28,241	1,279,702	1,207,622	(72,180)	48%
Loan Interest	(114)	0	540	540	0	(258)	(258)	0%
<b>1,315,478</b> Total Operating Expense	<b>1,302,156</b>	<b>1,382,207</b>	<b>1,382,207</b>	<b>76,029</b>	<b>2,723,068</b>	<b>2,578,469</b>	<b>(144,599)</b>	<b>50%</b>
<b>(111,623)</b> SURPLUS (DEFICIT) FROM OPERATIONS	<b>(48,679)</b>	<b>(138,844)</b>	<b>(138,844)</b>	<b>(90,165)</b>	<b>(90,805)</b>	<b>7</b>	<b>(90,812)</b>	<b>55%</b>
<b>(111,623)</b> SURPLUS (DEFICIT) FUNDING BALANCE	<b>(48,679)</b>	<b>(138,844)</b>	<b>(138,844)</b>	<b>(90,165)</b>	<b>(90,805)</b>	<b>7</b>	<b>(90,812)</b>	
<b>CLOSED ACCOUNT BALANCE</b>								
Opening Balance	(7,305)	0	0	7,305	0	0	0	
Funding Balance (as above)	(111,623)	(138,844)	(138,844)	88,965	(90,805)	7	(90,812)	
Reserve Transfers (as above)	0	0	0	0	0	0	0	
<b>(118,968)</b> CLOSING SURPLUS (DEFICIT) BALANCE	<b>(49,871)</b>	<b>(138,844)</b>	<b>(138,844)</b>	<b>88,965</b>	<b>(90,805)</b>	<b>7</b>	<b>(90,812)</b>	

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Environment & Planning Department  
Activity Financial Statement  
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	YTD Actual Dec 2015	YTD Actual Dec 2016	YTD Forecast Dec 2016	YTD Variance	Total Forecast 2016/17	Total Budget 2016/17	Total Forecast Variance	YTD % Total Forecast
<b>COMPLIANCE</b>								
<b>OPERATING ACTIVITIES</b>								
Operating Income								
General Rates	518,761	490,344	490,344	0	968,659	968,659	0	50%
Fees & Recoveries	312,345	111,727	116,797	(5,070)	278,982	287,473	(7,491)	40%
Surety Income	26,186	26,610	26,620	-2	57,221	57,221	(0)	50%
<b>Total Operating Income</b>	<b>857,291</b>	<b>628,681</b>	<b>644,759</b>	<b>(5,069)</b>	<b>1,335,862</b>	<b>1,343,383</b>	<b>(7,491)</b>	<b>48%</b>
Operating Expense								
Wage Transfer Allocation	203,098	289,041	283,683	(5,355)	565,022	568,707	3,685	51%
General Operating Costs	7,498	2,495	11,407	8,911	29,331	32,450	3,119	9%
Professional Fees	32,252	24,626	29,964	5,338	143,666	130,188	13,478	17%
Overheads	316,810	303,432	296,072	10,360	593,604	597,489	3,885	31%
Loan Interest	(2,404)	(1,125)	(1,718)	(993)	(2,338)	(5,456)	(3,117)	48%
<b>Total Operating Expense</b>	<b>647,252</b>	<b>618,638</b>	<b>611,348</b>	<b>52,718</b>	<b>1,328,656</b>	<b>1,343,389</b>	<b>(14,733)</b>	<b>47%</b>
<b>210.039 SURPLUS (DEFICIT) FROM OPERATIONS</b>	<b>210,039</b>	<b>210,044</b>	<b>210,044</b>	<b>(47,642)</b>	<b>6,207</b>	<b>(6)</b>	<b>6,253</b>	<b>331%</b>
<b>210.039 SURPLUS (DEFICIT) FUNDING BALANCE</b>	<b>210,039</b>	<b>210,044</b>	<b>210,044</b>	<b>(47,642)</b>	<b>6,207</b>	<b>(6)</b>	<b>6,253</b>	
<b>CLOSED ACCOUNT BALANCE</b>								
Opening Balance		97,807	97,807	0	97,807	97,807	0	
Funding Balance (as above)	210,039	21,044	(26,598)	47,642	6,207	(6)	6,253	
D Reserve Transfers (as above)	0	0	0	0	0	0	0	
<b>54.171 CLOSING SURPLUS (DEFICIT) BALANCE</b>	<b>210,039</b>	<b>118,851</b>	<b>71,209</b>	<b>47,642</b>	<b>104,054</b>	<b>97,801</b>	<b>6,253</b>	

FOR INTERNAL PURPOSES ONLY



Environment & Planning Department Activity Financial Statement For the year to December 2016									
YTD Actual Dec 2015	YTD Actual Dec 2016	YTD Forecast Dec 2016	YTD Variance	Total Forecast 2016/17	Total Budget 2016/17	Total Forecast 2016/17	Total Forecast Variance	YTD % Forecast	Total Forecast
<b>REGULATORY SERVICES</b>									
<b>OPERATING ACTIVITIES</b>									
Operating Income									
420,581	475,457	475,457	(52)	850,966	850,966	850,966	(1)	95%	(1)
638,958	293,270	293,270	345,463	873,321	850,719	873,321	(167,399)	79%	(167,399)
30,523	43,127	43,127	(1)	86,252	86,253	86,253	(1)	90%	(1)
<b>1,092,042</b>	<b>811,854</b>	<b>811,854</b>	<b>368,459</b>	<b>1,810,542</b>	<b>2,017,941</b>	<b>1,810,542</b>	<b>(107,399)</b>	<b>83%</b>	<b>(107,399)</b>
Operating Expense									
4,978	3,100	4,212	1,112	10,032	0	10,032	(10,032)	31%	(10,032)
222,047	243,699	243,699	(9,229)	482,159	456,187	482,159	(26,972)	52%	(26,972)
25,197	13,538	25,831	12,293	54,705	81,273	54,705	(3,492)	25%	(3,492)
122,964	94,014	124,952	70,788	198,482	192,582	198,482	(3,900)	27%	(3,900)
302,143	311,713	301,822	90,109	640,932	662,156	640,932	41,224	49%	41,224
382,740	302,055	292,831	(9,225)	580,417	554,444	580,417	(25,973)	52%	(25,973)
(2,894)	6,771	7,412	841	13,717	10,020	13,717	(3,697)	49%	(3,697)
59,732	62,979	66,296	5,318	137,672	132,297	137,672	(5,375)	46%	(5,375)
<b>1,091,995</b>	<b>1,007,699</b>	<b>1,026,906</b>	<b>121,808</b>	<b>2,116,115</b>	<b>2,078,899</b>	<b>2,116,115</b>	<b>(37,216)</b>	<b>48%</b>	<b>(37,216)</b>
<b>47</b>	<b>263,246</b>	<b>(317,021)</b>	<b>520,267</b>	<b>(265,573)</b>	<b>(60,958)</b>	<b>(265,573)</b>	<b>(144,615)</b>	<b>-99%</b>	<b>(144,615)</b>
<b>CAPITAL FUNDING</b>									
Source of Capital Funds									
157,900	6,897	24,593	(17,997)	48,893	14,000	48,893	34,893	14%	34,893
0	0	0	0	0	38,796	0	(38,796)	100%	(38,796)
<b>157,900</b>	<b>6,897</b>	<b>24,593</b>	<b>(17,997)</b>	<b>48,893</b>	<b>52,796</b>	<b>48,893</b>	<b>(3,903)</b>	<b>14%</b>	<b>(3,903)</b>
Application of Capital Funds									
169,495	17,447	54,256	30,609	106,471	71,578	106,471	(34,893)	16%	(34,893)
11,362	17,230	17,623	393	35,480	34,090	35,480	(490)	40%	(490)
6,911	0	11,676	11,676	29,187	17,565	29,187	(11,622)	0%	(11,622)
<b>177,768</b>	<b>34,677</b>	<b>83,555</b>	<b>40,678</b>	<b>171,138</b>	<b>124,133</b>	<b>171,138</b>	<b>(47,005)</b>	<b>20%</b>	<b>(47,005)</b>
<b>(19,868)</b>	<b>(27,781)</b>	<b>(58,662)</b>	<b>30,881</b>	<b>(122,245)</b>	<b>(71,337)</b>	<b>(122,245)</b>	<b>(50,908)</b>	<b>23%</b>	<b>(50,908)</b>
47,931	62,979	66,078	(5,100)	137,359	131,370	137,359	5,989	46%	5,989
<b>26,110</b>	<b>238,444</b>	<b>(307,804)</b>	<b>546,248</b>	<b>(190,459)</b>	<b>(625)</b>	<b>(190,459)</b>	<b>(189,534)</b>		<b>(189,534)</b>
<b>CLOSED ACCOUNT BALANCE</b>									
(441,253)	418,783	418,783	0	418,783	418,783	418,783	0		0
28,110	238,444	(307,804)	946,048	(190,459)	(625)	(190,459)	(189,534)		(189,534)
6,911	0	11,676	(11,676)	29,187	(21,231)	29,187	(21,231)		50,418
<b>(466,272)</b>	<b>657,228</b>	<b>122,856</b>	<b>534,372</b>	<b>297,512</b>	<b>386,627</b>	<b>297,512</b>	<b>(139,116)</b>		<b>(139,116)</b>

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Environment & Planning Department Overhead Expenditure Statement For the year to December 2016									
YTD Actual Dec 2015	YTD Actual Dec 2016	YTD Forecast Dec 2016	YTD Variance	Total Forecast 2016/17	Total Budget 2016/17	Total Forecast Variance	YTD % Total Forecast	YTD % Total Forecast	YTD % Total Forecast
<b>ENVIRONMENT &amp; PLANNING</b>									
<b>OVERHEAD EXPENSES</b>									
3,483,641	3,759,687	3,759,687	140,078	7,687,843	7,296,773	(391,070)	48%	48%	48%
60,262	67,291	67,291	7,003	146,811	146,166	(655)	41%	41%	41%
276,869	378,135	378,135	155,756	593,178	591,976	(1,202)	39%	39%	39%
6,670	12,204	5,220	(8,983)	26,101	26,101	0	47%	47%	47%
148,945	157,361	14,499	14,499	344,825	330,453	(14,372)	44%	44%	44%
43,766	37,384	48,141	10,757	100,638	83,385	(17,273)	37%	37%	37%
606,940	621,950	2,038	2,038	1,239,823	1,239,824	1	50%	50%	50%
0	(345)	(345)	(345)	0	0	(0)	0%	0%	0%
0	444	444	236	887	887	0	23%	23%	23%
80,270	121,564	5,103	204,826	204,826	196,341	(8,485)	47%	47%	47%
<b>4,722,388</b>	<b>5,189,457</b>	<b>328,041</b>	<b>328,041</b>	<b>10,316,931</b>	<b>9,881,876</b>	<b>(435,055)</b>	<b>47%</b>	<b>47%</b>	<b>47%</b>
126,958	74,852	9,079	9,079	186,733	178,778	(7,955)	35%	35%	35%
<b>4,849,266</b>	<b>5,264,149</b>	<b>338,115</b>	<b>338,115</b>	<b>10,503,664</b>	<b>10,060,654</b>	<b>(443,010)</b>	<b>47%</b>	<b>47%</b>	<b>47%</b>
<b>OTHER ITEMS</b>									
(4,705,568)	(5,136,696)	(163,881)	(163,881)	(10,310,821)	(9,686,536)	625,285	48%	48%	48%
(118,114)	(85,265)	(15,024)	(15,024)	(178,855)	(178,778)	77	35%	35%	35%
<b>25,685</b>	<b>(96,922)</b>	<b>42,188</b>	<b>138,116</b>	<b>13,988</b>	<b>196,349</b>	<b>182,352</b>	<b>-69%</b>	<b>-69%</b>	<b>-69%</b>

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**Action Sheet - Environment & Planning Committee**

Meeting Date:	Minute/Action	Minute or CSR or Email request	Accountable Officer	Status
1 November 2012	REP12-11-06 NPS on Renewable Electricity Generation	Requests staff to identify opportunities to amend the TRMP to improve the process for installing mini and micro hydro and photovoltaic energy systems	Steve Markham	No action yet. Programmed for 2018
1 September	EP16-09-05	The discussion paper for the National Policy Statement on Electricity Transmission be released for public consultation, after the local body elections, subject to final editorial approval by Cr Bryant.	Tania Bray	Completed
17 November	EP16-11-07	That Crs King and Bryant be appointed to the Animal Control Hearings Panel and that Cr Kit Maling be appointed to this hearings panel if either Crs King or Bryant are unavailable	Dennis Bush-King	Actioned
	EP16-11-08	Mr Mike Fitzsimons be appointed to the position of District Licensing Committee Commissioner for a five-year term of appointment.	Dennis Bush-King	Actioned
	EP16-11-08	That staff be tasked to explore the option of getting the Ministry of Business, Innovation and Employment or another relevant group to come and explain the oil and gas block offer process.	Dennis Bush-King	Invitation extended