

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

Date:	Thursday 14 March 2024
Time:	9:30 am
Meeting Room:	Tasman Council Chamber
Venue:	189 Queen Street, Richmond
Zoom conference link:	https://us02web.zoom.us/j/85600661091?pwd=aXdIYIVJdG tVNEQwZ0YzendZRjhiUT09
Meeting ID: Meeting Passcode:	856 0066 1091 634909

# **Environment and Regulatory Committee**

## Komiti Ture

## AGENDA

MEMBERSHIP						
Chairperson	Cr C Hill					
Deputy Chairperson	Cr B Maru					
Members	Mayor T King	Cr M Greening				
	Deputy Mayor S Bryant	Cr C Mackenzie				
	Cr C Butler Cr M Kininmon					
	Cr G Daikee	Cr K Maling				
	Cr B Dowler	Cr D Shallcrass				
	Cr J Ellis	Cr T Walker				

(Quorum 7 members)

Contact Telephone: 03 543 8400 Email: <u>councildemocracy@tasman.govt.nz</u> Website: <u>www.tasman.govt.nz</u>

**Note:** The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

## AGENDA

- 1 OPENING, WELCOME, KARAKIA
- 2 APOLOGIES AND LEAVE OF ABSENCE

#### Recommendation

That apologies be accepted.

## 3 PUBLIC FORUM

Registration is required to speak at public forum. You can register here

- 4 DECLARATIONS OF INTEREST
- 5 LATE ITEMS
- 6 CONFIRMATION OF MINUTES

That the minutes of the Environment and Regulatory Committee meeting held on Thursday, 23 November 2023, be confirmed as a true and correct record of the meeting.

That the confidential minutes of the Environment and Regulatory Committee meeting held on Thursday, 23 November 2023, be confirmed as a true and correct record of the meeting.

## 7 REPORTS

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## 8 CONFIDENTIAL SESSION

Nil

9 CLOSING KARAKIA

## 3 PUBLIC FORUM

## 3.1 VEHICLES ON BEACHES BYLAW

Report To: Environment and Regulatory Committee

Meeting Date: 14 March 2024

Report Number: RRC24-03-1

## 1. Public Forum / Te Matapaki Tūmatanui

Cynthia McConville, Forest and Bird Golden Bay, will speak in public forum regarding a Vehicles on Beaches Bylaw.

2. Attachments / Tuhinga tāpiri	
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Nil

## 7 REPORTS

## 7.1 GROUP MANAGER'S REPORT

#### Information Only - No Decision Required

Report To:	Environment and Regulatory Committee	
Meeting Date:	14 March 2024	
Report Author:	Kim Drummond, Group Manager - Environmental Assurance	
Report Authorisers:	Steve Manners, Group Manager - Information, Science and Technology	
Report Number:	RRC24-03-2	

#### 1. Summary / Te Tuhinga Whakarāpoto

1.1 This report serves as an update on environmental and regulatory activity since the last Committee meeting on 23 November 2023.

#### 2. Recommendation/s / Ngā Tūtohunga

#### That the Environment and Regulatory Committee

1. receives the Group Manager's Report RRC24-03-2.

#### 3. New managerial appointments within the Environmental Assurance Group

- 3.1 **Harbourmaster**: We welcomed our new Harbourmaster, Peter Renshaw on 11 December 2023. Peter has extensive experience in maritime management and a deep commitment to ensuring safety and compliance in coastal and navigable waterways.
- 3.2 Peter was most recently a Maritime Tutor at Te Kupenga, and before that a Vessel Operations Manager at Abel Tasman Sea Shuttle. He lives in Motueka and will be based in the Harbourmaster Office at Port Motueka.
- 3.3 The Harbourmaster now reports directly to the Group Manager Environmental Assurance and will be responsible for providing six-monthly reports to this Committee. The first of these reports is scheduled for 24 April 2024.
- 3.4 **Regulatory Manager**: We also have a new Regulatory Manager who started 20 January 2024 Shane Bruyns. Shane has 25 years' experience in leadership roles across both the Christchurch City Council and the Cape Town City Council, with a short stint with the Department of Corrections in between. Prior to that he had entered the workforce as a fitter and turner before a change of focus saw him divert towards a Council career.
- 3.5 Shane will also report to the Committee on a six-monthly basis, mainly covering the areas of environmental health and the performance of contracted services. His staff will report separately on dog control, wastewater, dairy farm monitoring, compliance and enforcement, and water use monitoring.

## 4. New Government's legislative and policy priorities

- 4.1 The new National-led coalition Government has set out its priorities for its first 100 days, through to 7 March 2024. The commitments included repealing legislation introduced by the previous Government in their final year of office. That resulted in both the Natural and Built Environment Act and Spatial Planning Act being repealed on 20 December 2023.
- 4.2 Phase two of the Government's reform agenda in the environmental management space involves the development of fast-track consenting legislation and specific changes to the Resource Management Act (RMA) in line with the two coalition agreements that are in place. Those agreements can be interpreted as providing four key platforms to work from: farming economy, housing growth, infrastructure growth and renewables.

#### Fast track consenting bill

- 4.3 On 31 January 2024 the Minister Responsible for RMA Reform wrote to Mayors and Chairs to advise of the initial steps for implementing phase two of the reform agenda. Specific mention was made of the proposed fast-track consenting bill, which would lead to a standalone Act with its own purpose statement, and prioritise locally, regionally, and nationally significant infrastructure and development projects. There will be a process for the responsible Minister to refer projects for acceptance to an Expert Panel.
- 4.4 Council staff were given a short period of time to respond to an opportunity to identify projects which could be considered for fast-track consenting. At the time of writing, we had no further contact with officials but were expecting a bill to be introduced into the House. This may well have happened by the time the Committee meets.
- 4.5 The Minister has signalled that there will likely be an opportunity to provide feedback through a select committee process some time in March, and shortly after introduction of the fast-track consenting bill.

## Changes to the NPS-FW

- 4.6 In relation to phase three of the reform agenda, the Minister had previously written to Chairs and Mayors on 13 December 2023 to advise of his intentions to review and replace the National Policy Statement for Freshwater Management (NPS-FM) in this parliamentary term. This was to be done through the RMA process for developing and amending national direction.
- 4.7 In the 31 January 2024 letter, the Minister acknowledged that developing and amending national direction would take time. So as an interim step the deadline for councils to notify freshwater planning instruments to implement the NPS-FM had been extended by three years which means it is now set down for December 2027.
- 4.8 In the lead up to the Government's announcement, regional and unitary councils had undertaken a stocktake of where each Council was at, in relation to the December 2024 deadline, and it was apparent that many would have struggled to comply. Notwithstanding those that were having difficulty complying, some were running ahead of the timeframe and may choose to notify their plans well ahead of the new deadline.

#### Changes to Te Mana o te Wai

4.9 The 31 January letter also set out a commitment from the Minister to progress changes to how the hierarchy of obligations contained in Te Mana o te Wai provisions of the NPS-FM apply to consent applications and consent decisions. The stated intention was for these changes to be made through a separate RMA amendment bill this year. This step can be

interpreted as being part of phase two, with the wider review of the RMA coming in under phase three.

#### Freshwater Farm Plans

- 4.10 The coalition Government has signalled an intention to improve freshwater farm plans (FWFPs) to ensure they are pragmatic and cost effective. Regulations now apply to parts of Waikato, Southland, West Coast and Otago regions, and are scheduled to apply to parts of the Whanganui/Manawatu region from 1 April 2024.
- 4.11 For additional regions to go live there would need to be an Order in Council (OIC) made for this to happen and indications are that there are no immediate plans for an OIC to be made for that purpose. Instead, it seems likely that the review to identify improvements required will be undertaken before the roll out recommences.
- 4.12 In the meantime, councils who have already begun to implement the FWFP system will continue to be supported by the Ministry for the Environment with their implementation efforts. It is expected that further clarity will be provided by the end of March.
- 4.13 From a Tasman perspective, we see benefits in aligning the expectations coming out of a revised NPS-FW with the formal activation of the FWFPs in our district. It is essential that the FWFP is embedded into the required Freshwater Plan as that is where the minimum standards and expectations to be achieved will be set out. This is particularly important if we continue with not requiring land use consents to farm but defer to permitted activities as the primary tool in our plan.
- 4.14 If both deadlines are aligned, we will be better positioned to communicate a clear message on the content of FWFPs as we roll them out across our district. We anticipate there will be a standalone section/appendix in the new Freshwater Plan that will table how and when FWFPs give effect to the Freshwater Plan. Landowners could then use that appendix as the basis for ensuring they are meeting all requirements, rather than having to read the entire Freshwater Plan or pay a consultant to find the relevant bits for them.

#### Aquaculture

- 4.15 The Ministry for Primary Industries is exploring a range of options to improve aquaculture management and address perceived regulatory barriers. The objective of this work is to make it easier to consent new aquaculture activities thereby better enabling the growth of the primary sector.
- 4.16 Officials have signalled they are and will be working with agencies, industry, councils, and iwi representatives to explore options to improve aquaculture management and improve certainty for farmers. This will include identifying:
  - 4.16.1 How aquaculture marine projects could be included in permanent fast-track one-stop consenting regime currently in development,
  - 4.16.2 Effective ways of delivering greater certainty to existing marine farms by extending consent durations, and
  - 4.16.3 How national direction could improve aquaculture management and give greater certainty to farmers.
- 4.17 As part of this work, officials have provided Council staff with a one-pager outlining a proposal to extend the duration of existing consents for marine farming. Feedback was requested within six working days, and we were able to provide a 45-minute briefing four days into that deadline.

- 4.18 The Council context for these discussions is that there are 71 active consents in Tasman and Golden Bays, where most of the aquaculture occurs within three Aquaculture Management Areas (AMAs). Outside of the AMAs we have eight farms in Wainui Bay that are restricted to mussel spat production and they provide an important source of spat for the mussel farming industry (supplying 60% of spat used within Te Tau Ihi and 30% nationally). These consents are due to expire on 31 December 2024 and must be reapplied for within six months of that date. In total, 12 of the 71 consents are due to expire within the next five years (including the eight in Wainui Bay).
- 4.19 A brief submission to the MPI request was provided by the due date of 4 March 2024, although it was later in the day than the requested 12 pm deadline. The submission commented briefly on the proposal under the headings of consent extension, lacking in detail, consultation period too short, spat catching sites in Golden Bay, and consideration of climate change. Our submission concluded by emphasising that we would like to work with officials to find ways and means of ensuring aquaculture has a sustainable future in our district.
- 4.20 Running alongside the work our staff put into responding to MPI, the Resource Managers Group (part of Te Uru Kahika) sought comment from across their network. They drew on Ngā Kairapu as well as the Consents, Policy and Coastal Management special interest groups (SIGs). In summary, Te Uru Kahika are keen to work with MPI (and MfE) in progressing the next steps in achieving a thriving aquaculture sector, and more specifically in the process for determining marine farm consents' durations. The Te Uru Kahika Director for Resource Management Reform noted that the feedback supplemented, but did not override, submissions from individual member councils.
- 4.21 In order for the Committee to gain a better appreciation of the potential for aquaculture in our district, we have approached Aquaculture New Zealand, the Marine Farming Association and an Iwi Aquaculture Organisation representative to present to the Committee as part of the public forum at the meeting scheduled for 6 June 2024.

## 5. Dry 2023/24 summer

- 5.1 As 2023 came to an end it was apparent from most weather forecasting models that Tasman was heading into an extended period of dry weather. This prediction was driven by a La Niña weather pattern. As a consequence, an earlyish meeting of the Dry Weather Task Force (DWTF) was convened on 12 December 2023 and the first of a series of rationing decisions was made. The key function of the DWTF is to support the Council in the issuing of water shortage directions at any time that there is a serious temporary shortage of water in the district.
- 5.2 A decision was taken not to convene the task force over the summer break as the restrictions required to manage water takes over that period were relatively non-controversial and required to ensure environmental flows. However, the task force did meet weekly during the month of February and additional rationing steps were taken across the district. A summary table of the decisions that have been taken that restricted otherwise consented takes is attached as an appendix to this report. In addition, some exemptions were authorised to enable public supply to continue, subject to restrictions imposed to ensure adherence to reduced limits.
- 5.3 On the weekend of 2-3 March, Council was informed that the Waimea Dam was releasing water at a greater rate than was required to meet environmental flows. Downstream flow measurements subsequently confirmed that sufficient water had been released to enable

consented takes to be fully reinstated. An order to this effect was made on Monday 4 March. At that time the district was also benefiting from moderate rainfall and it the need for further restrictions would be greatly diminished.

5.4 However, the outlook continues to be or minimal rain through until the next scheduled meeting of the DWTF on 12<sup>th</sup> March. The case for further rationing will need to have been considered at that time and a verbal update will be available for the Committee on any decisions taken.

#### 6. Progress towards an operational Waimea dam

- 6.1 Progress with the commissioning of the Waimea Dam was slower than initially hoped and so the dam was not able to release water to supplement environmental flows until the weekend of 2-3 March (as noted above). This was enabled by the fitting of the first of three permanent pipes that will in time will work together to enable the flushing flows required from a fully commissioned dam.
- 6.2 The actual commissioning of the dam will require a commissioning report to be submitted to, and approved by, the regulatory arm of Council. Following that, there will be changes to the levels of water take that are authorised, depending on whether consent holders are affiliated to Waimea Water Limited or not.
- 6.3 In order to be ready for the go live state, required water consent monitoring (WCM) real-time rationing pro-rated and (text) notifications systems are about to be deployed, so that live environment testing can be completed. Then once the dam goes operational, the notification function will be turned on for all users.
- 6.4 Accompanying the text notifications is an automated email system. This is in the final stages of completion once that piece of work is complete, we will do live environment testing.
- 6.5 The below table shows a consent going into 50% rationing mid-week. In this scenario, we would ignore 'last week' and provide the user with 'this week'. An email sent on Thursday (highlighted in the table in blue) tells them that their maximum take for 'this week' is 500m3.

 M	Т	W	Т	F	S	S		
 100	100	100	100	100	100	100	= 700	Last week
 100	100	100	50	50	50	50	= 500	This Week
 50	50	50	50	50	50	50	= 350	Next Week

- 6.6 The following Monday the user would automatically receive an email that tells them their maximum take for 'next week' is 350m3 which is a 50% reduction of their entire take (unless another ration step is triggered, and it will recalculate the pro-rata allowed take).
- 6.7 The new arrangements that apply to an operational dam are going to take some time for all our consent holders to get used to. Accordingly, we have allowed for staff time to assist with education and support as they adjust.

## 7. Upcoming changes to regulation of dams

7.1 While we are close to having an operational dam that is 50% owned by the Council, there are upcoming changes to the regulatory framework that applies to dam owners. The new arrangements assume that Council has a Dangerous Dams Policy. The Council commenced the development of such a policy some years ago, but the policy development process was not completed.

- 7.2 The draft Dangerous Dams Policy is currently in preparation for a special consultative process required under the Local Government Act 2002. Once consultation is concluded, the Policy will be put to Council for adoption. This is timetabled to happen prior to commencement of the Building (Dam Safety) Regulations 2022 that are scheduled to come into effect on 13 May 2024.
- 7.3 The intention of the regulations is to ensure that classifiable dams are well operated, maintained and regularly monitored. They also ensure that potential impacts of dam incidents and failures are reduced, protecting people, property, and the environment.
- 7.4 Dam owners will first need to determine if they have a classifiable dam. The regulations currently describe the threshold for a classifiable dam:
  - Four metres or higher with a volume of 20,000m3 or more, OR
  - One metre or higher with a volume of 40,000m3 or more.
- 7.5 Dam owners are required to classify and register their dam/s within three months of the regulations commencing or, if the dam is being built during that time or later, within three months of the dam being commissioned. A Potential Impact Classification (PIC) must be certified by a recognised engineer and submitted to the Regional Authority for approval.
- 7.6 The PIC will establish the dams as having a low, medium or high potential impact, should a failure occur.
- 7.7 Following the approval of a PIC, a Dam Safety Assurance Programme (DSAP) must be provided to the authority within specific time frames as determined by classification; for Medium (two years) and High (12 months). DSAPs must also be certified by a recognised engineer. However, a DSAP will not be required for those dams holding a low PIC.
- 7.8 Where a DSAP is required, it will include the following:
  - Dam and reservoir operation and maintenance
  - Surveillance procedures
  - Inspection and maintenance of appurtenant structures and inspection and maintenance, testing of gate and valve systems with dam safety functions
  - Intermediate dam safety reviews
  - Emergency planning and response
  - Identifying and managing dam safety issues.
- 7.9 Community engagement will be initiated, planning the development of systems and procedures will be implemented. Development of systems to receive /address DSAPs and PIC reviews (within five years of PIC approval) can occur post commencement of the regulations.

## 8. Assessment of the Resource Consent and Building Assurance reports

8.1 Today's agenda includes reports from the Resource Consent and Building Assurance Managers. They both signal a drop off in consent applications to the Council during the 2023-24 year, in comparison to recent years. In the case of resource consents, this drop-off has allowed the team to reduce the backlog of applications that had built up due to capacity constraints. However, in the case of building consents there is no back log and so the volume of cost recoverable work has been less than budgeted for. 8.2 Staff have evaluated the reasons for the drop off in applications, and considered wider macro-economic factors that may indicate when the demand is likely to return to the levels the respective section budgets are based on. This is important for these sections as both rely on a high level of user funded services.

## **Building Consents**

- 8.3 Nationally building consents have been tracking down since mid-2022. Latest numbers (available for January 2024) both seasonally adjusted and actual have gone down. Tasman's building consents started to dip in late 2022, indicating a slight lag behind the national trend.
- 8.4 The number of new dwellings consented per 1000 residents has been dropping nationally. Tasman has done better than the national average for this indicator in both 2022 and 2023 (when we were the third highest) but is faring slightly worse in 2023 (seventh).
- 8.5 Various forecasts for building consents exist, but the most common projection is for a pickup in 2025. The Building Assurance Manager notes the apparent inevitability of a national upswing due to the high number of immigrants into the country and the decline in new dwellings being built. The internal view is that we can expect to see something of a pick-up later in 2024, but not returning to a threshold of 400 per annum until 2027. Tasman's 10-year average has been 436 dwellings per year.

## **Resource consents**

- 8.6 There is less information available to support predictions of the number of resource consent applications we can expect to receive in the near future. This is in part due to the oscillating legislative and regulatory environment which at various times has been aiming for greater legislative prescription (and therefore less of a need for consents) or the current approach of fast-tracking significant applications through a process set out under a new Act.
- 8.7 The National Policy Statement for Urban Development annual monitoring report has been monitoring residential subdivision consent applications. These have been tracking down since 2019. Internally staff are seeing a drop off in the volume of resource consent applications since late 2023, with an expectation this will last until the middle of 2024. This suggests there may be a knock-on effect for building consents and so the expected pick up in late 2024 may be delayed.

## 9. Pest management

- 9.1 **Red Eared Slider Turtles**: We have at least one Red Eared Slider turtle in Lake Killarney. Red Eared Slider turtles are considered one of the hundred most invasive pest species in the world. Because of their omnivorous diet they could adversely impact aquatic plants, insects, eels, small fish species and ground-nesting birds. Red Eared Slider turtles are an eradication pest species in our Regional Pest Management Plan and as the management agency we are required to eradicate them from the district.
- 9.2 All residents on the western side of the lake have been spoken to, and the team at Abbeyfield and have also consulted with Iwi. Everyone is aware that these turtles are an issue and supportive of the control programme.
- 9.3 Staff also plan to do a post on social media to inform people of the risks of releasing these turtles into the wild. Our timing is good as it coincides with a push from DOC and MPI about turtle education. Staff will use a specifically designed live capture trap that will be monitored frequently and once the turtle is caught it will be euthanised.

- 9.4 **Possums, rats and stoats:** in the first half of this year, from February onwards, Vector Free NZ is carrying out a three-part 1080 pest control operation in the Cobb, Parapara & Gouland areas, in the Kahurangi National Park. It covers 155,000 hectares.
- 9.5 This work is being done to control pests in the region including possums, rats, and stoats. Native species that are under threat from these pests include tuke (rock wren), whio (blue duck), roroa (great spotted kiwi), kea, kaka, and eight species of giant snails. The area is also home to three species of native mistletoe.

### 10. Attachments / Tuhinga tāpiri

1.1 Table 23-24 summer season

Doto		
Date		
12 Dec	Motupiko and Dovedale	Stage 1
1 Jan	Moutere Eastern Groundwater and Dovedale	Stage 1
15 Jan	Motupiko / Dovedale	Stage 1
	Moutere Eastern Groundwater	Stage 2
29 Jan	Dovedale / Motupiko / Rainy	Stage 1
	Moutere Eastern Groundwater	Stage 2
5 Feb	Moutere Eastern Groundwater	Stage 3
	Moutere Surface Water	Cease take
7 Feb	Motupiko/Rainy	Stage 1
	Moutere surface takes	Cease take
	Dovedale	Cease take
	Powley Creek	Cease take
	Moutere Eastern Groundwater	Stage 4
	Waimea Unaffiliated (A permits)	Stage 1
13 Feb	Moutere/Dove/Powley Creek	Cease take
	Moutere Eastern Groundwater	Stage 4
	Moutere Western Groundwater	Stage 1
	Motupiko/Rainy	Stage 2
	Waimea Unaffiliated (A permits)	Stage 2
	Waimea Unaffiliated (B permits)	Stage 1
	Waimea Affiliated (A permits)	Stage 1
	Moutere/Dove/Powley Creek	Cease take
	Moutere Eastern Groundwater	Stage 4
20 Feb	Tākaka – Water Management Area	Stage 1
	Moutere Surface/Dovedale/Powlev Creek	Cease take
	Moutere Eastern Groundwater	Stage 4
	Moutere Western Groundwater	Stage 1
	Stanley Brook/Glenrae/Tadmor/Tapawera	Stage 1
	Motupiko	Stage 2
	Rainv	Stage 2
	Waimea Unaffiliated (A permits)	Stage 3
	Waimea Unaffiliated (B permits)	Stage 2
	Waimea Affiliated (A permits)	Stage 2
	Waimea Affiliated (B permits)	Stage 1
	Tākaka – Water Management Area – FMU	Stage 1
	Moutere Surface/Dovedale/Powley Creek	Cease take
27 Feb	Tākaka – Water Management Area – FMU	Stage 1
21100	Moutere/Dove/Powlev Creek	Cease take
	Moutere Eastern Groundwater	Stage 4
	Moutere Western Groundwater	Stage 1
	Stanley Brook/Glenrae/Tadmor/Tapawera	Stage 1
	Baton and Wangapeka	Stage 1
	Motuniko	Stage 2

## Summary of rationing levels imposed over the 23/24 summer period (to date)

Rationing on Waimea Affiliated and Unaffiliated water users was lifted 4 March, after Waimea Water started releasing water on 2 March.

Information Only - No Decision Required

## 7.2 RESOURCE CONSENT MANAGER'S REPORT

Report To:	Environment and Regulatory Committee
Meeting Date:	14 March 2024
Report Author:	Katrina Lee, Resource Consents Manager
Report Authorisers:	Kim Drummond, Group Manager - Environmental Assurance
Report Number:	RRC24-03-6

#### 1. Summary / Te Tuhinga Whakarāpoto

- 1.1 This report summarises the performance of the Resource Consents Section, within the Environmental Assurance Group, for the period July to December 2023. A drop off in consent applications has occurred since about October 2023. This has allowed us to clear some backlog and make good progress on identifying and initiate actioning of a range of process improvements.
- 1.2 Statutory timeframe performance for the reporting period was at 55% compliance across all consent activities, but for the majority of the consents that we have processed (i.e. land use) compliance was at 60%. In cases where statutory timeframes have not been met, discount penalties provided for in the legislation have applied.
- 1.3 In recent times the trend has been for the quantum of discount penalties to have doubled each year for the past three years, but this trend appears to have been arrested. This is a big positive for the Section. The key drivers for the discount penalties that are being incurred can be put down to three main drivers:
  - It continues to be difficult to attract and employ experienced and competent consent planners who can work within statutorily imposed timeframes.
  - Engaging experienced contractors has also been a struggle, and when we do, they are generally not locally based. This places additional challenges on team leaders to manage quality of output in a timely fashion.
  - More and more complex issues seem to be coming over our desks. This seems to be at odds with the former Government's claims that there will be less of a need for consents under a simplified legislative structure. The legislation that they passed did not seem to support this assumption, and has now been repealed.
- 1.4 The volume of consent applications received has increased during this reporting period and notwithstanding the failure to meet statutory timeframes, we are improving our efficiency and effectiveness. During the same period for 2022/23, we had a list of 100 unallocated consents but this time around we were at 37. This shows we are making progress towards being able to process consents as they arrive.
- 1.5 As a result of still holding vacancies in the team we have been continuing to contract out consents that we would prefer to process inhouse. However, over this reporting period we

have seen a reasonable improvement in the recovery of costs associated with using contractors.

- 1.6 We now have four graduates, after one graduate progressing through to a consent planner position. We have secured a senior planner in the natural resources team and about to advertise again for a senior planner in the land use team. We are also recruiting for a Team Leader Development Engineering and a Development Engineering Officer.
- 1.7 The team does not only process resource consents. A considerable amount of our time is also spent responding to public enquiries (duty planning) and LGOIMAs (information requests). Responding to service requests and pre-applications can take consent planners away from consent processing, but it is an investment that is likely to improve the quality of applications that do come through to us.
- 1.8 We also have multiple staff in the resource consents team that are involved in commenting and contributing to building consents, Project Information Memorandums (PIMs) and Land Information Memorandums (LIMs). These additional statutory processes also have tight audited timeframes and staff need to meet those demands – along with LGOIMA responses, responding to complaints and service requests.
- 1.9 We continue to service the Tākaka office through a contractor (for land use consents), and this is working reasonably well. We will need to review this before April due to this contractor going on leave for a number of months.
- 1.10 In summary, while we are still facing challenging times, the output of the consents team needs is delivered against the backdrop of a range of factors.

## 2. Recommendation/s / Ngā Tūtohunga

#### That the Environment and Regulatory Committee

1. receives the Resource Consent Manager's Report RRC24-03-6.

#### 3. Purpose of report

3.1 This report presents the performance results for the Resource Consents section for the first half of the 2023/24 financial year, from July to December 2023. It also provides some comparisons from previous periods. It is a snapshot of current workload; staff resourcing and shows where the section is sitting alongside our budget expectations.

#### 4. Performance reporting July to December 2023

- 4.1 A total of 516 applications for resource consents and other statutory applications were received in the reporting period July to December 2023, the six-month period before this was 470. A total of 434 decisions were made during this six-month period, compared to 367 last year. This is outlined in Table 1 below.
- 4.2 This tells us that we have received more applications and issued more decisions during this reporting period.
- 4.3 There are currently 562 active consents still to be processed through to a decision. This is a reduction in our backlog since the last reporting period. This number does also include objections received, mainly for water permits and time extensions to extend durations on existing consents. It also includes a consent on long term hold awaiting on further information requests.

Type of Application	Number Complete Jul-Dec 21*	Number Complete Jan- June 22*	Number Complete July-Dec 2022	Number Complete Jan-June 2023	Number complete Jul-Dec 2023	Percentage Within Time (Incl s37)	Median Processing Days**
District Land	282	246	213	207	233	60.09%	33
CN Variations	17	10	13	6	15	53.33%	41
Subdivision	79	50	53	40	68	30.88%	62
Coastal	7	5	6	24	6	50.00%	58
Discharge	79	57	75	54	67	46.27%	54
Regional Land	37	10	17	12	10	50.00%	64
Water Permit	73	44	45	24	35	94.29%	15
Total:	574	422	422	367	434	55.53%	39
SHA Consents	0	3	1	0	2	100%	15
Boundary Notices	16	34	27	14	23	34.78%	14
Others***	14	12	19	20	17	N/A	N/A
* The numbers shown include applications to change conditions of existing consents (variations)							
** Processing days are statutory working days including time extensions.							
*** Others include Right of Ways, Outline Plans and Certificates of Compliance							

 Table 1: Non-notified consents July to December 2023

- 4.4 The timeframe compliance for the period has dropped further away since the last reporting period. This is primarily reflective of a lack of planner resources, especially in the senior space. This capability is especially required for peer review internal work and mentoring of inexperienced staff. Despite this there has been an increase in applications received and decisions issued year on year.
- 4.5 Table 1 shows that the timeframe compliance for subdivision consents processed through to a decision has improved since the last reporting period (17% were within statutory timeframes last reporting period compared to 30%). We expect this trend of improving performance to continue.

Type of Application	Number Complete Jul-Dec 21	Number Complete Jan-June 22	Number Complete July-Dec 22	Number Complete Jan-June 23	Number complete Jul - Dec 2023	Percentage Within Time (Incl s37)	Average Processing Days*
Publicly Notified (no hearing)	0	0	0	0	0	N/A	N/A
Publicly Notified (with hearing)	0	3	0	7	0	N/A	N/A
Limited Notified (no hearing)	21	16	13	10	7	71.43%	73
Limited Notified (with hearing)	9	1	0	5	2	0.00%	195
Totals	30	20	13	22	9	55.55%	134
* Processing days are statutory days including time extensions. The timeframe for notified applications includes a variety of time extensions such as resolving issues with submitters, agreements for hearing dates and adjourned hearings.							

Table 2: Notified Applications July to December 2023

- 4.6 Table 2 shows that the percentage of limited notified consents processed within timeframe for nine consents (with or without a hearing) was 55%. This is a low compliance rate, but an improvement on the last reporting period. The seven limited notified consents related to four developments as they were bundled consents across subdivision, land use, discharge permits and a consent notice variation.
- 4.7 For this period, the timeframe compliance dropped by 9%, but the total amount of discount penalties did not increase. Discount penalties are awarded as a 1% refund of total consent costs, for each day that is over the statutory timeframe, to a maximum of 50% (50 days).



**Table 3: Discount Penalty Payments** 

- 4.8 Of the 103 consents that received a discount penalty this reporting period, 29 of these were bundled consents (i.e. across district and regional council consents). Twenty seven percent of the 103 were a 30% or above discount, but on average discount percentage was 20%.
- 4.9 Table 3 shows a reduction in discount penalties paid out. However as explained in the last reporting period, there was one consent that was 44% of the total discount penalties. Therefore, if we remove that one consent from the last reporting period, we paid out the same discount penalties, on average, this reporting period.
- 4.10 Some of the reasons for the discounts and timeframes relate to:
  - Allocating and finding experienced planners to process has been one of the most difficult tasks for a number of years
  - Because of the less senior planners this has led to a shortage and ultimately delays in peer reviewing letters/decisions that are sent out. This peer review work is required for quality purposes to ensure a robust decision-making process
  - Complex applications and issues, including consent conditions and affected parties
  - To ensure we make informed decisions we rely on a number of internal staff to comment on resource consent applications. However due to staff outside the consenting team having other workload deadlines etc these comments can be delayed. As a result, this impacts the statutory timeframes
  - Multiple/bundled consents being processed at once with many overlays (i.e. hazards, contaminated soils, coastal, wetlands, highly productive land etc)
  - Staff turnover and handing over consents to new processing planners
  - Managing contract planners and ensuring overall consistency across decision making
  - Managing and interpreting National Policy Statements (NPS's) and National Environmental Standards (NES's), and at times being seen as the knowledgeholders for some of the consultant planners that are lodging resource consent applications on behalf of applicants.
- 4.11 Some of these consents started before this reporting period but were issued during the reporting period. Since October 2023, we have maintained the unallocated list to be relatively low (currently sitting at 35) compared to the previous two years. This result represents progress.

## 5. Public enquiries (service requests)

5.1 The overall number of public enquiries we have completed through the service request system has remained steady over the last 12 months, with an increase in enquiries to respond to in two teams – land use and natural resources. The January to June 2023 period showed 1,288 service requests for the entire resource consents team and this period 1,547. Refer to table 4 below.



**Table 4: Service Requests Completed** 

5.2 As of February 2024, the service request enquiries across the resource consent section are considered to be at a manageable level. This means that planners are prioritise consent processing, rather than being drawn into responding to service requests.

#### 6. Hearings and Appeals

6.1 During this reporting period here was one new appeal to a consent decision, received July 2023, one hearing held on a subdivision and a mediation meeting. This is outlined in table 5 below but more detailed under section 8 of this report.

Application	Status
Application by CJ Industries Limited for gravel extraction at Peach Island, Motueka	Commissioner decision to decline this application was issued 29 <sup>th</sup> of June 2023 and an appeal was lodged by the applicant on 21 <sup>st</sup> of July 2023. Mediation occurred December 2023. More details under section 8.1 of this report.
(RM200488 and others).	
Application by Smit, for a subdivision at Redwood Park Road, Redwood Valley (RM230081 and others).	A rural residential subdivision to subdivide into two allotments was limited notified 12 July 2023 and submissions closed 24 August 2023. We received three submissions and hearing was held 24 November 2023. Decision to grant subject to conditions was released 9 February 2023 and the appeal period is open until 1 March 2024.

#### Table 5: Appeal in progress.

## 7. Water permit renewals / objections

- 7.1 Tākaka (water management) Zone: The last staff update for the Tākaka Zone was of seven applications for new water (i.e., for irrigation use) currently on hold (subject to the provisions of NES Freshwater). They continue to remain on hold in accordance with the provisions of the then proposed (19 October) gazetting of the Te Puna Waiora o Te Waikoropupū Springs and the Wharepapa Arthur Marble Aquifer Water Conservation Order (WCO). Today the NES Freshwater is subject to the new Government's review and implementation of the WCO is front of staff's mind. The WCO provides for granting of new water permits up to a limit of 766 L/sec subject to:
  - (i) no increase the concentration of N in the WAMARA (8(1a)); OR
  - (ii) not cause exceedance of the DRP limit <u>in Fish Creek Springs or Main Spring</u> (8(2)); OR
  - (iii) not cause exceedance of DO and clarity limits in the Main spring (8(3)).

Section 6 of the WCO refers to Duties of Council and we need to understand how iwi choose to be involved in this process. These implementation challenges need to be resolved before we can grant any additional water.

7.2 **Waimea (water management) Zone**: The Waimea East Irrigation Company (WEICo) decisions RM170207 (& RM170207) were issued in October 2023 and the (s357) objections received are yet to be heard.

With WEICo's objection there are now outstanding Waimea objections (s357) as follows:

- Relating to one applicant, there is one outstanding complex (Reservoir Zone) objection relating to an affiliated consent (and three related objections to damming, excavation of gravel seepage holes etc) in this Waimea zone of benefit (S124 applies); and
- Two outstanding objections relating to unaffiliated consent decisions in Waimea West Zone and Redwood Valley Irrigators (RVI) in Delta Zone (S124 applies to both). As reported previously, Council staff have responded to both objections. Staff are currently discussing part affiliation of the RVI as a recognised irrigation scheme.

While not objections, 12 applications (involving multiple affiliated permits & holders) remain unprocessed, in the run up to a joint allocation sharing framework.

- 7.3 **Redwood Zone**: One objection was resolved in the last period, but five objections are still outstanding relating to the TRMP rezoning of the zone of benefit (Waimea Dam). There has been no recent contact with these applicants.
- 7.4 **Aorere/West Coast (water management) Zone**: There continues to be one objection outstanding with no recent contact with the objector.
- 7.5 **Upper Motueka**: Two objections are still unheard relating to their 2017 bona fide assessment (at expiry), which reduced their consented allocations. (S124 applies). No recent contact with the objector.
- 7.6 **Otuwhero**: One objection "on-hold" relating to RMA & NPSFM changes relating to a proposed Hydro Electric Power scheme, where application was returned incomplete under s88 RMA.

### 8. Other notable application work

- 8.1 **CJ Industries Ltd**: The application to extract gravel at Peach Island, Motueka. It was publicly notified, submissions were received, and a hearing held with the decision released 29 June 2023. An appeal was lodged 21 July 2023 by the applicant, with submitters joining proceedings, and mediation was held 11 and 12 December 2023. The parties mediated the matter, but no issues in the appeal were resolved primarily due to concerns around insufficient information on impacts to groundwater and productive land. However, all parties did agree the groundwater experts should prepare a joint witness statement. Next actions and timelines have been agreed and confirmed (with leave reserved for additional mediation if desirable), and the Courts have indicated they would like to schedule the hearing in the second half of this year. Witness and cross-examination lists are currently being compiled and estimated and will be revisited following the exchange of evidence. The key dates are revised application due end-April 2024, confirm Council experts end-May 2024, appellants evidence due end-June 2024, Council evidence due end-July 2024, and the appellant right of reply due mid-August 2024.
- 8.2 **Māpua Boat Ramp**: The initial application to establish and operate a new boat ramp and community building, with associated car/trailer parking was lodged April 2023. However a lot of the work and request for more information occurred during this reporting period, and even though the submission period has been outside this reporting period it is still a notable application that is taking up resource to progress.
- 8.3 The application was publicly notified on 24 January 2024, and the submission period closed 26 February 2024. It attracted approximately 330 submissions. During the submission period the resource consent team responded to a high volume of general enquiries from interested parties. The Council's independent processing planner (supported by internal specialists) is now considering the nature and content of the submissions received and identifying any outstanding information gaps that may need to be addressed prior to a hearing. Independent and accredited commissioners with the right experience are currently being considered and a panel will be appointed should this application proceed to a hearing.

#### 9. Iwi engagement

- 9.1 We have been sending weekly lists of resource consent applications to each of the iwi for the past seven years or so. In this way we seek to assist the Council to meet its obligations under the Resource Management Act (embodied in the Tasman Resource Management Plan) to recognise Māori cultural values and provide for iwi involvement in the consenting process. This approach is under review as we are looking to make the process more effective and efficient for iwi.
- 9.2 Council staff have been active in communicating resource consent information to iwi and will continue to support and nurture the relationships we have developed. We are mindful of the range of demands on iwi staff from their own people and from a range of agencies. We look to highlight key applications that involve issues that iwi have identified a particular interest in.
- 9.3 As consenting matters arise, we discuss these with the Councils Kaihautū team and we have re-commenced our regular internal consents hui to ensure consistency and understanding across all areas.
- 9.4 In April last year resource consents team invited Te Tau Ihu o Te Waka a Māui iwi to attend a workshop with our consent processing planners and Council Kaihautū team on how we can improve and continue to work together. This was a productive hui and there were some

key actions that came out of this hui. Unfortunately, due to change in staff with iwi and internally at Council we have not finalised these actions, but this work is set down to continue in the first half of 2024.

#### 10. Current staffing, contractors, and workload

- 10.1 Advertising for staff, working with recruitment agencies, and accessing our networks has been constant, as we seek to find and employ experienced planning staff. Since the last reporting period we have had one resignation, and one new staff start.
- 10.2 The one resignation during this period was our Team Leader Development Engineering (Dugald Ley) who had been with Council doing this type of work for 21 years. We are currently advertising for this role along with a Development Engineering Officer to replace the incumbent who left in June 2023. Covering these roles has been a challenge having to lean on the engineering/infrastructure team to support us. Additionally, lately with Covid hitting a number of engineering staff members this has been even more problematic to manage. Ultimately this will cause some delay and further impact statutory timeframes.
- 10.3 The vacant position that we have recruited a Senior Planner in the Natural Resources team which is exciting. The appointee comes from a Ministry for the Environment and Environment Canterbury background and is very familiar with the Tasman region, having grown up in this area.
- 10.4 Over this reporting period we have seen an improvement in the cost of using external contractors to process consents. We have been working hard to secure contractors that can add value to our processing and are affordable in the context of Council charge rates. This has paid off and instead of losing money this reporting period on contractors we have broken even.
- 10.5 Over and above our consenting work we also provide internal technical support and liaise with the Environmental Policy and the Strategic Policy team, including evaluating national direction documents. We have committed to providing resource and technical knowledge where we can, to assist with responses to draft national legislation/policies/standards/planning frameworks, plus plan changes/growth plans. Our consent planners are on the front line and have important contributions to make on how rules do or don't work.

#### 11. Process improvement work

- 11.1 The team has had support from other sections in the Council to assess where our team needs assistance in implementing process improvements. This is an ongoing project that the section will keep working on but will ensure that all parts of the Council that have interdependencies with the Consents Section are aware of the impact their prioritisation decisions on the consenting process.
- 11.2 During this reporting period we have been working on particular process improvements. Examples are outlined in Table 6 below.

Types	Progress
Resource consent application triage – using a traffic light system to identify straightforward consents versus more complicated ones and allocate them to a consent planner and how this can be achieved more effectively and efficiently in some situations.	We have commenced this process – whereby we are early on establishing whether a consent is complex/definitely going to be notified or have a high public interest we will tag this as red and allocate as soon as we can i.e. within 5 days to someone who can start work on it as soon as possible. We recognise that with this process there will be some that we can't match them up as quick as we would like with a processing planner. But these are the consents that are having a high-cost impact on Council therefore have higher overall risk and believe it's important to getting them moving as quickly as possible.
	This doesn't mean all other consents won't be allocated and started processing as quick as we can. We have drafted a streamline decision-making template for the green/simple consents. Next step is to finalise and release this.
Circulating resource consents in a more coordinated way around	We are doing this reasonably efficiently now with the forms, so this has progressed well.
departments for comments.	Next step would be to improve how we manage these comments and track them better.
	We are working with the Project Harvest team on whether there are an options to improve circulation of comments on consents i.e. a portal and more transparency on timeframes and where are they being held up.
Scanning resource consent files.	We have been working on this process for months now and this is the hardest scanning jobs in Council, more so than the property files that were scanned last year. The resource consent files are not in chronological or logical order at times and there are a number of variances.
	Given the low resources (staff and cost) and competencies to do this project we are heading towards just scanning the entire file but reviewing what this means for searchability options etc.

Table 6: Types of improvements and progress

- 11.3 The team contributes to the building assurance newsletter and uses this platform to update the building industry on relevant matters. In addition, we have continued a regular update email to key contractors and consultants to give them updates and invite feedback through this channel.
- 11.3 We are gradually developing better tools and guidelines to share with the community so that they benefit from the service we provide. Developing key contact points for consistency is crucial and we are continuing to work with the customer services team and information teams on this.

11.4 Overall, we are working through a good programme of process improvements which will ultimately improve the way we do things and enhance the customer experience with our team. We will be reporting back to the Committee in the next six-monthly report on progress.

12.	Attachments /	' Tuhinga tāpiri	
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Nil

## 7.3 BUILDING ASSURANCE MANAGER'S REPORT

#### Information Only - No Decision Required

Report To:	Environment and Regulatory Committee
Meeting Date:	14 March 2024
Report Author:	Matt Feely, Building Assurance Manager
Report Authorisers: Kim Drummond, Group Manager - Environmental Assurance	
Report Number:	RRC24-03-7

#### 1. Summary / Te Tuhinga Whakarāpoto

1.1 This report updates the Committee on activities of the Building Assurance section for the period 1 November 2023 to 29 February 2024.

#### 2. Recommendation/s / Ngā Tūtohunga

#### That the Environment and Regulatory Committee

## 1. receives the Building Assurance Manager's Report RRC24-03-7.

#### 3. Summary: 1 November 2023 – 29 February 2024

- 3.1 Tasman District Council is legally required under the Building Act 2004 to perform the functions of a Building Consent Authority (BCA) and must maintain accreditation under the Building Regulations 2006. This is reinforced as a performance measure under a related level of service in our 10-year plan. From the latest assessment by International Accreditation New Zealand (IANZ), five general non-compliances (GNCs) were found. All information required to clear these GNCs has been submitted to the Ministry for Building, Innovation and Employment (MBIE), and so far two have been formally cleared.
- 3.2 Building Consent numbers have been declining over the past three months, and this appears to be a consequence of the current economic pressures (including rising building and material costs, high interest rates and lending restrictions), although December, January, and February are typically quieter months. The Building Consent applications are now at a similar level to 2019-2020 and at that time there was a dramatic upswing the following year. Similar results are being recorded across New Zealand for most BCA's, but for us it means that the funding model we are operating under for the 2023-24 year is not fit for purpose.
- 3.3 We have experienced a drop in building consent numbers, specifically related to new dwellings (homes). Customer circumstances have changed the sector is reporting a move from a significant growth period during 2020-21, 2021-22 and the first part of 2022-23 where subdivisions were pre-sold months in advance, to having subdivisions being released with sections still to be sold. This change impacts on the pipeline of building consent applications that we receive at any point in time.

- 3.4 Other building consent applications, such as commercial and alterations, do not appear to be impacted by the economic conditions in the same way. However our team is not well set up to process these applications in an efficient and effective manner, due to a combination of a mismatch in skill sets and the piecemeal nature of renovations.
- 3.5 In addition to the two yearly IANZ assessments, a Territorial Authority (TA) Assessment was carried out in December 2021. At that time we received 'areas of significant concern' for failing to meet the statutory requirement to inspect all residential pool barriers within the required 3-year time frame, and failure to carry out a sufficient number of Building Warrant of Fitness (BWoF) Audits. Pool Barrier inspections have since been cleared. We are tracking towards meeting the expectations set down by MBIE for BWoF audits. Final details of our current approach have been sent to MBIE for clearance.
- 3.6 In the near future MBIE's Compliance and Assurance team will be carrying out an online performance monitoring assessment of our TA functions. Monitoring assessments are carried out under section 204 of the Building Act 2004 and are one of several methods MBIE use to meet the objectives of the BCA/TA compliance strategy. Monitoring assessments help MBIE gain an overview of the existence and maturity of Council systems and processes for managing TA building control functions. They are used both as a tool for informing TAs about their performance and a scoping exercise to help them make risk-based decisions for helping TAs improve their performance. For example, determining which TAs will receive a more detailed assessment or identifying where guidance, education or some other assistance is required. We have supplied documentation and responded to a series of questions through MBIE's online tool. MBIE will assess that information and may send us follow up questions for us to respond. Once the assessment is complete a report will be provided and reported back to the Committee.
- 3.7 The Council is required to have a Dangerous Dams policy in place prior to the Dam Safety Regulations coming into place on 14 May 2024. A draft of a suitable policy has been provided to our policy team for refining via a consultation process. It is likely that the policy will need to go through a hearing panel prior to adoption.

## 4. Highlights / Nga mea nui

- 4.1 The IANZ Assessment of our BCA status identified five GNCs and we have responded to all of these. Two GNCs have been closed off, with the remainder sitting with the IANZ Technical expert for review.
- 4.2 Five technical staff members have successfully completed and earned their Level six Diploma in Building Surveying. Realisation of the investment in training will greatly assist us in improving productivity.
- 4.3 Two building support officers have successfully completed and earned their level 4 New Zealand Certificate in Building Regulatory Environment.
- 4.4 Staff have continued with BWoF Audits. Currently we have audited 20% of buildings. This puts us in alignment with MBIE's recommendations as to coverage.
- 4.5 With the inhouse trainer in place we have increased competency levels with all residential consents able to be processed inhouse. Currently all commercial processing is contracted out, and that is where the demand for our services is swinging to.

4.6 Recruitment for a senior building technical officer has been positive and an offer has been made. In other situations where vacancies have arisen we have placed them on hold to reflect the drop off in demand.

### 5. Challenges / Nga wero

- 5.1 Recruitment has been an ongoing issue, and attracting experienced and competent people has been difficult. In the last four monthly report we had three approved positions that we are unable to fill, and the associated work had to be outsourced. With the declining Building Consent applications, we have put further recruitment on hold. One building inspector has recently resigned, we will not be replacing him in this financial year. We will soon have an inspector return from a posting in Antarctica and take up a position that we did not fill at the time he took leave without pay.
- 5.2 Expenditure on contractors is still high but decreasing due to growing inhouse capability and the observed reduction in Building Consent applications. By way of comparison, expenditure on contractors is lower than this time last year. However, the drop off in income has not been able to be matched by an equivalent drop in expenditure. This comes down to the financial model we are operating under; it assumes a certain demand for our services and a matching level of competency.
- 5.3 Council currently has 1,799 pools on its register. The challenge continues to be around the identification of non-compliant swimming pool fencing, with the three-year inspection cycle put in place because it is common to have changes made to the surrounds of pools during that time period. Once non-compliance is identified, we have clear processes in place that assists owners to become compliant.
- 5.4 With earthquake strengthening taking place it has been quite disruptive for the Building Assurance team. We are split over different areas, the Church, councillors lounge, hot-desking and home. Although the team feels disconnected, they have adapted well, and I am impressed with the team's resilience.

## 6. Building control functions and delivery

#### **Regulation 18 Diploma**

- 6.1 A technical staff member has started the Level 6 Diploma in Building Surveying. Two Building Support Officers have completed the Level 4 New Zealand Certificate in Building Regulatory Environment.
- 6.2 Service delivery has been maintained at 100% within statutory timeframes for building consents and code compliance certificates.

#### Stakeholder engagement

6.3 Customer engagements have continued with Certified Builders and Master Builders quarterly meetings. Council has continued its quarterly Building Assurance newsletter, which informs our key customers of important updates, legislation changes, and any other relevant matters.

## 7. Compliance team function and service delivery

- 7.1 The Compliance section of Building Assurance has continued to undertake all the territorial authority responsibilities under the Building Act, other than those functions of the building consents team, and includes:
  - 7.1.1 Inspections of Pool Fencing
  - 7.1.2 Processing Building Warrants of Fitness (BWoF)
  - 7.1.3 Audits of BWoFs
  - 7.1.4 Processing building consent exemptions
  - 7.1.5 Processing Certificates of Acceptance (COAs)
  - 7.1.6 Investigating and resolving complaints
  - 7.1.7 Compliance Investigation/ Enforcement
  - 7.1.8 Issuing Notices (Notices to Fix, Dangerous and Insanitary, Infringement Notices, Certificates for Public Use etc).

#### Status and work of the Compliance Team

- 7.2 The Compliance team has been together for three years now and is well settled. BWoF audits are generating more work as non-compliances are found. The team continues to gain experience and complete the necessary training that will enable further efficiency and effectiveness improvements over time.
- 7.3 Staff have achieved good results and managed to inspect all known outstanding pool barriers. This also includes a review to ensure all pools mentioned within all building consent applications are properly recorded and registered.
- 7.4 The team has an audit plan for BWoFs. At present the auditing of high-risk buildings this satisfying MBIE.
- 7.5 Building consent exemptions and certificates of acceptance (COA) processing has continued.
- 7.6 Recruitment for a compliance officer was unsuccessful due to a mismatch in required and applicant skills. In the current environment we were unable to appoint an individual who required substantial training.
- 7.7 Staff have supplied documentation and responded to a series of questions through MBIE's online tool for the TA assessment.

Building Compliance	1 July 2019 to 30 June 2020	1 July 2020 to 30 June 2021	1 July 2021 to 30 June 2022	1 July 2022 to 30 June 2023	1 July 2023 to 31 January 2024
Compliance Schedules	39	42	21	23	17
Building Warrant of Fitness	260	220	471	534	272
Schedule 1(2) Exemptions Issued	185	141	127	77	46
Certificate of Acceptance Issued	38	35	30	50	26
Notices to fix issued	29	14	24	54	28

Status	As of May 2022	As of April 2023	As of October 2023	As of February 2024
Total Pool licenses	1551	1750	1781	1799
Total Pools non-compliant	156	84	20	43
Pools removed/decommissioned	191	225	249	269
Average monthly Pool inspections	40	48	78	32

## 8. Determinations / Practitioner Complaints

- 8.1 Determinations are made by MBIE on matters of doubt or dispute to do with building work. Rulings are legally binding on a case-by-case basis. Previous determinations may provide useful guidance for subsequent issues as they arise, although individual circumstances may vary. Council currently has three determinations with MBIE, and two are long overdue for finalising. This suggests there may be capacity issues within MBIE, just as there are in our District.
- 8.2 Complaints can be made to the Council by practitioners. There are currently no such complaints. This is indicative of a level of satisfaction with the service the team provides to the District.

## 9. Activity summary

- 9.1 Comparative statistics are shown across five columns in the table below. The comparisons are four 12-month periods between 1 July to 30 June and the 2023 year up to 31 October. The numbers highlight that our level of activity is down on the previous four years.
- 9.2 We have seen an increase in consent applications for alternations. High end architectural and Commercial remain steady. The Lower Queen Street development is ongoing.

- 9.3 The BCA has maintained its statutory timeframes for both issuing building consents and Code of Compliance Certificates. The average days to issue certificates are currently at 8 for consents and 6 days for Code of Compliance Certificates (CCC).
- 9.4 Building inspections are maintaining the two working day notice for bookings.

Building Consent Results	1 July 2019 to 30 June 2020	1 July 2020 to 30 June 2021	1 July 2021 to 30 June 2022	1 July 2022 to 30 June 2023	1 July 2023 to 31 January 2024
Building Consents Issued	1306	1486	1500	1376	647
New Dwellings Consents Issued (excluding amendments)	447	575	510	484	147
New Dwellings Consented Issued (excluding amendments)	498	619	559	592	153
Average processing days	97%	99%	98%	99%	99%
Building Consents processed within statutory time frame (%)	12	11	10	9	8
Inspections undertaken	7615	8624	7539	8127	3793
Failed Inspections (%)	44%	61%	68%	72%	68%
CCC Applications	1036	1286	1054	1259	597
CCC Issued	1088	1266	1060	1165	640
CCC Average processing days	2	5	6	6	6
CCC processed within statutory time frame (%)	100%	99%	99%	99%	99%

## 10. Resourcing update

- 10.1 Within this four-month period we have had two resignations from a building inspector and building support officer. Recruitment is underway to replace the building support officer. Under the current economic climate will not be recruiting for the building inspector role. We do have access to a contractor to cover the shortfall for commercial inspections.
- 10.2 An in-house trainer has been contracted for two years. This has had positive results, with staff gaining competency in Residential 1 and 2 dwellings. These buildings are now 100% processed inhouse, staff have maintained output performance statistics.
- 10.3 One staff member has R3 competency and the second is on track to gain R3 Competency in March. This will further reduce contractor spend. The contractors are being allocated the more technical jobs as our inhouse capacity can pick up more of the general work. Reliable contracts are in place to assist with achieving value for money with service provision.

10.4 Recent recruitment for an additional Compliance Officer was not successful due to inexperienced applicants. Current budget constraints do not allow for the training of these staff.

#### 11. Risk Management

- 11.1 A key risk mitigation continues to be ensuring that all technical staff are competent to assess building consent applications and issue these only when compliance with the building code is demonstrated. Inspectors must in turn only issue Code Compliance certificates when the building work is completed in accordance with the building consent.
- 11.2 Pool Barrier compliance still a risk, but we are steadily moving beyond historical issues and aligning our inspection processes to good practice. Hence when issues do arise they generally reflect a modernising of the pool compliance system
- 11.3 The appeal by Tasman District Council in relation to the Marshall/Buchanan case was heard by the Court of Appeal on Wednesday 21 February 2024. The court consisted of three Justices and we were represented by a Kings Council appointed by our insurers. All indications are that it will be some months before we get a judgement.



- 11.4 Building activity and consent rates have seen a significant 44% decline from the peak of 2022. The market's uncertainty during the election led to individuals opting to hold or purchase existing homes, influenced by elevated interest rates and rising costs. Notably, there's a shift towards minor consents for renovating existing dwellings.
- 11.5 The annual influx of migrants into the country, ranging between 80,000 and 132,000, is anticipated to stimulate demand for new dwelling construction at some point in the near future. Stakeholder engagements at the end of the previous year revealed persistently low sales, but confidence in an upturn in the latter part of 2024, with increased inquiries from

developers and new home buyers. This is perhaps suggestive of a pick up in building activity later in the year or perhaps in 2025.

11.6 Staff retention poses a risk due to the downturn in building consent applications requiring adaptive approaches given the inhouse skill set we have. Such adaptive approaches include deploying inspectors to cover the Compliance function, specifically focusing on BWoF audits. We are also exploring opportunities to provide remote assistance to other Councils and directing effort to historic CCCs. These initiatives aim to address challenges, diversify roles, and ensure the organization remains resilient in a changing market. The risk to retention arises out of staff not being comfortable taking on roles that do not allow them to grow their expertise in their chosen fields.

#### 12. Tasman District Council Building Consent Authority Accreditation Review

12.1 The IANZ reassessment of the Council's BCA was held 17 to 20 October, we have five General Non -Compliances and we have until 22 March to have them cleared. We have been deemed as a low-risk BCA and so will continue on the two-year audit cycle.

#### 13. Building Act / Code changes

13.1 There have been no Building Act or Code changes since the last four monthly report. However, MBIE has published (on 15 January 2024) safety guidance for pool owners. This guide is to help pool owners understand the pool fencing requirements of the Building Act 2004. Residential pools are required to have barriers to restrict access by unsupervised children under 5 years of age to protect them from drowning.

#### 14. Earthquake Prone Buildings

#### Progress

14.1 We continue to meet our Earthquake Prone Building obligations under the Act and are moving toward the identification of non-priority buildings by 1 July 2007. Whilst individual family homes are outside the scope of this category, it does include residential buildings that are at least 2 storeys and house three or more household units, or are used as a hostel, boarding house etc.

#### 15. Expectations for the first six months of 2024

- 15.1 The key expectations for the remainder of the financial year are as follows:
  - 15.1.1 Clear the general non-compliances to ensure continued accreditation.
  - 15.1.2 Clear any performance issues that may arise from the TA assessment.
  - 15.1.3 Ensure a smooth transition from AlphaOne to Objective.
  - 15.1.4 Inspect Earthquake prone buildings.
  - 15.1.5 Continue to carry out BWoF audits.
  - 15.1.6 Increase competencies within the Building Assurance team.
  - 15.1.7 Increase stakeholder engagements.
  - 15.1.8 Increase compliance capacity as and when activity picks up (as signaled in the draft 2023-2024 Annual Plan).

- 15.1.9 Decrease in use of Contractors through a combination on increasing inhouse expertise and responding to the economic slowdown.
- 15.1.10 Attract and retain skilled staff.
- 15.1.11 Continue with our efforts to achieve a balanced budget.

## 16. Attachments / Tuhinga tāpiri

Nil

## 7.4 RIVERS AND COASTAL STRUCTURES

**Report To:** 

Meeting Date:

**Report Author:** 

**Report Number:** 

**Report Authorisers:** 

Environment and Regulatory Committee	
14 March 2024	

Information Only - No Decision Required

## 1. Summary / Te Tuhinga Whakarāpoto

Technology

RRC24-03-4

1.1 The Rivers and Coastal team recently shifted location from within the Community Infrastructure group to the Information, Science and Technology group. Specifically, within the Environmental Information Team. One of the primary drivers was to get better alignment with the geomorphological and flood hazard capabilities that reside in the Natural Hazards team and the freshwater and coastal ecology capabilities in the Lakes and Rivers team. By working together, we can give a better holistic perspective to what effective river and coastal management can be.

Rob Smith, Environmental Information Manager

Steve Manners, Group Manager - Information, Science and

1.2 The report has two themes, the first covering what the operational side of the team has been up to for the last few months and the second theme is to provide some clarity to the Committee on the pathway we have available to build a more responsive and resilient River and Coastal response, to both routine maintenance and to emergency events.

#### 2. Recommendation/s / Ngā Tūtohunga

#### That the Environment and Regulatory Committee

#### 1. receives the Rivers and Coastal Structures Report RRC24-03-4.

## 3. Purpose

3.1 To update the Environment and Regulatory Committee on the activity in the Rivers and Coastal Structures operations and planning. We are open to receive feedback as to the committees considered view of what good operations looks like. Lastly, we hope to provide a level of confidence as we change and adapt to the new operating and legislative environment around us, that we have a plan and are focused in the right direction.

#### 4. Initial Commentary

- 4.1 This report was previously contained within the Community Infrastructure (CI) Group General Managers report, delivered to the Operations Committee.
- 4.2 At the close-out of the 2023 calendar year the Rivers and Coastal team was shifted across to the Information, Science and Technology (IS&T) group and is now a team within the Environmental Information team. This move was to get better alignment between the Rivers,

the Ecology and the Natural Hazards groups. While this report is a standalone one for this meeting the intention is to combine it with the El Managers report going forward.

- 4.3 The Team comprises Rick Lowe, Shane Jellyman and Matt Mazzucchelli. With the shift from the CI team to the IS&T we are in the process of finding a Team Leader. This is a new position and is still vacant at present. The team is supported in the Strategic Policy space by David Arseneau and Ian McComb who reside, in the Infrastructure Strategy team and Nikki Shepherd, in Community Infrastructure, continues to provide administrative support to the team.
- 4.4 In recent months there have also been changes in the administration of the Rivers Maintenance Contract, Contract 1064. The Engineer to the Contract, Geoff Ward of Stantec, has recently retired, and the Engineer role has transferred to Avic Halder, also of Stantec. Additionally, with the team's relocation to the EI team we have made the necessary change in the Engineer's Representative role from David Stephenson to Rob Smith.

#### 5. Operational Work programme achievements

- 5.1 For this report period, we have had Taylors Contracting undertaking river works in the Upper and Lower Motueka Rivers, the Wai-iti River, the Waimea River, the Sherry River and the Little Sydney Stream. This work has been a mixture of rock protection works, gravel relocation and channel clearance.
- 5.2 Other river activity during this period has included maintenance of native planting sites, preparation of new native planting sites for 2024, and routine checks and maintenance on tidal outlet and flap-gates.
- 5.3 Our fairway spraying programme commenced in January 2024 and will continue through until early-March. This activity is being undertaken in the Upper and Lower Motueka River, the Wai-iti, Waimea, Tadmor, Tākaka and Anatoki Rivers.
- 5.4 The work programme for February and March sees the river maintenance crews move into the Dove and the Motupiko Rivers. This run of maintenance will mainly focus on bank protection, gravel relocation and channel clearance work, with tree planting and layering work to be undertaken later in the year, during the winter months.
- 5.5 Following the completion of the Motupiko and Dove work programme, and as we move into autumn and winter, attention will shift to tree maintenance work across many of our rivers. With the frequency of flooding events in recent years, there has been a predominant focus on bank protection and repair works, which has resulted in less attention to general tree maintenance work. However, with a relatively settled period of weather with no major flooding events, we are now able to place greater emphasis on pro-active tree maintenance work.
- 5.6 Taylors Contracting staff have recently completed drone footage of all Council maintained rivers in Golden Bay and many of our smaller water ways across the region. We will be looking to assess these rivers for maintenance and repair requirements soon. Early indications are that these rivers do not require any pressing maintenance, and due to access difficulty during the winter months, a maintenance run for Golden Bay is likely to be undertaken in the early summer months of 2024.
- 5.7 We will soon begin planning for the winter willow planting programme. This will mainly focus on revegetating banks where we have undertaken rock works throughout the last year. A Short summary of the month-to-month work is below:

- 5.8 January works (55 jobs):
  - Rock protection works Sherry & Wai-iti Rivers.
  - Native Plant maintenance Lower Motueka and Wai-iti Rivers.
  - 2024 Planting Site Preparation Lower Motueka
  - Monthly, Three-Monthly and Six-Monthly Outfall Inspections
  - Illegal Dumping Removal Lower Motueka, Wai-iti and Waimea Rivers.
- 5.9 December works (41 jobs):
  - Rock protection works Sherry & Wai-iti Rivers.
  - Native Plant maintenance Lower Motueka and Waimea Rivers.
  - Flood Debris removal Wai-iti River.
  - Monthly Outfall Inspections
  - Rubbish Removal Waimea River.

#### 5.10 November works (54 jobs):

- Rock protection works Upper Motueka, Wai-iti and Waimea Rivers.
- Willow Planting –Wai-iti River.
- 2024 Native Planting Site Mulching Lower Motueka and Waimea Rivers
- Native Flood Debris removal Upper Motueka River.
- Monthly Outfall Inspections
- Rubbish and Carcass Removal- Wai-iti and Waimea Rivers.



The above photos are of the reinstated spurs at McGaveston's in the Upper Motueka



The photo above is of the completed spurs at Win's property, this is a site that will need follow up willow plantings.

## 6. Nursery

- 6.1 There has been a significant activity at Council's willow and poplar nursery over the last few months. This has included mowing, pruning and irrigation repair work.
- 6.2 We have experienced ongoing issues with the bore, pump and irrigation lines at the nursery. Closer inspection has indicated that we may require progressive replacement of all the key components of the system in the coming years. The bore itself is over 40 years old and it appears the steel bore casing is nearing the end of its life. This summer has seen a number of water leaks, and while we are confident, we can keep the irrigation system running for at
least the current summer, we are looking into the costs for replacement of the bore, pump and pipework.

- 6.3 Infrastructure issues aside, the nursery continues to produce good quality willow and poplar material that we provide to the public for land stabilisation purposes, and for our river willow planting programme to assist in bank stabilisation. We also continue to sell some of our material to Nelson City Council and Marlborough District Council, which assists with managing the cost of operating the nursery.
- 6.4 The increasing uptake of willow and poplar by the public and our neighboring councils in recent years has prompted us to increase the number of willow and poplar varieties at the nursery. Over the past two winters we have planted an additional 1500 trees, that within a few years will start to provide an increased supply of poles, wands and stakes for distribution.



### 7. Gravel Management

- 7.1 Gravel extractions for the purposes of river management have progressed steadily over the year predominantly in river reaches around Upper Motueka, Lower Motueka, Tākaka and the Waimea River, the "envelope-managed" rivers.
- 7.2 The volumes and locations were determined by analysis of results from gravel assessment reporting provided in 2022. The report compared recent LiDAR and bathymetry survey against previous historic river cross-sectional information to produce extrapolated gravel volumes available in each section of river reach for our four envelope-managed rivers. Gravel extraction has been applied to river-reaches where there are indications of gravel aggradation and where there is a degree of risk to adjacent lands from accumulation of gravel.
- 7.3 In February 2023 we commissioned a "Green LiDAR" survey of the Waimea and Upper Motueka Rivers, following extraction in 2022, and in accordance with our consent requirements. The 2023 data has been very useful in the Upper Motueka for gravel management, but unfortunately the Waimea data is not being used due to the May 2023 weather event completely changing the bedform and flow patterns of the river.
- 7.4 In early March 2024 an extended Green LiDAR survey of the Regions' rivers will be carried out. The reaches for survey were determined as either part of consent requirements, as well as to supply additional information and data in the River Management and Hazards space. The reaches programmed for the upcoming 2024 LiDAR survey include:
  - Waimea and Wai-iti Rivers;
  - Tākaka, Waingaro and Anatoki Rivers;

- Motueka River from the coast to above Kohatu, the lower Tadmor River up to Rākau, and the Motupiko River up to the confluence with the Rainy River; and
- the lower Brooklyn and the Shaggery waterways.
- 7.5 The results from the LiDAR surveys will create two full-surface LiDAR datasets of our four envelope-managed rivers and enable them to be compared. These will be used to generate very accurate gravel budgets for future planning and river management activities in the year or two to follow.
- 7.6 Below is one of the Upper Motueka River sites where the contractors are excavating gravel for commercial use in concrete materials. A by-product of this work is the creation of braided channel options for river management and channel alignment. The temporary channel allows the works on the far bank to be carried out in dry conditions and for the beach to remobilise as the river cuts back to the left.



Upper Motueka gravel extraction, just downstream of Tadmor confluence

7.7 Gravel Extraction Volumes – 1st January 2023 to 1st March 2024

Chaver Excludion volumed Tot bandary 2020 to not March 2021					
River / Stream	Sum of Solid Volume Taken: (m <sup>3</sup> )				
Anatoki River Total	160				
Aorere River Total	250				
Buller River Total	185				
Howard River Total	1695				
Lower Motueka River Total	8900				
Middle Motueka River Total	1060				
Tākaka River Total	5973				
Upper Motueka River Total	47,271				
Wai-iti River Total	500				
Waimea River Total	6985				
Riuwaka River Total	100				
Grand Total (m <sup>3</sup> )	73079				

## 8. Specific River Management Issues

#### Waimea River

- 8.1 There continues to be significant issues with activities in the Appleby area of the Waimea River. Unfortunately, household rubbish, along with material like glass, tyres and treated posts are being used for bonfires on the gravel riverbed. The tab for picking up the mess that is left is picked up by the general ratepayer. In December action was taken to block access to the dry beaches with rocks placed at strategic points, with some success. We are also working with staff in waste management and compliance and making use of CCTV cameras in an attempt to identify offenders.
- 8.2 Unfortunately, when we are not able to prevent these offenders, their actions also allow pollutants to enter the river system, immediately above an important estuary. Unfortunately, this thoughtless behavior leaves the environment to pick up the pollution costs.
- 8.3 As with the slovenly behavior around rubbish dumping, we are still seeing carcass' being dumped by lazy people. These require contactor staff to fish them out of the waterways and dispose of them appropriately. This is not only inconvenient and costly for the ratepayer to finance and remove it, is very disrespectful the mana of the waterway and the animal. We all know how to behave properly and have respect, so it is unfortunate that this behavior is not called out by those who know it is happening.

### Flap-gates

8.4 The checking of flap gates continues. At present this is purely ensuring that they are functional and repairing them when they have been damaged (e.g. the theft of brass hinges). We are expecting to move into a phase in the new financial year where we can initiate a dedicated programme to ensure they are both functional and well-maintained. This will include ensuring they allow drainage as originally designed.

### **Brooklyn Stopbank**

- 8.5 You will be aware following the Programme Delivery Office update to the Operations Committee that in the Motueka River stopbank refurbishment project some of the works occurred on the Brooklyn stopbank in the vicinity of the Plant and Food campus. While the work near the Plant and Food campus has been completed and now meets the Level of Service expectations, it has become apparent that the condition of the broader Brooklyn stopbank may not be up to scratch.
- 8.6 We have initiated a project to survey the length of the stopbank, using some of the Motueka renewal money. Any repair work will need to be met from the existing Rivers budget, from which we are reserving some provision to ensure that this can be undertaken as a matter of urgency. This issue highlights the need to get back to walking all our banks and supplying condition assessments regularly so that they can receive programmed maintenance.

### Leases

- 8.7 The team is working with the Reserves and the Property teams to manage the Waimea River berm lease land. Over the last year a couple of leases have come up for renewal but given the work on the Waimea River Park Management Plan (WRPMP) is only now starting, they have been rolled over for another year so that any land use activity associated with that lease can be considered in light of the WRPMP outcomes.
- 8.8 While not a statutory Reserve Management Plan, the WRPMP will be socialised with the public, so will reflect the community's desires for the River Park in light of the future

management needs. Questions to answer could include - should land go to viticulture, further gravel extraction, wetlands, motor sports areas or grazing leases?

- 8.9 One important lease is being finalised at present in the lower Waimea. Staff are working with the present leaseholder to provide time to adapt their stock management regime to allow for full public access along the top of the stopbank. Access is desired by staff and the public and this is an objective of the present WRPMP. Access has been an issue for many years even though the stopbank is not included in any lease agreement. A meeting last month with the landowner set out a timeline between now and June 2024 where Council will be opening the top of the stopbank between the Appleby Reserve and the Coastal cycle path on the Lower Waimea to the public for full access.
- 8.10 There is a potential that the present leaseholder does not want to take up a longer lease in which case we will review the use of that area and possibly keep it in a holding pattern until the WRPMP is finalised.

## 9. Coastal Structures

## **Ruby Bay Revetment**

9.1 A rock that was dislodged onto the small boat ramp at Chaytor Reserve has been removed as well as rock repairs to the revetment at the same location.

## Marahau Revetment

9.2 An onsite meeting has been organized for the 6 March 2024 to discuss a more permanent option to the frequent erosion to the northern end of the existing rock revetment. At present any erosion in the corner where the revetment abuts the Whakatu property is managed by sand relocation. There is provision in future budgets to review the management of this situation and we will be able to report back to the next Committee as to the planned response for this location.

## Tasman District Council Coastal Assets.

9.3 Work is ongoing to determine the ownership of the many coastal assets and what structures the council is responsible for maintaining alone our coastline. We will report back in the future once we have some more certainty in this space.

### 10. Forward work programme

- 10.1 Below is a summary of the work already initiated or due to be initiated by the operational and planning teams in the River Space. We are reporting it here in summary from to allow a fuller understanding of the work being undertaken so as to assuage concern that there is no forward progress.
- 10.2 Last year Council granted an extension of 18 months to the present River Maintenance Contract (Contract 1064), to March 2025. We will be initiating the procurement process with enough time to award and have it initiated by the successful party. This work will start in the next few months to allow sufficient time to see the process through in time.
- 10.3 We will be reviewing a range of options for scope of work in the coming contract from a "light touch" contract, with the contractor directed by staff, through to one where the contractor has a fuller hand in the operational activities. This review of options is not a reflection on the present Contractor, who is providing a good service, but given the size of the contract, we need to allow a fiscally and operationally prudent approach to be taken.

- 10.4 As part of the Long-Term Plan process, we are proposing a change in the way the River X and River Y rating is rated. The proposal is to shift from a land value to a capital value basis. This allows a better apportionment of the cost to the beneficiary. At present the same rate is charged on neighbouring properties of similar size, regardless of their different capital improvements that benefit from the protection.
- 10.5 Associated with the rating review we have also adjusted the rating area to better reflect the area of benefit. The area of benefit was adjusted to take account of the available flood maps with new boundaries either a road, a property boundary, or a terrace scarp. This increased the area rated slightly. But it also allowed those properties outside the obvious zone of benefit to be removed from the rating layer. The upstream extent of the River X or River Y zones are based on the area where we actively maintain assets within the river. All other areas are River Z rated, which is the numerical majority of the Tasman properties.



River X and Y Rating Areas

- 10.6 In addition to this work, we are also progressing the River Stopbank Recompense Annual Payment Policy with the Strategic Policy team. All landowners who have a council stopbank on their land, but own the land underneath the bank, received a letter explaining the proposed policy. If a landowner is in that situation and the bank is being well-managed, then the policy would allow compensation to the landowner of the equivalent grazing lease.
- 10.7 To date we have had relatively little response. Those that have responded are generally in agreement but ask for two options to be considered. The first is to allow light stocking and not just sheep. The second is to allow a fund to make contributions to fencing the banks. We have previously had a fence contributions policy in the Land-Use team for waterway protection, so the concept is tried and trusted within the community. Unfortunately, we removed the fencing fund, as part of the response to a reduced need, following the new stock fencing regulations promulgated nationally.
- 10.8 We see merit with both these suggestions and will look at options as we make progress on the policy. The Policy is yet to come back to Council for either adoption or change.

- 10.9 As previously mentioned, the review of the 2010 Waimea River Park Management Plan is set to begin, starting April. The work is being led by Paul McArthur, who will assist with consultation and write the plan. Paul is a contractor to the Reserves team and will be assisted by the broader Rivers team. The Work will be run as a dedicated project via the Project Office, with funding coming from the Challies Island wetland project, which is a closed account where the income is generated by gravel fees from the Challies Island development.
- 10.10Once a team leader has been appointed, we have an important piece of work to initiate around establishing a defendable river corridor or "fairway" that, we as staff can use as a guide to manage the river. Fairway management includes activities in gravel management, in hard protection (rock) and in soft management (gravel push-up, trees) on the margins. There is a wealth of historic information relevant here but work also needs to anticipate design capacity of the system taking into account the likes of climate change and community expectations. We need a consistent and defendable method to allow planning for effective river management, so that we are not always reacting. Some of this work will also be informed by the present work underway in the Land and Water sections of the Tasman Resource Management Plan.
- 10.11Once this is established, I am expecting a River Management Practice Guide to be developed, to allow for maintenance scheduling to maintain that identified area, including:
  - willow layering; willow and poplar pole planting;
  - fairway spraying; gravel management;
  - an intervention cascade for prioritising works;
  - path to full stopbank and river margin access for maintenance;
  - methods to determine stopbank condition assessment, and
  - a policy around River Z use in small waterways and in the un-rated areas within major river networks (not X or Y).
- 10.12This River Management Practice Guide will be majorly informed by two important pieces of work initiated last year.
- 10.13 Firstly, David Arseneau in the Infrastructure Planning team is working with Pattle Delamore Partners (PDP) to update and make usable our Environmental Management Plan (EMP). The EMP is an outcome of the Resources Consent process. Council is very fortunate to have a global consent which allows our staff and contractors, or others under our supervision, to work in our rivers across the district. As part of that consent, we have to develop and operate within a EMP. PDP are taking the existing EMP and updating and refining it for us. This will be available to use in the next couple of months.
- 10.14The other important input to the River Management Practice Guide is a piece of work, also initiated by staff, to have experienced river engineers at Tonkin and Taylor Ltd (T&T) undertake a review of best practice methods and prioritisation methods. This will be informed using information from other Regional Councils to inform a method to allow our staff to confidently prioritise work based on need and risk, rather than assumed urgency or community pressure. While we need to be responsive to community concerns, the price and timeliness to respond means we can miss the important while focusing on the perceived urgent.

## 11. Aligned Projects

- 11.1 Alastair Clement and David Arseneau are leading a MfE funded project looking at 'Nature Based Solutions to flood management'. Tasman is one of 16 projects around the country. They were also motivated to use the government funded Envirolink scheme ahead of the nature-based solutions work to get a nationally consistent approach to addressing how 'nature-based solutions' are assessed and measured.
- 11.2 Essentially for Tasman our project will be outsourced to a consultant, using the standard methods above to answer their posed questions, run the model and provide a report that we can use in an operational sense. We will be able to report further, once we have initiated the project. This work is utilizing \$300,000 from the Ministry over this and next year so is a free bonus to Tasman.
- 11.3 Ian McComb in the Infrastructure Planning team is updating the Activity Management Plan and the asset registers with Rivers' and IS&T staff to make sure the documentation and record keeping is fit for purpose and we are doing what we say we are doing, and that we have a good record of what we have done in our river network.

## 12. Risks

- 12.1 While Tasman should be pleased with how we manage our network it is an active contest between maintaining the extensive network as it is and in trying to improve levels of service to the community. Following the Cyclone Grabriel event, I think it is prudent to remind our Council and community as to what protection we actually have from stopbanks (River X) network. For clarity this is the Waimea, the Motueka, Brooklyn and the Riuwaka.
- 12.2 The table below list the LOS as listed in the Rivers Activity Management Plan, with some additional information added. The Level of Service of the Waimea stopbanks is currently being re-evaluated. With work underway to update the hydraulic model of the system to confirm this and may lead to future recommendations. The Waimea and the Motueka Levels of Service will be updated at the conclusion of works in the coming months.
- 12.3 As can be seen from the table below we do not meet the standard best practice target of a 1% Annual Exceedance Probability (AEP) event (also known as a 1 in 100-year return period event), with 600mm freeboard. Additionally, we are not engaged in an active programme of deliberate and methodical testing of the asset condition. This does not mean that it does not happen, but has tendered to be a targeted exercise, for example to assist the Motueka stopbank renewal project. We will be stating a methodical and ongoing programme to assess all our built stopbanks starting from the next year financial.
- 12.4 Further we were surprised at the degraded state of the lower Brooklyn scheme and are actively working to improve that situation now. Until we have a full asset condition assessment and a forward programme of works, I believe that it is timely to remind the community, in a calm way, that they are not risk free, but need to be cognisant of their own flood risk and have plans to manage that in an event. We will be working with the Council communications team to start this communication.

Stopbank Scheme	Level of Service standard		
Waimea	2% AEP (1:50 year), with estimated 600mm		
	freeboard		

Motueka	2% AEP (1:50 year), with 50-600mm freeboard	
Brooklyn	Less than 10% AEP (1:10 year)	
Riuwaka	Less than 10% AEP (1:10 year)	

12.5 In order to mitigate some of this risk above, and to address the concerns raised in today's El Managers report to this Committee around flood response. An important part of the new River and Coastal Structures Team Leader role will be to work with the El Manager, the Hydrology Flood Response team, the Natural Hazards team and Civil Defence and Emergency Management staff to make sure that there are Emergency Action Plans in place for high risk areas (e.g. Peach Island) and to ensure that we can stand up a suitable response to ensure we can both warn and manage flood events. There are many lessons coming out the Cyclone Gabriel disaster and we do not want to be repeating them when we get our storm.

# 13. Consideration of Financial or Budgetary Implications

- 13.1 The repercussions of the legal challenge over the recovery of fees for gravel extracted in the berm land have impact on the income for the year. This essentially limits the benefit of the income to offset rate input and to limit the total amount of work we can undertake. It will be important for the Rivers Account that we can recover the full fees as proposed in the Schedule of Fees and Charges, into the future.
- 13.2 Work continues as per the Annual Plan budget. After a series of floods in the region over the last few years both the emergency fund and any reserves have been depleted. Added to this was a price escalation in rock last year. This means that since November 2023 we have substantially throttled back planned activities especially if they required substantial quantities of rock. From February through June 2024, we are now not placing new rock unless it is urgent, or it makes particular sense to maintain existing damaged asset. So only limited quantities of new rock are being used at present. We are restacking where damage has occurred and in a limited number of locations installing new rock (e.g. Upper Motueka) but only to cover bases and not necessarily to do a full and final job. These areas of work will go into next year's schedule for review and potential additional work once there is a sufficient budget again.



13.3 You will be aware that this is not necessarily making everyone happy, but that saying about 'cutting one's garment to fit the cloth you can afford', applies here. On a positive note, we have had a couple of landowners make additional financial contributions allowing additional works, or top ups to existing works, that we did not consider urgent, to improve their levels of

security. We do appreciate this pragmatic approach by landowners and where we can, we will actively facilitate it.

- 13.4 Once adopted, and if supported the new financial year will see additional budget in the rivers space which will be appreciated.
- 13.5 Lastly as with the central government funding for the stopbank renewals in Motueka, we will actively pursue any opportunity to bring additional external funds into the management of our rivers. Whether it be for study, policy development, planning, or direct operational outcomes.

## 14. Attachments / Tuhinga tāpiri

Nil

## 7.5 ENVIRONMENTAL INFORMATION MANAGER'S REPORT

#### Information Only - No Decision Required

Report To:	Environment and Regulatory Committee
Meeting Date:	14 March 2024
Report Author:	Rob Smith, Environmental Information Manager
Report Authorisers:	Steve Manners, Group Manager - Information, Science and Technology
Report Number:	RRC24-03-3

## 1. Summary / Te Tuhinga Whakarāpoto

1.1 The report covers the period October 2023 through to February 2024 taking a selection of the activities of the Environmental Information team.

### 2. Recommendation/s / Ngā Tūtohunga

### That the Environment and Regulatory Committee

### 1. receives the Environmental Information Manager's Report RRC24-03-3.

#### 3. Purpose of the report

3.1 To update the Environment and Regulatory Committee on the activity areas of the Environmental Information team. While we do not have an extensive capital programme, we do undertake State of the Environment monitoring and resource management monitoring. We also undertake surveys to enable support and advice to the wider Council and Community, and to ensure Tasman's compliance with national reporting requirements.

### 4. Biodiversity

4.1 In February we farewelled Paul Sheldon as he heads off to retirement. Paul has had an impressive career including 12 years with Tasman and 20 years at NCC, notably delivering the Regional Pest Management Plan, the Tasman Biodiversity Strategy and spearheading the Jobs for Nature programmes to bring in millions of dollars in Central Government funds for conservation in the Tasman region. A well earnt gold watch!



- 4.2 The Kotahitanga Mo Te Taiao Alliance has approved the Strategy Implementation Pathway Plan. As a partner to the Alliance, Tasman agrees to actively participate in the Implementation and to work collaboratively with all Alliance partners to restore and protect the biodiversity in the Top of the South.
- 4.3 The latest Annual Impact Report has also been released and we encourage you to have a quick read to see the extent of the activities covered under the Alliance umbrella. https://www.nature.org/content/dam/tnc/nature/en/documents/KMTT\_Annual\_Impact\_Report\_2023.pdf
- 4.4 One example locally is that staff hosted a visit from the Rata Foundation where we could show the work of the KMTT Alliance in our role. In this case, focused on the work in Baigent reserve. Tasman had purchased the reserve and funding secured through the Alliance was being used to help with weed control and planting to restore the forest within. At a future Committee meeting I will have a dedicated section to showcase our work within the Alliance.
- 4.5 A new milestone has been set! Over 1000 Native Habitats Tasman (NHT) sites survey reports have been submitted as part of the NHT project. These reports cover nearly the full reach of our district and highlight the diverse habitats, fauna, and flora of the Tasman district. A key part of this project is having voluntary buy-in from landowners. This milestone reflects how important our residents value biodiversity and the great relationships our two contractors Mike Harding and Michael North have built with landowners in Tasman. Two photos below of a recent batch of surveys to the Northwest Coast. A towering northern rata that survived logging and supported countless epiphytic plants, and a sun orchid *Thelymitra sp.*





- 4.5 A further Ecological District report is in production and covers Golden Bay area followed by Rotoroa. These reports are put together using information collected through the NHT project and enables us to get a broad overview of each Ecological District. Further information can be found here: Land Biodiversity | Tasman District Council (under Native Habitats Tasman programme)
- 4.6 Our Biodiversity database redesign continues with great collaboration between the biodiversity and the IT development team. Both teams have grappled with new terminology quickly. Lukas Jehle has shown us some innovative ways machine learning can be harnessed to extract data from 1000's of PDFs in the blink of an eye. The next stage is to

collaborate with Marlborough District Council and use their database framework to suit our needs.

4.7 We are scoping some revisions to Local Maps including a revised nesting birds layer and a 'Potential Ecosystems' layer to support better land management and restoration. This work is part of the response to the National Policy Statement for Indigenous Biodiversity.

## Wetlands

4.8 Field surveys to Tapawera and the Baton Valley at the end of February have highlighted the great work landowners are doing, with wetlands already fenced and planted up to support native koura/crayfish populations "for the grandkids to look at".



- 4.9 Desktop mapping of the Kaiteriteri, Moutere, and some of the Waimea catchment have been submitted by our new wetland mapping contractor. Bright green is non-pine dominated gullies and blue are wetland extent. These polygons were identified rapidly by dividing the area into 500m<sup>2</sup> grids, using LiDAR imagery, excluding land over a certain angle (15°), and supporting with our Overland Flow data and a devised "Topographic Wetness Index".
- 4.10 Next stages are to continue with this mapping while simultaneously adding attributes from our wetlands database with the intent of seamlessly bulk uploading these new polygons into our database once we are satisfied that they are indeed wetlands.





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### 5. Biosecurity

- 5.1 The partial review of the Tasman Nelson Regional Pest Management Plan (RPMP) is now open for public submissions. The review is limited to considering blue passionflower, moth plant, common and purple pampas, water celery, Vietnamese parsley and several pest and wilding conifer trees as new pests in the whole, or parts of, Tasman-Nelson. It also serves to amend existing pest policies and rules around boneseed, Mediterranean fanworm (Sabella) and feral/stray cats. The details of which place new obligations on occupiers of land and marine craft/structures accordingly. All submissions are being collated through the Shape Tasman page (Pest Management Plan Review | Shape Tasman).
- 5.2 The proposed Cat Management bylaw is also occurring in conjunction with the RPMP review. The bylaw process is being led by the Strategy and Policy team, and the options for this bylaw, which affects companion cats across the district will be presented to Councilors in a workshop in April. The RPMP review is focused on feral and stray cats in high value biodiversity sites, specifically Abel Tasman and Nelson Lakes (alongside the existing site in Waimea inlet) in Tasman, as well as Council reserves in Nelson.
- 5.3 The Marine biosecurity summer survey work, delivered through the Top of the South Marine Biosecurity Partnership continued over the busy summer period. Contract divers were supported by the biosecurity team and harbormasters to dive visiting boats in the search for Mediterranean fanworm, an eradication pest for the top of the south. Two boats, one from Lyttleton and one from Warkworth were found with Sabella on their hulls and were directed to be lifted and cleaned at the Nelson Marina. Both of these ports are identified high risk ports with established populations of Sabella. One vessel had mature individuals, and the other showed the skill of the divers in spotting very small sabella (pictured below). This partnership has been highly successful in coordinating surveillance and response work in the marine space. The finds of Sabella on these two vessels highlights the importance of continued vigilance to keep our seas free of these highly invasive pests.



- 5.4 The wasp biocontrol project, led by Manaaki Whenua Landcare Research (MWLCR), has seen a successful trip to the UK to collect more of the hoverfly (*Volucella inanis*) larvae, beetle (*Metoecus paradoxus*), and parasitoid wasp (*Sphecophaga vesparum*) pupae, after a failed raring attempt last year. All three of these species must adjust to New Zealand's seasons and then successfully breed before being released. It is hoped that there will be the opportunity to release at least one of these biocontrol's in the Tasman region this year.
- 5.5 Old man's beard sawflies, sourced from MWLCR, were released at two locations in Tasman in February. The larvae stage of the fly does all the damage by chewing their way through leaves, which ultimately impacts on the vine's vitality and vigor. These flies were already approved for release by the EPA in 1996 and field releases began in 1998. Unfortunately, there were issues with rearing the flies and a genetic bottleneck problem that resulted in the flies failing to establish throughout the country, except for a small residual population found in 2015 at a release site near the Waimea River. New stocks were sourced from Serbia, and these have proved to be a much fitter population of flies. We will be monitoring these two release sites, one at Trass Valley, the other at a site adjacent to the Motueka River, with great interest over the coming years. Vespex wasp bait was laid to reduce larvae predation by wasps.





## 6. Central Government supported work

## Wilding Conifer Control – Mount Richmond Management Unit

6.1 A lot of work has been undertaken recently tackling large scale infestations in the Wairoa Gorge and around the Gordons range in the southwestern side of the Management Unit. Ground crews have also been working up the Motueka River in the Sandy Creek area tackling Douglas Fir both in and under the canopy. The next few months will see further

work in and around the Gordons area, particularly above Inwoods lookout and the faces below Gordons Knob (see images below for levels of infestation). This year will benefit from additional funding from the National Wilding Conifer Control Programme, with \$125,000 going towards the control efforts on the Gordons range where *Pinus contorta* and Douglas Fir are spreading above the native bush line. Work in the ultramafic areas continues with control in and around Porters flats.



## Waimea Inlet Enhancement Project

6.2 Salt Marsh Restoration Trials – Salt Ecology have completed their assessments of the remaining areas of the Waimea Inlet that present the best options for salt marsh restoration. The 'best' site in their ranking is the Rough Island Embayment area (see image below). This is in between the Equestrian Park and Tic Toc Road. Planning is underway to assess options for allowing further tidal inundation into this area through increasing the culvert capacity. This will create great conditions for further salt marsh vegetation.



6.3 Pest plant control is well underway in both Nelson and Tasman parts if the Waimea Inlet. Control of class 2 species including Tamarisk, Juncus gerardii, Boneseed and Carex divisa all well underway. A suspected, new to New Zealand, Juncus species was found and reported to the Ministry of Primary Industries (MPI) at Sandeman Reserve. This has seen been surveyed and controlled by our contractor.

## Waimea Inlet 1 billion Trees (Phase 2)

6.4 Soil moisture levels are presenting some issues with our planting in the lower Waimea River area. Hopefully the showers we have started getting continue, as some sites have seen wilting of some tree species. The project is on track to plant over 100,000 native plants over the 5-year duration.

Sites for next winter:

- Neimann Creek further wetland and lowland forest planting around a newly constructed wetland
- Moturoa/Rabbit Island continuing along the traverse between Moturoa and Rough Island.
- TET Battle for the Banded Rail plantings (3000 plants across a number of Tasman Reserves)
- Rough Island targeting some of the tougher to establish areas with drought tolerant species.
- Waimea Delta a final area of terrestrial planting
- Airport Peninsula with Nelson City Council aiming at restoring dune forest.



### The Tasman Wetlands project:

6.5 Achievements over the last few months include the Wharariki wetland. Earthworks to plug drains and re-wet areas in the "Bull Paddock" near Cape Farewell Road is now complete. Earthworks on the final stage (Stage 3) at the Reilly stream rehabilitation and wetland construction was completed in February 2024. As can be seen to the left of the photo below, prior to this rehabilitation, the stream was very straight (the whole stream was like that). Various tile/novaflow drains enter this reach from the surrounding farmland and are now treated in the valley-floor wetlands. This has been a rewarding project for staff to work on and we have had good support from the landowner. The inset photo shows how Stage 2 (1b) looks after two years. The "cover" and protection provided by the overhanging Pūrei (Carex secta tussock), and in-stream logs/branches is now provided excellent habitat for fish, koura and other species. This work has stood up well to several floods, including the large August 2022 event.





6.6 The overall Jobs for Nature Tasman Wetlands Project has delivered 1549 hours of weed control and general wetland restoration work completed in the last 3 months of 2023.
198ha of weed control now completed by the project, along with 28,170 stems planted and 146 rangatahi and tamariki engaged in wetland learning opportunities.

## The Job for Nature Fish (J4N) Passage Project

6.7 Good progress continues to be made with a total of over 4,100 in-stream structures having now been assessed and over 700 remediated. We may even reach the 5-year target for assessments in only three years. As per our long-term average, about 25% of all in-stream structures are found to be barriers to fish migration. We have approximately 130 fish passage barriers that require considerably more funding than the J4N project can provide and are 'parked' and awaiting prioritisation and funding. Note that the J4N project was largely about providing jobs and there was only limited funding for materials. These parked projects may be reviewed as part of the Catchment Management funded work in the future.

6.8 The J4N Fish Passage Project is also providing very valuable information about the efficacy of our standard remediation methods which is very helpful for the wider New Zealand freshwater fisheries community. A report on this has been peer-reviewed by Cawthron and should be complete soon. We now have several months' worth of daily monitoring data of fish passing through in-stream structures, both before and after remediation. This clearly shows that in the majority of settings, and majority of fish species, we are successful.

## 7. Natural Hazards

7.1 The hazards team and consultants e2 Environmental have completed work on the flood model of the Moutere valley. The completed report and modelling files were received by Council in November 2023. The modelling includes scenarios for a 2% AEP event (a 'one-in-50-year' event), a 1% AEP event (a 'one-in-100-year' event), and a 0.4% AEP event (a 'one-in-250-year' event). The 0.4% AEP event was included to represent a 'maximum credible event', to provide context for the scale of flooding that could occur in an extreme storm event such as Cyclone Gabriel. All events include the projected effects of climate change out to the year 2100. The model shows that essentially the entire valley floor floodplain is inundated during flood events (see figures below). The model therefore provides Council with critical information for the setting of ground and floor levels to ensure that any future development within the valley is resilient to inundation hazard.



Screenshot of the new Moutere valley flood model for a 2% AEP event for the area around Upper Moutere.



Screenshot of the new Moutere valley flood model for a 2% AEP event for the area around the mouth of the Moutere River.

- 7.2 The hazards team continues to work with e2 Environmental on the update of the Tākaka flood model. Most recently Glenn Stevens has been working with e2 investigating flows to flush the Motupipi River during flood events in the Tākaka River that spill over in the vicinity of Bridge's Hollow.
- 7.3 A project has been initiated between the hazards team in conjunction with the rivers team and hydrology to understand flood flows at the mouth of the Waimea River. This was prompted by the photo below from the August 2022 flood event showing overtopping of stopbanks at the mouth of the river. The project is currently at the scoping stage.



Map showing the stopbank on the true-right bank at the mouth of the Waimea River, with area circled in red being overtopped in the August 2022 flood event. The inset photo shows the overtopping—photo taken by Council staff on the morning of 20 August 2022. The red arrow shows the direction of view of the inset photo.

7.4 The hazards team continues its efforts to ensure that new developments across the District are resilient to natural hazards and the effects of climate change including sea-level rise. This remains a challenging task as there are many areas across Tasman that are susceptible to inundation from rivers or the ocean during storm events.

7.5 Dr Alastair Clement attended the 20th conference of the Australian and New Zealand Geomorphology Group (ANZGG), held in Gisborne from 12-18 February 2024. Alastair presented a poster on the bank erosion that occurred in the lower Wai-iti River during the May 2023 flood event. The conclusions of this research were that the primary driver of the bank erosion that occurred during the May 2023 flood was due to the extended duration of the flood event and not the peak flood flow conditions.

Alastair presenting his poster during the poster session at the recent conference of the Australian and New Zealand Geomorphology Group (ANZGG) held in Gisborne.



7.6 Bryan Scoles has been undertaking analysis of shoreline changes across the District, building on recent work by the University of Auckland. Bryan has quantified shoreline change rates dating back to 1843 in some locations. This analysis has shown there has varying levels of erosion and accretion along our coast. Since the year 2000 there has been a trend of increased erosion along the majority of the District's coastline. An interesting example, Moturoa/Rabbit Island, had significant accretion at its western end between 1843 and 2000, whereas for the same period at the eastern end there was significant erosion, while the central section was relatively stable. Since 2000 the eastern end of Moturoa Rabbit Island has seen accretion and part of the western end has seen erosion, while the central section has seen significant erosion.



Digital shoreline analysis of Rabbit Island with shorelines dating from 1843-2003 showing progradation at the west end and erosion at the eastern end.



Digital shoreline analysis of Rabbit Island with shorelines from 2003-2021 showing erosion at the west end and central part of the Island with progradation at the eastern end.

- 7.7 Staff have been working closely with the Rivers team to begin to develop a dataset to better understand relationships between extracted volumes of gravel and the truck weights returned by contactors. This will involve a number of pre- and post-gravel extraction surveys of river beaches where extractions take place, and comparison of these survey volumes with the returns from contractors. This project is expected to take up to two years to complete as a large number of individual surveys of different extractions will be needed to build up a reliable dataset. We will also start to look at bulking volumes (solid to lose measure) used in gravel volume estimates as part of this work. At the end of the day, we want to make sure our own and the contractors estimate process is equivalent and that we have a complete picture of the real volume of gravel removed from any extraction site.
- 7.8 Staff have also been involved with surveying sand volumes at Torrent Bay, Awaroa Inlet and more recently the Kaiteriteri Beach. This latter job is to monitor the behavior of the beach and develop a record to understand the long-term sustainability of the sand relocation works undertaken annually by the Kaiteriteri Domain Board.

## 8. Soils

- 8.1 Soil quality monitoring undertaken as part of Tasman's State of the Environment (SOE) programme was completed last calendar year with 37 sites. These comprise different soil types and land uses, across the district. We are testing for soil biological, chemical and physical attributes. The results will be compared against the target values as well as results of previous monitoring programmes to detect any trends in overall soil health. Frequency of re-sampling depends on the intensity of the land uses, but it is often every 3–5 years. This information is available to the landowners and contributes to our broader understanding of Tasman's soils.
- 8.2 Ardi Ass has been assisting Manaaki Whenua Landcare Research with soil surveying of Moutere Valley for the S-map project. S-map is a digital soil map for New Zealand,

providing accurate soil information to support sustainable management of our soil resource. S-map shows basic soil property data such as depth, stoniness, and clay content, as well as more complex data including water holding capacity and nitrogen leaching risk. This work is funded by both MPI and Tasman. This is the fourth of a five-year project to rapidly advance the national scale of the information set, but also has a great benefit to Tasman's landowners and our consenting team. This data is directly relevant to the National Policy Statement for Highly Productive Soils. All the information is available online.



Taking soil samples along a 50m transect at a market gardening (left) and a pasture (right) site – Oct 2023.

# 9. Hazardous Activities and Industries List (HAIL)

### **Changes to HAIL guidance**

- 9.1 Following changes to national HAIL guidance in March 2023, any property which has had horticultural use (orchard, vineyard, market gardens, glasshouses) is considered a HAIL site. This is because new guidance states orchards which may have been sprayed with pesticides including copper are now considered a HAIL activity. This is causing some concern for our developers and landowners, but we are not treating this differently to other areas of the country. To date we have taken a relatively pragmatic approach, but this is the status now. The revised HAIL guidance can be found on the following link: <u>Hazardous Activities and Industries List guidance: Identifying HAIL land | Ministry for the Environment</u>
- 9.2 The implication of the guidance is that more sites in Tasman have potential for contamination than are currently on the register. Staff are working with consents team to identify sites during the consenting process. The current mapped orchard layer and HAIL register is not complete, and properties are added to the register following enquiries and on review of site investigation reports.
- 9.3 There are also approximately 200 error sites on the HAIL register which we are reviewing. Many of these properties were mapped as orchard and subsequently changed to error when shown to be stonefruit and not pip fruit, or in orchard after the mid-1970s. However, we need to address this given recent HAIL guidance suggests that all orchards should be included on the register, even if they have only ever used copper. A review of the existing

mapped orchard areas which have previously been on the register as error sites will now revert back to category V (verified) and letters to owners will be sent.

## Potential Lead Paint Contamination of Dwellings, Buildings & Land

9.4 In order to raise awareness of the potential for metal contamination from lead paint, a new statement has been added to all Land information memorandums (LIM) and consents regarding potential for metal contamination of soils around older homes. The following statement is now included on all LIMs and consents: Lead is a highly toxic substance that was a key ingredient in household paint. Any building or dwelling built before or during the 1960's is likely to have used lead-based paint at some time. Soil surrounding these buildings has potential to be contaminated by heavy metals contained in the paint. Landowners are responsible for ensuring the safe management of lead paint removal for protecting human health and the environment.

### Fruitgrowers Chemical Company, Mapua site

9.5 Annual groundwater sampling of selected monitoring bores at the ex- Fruitgrowers Chemical Company site at Mapua was undertaken in December 2023. Results for pesticide residues show an ongoing steady trend (not positive or negative), following the remediation and clean up completed between 2004- 2007.

## 10. Air Quality

### **Murchison Air Quality Monitoring Winter 2023**

10.1 Through the 2021 Long Term Plan, budget was allocated for winter-time temporary PM2.5 monitoring of smaller towns in the District as a 'surveillance' work programme. PM2.5 was monitored in Brightwater and Wakefield over winter 2022 (and reported in the 2022 Annual Air Quality Report), and this presents the results of the monitoring from Murchison in the 2023 winter. The full report will be available on the website. Between 25 May and 14 September 2023, Mote Ltd monitored PM2.5 in Murchison using a network of three 'dustmote' sensors (Met One ES642 near-forward nephelometers, suitable for research purposes) and a meteorological monitoring station (see the map below).



PM25 monitor with ultrasonic wind speed and direction sensor

10.2 Analysis of the Murchison monitoring results conclude that while emissions from domestic home heating did result in an increase in PM2.5 concentrations during winter, peak concentrations at all three Murchison sites remained below the 2020 Ministry for the Environment's proposed 24-hour average National Environmental Standard for PM2.5 of 25 μg/m3. The highest peak 24-hour average PM2.5 concentration of 18.4 μg/m3 was recorded at Murchison South, while the Murchison Central Site recorded the highest PM2.5 average for the monitoring period of 9 μg/m3. The Murchison North site exhibited the lowest overall concentrations of PM2.5 during the monitoring period. In 2021 the World Health Organisation (WHO) published updated 'global air quality guidelines' and of relevance to this study is the recommended 24-hour PM2.5 guideline of 15 μg/m3 which allows for up to 3 exceedances per year. Based on the 2023 monitoring data, only one site - Murchison Central - would not comply with the WHO 24-hour PM2.5 guideline (with 5 exceedances – so with 2 breaches of the guideline in winter 2023).

## Motueka Air Quality Monitoring Winter 2023

10.3 During the winter 2023 monitoring period, a dustmote was also co-located with a Council monitoring instrument (Partisol) at Ledger Goodman Park, Motueka. Both instruments monitored PM2.5, with the dustmote monitoring continuously, and the Partisol sampling '1 day in 3' from June onwards. The figure below illustrates the results from the dustmote monitoring – with 19 days of breaches (so 21 days above the standard) of the WHO 24-hour PM2.5 guideline of 15  $\mu$ g/m3 (grey line) during the monitoring period. There were no exceedances of the 2020 Ministry for the Environment's proposed 24-hour average National Environmental Standard for PM2.5 of 25  $\mu$ g/m3 (orange line). This is consistent with the results of the Council's Partisol monitor, for the days that it was sampling. The data for winter 2023 is consistent with the use of wood for home heating. The relevance of using the two machines is that the Partisol is an approved method, but each filter is quite expensive to buy and process. To cover the full daily period, we use the survey tool (Mote) calibrated to the approved tool, to fill in the gaps.



Motueka 24-hour average PM2.5 concentration for Dustmote

10.4 As noted in the 2023 Air Quality Report, the data collected from Motueka in recent winters indicates that PM10 is not likely to breach the current Air Quality NES standard. Given budget constraints, Council staff are considering stopping winter-time temporary monitoring of PM10/2.5 in Motueka until such time that a new standard for PM2.5 is introduced. Council staff await further advice from the Ministry for the Environment on the expected future requirements to monitor and manage PM2.5. In the meantime, our efforts will be on non-regulatory programmes such as education and best practice advice to support our Tasman communities to reduce smoke pollution.

## 11. Environmental Monitoring

- 11.1 A network of 26 continuous flow monitoring sites, 5 water level, 2 sea level, 3 surface water conductivity, 7 surface water temperature, 1 surface water turbidity, 57 groundwater level, 44 rainfall, and 3 weather stations are maintained. This long-term data record at our monitoring sites has a significant value in informing trend and frequency analysis.
- 11.2 Flood events in recent years, including August 2022, produced significant erosion at several flood warning sites. Repair work occurred during recent lower river flows, assisted by the Rivers Team and Taylors Contracting. Site maintenance is key to data reliability and was carried out at Motueka River at Woodmans Bend, Wai-iti River at Belgrove and Wai-iti River at Livingstone (below).



- 11.3 Unfortunately, two recently installed groundwater monitoring sites to support water resource management in the lower Waimea catchment were vandalised. One of these sites was vandalised twice. This is expensive equipment to replace but of relatively little value to anyone, unless they were monitoring water level. The police are aware of other thefts occurring in the area at a similar time.
- 11.4 Low flow gauging data is being collected at spot sites around the region to expand upon the Environmental Monitoring Network database. Priority this summer is the Waimea River catchment to support work relating to the Waimea Community Dam, the Upper Motueka catchment to support water plan management, the Aorere catchment to support water plan development and sites that support the Dry Weather Task Force.



Harley Trafford (EMO Trainee) who replaced Chris Strang (Senior EMO) in mid-January flow gauging the Brown River, Upper Aorere Valley 22 February 2024

- 11.5 A river health study of the Upper Motueka River catchment is in its fifth and final year contributing data to a review of the Upper Motueka water management plan. Sensors are deployed across the catchment to record temperature and dissolved oxygen trends. The interaction between stream flow and groundwater is being assessed by repeated runs of flow gauging's at sixteen locations down the catchment. This is an intensive project, and we will be pleased to be able to redirect staff onto other work in future summers.
- 11.6 The Recreational Water Quality and Toxic Algae Monitoring Programme was run by the EM team and the summer students. This year sampled a greater range of popular and 'at risk' swimming sites this year. Additional commentary is in the River and Lake section further on in the report.
- 11.7 Toxic algae reached warning levels in the Wai-iti River just prior to Christmas and the public were notified and signs put up. It has since dropped well below alert levels and signs were removed in early February, making the alert period shorter than previous year's.
- 11.8 Summer data collection is resource intensive and prioritising workload is important. Summer interns are a valuable additional resource for routine work. The Council's internship programme also offers a valuable steppingstone into the industry, and this year Rachel Curtis has used her Tasman experience to gain employment with NCC.
- 11.9 Monitoring work for the Waimea Community Dam continues, including operating a flow site immediately downstream of the dam, a downstream turbidity site, a weather station and water level station at the reservoir. The dam's completion is a satisfying result to data collection the team has been involved with before and during construction.
- 11.10 Jon McCallum was redirected from the team for 3 months to analyse River Water Quality Programme data for the work to support the National Policy Statement for Freshwater management (NPS-FW) attributes work, along with Dr Annette Belcher, the work contributes to support the development of a Draft Freshwater and Land Plan Change. Some priority database work was delayed, some monitoring cancelled (e.g. Summer Sonde Deployment programme) and some work backfilled by the team and a consultant. This reporting will provide the community greater access to data, and includes summarised bands of state, A (very good) through to E (poor), an example below. We will report back in the future with more detail of this work.

Site	Ammonia_A dj Final Band BAS	Ammonia_ Adj Final Band CAS	DFS Final Band BAS	DFS Final Band CAS	DRP Final Band BAS	DRP Final Band CAS
RW Aorere @ Le Comte	A	В	A	A	A	A
RW Borck @ 400m ds Queen St	A	A	Exempt	Exempt	с	В

# 12. Environmental Data

12.1 Database management: The Environmental data team continues to work to quality assure the mean streams of data into council databases. For many data sources we apply the National Monitoring Standards (NEMS) to give a quality code to this data to determine how well it describes the parameter measured. Application of quality assurance is important to enable consistency of data through datasets that in some cases extend back continuously to the 1950's. The next challenge in this area is to apply the recently updated NEMS for Particulate Matter (Air Quality). This will involve collating information about how we collect

the data and applying it to new data as it is collected and then looking at how we can retrospectively implement it to cover data collected since the early 2000s.

12.2 Data Provision: Maintaining data quality on incoming real time data is highly important during periods of low flow in the rivers, as we are currently experiencing. Working closely with the Monitoring team we ensure the calibration checks (flow gauging's) are carried out at key monitoring sites in a timely fashion so that we are able to maintain the flow relationships to accurately measure the river flow. Monique Harvey has been compiling this information into Power BI reports that can be utilised through the Dry Weather Task Force to inform decisions around water rationing outcomes.



## Environmental Monitoring Data Summary.

Excerpt from Data Summary Report showing status of monitoring on the deep Moutere aquifer which has recorded historic lows this summer.

- 12.3 Wairoa Un-Modified Flow Triggers: In conjunction with Martin Doyle (Principal Hydrologist) the team has designed outputs that feed in flows to the Water Consent Monitoring (WCM) system (sometimes call the water metering database) to allow monitoring of trigger conditions for river flows when the Waimea Dam is operational. A key part of this is determining what the river flow would be if there was no dam in place. This is known as the un-modified flow and is derived by utilizing data from neighbouring natural river catchments to predict what the Lee catchment flow would be if it was in a natural state. As river flows recede, we continue to watch how this derived relationship is performing and optimize the code that configures this output. Once the dam is commissioned the Un-Modified flow parameter will be published on the Council website as required by the dam resource consent.
- 12.4 Database processes Migration: The IT team as part of the Digital Innovation Project (DIP) have been steadily moving many computer processes to the Azure cloud environment. The data team has been working with IT where our processes are impacted. The move has led

to improvements in the functioning and robustness of these processes. However, many of our database systems are built on legacy software platforms which cannot function in a modern cloud computer environment. Therefore, work is underway to look at how we can migrate this to a data centre hosted environment instead. With data stores located off-site we reduce risk associated with having all functions located in the Council Office. Although this introduces reliance on functioning communication systems, which in an emergency situation (flooding) are absolutely essential. So, whilst resilient and multiple redundant communication pathways are investigated and implemented the IT team have improved our computer resource onsite at Queen Street to ensure continued optimum use for the immediate future.

- 12.5 Legacy Software: The limitations of some of our legacy software is noted above. This is not uncommon across most councils in New Zealand. We have been partaking in a national program lead by the Environmental Data, Special Interest Group to investigate and implement a national Environmental Data Monitoring System (EDMS) that will work in conjunction with legacy software to bring them into a modern computing environment and allow transition for systems at varying states of their life cycles. We have been involved in assessing vendors for the 'functional' aspects of this system, i.e. how it will work with the data, as opposed to how it is built as a computer system. This is now at the final vendor selection stage, and we expect this to be concluded in the coming weeks.
- 12.6 Website: Our legacy software also drives our data outputs to the website, and this has been problematic in the recent past, with several failures during flood events due to overloading as large numbers of people attempt to view the website graphs. We have made incremental changes in some of the building blocks that run these processes but are still not 100% confident that they will perform under high loads. Therefore, we are currently in vendor selection stage for a partial website revamp to principally address the load management situation. This will focus on just the real-time river and rainfall data provision for use in emergency events. Vendors should be selected shortly with a timeline to have a new system in place by the end of June. In the meantime, PowerBI reports have been utilized for some website outputs where critical timeliness is not an issue, mainly this is around lab provided data in water quality programs and groundwater level monitoring.
- 12.7 Telemetered Water Meters: The number of telemetered meters has grown for this season, now with a total of 118 water meters reporting directly to our hydrology database, via third party service providers. The meters cover 104 water take consents (some consents require multiple meters to report their use). With the Waimea Community Dam close to completion, the unaffiliated takes that are over 2000m<sup>3</sup>/s (total of 11 out of 75 unaffiliated consents) that are currently using water are required to telemeter their meters. Six of them are now online reporting to us so far. For reference, the number of telemetered meters at 118 is around 10% of all the water meters in the region. So, most information is collated on a weekly basis.
- 12.8 Staffing: In the new year we welcomed Stephen D'Andrea to the team as an environmental data scientist, so we are now back at our full complement of staff. Stephen comes to us with experience as a statistician working for a municipal authority in California. He will be building on ongoing work to provide new uses for much of the data we collect and hold, including how to visualize and report this data.

## 13. Flood Warning

- 13.1 One year on from Cyclone Gabrielle, very close scrutiny is being placed on the Councils who were in its path, in particular their ability to provide timely accurate data to the public who were affected. It's timely to consider Tasman's ability to provide a good flood warning service.
- 13.2 In the wider picture, prior to Gabriel, efforts have been made to improve flood forecasting ability across New Zealand, with vastly different abilities and level of preparedness seen in the various Councils. Martin Doyle from Tasman has been very active in this process, organising the first flood warning workshop held in New Zealand and co-organising two more. An ad-hoc steering group was formed several years ago to lift the ability of the Councils with few resources, and this has just been recognised as a formal working group under the Regional Council Te Uri Kahika structure. This gives the group the mandate to suggest and effect change.
- 13.3 Another key outcome of the group was to commission a national survey of the flood manuals held by the 16 Councils with regional functions. From this it was clear Tasman has good flood warning systems in place for a small Council, but needed to improve documentation, and is considered deficient in its ability to manage an extreme flood when it arrives. This is no reflection on the CDEM team, but rather the interim step between warnings and post flood welfare. As an observation, the Councils that do have good systems to manage floods typically have a strong river engineering programme. Tasman outsourced this work around 2000 and has not recovered relative to most other Councils with Regional functions. We are in the process of building this capability again via the appointment of a Team Leader to lead the Rivers team and participate in the management of flood events in the future.
- 13.4 Tasman has also been very active in promoting a good working relationship with outside agencies such as MetService, and we represented the flood warning community during the recent review of weather forecasting in New Zealand. Our Council is also active in promoting data systems to improve the flow of information both nationally and at a local level. One weakness remains in this area, in that our website is not particularly capable of withstanding high loads on the river and rainfall pages during major floods, although it's pleasing to note that a contract will shortly be let to complete this work. In addition, our ability to provide warnings to individuals (as opposed to them seeking information) remains weak. On the plus side, we remain fortunate to have 4 experienced people on the flood warning team to service both Tasman and Nelson. Some Councils do not have any experienced people working in this area (Tasman provides the flood warning function for NCC). We also have considerable knowledge in the hazards team, and all staff motivated to collect ongoing data during floods.
- 13.5 Work is being done at present on a complete review and rewrite of our flood manual, including a new design of a 'prompter' page for each flow site as shown below, the ongoing re-calibration of our flood prediction models (in particular incorporating the Waimea dam into the Waimea model), and fixing some niggling communications issues we have to enable reliable communication to our new marine radar (we'll report on the radar in July).
- 13.6 In summary, if we take an honest assessment of our ability to respond to floods, we score well for a small Council and better than some large Councils for our ability to provide flood warnings, but we are weak in the ability to respond to a very large flood that would affect a densely populated area. Part of the work with the EI team and across Council is to lift this

aspect of our service as well as strengthening the systems that support staff and protect our community.



### 14. Catchment Enhancement Programme

14.1 Emma Woods left the position 'Catchment Enhancement Officer' on 16 February after two years with us. Applications for this position closed on 29 February. It is pleasing to note

that while we have difficulty recruiting in some areas of council, in the water and catchment space at present there are good candidates wanting to work for Tasman.

14.2 Some of the major projects covered this year include. The Eastern's wetland with earthworks and spillways now been completed for a new wetland inland from Easton Loop Road off SH60 along the Moutere Inlet. This is a particularly large wetland (almost 1ha) and was designed with the particular objectives of improving biodiversity (including marsh birds and fish) and filtering of potential contaminants (such as fine sediment) to improve the health of the Moutere Inlet. In the 1980's a straight channel was cut through the valley floor, draining the original wetland and shortening the waterway. The landowner has invested a lot in the wetland with earthworks and plants. Planting will happen this winter.



- 14.3 The earthworks and spillways for the Robilliard wetland in the catchments of the eastern Motupipi Estuary are complete. A limited amount of planting will occur this winter. It is hoped that external funding will be available for planting the remainder.
- 14.4 Fish-friendly tidal flapgates. It is pleasing to see much higher numbers of inanga upstream of the tidal flapgate at Pearl Creek since a device was installed to increase the opening times. We are hoping for a much higher level of inanga spawning over the coming months.
- 14.5 Not all the advice leads to actions immediately some is for the landowners to take away and manage issues themselves, for example spending time with landowners discussing the streams in Tui Community and dairy farm Wainui Bay area around managing sand accumulation and sea level rise, along with re-meandering some straightened sections. With such diverse and abundant fish communities just upstream of these modified streams, it is highly likely that with enhancing these streams will return aquatic biodiversity to the lower reaches also.

### 15. Freshwater Farm Plan Programme

15.1 Without any detailed direction from the new government as yet, we have been asked to apply a 'light touch approach' to implementing the Freshwater Farm Plan Program (FWFP).

The consensus is that the Farm Plan Regulations will stay, albeit with a few possible amendments. This also means that the core principles of the Tasman Freshwater Farm Plan Program should remain, namely:

- A supportive common-sense approach between landowners and Tasman staff
- Working closely with industry to ensure industry assurance systems and Tasman expectations align
- Making easy to interpret information and tools available to landowners to empower them to write their own plans
- Set and communicate clear expectations on the contents of FWFP to both landowners and certifiers
- Work closely with policy to ensure that FWFP are integrated into the new Freshwater Plan to allow them to be a delivery pathway for permitted and controlled activities.
- 15.2 In terms of delivery timelines, we are still working towards having Tasman 'switched on' during 2025. We have not heard from MfE about our specific timelines that we need to work towards since supplying the relevant information at the start of November 2023. This means that we are continuing with our work plan as shown in the 19<sup>th</sup> October report.

### Following are the key elements of that work program and our progress so far:

15.3 Policy: Through Land and Water Science we have commissioned new land use maps for Tasman. These maps are at property boundary scale, and we have further refined land use in blocks less than 5 ha and less than 20 ha. This is so that we can get a good handle on properties needing a FWFP and their respective land use. For blocks less than 20 ha it will also highlight any areas where there may be potential for cumulative effect of land uses outside of the FWFP regulations. As a next step, we will be sharing the map with other council departments to cast an eye over accuracy and point out any errors that may have occurred during the modelling. We are meeting weekly with the Policy team to discuss the integration of FWFP into the developing Freshwater Plan rule framework.



Screenshot of Land Use Map, Waimea Plains

- 15.4 Actions Plans: First draft Action Plans have been contracted to be developed for the Waimea and Tākaka catchments, the due date is end of March 2024. After this and in conjunction with the policy team these will be further developed with input from Manawhenua and external stakeholders.
- 15.5 Freshwater management unit (FMU) information: We are currently working on our first draft and visuals to communicate catchment context to landowners in a format that can easily be integrated into FWFP. We will be testing the language and layout with landowner and industry groups sometime after March. We are working alongside our IT team to be able to have a platform through which we can publicise the mapping information needed for FWFPs. The due date for this is August 2024.
- 15.6 External engagement: We have had many one-on-one meetings with landowners and industry professionals to establish focus groups to test our communication materials as well as some of the policy integration ideas. Meetings with these groups will kick off sometime after March.

## Aorere/Tākaka Freshwater Management Units (FMUs)

- 15.7 Te Puna Waiora o Te Waikoropupū Springs and Wharepapa Arthur Marble Aquifer Water Conservation Order (WCO) came into effect on 19 October 2023. The WCO applies to the recharge area for the Wharepapa Arthur Marble Aquifer (WAMA). This is the area of catchment where land and water use has the potential to influence the quantity and quality of water flowing into the groundwater that feeds the Springs. Hence, the WCO potentially affects everyone (not just farmers) living and working in the WAMARA who use water, or creates a discharge that could affect nitrate, phosphorus, dissolved oxygen, or clarity in the aquifer or at the Springs.
- 15.8 The WCO sets restrictions on council's functions regarding management of water quality and flows at the springs. Specifically, the WCO: Sets water quality limits for nitrate, phosphorus, dissolved oxygen, and water clarity to be met at the Springs.
  - Sets a limit for nitrate at the Main Spring to be met by 2038.
  - Sets a maximum water allocation limit for the recharge area (WAMARA).
  - Sets a minimum water flow to be protected at the Main Spring.
- 15.9 A designated page is on Councils website for everything and anything to do with the WCO is now live. This page will provide:
  - Information about the WCO; what it is setting out to do and who that affects.
  - Water monitoring data and results reported against limits.
  - Progress on Plan Changes that will support the intent of the WCO.
- 15.10 Since its gazettal, we have completed land use mapping, and this data is being used to identify land use types and models for their Nitrogen footprint. A biophysical risk layer is in the works to provide land users with a view of their vulnerabilities to Nitrate leaching and the type of tools that will be effective in reducing Nitrate.
- 15.11 We are working with Farmers of the Arthur Marble Aquifer (FAMA) to develop implementation actions and solutions. This work will feed into the Freshwater Farm Plan Program (FWFP) to be rolled out in 2025. The Farm Plans will serve as a key tool in prioritising the actions to reduce nitrate leaching in the Waikoropupū Arthur Marble Aquifer Recharge Area (WAMARA).

15.12 We are also working in partnership with manawhenua iwi (Ngāti Tama ki Te Tauihu, Te Ātiawa, and Ngāti Rarua) who will prepare a cultural health monitoring report to inform preparation of changes to the Tasman Regional Policy Statement and Tasman Regional Management Plan and assessments of water and discharge permits in the WAMARA.

## Motueka/Moutere/Abel Tasman FMUs

- 15.13 The Motueka, Moutere and Able Tasman FMU's are very active with quite a few resident community groups. With Motueka, the home catchment of Tasman Bay Guardians and the Tasman Landcare Trust coordinator, there are plenty of opportunities for community engagement around FWFP's. Examples of engagement include:
  - October Motueka Catchment Collective Survey Response meetings held in Tapawera, Ngatimoti and Motueka Community Library 62 attendee's total.
  - November: Hops Workshop held at Ngatimoti Community Hall 30 plus attendees.
  - December: Restore the Moutere Catchment Group, Moutere Community Hall 30 attendees.
- 15.14 To ensure these very active groups and NGO's stay connected and informed about FWFP, every two months a Motueka Catchment Associate Network meeting is held with representatives from catchment group leaders, MPI, Landcare Trust, and Tasman Bay Guardians. This work is lead by our team of Catchment Coordinators (established with a MfE grant).

## 16. Groundwater / Water Resources

- 16.1 Quarterly SOE groundwater monitoring has been progressing every three months as planned.
- 16.2 To support the Te Waikoropupu Springs Water Conservation Order (WCO), monthly sampling for nitrate and DRP has progressed since before commencement of the Order in October last year. The two WCO sites, Main Spring, Fish Creek Spring (WCO site) and another site Fish Creek Springs (Tasman site) which has been sample by Tasman for many years are now being sampled monthly. Because of the interest in the data, Council is now publishing the data monthly as results are received from the labs.
- 16.3 Council is also hoping to progress the work on the review of catchment monitoring as required in the WCO recommendation subject to consultation/feedback from iwi.
- 16.4 It is pleasing to note that the Upper Motueka Groundwater Survey has been completed, and the draft report is being reviewed currently. Once complete this would be presented to Council and released to the community.
- 16.5 The dry summer conditions has key groundwater staff involved in advise and recommendations to the Dry Weather Task Force (DWTF) as well as the Drought Advisory group. Review of the field data collected by our Environmental Monitoring team and analysis of trends are required every week for this. Key staff are also engaged with a variety of stakeholder and water user representatives for drought management. Some zones at the time of writing of this report are under severe restrictions and some areas are on cease take requirements. The regions is well behind in most catchments of its annual rainfall. We do have concerns about the impact we are seeing in the Deep Moutere Aquifer and we appreciate those water users that are using best endeavors to aid better management of this precious resource.
16.6 Staff were also able to carry out a series of low flow measurements in the Aorere Catchment prior the rain of 24 February 2024. The data is key background information for the development of water management provisions for the Aorere FMU.

## 17. River and Lake Health (Surface Water)

- 17.1 Monthly sampling at Kaihoka Lakes and Wharariki Lakes was kicked off in December 2023 and will continue until December 2024. Continuous dissolved oxygen and temperature loggers have been installed in one of the Kaihoka lakes. The purpose of this monitoring is to better understand the cause of the nutrient input, the dynamics of water chemistry through time and over the whole water column and be able to come up with remedial options.
- 17.2 Bathing water quality monitoring programme: We have had a lot of exceedances of standards/guidelines this bathing water quality season. Most of the high faecal indicator bacteria (FIB) results came from a few sites with known catchments containing farming e.g. Rototai Beach and Collingwood or are part of semi-enclosed tidal/estuarine arms or lagoons. Interestingly Stephens Bay lagoon where there has been a number of high results this summer has relatively few houses in the catchment. The sewer system does not seem to be leaking so we are yet to establish the cause in this catchment of the high FIB counts. We are planning an investigation into pathogens and naturalized FIB at Pohara Beach, Kaiteriteri and Stephens Bay Lagoon (ESR are assisting us with this).
- 17.3 Temporary signs were installed at Stephens Bay lagoon. We plan to install a more durable sign (as below), until investigations prove that the high Enterococci concentrations is not associated with disease-causing organisms or otherwise not an issue.



#### Freshwater fish surveys

- 17.4 A survey was initiated last month on the lower Kaituna River (Golden Bay) to support a resource consent requirement for water takes. This is the third survey on this river and we are starting to get a better understanding of fish values. Unfortunately, it takes a huge amount of data to really understand what the true effect of water takes are on our fish fauna.
- 17.5 In early December on the upper Motueka River we discovered Northern Flathead Galaxias much further downstream than recorded in the past (not far from Goldpine). This non-migratory "whitebait" species (pictured below) has a relatively distinct green head and is only found in our region in the upper part of the Motueka River, a few places in the Upper Matakitaki River and a couple of its tributaries. The only other locations they are recorded is a few places in Marlborough and in the very north of Canterbury.



Northern Flathead Galaxias fished from the Motueka river downstream Kerr Hill Rd.

- 17.6 Northern Flatheads, along with Dwarf Galaxias (which is another non-migratory whitebait species), prefer riffle habitat in braided rivers. The implications of this are that our braided rivers are special ecosystems and we should be conscious of this when managing our rivers. Some of our braided rivers have been managed as single thread systems and have displaced river-nesting birds and riffle-dwelling fish species as a result. In recent years we are getting better at managing this and will improve further as we progress our understanding of Tasman's river ecology.
- 17.7 Kaharore Bully (pictured below) was also found in these rifles along with Northern Flatheads and juvenile trout.



17.8 This years' fish surveys on the lower Wai-iti River suggests that fish passage beyond the weirs is improving. Inanga and common smelt have the least ability to get past steeper instream structures and were the focus of these surveys. While a lot fewer smelt were found this year, proportionally more smelt were found upstream of the Waimea West Road weir than in past surveys (see Figure below). Note: d/s = downstream and the Top Weir is about 700m upstream of Waimea West Road. No inanga were found at all this year despite them being common below the Waimea West Road weir in the past.



17.9 The weir just downstream of Waimea West Road (Brightwater Bridge) appears to have settled over the last few years and the overall gradient appears to have relaxed a bit. There is also a lot more surface flow through the center now. The weir downstream of Livingstone Road was re-constructed in late 2023 (see photo) and appears to be satisfactory from a fish passage point of view and seems to be set lower than the original. At the time of the survey in mid-January water was observed percolating through the rock rip-rap. It is hoped that gravel will build up behind this and fill the spaces between the rip-rap. We will need to keep monitoring this situation.



- 17.10 The low fish numbers between Waimea confluence and Livingstone Road weir are probably in the most part due to a lot of this reach being dry but could also reflect improved passage past the Livingstone Road weir.
- 17.11 Draft plans for investigations into the aquatic ecological effects of, and recovery from, low flow events have been produced but will be difficult to resource until the new River Health Scientist comes on board. Such investigations will include mapping changes in wetted usable habitat area for fish which can be flown efficiently using drones. Water temperature and dissolved oxygen will be important to measure also. In the future we should be able to use green LiDAR are get the 3D wetted usable habitat, which will be even more useful.

- 17.12 One of the areas in the district most prone to loss of river habitat due to water availability in the river is the Motueka River from the Motupiko River at Kohatu to the Wangapeka River. Fortunately, this section of river has been studied extensively (particularly during the Motueka ICM project from 2000-2010) and with the aid of two complex models (one still being refined) we should be able to answer the question about the extent of effects of water takes on this section of river. This is a remarkably expensive and difficult question to answer precisely.
- 17.13 Alastair Clements and Trevor James continue to work closely with our river engineers to achieve results that are more cognizant of flooding hazards and are more ecologically friendly. The relocation of the Rivers team to be in the same space as the hazard and ecology teams has been beneficial and is seeing a more defendable approach to river management.
- 17.14 Council has taken delivery of a digital river network that is far more accurate than topographical maps or other digital network maps. This relied on LiDAR coverage for the whole region (obtained in March 2023), a rolling-ball model and a lot of checking (our summer student helped with this). This tool will allow us to do GIS analysis that we have not previously been able to do, such as map the extent of riparian tree cover, as well as the observed cover, sinuosity and channel cross-section, for every reach of river in the Tasman district.

# 18. Coastal and Estuarine

- 18.1 The fieldwork and reporting on saltmarsh rehabilitation/restoration opportunities for the whole Waimea Inlet has been completed. The sites were ranked according to the following factors: existing values, potential biodiversity benefit (for birds, fish, plants and invertebrates), proximity to existing restoration or good quality saltmarsh, likely risk of failure and likely cost. This project was discussed with Ngā iwi Te Tau Ihu with the possibility that we may introduce cultural criteria to use in this process.
- 18.2 Estuary restoration initiatives are becoming increasingly common in Aotearoa/NZ in recognition of their high ecological and human use values, including shoreline protection, the significance of past salt marsh losses and in supporting blue carbon initiatives.
- 18.3 We will use this report to guide our rehabilitation and blue-carbon work with Waimea Inlet Forum, Tasman Environmental Trust and other partners. A site adjacent to the Rough Island equestrian centre is ranked highest (as discussed earlier in the report).



Previous area of dense macroalgal cover with underlying sediments having a high organic content and strong hydrogen sulphide odours. Microbial mats now extensive on the surface (photo 2020).



Site 4 was adjacent to a seep of anoxic water originating from the south-western side of the bark processing plant.

- 18.4 An investigation and report on potential nutrient sources affecting algal blooms in the Eastern Waimea Inlet has been completed (see Environmental monitoring reports | Tasman District Council). This is in response to broad-scale mapping reports (also on the webpage link shown above) showing this to be a consistent problem over successive monitoring events. The main areas of the estuary affected are near the Bell Island wastewater treatment plant outfall, around the mouths of creeks and near seepages around the bark processing plant. Borck Creek and Seal Creeks (sites 5 and 8 on the map below) appear to be the major contributors to the problem. Nutrient loads based on modelling (CLUES) and actual measured load, appear to corroborate. This is useful to know when setting limits in the Tasman Resource Management Plan. Based on the nutrient loads present in the estuary, the expansion of the spatial extent and density of some of the algal beds is likely to continue. Workstreams in our Environmental Policy, Environmental Compliance and Catchment Facilitator teams are working to address this.
- 18.5 The same sites also had sediment sampled for nutrients, metals and semi-volatile organic contaminants. Apart from naturally-elevated concentrations of nickel and chromium, as a result of the Nelson Mineral Belt, none of the elements or chemicals tested were above guideline values.



18.6 Fieldwork this summer is focused mainly on seagrass in the Whanganui Inlet and for assessing saltmarsh restoration opportunities in the Moutere Inlet. Our biennial sampling of sediment plates in the Moutere and Waimea estuaries was undertaken in December 2023.

## 19. Conclusion/Discussion

19.1 As you can see the Environmental Information team covers a broad range of areas and at any one time is engaged in a large workload. The team has appreciated the trust shown by

Council and enjoys the ability to get alongside landowners and community groups to effect positive outcomes. With the recent addition of the operation arm of the Rivers and Coastal Structures team we are expecting to lift the management and dialogue around our rivers to recognise, not just the immediate impact on adjacent landowners, but also the many benefits and impacts of good river management on the wider catchment and in the community at large.

19.2 While we are in a space of legislative change the core work continues and we will continue to deliver effective and appropriate advice and outcomes to our community.

### 20. Attachments / Tuhinga tāpiri

Nil