

## **Policy and Planning Committee**

Tuesday 31 January 2017

11.00am

Taranaki Regional Council, Stratford



**Agenda for the meeting of the Policy and Planning Committee to be held in the Taranaki Regional Council chambers, 47 Cloten Road, Stratford, on Tuesday 31 January 2017 commencing at 11.00am.**

<b>Members</b>	Councillor N W Walker	(Committee Chairperson)
	Councillor C L Littlewood	
	Councillor M P Joyce	
	Councillor D H McIntyre	
	Councillor B K Raine	
	Councillor C S Williamson	
	Councillor D L Lean	(ex officio)
	Councillor D N MacLeod	(ex officio)
<b>Representatives</b>	Councillor R Jordan	(New Plymouth District Council)
	Councillor G Boyde	(Stratford District Council)
	Councillor P Nixon	(South Taranaki District Council)

**Apologies**

**Notification of Late Items**

Item	Page	Subject
Item 1	3	<a href="#">Confirmation of Minutes - 24 November 2017</a>
Item 2	9	<a href="#">Introducing dung beetles to Taranaki dairy farms</a>
Item 3	13	<a href="#">Regional freshwater ecological quality: 2015-2016 results from state of the environment monitoring</a>
Item 4	27	<a href="#">Interim review of the efficiency and effectiveness of the Regional Policy Statement for Taranaki</a>
Item 5	33	<a href="#">Submission on Draft District Plan for New Plymouth</a>
Item 6	53	<a href="#">Submission on Stratford District Plan Review Issues Paper</a>
Item 7	59	<a href="#">Submission on Proposed South Taranaki District Council Trade Waste Bylaw 2016</a>

## Agenda Memorandum

**Date** 31 January 2017



**Memorandum to  
Chairperson and Members  
Policy and Planning Committee**

**Subject: Confirmation of Minutes – 24 November  
2017**

**Approved by:** A D McLay, Director-Resource Management  
B G Chamberlain, Chief Executive

**Document:** 1808847

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### Resolve

That the Policy and Planning Committee of the Taranaki Regional Council:

1. takes as read and confirms the minutes of the Policy and Planning Committee meeting of the Taranaki Regional Council held in the Taranaki Regional Council chambers, 47 Cloten Road, Stratford, on Thursday 24 November 2017 at 10.30am
2. notes the recommendations therein were adopted by the Taranaki Regional Council on 13 December 2016.

### Matters arising

#### Appendices

Document #1783002 – Minutes Policy and Planning Committee Thursday 24 November 2016

**Minutes of the Policy and Planning  
Committee Meeting of the Taranaki  
Regional Council, held in the Taranaki  
Regional Council Chambers, 47 Cloten  
Road, Stratford, on Thursday 24  
November 2016 at 10.30 am.**



<b>Members</b>	Councillors	N W Walker	(Committee Chairperson)
		M P Joyce D H McIntyre B K Raine C S Williamson	
		D L Lean	(ex officio)
<b>Attending</b>	Councillor Messrs	P Nixon	(South Taranaki District Council)
		B G Chamberlain	(Chief Executive)
		A D McLay	(Director-Resource Management)
		G K Bedford	(Director-Environment Quality)
		S R Hall	(Director-Operations)
		G C Severinsen	(Planning and Strategy Manager)
		S Tamarapa	(Iwi Communications Officer)
		P Ledingham	(Communications Officer)
		R Ritchie	(Communications Manager)
		R Phipps	(Science Manager)
		A Bunn	(Information Technology Officer)
		Mrs	K van Gameren
Mrs	J Mack	(PA to Chief Executive)	
Ms	K Blakemore	(Technical Officer)	
Mrs	F Hafiz	(Scientific Officer)	
Mrs	N West	(Policy Analyst)	
	Mr	J Clough	(Wrightson Consulting)

Two members of the media.

**Apologies** The apologies from Councillor C L Littlewood and Councillor D N MacLeod were received and sustained.

**Notification of  
Late Items** There were no late items of business.

**1. Minutes Policy and Planning Committee meeting - 1 September 2016**

**Resolved**

THAT the Policy and Planning Committee of the Taranaki Regional Council

1. receives the minutes of the Policy and Planning Committee meeting of the Taranaki Regional Council held in the Taranaki Regional Council chambers, 47 Cloten Road, Stratford, on Thursday 1 September 2016 at 10.30am
2. notes that the minutes of the Policy and Planning Committee Meeting of the Taranaki Regional Council held in the Taranaki Regional Council chambers, 47 Cloten Road, Stratford, on Thursday 1 September 2016 at 10.30am were authenticated by the Committee Chairperson, N W Walker, and the Taranaki Regional Council Chief Executive, B G Chamberlain, pursuant to Model Standing Orders.

Williamson/McIntyre

### **Matters Arising**

There were no matters arising.

## **2. Regional Pest Management Strategies: Determination of consistency with the National Policy Direction for Pest Management 2015**

- 2.1 Mr S R Hall, Director-Operations, spoke to the memorandum, on a determination as to the consistency of the current regional pest management strategies with the National Policy Direction for Pest Management 2015 (NPD) and an update on the review of the strategies currently underway and due for completion in 2017.

### **Recommendations**

That the Taranaki Regional Council:

1. receives the memorandum *Regional Pest Management Strategies: Determination of consistency with National Policy Direction for Pest Management 2015*
2. notes and agrees that aspects of the *Pest Management Strategy for Taranaki: Plants* and the *Pest Management Strategy for Taranaki: Animals* relating to objective setting and programme descriptions are inconsistent with the *National Policy Direction for Pest Management 2015*
3. notes the Council will publicly notify a review of the current strategies that takes into account 2012 amendments to the Biosecurity Act and requirements set out in the *National Policy Direction for Pest Management 2015*
4. agrees that any inconsistencies between the current strategies and *National Policy Direction for Pest Management 2015* be addressed through the plan review process.

Raine/McIntyre

## **3. Old Man's Beard control programme - Kaupokonui Stream and Waingongoro River**

- 3.1 Mr S R Hall, Director-Operations, spoke to the memorandum updating the Committee on the Old Man's Beard control programme that has taken place along the

Kaupokonui Stream and the Council's intention to extend the programme along the Waingongoro River.

### **Recommended**

That the Taranaki Regional Council:

1. receives the memorandum *Old Man's Beard control programme - Kaupokonui Stream and Waingongoro River*
2. notes that the Kaupokonui Old man's beard control programme has largely been completed with minor follow-up action required to address minor 'hotspots'
3. notes that the Council has engaged with local land occupiers regarding the application of a similar programme to target Old man's beard infestations along the Waingongoro River
4. notes that initial control of Old man's beard will shortly commence along the Waingongoro River.

McIntyre/Joyce

## **4. Ministry for the Environment Report – Marine Environment 2016**

- 4.1 Mr G K Bedford, Director Environmental-Services, spoke to the memorandum presenting to the Committee the main findings and observations of the report *Our marine environment 2016: Data to 2015* recently release by the Ministry for the Environment and Statistics New Zealand.

### **Recommended**

That the Taranaki Regional Council:

1. receives the memorandum *Ministry for the Environment Report – Marine Environment 2016*
2. notes the release of the report '*Our marine environment 2016: Data to 2015*', by the Ministry for the Environment and Statistics New Zealand
3. expresses the Council's concern to the Ministry for the Environment and Statistics New Zealand over the nature and tone of the report, in particular that the report focuses on particular actual or potential issues rather than present a well-rounded overview of our marine environment, is in parts speculative or generic rather than well-informed by factual material, does not reflect interventions and their outcomes, and for the case study on the oil and gas industry has disregarded the sector's comprehensive record of performance and compliance.

Williamson/McIntyre

## **5. Submission on Trans-Tasman Resources Limited marine consent application**

- 5.1 Mr A D McLay, Director-Resource Management, spoke to the memorandum introducing a submission made to the Environmental Protection Authority (EPA) on the Trans-Tasman Resources Limited (TTR) marine consent application made under

the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012. The submission was lodged by the due date of 14 November 2016, but the period has subsequently been extended to 12 December 2016.

**Recommended**

That the Taranaki Regional Council:

1. receives the memorandum *Submission on Trans-Tasman Resources Ltd marine consent application*
2. endorses the submission.

Raine/Williamson

**6. Review of the effectiveness of the New Zealand Coastal Policy Statement and consultation on the Regional Coastal Plan**

- 6.1 Mrs N West, Policy Analyst, spoke to the memorandum providing an update to the Committee on the Department of Conservation's review of the *New Zealand Coastal Policy Statement* and the progress of consultation on the Council's *Draft Coastal Plan for Taranaki*.

**Recommended**

That the Taranaki Regional Council:

1. receives the memorandum
2. notes the points provided by Council staff in response to the questionnaire
3. notes that the Council has commenced a review of the Coastal Plan for Taranaki and through that review is seeking to give effect to all the requirements of the NZCPS
4. notes that feedback, on the *Draft Coastal Plan for Taranaki*, has been received from 40 parties as at 14 November 2016.

Joyce/Williamson

**7. Freshwater Monitoring by Iwi**

- 7.1 Ms K Blakemore, Technical Officer, spoke to the memorandum informing the Committee of freshwater monitoring by Ngaa Rauru Kiiitahi iwi and hapu of streams and rivers within their rohe that is occurring within Taranaki with the involvement of the Council.

**Recommended**

That the Taranaki Regional Council:

1. receives this report Freshwater monitoring by Iwi

2. notes the ongoing support provided by the Council in working with the Iwi and hapu of Taranaki.

Joyce/Raine

## **8. Update on Resource Legislation Amendment Bill**

- 8.1 Mr A D McLay, Director-Resource Management, spoke to the memorandum providing Members with a brief update on the potential implications of the Resource Legislation Amendment Bill currently before the Local Government and Environmental Select Committee.

### **Recommended**

That the Taranaki Regional Council:

1. receives the memorandum *Update on Resource Legislation Amendment Bill*.

Williamson/Raine

There being no further business, the Committee Chairperson Councillor N W Walker, declared the Policy and Planning Committee meeting closed at 11.30am.

### **Confirmed**

**Chairperson**

\_\_\_\_\_ **N W Walker**

**Date**

**2 February 2017**



## Agenda Memorandum

**Date** 31 January 2017

**Memorandum to  
Chairperson and Members  
Policy and Planning Committee**



**Subject: Introducing dung beetles to Taranaki dairy farms**

**Approved by:** A D McLay, Director – Resource Management  
B G Chamberlain, Chief Executive

**Document:** 1806107

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### Purpose

The purpose of this memorandum is to note dung beetle releases have commenced in the region and to receive a presentation from Mr Shaun Forgie, of Beetle Innovations Ltd, about the release programme and the potential environmental benefits of the introduction.

Members may recall in May 2016 the Committee agreed to potentially fund a beetle release if a suitable proposal could be developed. Work with Federated Farmers and Taranaki Demonstration Farm managers has successfully been completed and the first release made. These important stakeholders and other interested parties have been invited to the meeting and presentation.

The beetles were released at the Whareroa and Stratford Demonstration Farms on 10 January and a release of a different species will be made at the farms today.

### Recommendations

That the Taranaki Regional Council:

1. receives the memorandum on the *Introduction of dung beetles to Taranaki dairy farms*;
2. notes this is a collaborative project between the Council, Federated Farmers and the Dairy Demonstration Farms in the region;
3. notes the effectiveness of the spread will be monitored and results provided to the Council and community.

### Background

The background provided in the May 2016 memorandum is noted below for background purposes. The presentation will include more information.

Pastoral farming with grazing animals is the predominant land use in Taranaki. Associated with that land use is the discharge of animal excreta onto land with associated faecal microorganisms, which can end up in waterways through overland flow during rainfall events. These microorganisms can affect human health and animal health if ingested and impact the instream values of waterways.

In Taranaki, and in other parts of New Zealand, there has been significant investment in recent times by the farming sector in adopting a suite of land use practices to mitigate the environmental effects of their activity on fresh water. This includes diversions of farm dairy effluent onto land and the exclusion of livestock from waterways by fencing.

Landcare Research has identified that the fencing of waterways, at a catchment level, would reduce total *E. coli* sources by approximately 35%. This is effectively what the Taranaki Regional Council and the farming community are now doing through the Riparian Management Programme. Construction of dairy effluent storage ponds to avoid high bypass flows in soils would also reduce total *E. coli* sources by approximately 25%.

However, the study identifies another mitigation strategy, that has not yet been tried in Taranaki, involving the introduction of dung beetles, that could also minimise total *E. coli* sources to water by approximately 35%. Set out below is further information on dung beetles.

Dung beetles rapidly remove and process dung and have proven on-farm benefits. They do this by forming small dung balls and rolling them into their burrows. However, when large grazing animals were introduced to New Zealand the agents that evolved in their places of origin to process their dung were not brought with them. Dung beetles are currently used extensively by overseas farmers (Australia and USA).

The introduction of dung beetles in Australia has resulted in many positive benefits, including the promotion of earthworms, increased soil carbon, increased pasture production, reduction of water pollution and improved control of pests, parasites, and pathogens.

In 2008, a group of New Zealand farmers and interested parties established a dung beetle release strategy group with the objective of importing and releasing pastoral dung beetles. An application by the group to release 11 species was approved by the Environmental Risk Management Authority (ERMA) in February 2011. In 2013, the first dung beetles were introduced to New Zealand, and a project to import and breed the insects is now underway. This project is largely funded by the MPI's Sustainable Farming Fund with Landcare Research providing science and technical support to this programme.

The group's targets are innovative and its aim is to provide beetles to 30% of New Zealand's livestock farmers.

The rapid removal and processing of dung by the beetles can result in a suite of environmental and animal health benefits.

Pastoral farming is the predominant land use in Taranaki. While grazing is healthy for animals, in contrast to feedlots, faecal microorganisms in the animals dung can be transported to waterways. Hence, the microbiological water quality of streams flowing through agricultural landscapes is reduced. High levels of faecal microorganisms can have serious effects on both human and stock health, if water is used for drinking, or contact

recreation. Beetle tunnelling leads to increased aeration of the soil allowing water to better penetrate land. Tunnelling and dung burial results in increased grass root growth and biological activity in soils under and adjacent to dung pats. Dung beetle activity therefore leads to reduced run-off of rainfall and better retention of dung and urine in the soil. This in turn results in reduced microbial contamination in run-off, less leachate and reduced eutrophication. Research trials have shown that dung burial by beetles increases pasture growth by around 30% and responses persisted for over 2 years after dung burial.

Dung beetle activity further reduces reinfection of livestock by parasitic worms. This is achieved by dung beetles directly or indirectly killing the eggs and young larvae of the parasitic worms. Dung is aerated which desiccates nematode eggs which are damaged or destroyed by physical abrasion during dung manipulation by beetles.

Faster burial of dung reduces incidence of nuisance flies. Blowflies associated with sheep flystrike do not breed in animal waste but females use it as a nutrient resource for maturing eggs. In New Zealand, other nuisance flies such as biting stable flies, house flies and flesh flies are known to breed in livestock dung. When dung burrowing beetles and dung breeding flies compete in dung, the beetles win. Survivorship of fly eggs and larvae is significantly reduced by rapid conversion of the dung resource and mechanical damage during dung manipulation by the beetles. Many laboratory and field experiments confirm significant reductions in the number of dung breeding pest flies because of dung beetles.

Economic benefits from dung beetle activity are expected to arise from enhanced forage palatability, nutrient recycling and a reduction in pasture pests (e.g. nuisance flies and livestock parasites). New Zealand specific data is lacking, but conservative estimates from the United States suggest that by burying cattle dung alone, dung beetles are worth approximately US\$380 million annually to the US economy (Losey JE, Vaughan M. (2006)).

Of note, ERMA is satisfied that there is little chance that dung beetles becoming a pest in New Zealand as they eat only dung and die out if their food supply is removed.

The Council agreed to invest up to \$10,000 in the dung beetle release project.

### **Decision-making considerations**

Part 6 (Planning, decision-making and accountability) of the *Local Government Act 2002* has been considered and documented in the preparation of this agenda item. The recommendations made in this item comply with the decision-making obligations of the *Act*.

### **Financial considerations—LTP/Annual plan**

This memorandum and the associated recommendations are consistent with the Council's adopted Long-Term Plan and estimates. Any financial information included in this memorandum has been prepared in accordance with generally accepted accounting practice.

### **Policy considerations**

This memorandum and the associated recommendations are consistent with the policy documents and positions adopted by this Council under various legislative frameworks including, but not restricted to, the *Local Government Act 2002*, the *Resource Management Act 1991* and the *Biosecurity Act 1993*.

**Legal considerations**

This memorandum and the associated recommendations comply with the appropriate statutory requirements imposed upon the Council.

## Agenda Memorandum

**Date** 31 January 2017



**Memorandum to  
Chairperson and Members  
Policy and Planning Committee**

**Subject: Regional freshwater ecological quality:  
2015-2016 results from state of the  
environment monitoring**

**Approved by:** G K Bedford, Director – Environment Quality

B G Chamberlain, Chief Executive

**Document:** 1803519

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### **Purpose**

This memorandum presents an update to the Committee on the latest results of the Council's state of the environment monitoring programme for fresh water ecological health (macroinvertebrate monitoring).

A full report is available upon request, *Freshwater Macroinvertebrate Fauna Biological Monitoring Programme Annual State of the Environment Monitoring Report 2015-2016* providing the details of the monitoring of the Council's SEM macroinvertebrate monitoring sites in the 2015-2016 year, and including analysis of trends in this data since 1995. This memorandum summarises the report's data and findings, and includes the Executive Summary and the Recommendations from the report as an appendix.

A presentation on the report will be made at the meeting.

### **Executive summary**

The Council's 'Regional Freshwater Plan for Taranaki' (October 2001) states as two of its objectives for the region, 'to maintain and enhance the quality of the surface water resources of Taranaki by avoiding, remedying or mitigating the adverse effects of contaminants discharged to land and water from point-sources.... and diffuse sources' (Objectives 6.2.1 and 6.3.1). In doing so, the Council and community seek to provide for the values associated with surface water, and to ensure the maintenance of aquatic ecosystems (Environmental Results Anticipated ER1).

In order to ascertain the successful adoption and application or otherwise of the Council's policies and methods of implementation, the Council conducts 'state of the environment' (SEM) monitoring to obtain up to date robust information for parameters that characterise the region's environment and resources. The results and findings of the SEM programme for the region's freshwater systems can be interrogated to determine trends and changes in trends in the quality of the region's freshwater resources, alongside the information on the current 'state' of the region's in-stream ecological health parameters that SEM generates.

With SEM established in 1995, the database is extensive enough to allow regular robust statistical trend analysis, conducted according to recognised and nationally adopted methodologies, to inform such reviews.

The latest results describing the state of and trends in the state of the macroinvertebrate communities of the region's waterways are presented herein for the information of the Council.

In 2015-2016, two new sites were added to the 57 sites already in the programme, in order to ensure good coverage of stream health within the Council's proposed Freshwater Management Units. For the first time, trend analysis was undertaken based on the latest ten year period, in addition to analysis for the full 21 year record. Using the data record from a shorter, more recent period sacrifices some certainty in the output results for the sake of identifying current rather than long-term trends.

The results continue to be overall as encouraging as in similar reports in the last few years and even more encouraging than those from earlier periods, with positive trends that had become markedly better with each year that passes continuing to be maintained in the 2015-2016 year.

In terms of Macroinvertebrate Community Index (MCI), the specific measure of the health of in-stream ecological communities, the study shows that in 2015-2016, spring survey MCI scores were generally higher than typical (overall 5 MCI units higher than the long-term medians, compared with 4 MCI units higher than longterm median in spring 2014); but in summer under drier low flow conditions were on average almost identical to long-term medians, at the 57 representative sites. Eleven sites scored their highest MCI values ever during the 2015-2016 monitoring period, while one site produced a new minimum score.

As is typical, summer scores were lower overall than spring scores in 2015-2016, but the seasonal difference was similar to that in preceding years.

The updated trend analysis shows that at 46 of the 53 sites for which trends can be determined (87%), MCI scores appear to be improving. This is the highest percentage of sites showing an indication of ecological improvement of any degree found to date. Surprisingly and pleasingly, the number of sites showing improvement continues to be maintained at the high levels of recent years, rather than begin to decrease as might generally be expected once rates of improvement begin to flatten out.

Changes in the indicative and in the statistically significant trends are summarised below.

Progressive changes in significant and highly significant trends in MCI scores (57 sites)

Year	Number of sites with +ve, very sig trend (p<0.01, FDR)	Number of sites with +ve, sig trend (p<0.05 but not highly sig)	<b>Total number of sites with positive trends of any significance</b>	Number of sites with negative trend of any significance	Sites with positive	Sites with negative
1995-2016	16	14	<b>30</b>	1	46	7
1995-2015	22	7	<b>29</b>	0	44	8
1995-2014	21	9	<b>30</b>	0	44	8
1995-2013	21	5	<b>26</b>	0	44	8
1995-2012	15	10	<b>25</b>	1	42	10

1995-2011	9	14	<b>23</b>	0	40	12
1995-2010	7	11	<b>18</b>	0	40	12
1995-2009	7	9	<b>16</b>	0	38	14
1995-2008	5	8	<b>13</b>	0	38	13

That is, the proportion of sites in the region showing indications of an improvement of any extent continues to exceed the proportion of sites showing declines, in an ever-increasing ratio (the ratio is now at 6.6:1, up from 5.5:1 during the last three years and up from 2.9:1 in 2008).

Applying a more rigorous statistical evaluation to the long-term trend data, there are 30 sites in one of the two categories showing strongly or very strongly significant improving trends. This continues the pattern evident in the past two years, that the region now has the highest number of sites showing statistically significant ecological improvement ever recorded. There are more than double the number of sites showing strong or very strong improvement as there were eight years ago. On the other hand, within this grouping there has been a reduction in the number of sites where the statistical test of certainty (confidence) around the positive trend is strongest.

There is one ecological monitoring site in Taranaki showing a significant negative trend, a site in the upper Katikara Stream that has been affected by natural headwater erosion events in the recent past on the mountain.

As noted above, for the first time an analysis of the trends at each site over the last ten years has also been undertaken. As a general rule, using a smaller record means a loss of confidence in detecting trends, and also means that natural variability at each site makes it harder to detect trends. Notwithstanding these caveats, the analysis shows that over the last ten years there are 39 sites showing indications of improvement while 12 show indications of deterioration. Statistically significant changes over the last ten years are found at 12 sites; of these, 11 are clearly showing improvement, while only one is deteriorating. Sites showing recent definite improvement are the upper Waiongana, lower Maketawa, lower Mangati, lower Punehu, lower Mangaehu (a mid altitude site), mid Waingongoro, lower Mangahewa, mid Kapoiaia, and mid and lower Kurapete streams and rivers. The lower Katikara Stream site is deteriorating.

In terms of the question 'what is the state of the ecological health of our streams?', predictive scores have been developed for ring plain sites that are based on either the altitude of each site, or alternatively on its distance below the National Park boundary. The predictive modelling indicates for each site what the MCI 'should' be, if the site were as good as could be reasonably achieved. A summary for all results for the 2015-2016 year is provided below, by percentage allocation into 'significantly lower', 'no significant difference', or 'significantly higher' scores than expected.

Season	Spring 2015			Summer 2016		
	> 10 units lower	± 10 units	> 10 units higher	> 10 units lower	± 10 units	> 10 units higher
Altitude	0	55	45	8	68	24
Distance	5	58	34	8	71	21

This analysis shows that in the 2015-2016 year, there were somewhat different patterns between the two survey seasons, but in both periods sites regionally showed better scores

that might otherwise have been expected. This was even more evident during the spring surveys than in summer.

In the spring surveys, well over a third of all sites had MCI scores that were much better than could have been reasonably anticipated based on typical quality for equivalent sites, and extremely few sites (which were found in short, small ring plain streams) had MCI scores that were much worse than is usually the case. In the summer surveys results were more balanced between scores lower and higher than predicted, but there were still about three times as many sites with better scores than expected, than there were with scores below expectations.

In terms of the sites showing the most improvement in their ecological condition over the 21 years of monitoring, they are:

- the mid reaches of the Kaupokonui Stream
- Mangaehu River at Raupuha Road
- lower Punehu Stream
- the upper and mid Kapoiaia Stream
- the lower Mangati Stream.

Thus, the findings of the macroinvertebrate monitoring programme demonstrate that the Council and regional community are meeting the Long Term Plan (LTP) target, to maintain and enhance water quality in the region, even more robustly as each year goes by. The greatest proportion of the improving sites are located in mid to lower/mid-catchment reaches; significant improvement at the lowest sites is now evident, indicating that habitat improvement is occurring and drivers of cumulative adverse effects are being reduced throughout each catchment.

The cause of the positive trends is multi faceted and complex. The maturing and extension of the riparian programme with planting and stock exclusion, continuing reductions in the number and improvements in the quality of discharges into waterways, and compliance regimes will all be playing a role. With the continuation of these programmes further consequential gains in water quality and in in-stream ecological health across the region and in particular extending into the lowest reaches of the region's streams and rivers should occur.

The report makes recommendations to continue the freshwater macroinvertebrate ('MCI') component of the SEM programme in a similar format and to update the trend analysis reports following analysis at the end of the 2016-2017 year.

The National Policy Statement for Freshwater (2014) includes national objectives and policies that the Council must give effect to over time. Implicit within this policy framework is the concept of ecosystem health, so the Council's long term regional freshwater ecosystem quality monitoring provides good foundational data for setting appropriate limits and methods of implementation, and for assessment purposes.

Further, it is noted to Members, that the Ministry for the Environment has previously released proposals for amending the National Policy Statement on Fresh Water (2014), to include a compulsory requirement upon councils to monitor the ecological condition of surface waters using macroinvertebrate indicators. This proposal continues to be debated at national level. However, this Council would be well-placed if such an obligation were to be introduced, whilst noting that many aspects of any usage of macroinvertebrates as a



compulsory attribute with assigned numeric attribute states would be scientifically problematic.

The value of this monitoring and analytical work lies in the advantage of up-to-date feedback to the Council and regional community on the consequences of land use and water quality management initiatives adopted in the region.

## Recommendations

That the Taranaki Regional Council:

1. receives this memorandum noting the preparation of a report into the state of and trends in regional in-stream macroinvertebrate community health data for Taranaki, for 2015-2016 and over the period 1995-2016
2. notes the findings of the SEM programme
3. adopts the specific recommendations therein.

## Background

This Committee has been regularly informed of the findings that emerge from the Council's various freshwater 'state of the environment' monitoring programmes. These programmes are important as indicators of the effectiveness of the Council's and community's interventions and resource management initiatives addressing freshwater quality and in-stream health in the region. Members will be aware that there is a high level of interest nationally in the state and management of the country's fresh water resources.

The *Regional Fresh Water Plan for Taranaki* contains objectives to manage the state of the region's surface freshwater. Objective 6.2.1 requires the Council and region 'to maintain and enhance the quality of the surface water resources of Taranaki by avoiding, remedying or mitigating the adverse effects of contaminants discharged to land and water from point sources', while Objective 6.3.1 is an equivalent objective for diffuse sources of contaminants. In Section 10.3 of the Plan, the Council commits to continued monitoring, research and investigations related to fresh water quality, to provide information on the state of freshwater in the region and the effectiveness of the Plan.

The Council's 2012-2022 LTP has, under the 'Levels of service' specified for resource management, a commitment to the '*protection of the life-supporting capacity of water, in-stream uses and values*'. The measure for this activity is: '*Macroinvertebrate Community Index (MCI) values (a measure of freshwater community richness and composition) at 50 regionally representative sites*.' The target throughout the duration of the LTP is that '*the proportion of sites showing a trend (whether significant or indicative) of improvements in MCI against a base year of 1995 to exceed the proportion showing decline over the same period*.'

Staff have, and have been trained in, the software and methodology used by NIWA for trend analysis of data related to freshwater systems, to ensure that data and analysis provided to the Council and the public of Taranaki is robust, defensible, and consistent with analyses delivered at a national level. In this way timely and reliable feedback on the quality and health of the region's streams and the effectiveness of water quality management in the region can be generated and utilised.

## Discussion

One of the Council's 'State of the Environment' monitoring programmes measures the abundance and composition of macroinvertebrate communities on streambeds, as an indicator of stream ecological health. This programme has been delivered by the Council for 20 years to date, i.e. since 1995. Staff have now reported the data for the 2015-2016 year, including an analysis of trends in stream ecological health for Taranaki both over the period 1995-2016 (the entire record) and over the last ten years.

The Executive Summary for the report is attached. In particular it notes that 59 sites were surveyed, from 26 rivers and streams, and explains the representative significance of each site. Each site and water course is chosen for location, representativeness, regional variation in river environment, position within a catchment, and surrounding land use, and with regard to evaluating the effects of riparian management.

MCI values were generally higher than is usual in the spring surveys, but were more characteristic in the summer surveys in 2015-2016. MCI scores were lower at sites located lower in catchments (as is usual- the consequence of more open and exposed stream beds, lower flows, higher temperatures, sedimentation on stream beds, and cumulatively higher levels of some contaminants, resulting in a shift in the proportion of more sensitive taxa). The sites located lower in the reaches of catchments showed a typical but ecologically insignificant reduction in MCI values from spring to summer (8 MCI units), unlike the summer of 2012-2013 when such sites showed a reduction of 10 units between spring and summer. The usual reduction between spring to summer for sites low in catchments is of 5 units: thus, the 2015-2016 year was quite typical in this regard.

Eleven of the 59 sites recorded new maximum MCI values in one or other of the two surveys, compared with three such results in the last period. The highest MCI scores in the 2015-2016 year were found at the upper Timaru Stream (146 in spring and 144 in summer) and upper Waingongoro River (144 in summer). Lowest MCI scores were found in the uppermost sites in the Mangawhero and Mangati streams (MCIs of 72 in summer), and thus represent 'natural' more than degraded conditions. MCI scores increased in both streams further down in their catchments, and notably these higher scores were below reaches where there have been or are significant discharges regulated by the Council.

In the spring survey, 91% of the sites had MCI values that were similar to or significantly better than historical medians. Of these, six (mainly mid-reach) sites had scores significantly higher than usual. In summer, 95% of the sites had MCI values that were similar to or significantly better than historical medians, and significantly lower scores were found at only 3 sites.

*In terms of the Council's LTP commitment to the 'Protection of the life-supporting capacity of water, in-stream uses and values', the measure for this activity is: 'Macroinvertebrate Community Index (MCI) values (a measure of freshwater community richness and composition) at at least 50 regionally representative sites', and the target is 'the proportion of sites showing a trend (whether significant or indicative) of improvement in MCI against a base year of 1995 to exceed the proportion of sites showing decline over the same period'.*

The updated trend analysis shows that at 46 of the 53 sites (87%) for which trends can be calculated, MCI scores are improving. Surprisingly and pleasingly, the number of sites showing improvement continues to be maintained at the high levels that have been attained

over recent years instead of beginning to decrease as might otherwise generally be expected once the benefits of interventions begin to become a matter of history.

In trend analysis to 2010, 38 sites were showing improvement; in trend analysis to 2011, 40 showed improvement; in 2012, the number increased to 42.

Seven sites are showing an indication of a degree of deterioration. The number of sites showing deterioration continues to reduce- in trend analysis to 2012, 10 sites were showing deterioration, down from 13 when trend analysis began in 2008. That is, the proportion of sites in the region showing a trend of improvement continues to exceed the proportion of sites showing declines, in an ever-increasing ratio (the ratio is now at 6.6:1, the highest it has ever been and up from less than 3:1 five years ago). In most cases where an apparent deterioration is indicated, the cause can be identified as natural headwater erosion events in the recent past on the mountain. Recovery of ecological conditions in such circumstances in the most recent surveys is now becoming apparent (eg upper Manganui, upper Maketawa, and upper Katikara streams).

Applying a more rigorous statistical evaluation of trend data, the number of sites with a 'positive and very significant' trend since 1995 is 16, and there are a further 14 sites with a 'positive significant' trend, giving 30 sites now in either of the two positive categories of strong or very strong improving trends. Going back to the first trend analysis (2006-2007), it was found that 'only' 13 sites were showing strong or very strong improving trends in ecological health at the time.

The latest result for the number of sites showing a highly significant improvement is the best result ever recorded. That is, the number of sites in the Taranaki region with a statistically strong or very strong improvement evident is continuing to be maintained at record high levels. There are more than double the number of sites showing strong or very strong improvement as there were eight years ago. On the other hand, within this grouping there has been a reduction in the latest results of the number of sites where the statistical test of certainty (confidence) around the positive trend is strongest.

Reviewing the locations of sites showing improvement (Figure 1 below, which reproduces Figure 179 from the report), 2 of 9 upper catchment sites (22%), 15 of 25 mid catchment sites (60%) and 13 of 25 lower catchment sites (52%) are showing statistically significant improvement. Given that upper catchment sites, by virtue of their location, are subject to relatively little intervention activities that could improve their stream health, that particular result is not unexpected. However, what is encouraging from the perspectives of the Council and regional community, is the extent to which improvements in in-stream ecological health are becoming apparent throughout the full lengths of the region's catchments. This could be considered to be associated with the progressive implementation of programmes such as riparian management across the ring plain.

The analysis set out above relates to the 'direction of travel' for the region's streams and rivers. The associated question is that of how good (in terms of a comparison with how good a site could ever be reasonably expected to become) the current ecological status of each site is. In terms of the question 'what is the state of the ecological health of our streams?', the Council has developed means of calculating predictive scores for ringplain sites that are based on each of the altitude of each site, and/or its distance below the National Park boundary.

As noted above, as a stream descends, there are a range of influences (natural and human) that cause a reduction to some degree of MCI scores. The predictive modelling indicates for each site what the MCI 'should' be, if the site were to be as good as could be reasonably achieved.

A summary for all results for the 2015-2016 year is provided below, by percentage allocation into 'significantly lower', 'no significant difference', or 'significantly higher' scores than expected.

Season	Spring 2015			Summer 2016		
	> 10 units lower	± 10 units	> 10 units higher	> 10 units lower	± 10 units	> 10 units higher
Altitude	0	55	45	8	68	24
Distance	5	58	34	8	71	21

This analysis shows that in the 2015-2016 year, there were somewhat different patterns between the two survey periods, but in both periods sites regionally showed a distribution of scores better than might otherwise have been expected.

This was even more evident during the spring surveys than in summer. In the spring surveys, well over a third of all sites had MCI scores that were much better than could have been reasonably anticipated based on typical quality for equivalent sites, and extremely few sites (which were found in short, small ring plain streams) had MCI scores that were much worse than predictable. In the summer surveys, results were somewhat more balanced between scores lower and higher than predicted, but there were still about three times as many sites with better scores than expected, than there were with scores below expectations. Well over 90% of all sites had scores as good as or better than those that could otherwise be expected.

The streams and rivers with both the strongest statistical evidence of improvement ('there definitely is an improvement') and the greatest change in ecological state ('there is a definite improvement', of 20 MCI units or more) are:

- Kaupokonui Stream upstream of the Fonterra Kapuni factory
- Kaupokonui Stream upstream of STDC Kaponga WWTP
- Punehu Stream at SH45 (lower catchment)
- Kapoiaia Stream at Wiremu Road
- Kapoiaia Stream at Wataroa Road
- Mangati Stream within residential area, Bell Block.

Four of these sites have illustrated particularly strong improvements over the most recent ten year period (the Kaupokonui Stream sites continue to show further improvement but not so strongly). Other sites also showing a large increase in MCI scores include the lower Waitara River, Mangaehu River, lower Timaru stream, and lower Waiongana stream.

Three of the 6 Waingongoro sites are showing statistically significant positive trends, but the two sites simultaneously showing the greatest improvement in ecological condition are both located below the township. A review in each case of their patterns of change show periods of strong improvement after 2002 (coincident with the substantial removal of the effluent discharge from the Riverlands meatworks into the river) and again after 2009 (which is coincident with the removal of the discharge from the STDC Eltham wastewater treatment plant).

## **Conclusions**

In simple terms, the latest results of SEM MCI monitoring have seen an on-going firming of the trend of improvements being found regionally in respect of the LTP target of maintaining or enhancing regional in-stream ecological health (Figure 1). Over the long term, additional measures such as more complete stock exclusion from waterways, the maturing and extension of riparian planting, and continuing reductions in the number and improvements in the quality of discharges into waterways, should see further consequential gains in water quality and in in-stream ecological health across the region and in particular extending into the lowest reaches of the region's streams and rivers.

## **Decision-making considerations**

Part 6 (Planning, decision-making and accountability) of the *Local Government Act 2002* has been considered and documented in the preparation of this agenda item. The recommendations made in this item comply with the decision-making obligations of the *Act*.

## **Financial considerations—LTP/Annual plan**

This memorandum and the associated recommendations are consistent with the Council's adopted Long-Term Plan and estimates. Any financial information included in this memorandum has been prepared in accordance with generally accepted accounting practice.

## **Policy considerations**

This memorandum and the associated recommendations are consistent with the policy documents and positions adopted by this Council under various legislative frameworks including, but not restricted to, the *Local Government Act 2002*, the *Resource Management Act 1991* and the *Local Government Official Information and Meetings Act 1987*.

## **Legal considerations**

This memorandum and the associated recommendations comply with the appropriate statutory requirements imposed upon the Council.

## **Appendices/Attachments**

Document 1716915: *Freshwater Macroinvertebrate Fauna Biological Monitoring Programme Annual State of the Environment Monitoring Report 2015-2016* (excerpts).

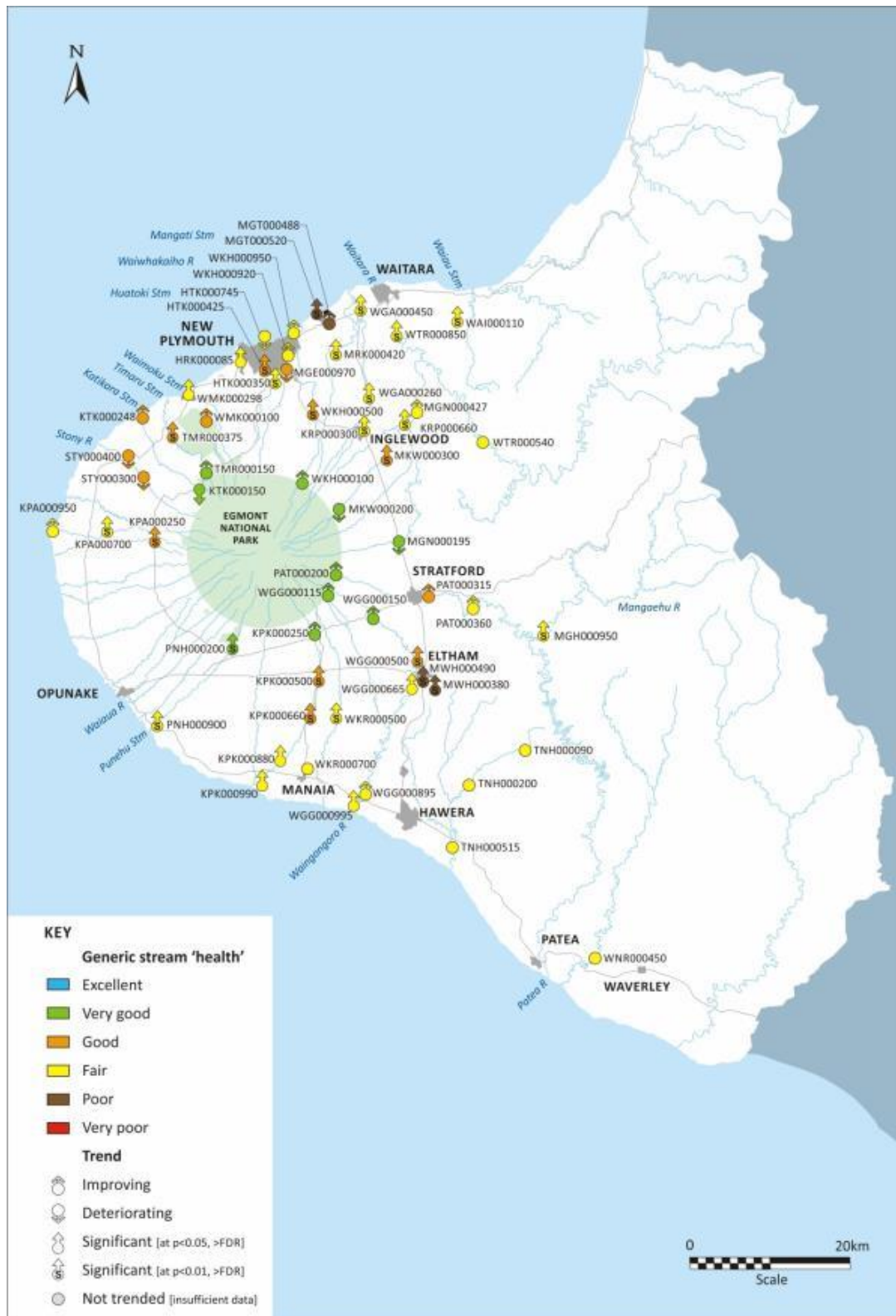


Figure 1: Generic biological 'health' (median MCIs) and trends in biological quality for SEM sites, 1995-2016

## Executive summary

Section 35 of the Resource Management Act requires local authorities to undertake monitoring of the region's environment, including land, air, and fresh and marine water quality. The Taranaki Regional Council initiated the freshwater biological component of the State of Environment Monitoring (SEM) programme for Taranaki in the 1995-96 monitoring year. The macroinvertebrate component was separated from the microfloral component in the 2002-03 year. The latter programme was broadened to incorporate recently-developed techniques and is reported separately.

This report covers the 2015-2016 monitoring year. Biological surveys were performed in spring (October 2015 mainly through to November 2015 with some wet weather delay extending through to December 2015) and summer (February to March 2016). Each seasonal survey assessed the macroinvertebrate communities at 59 sites in 26 rivers and streams. Two new sites were added in the 2015-2016 year, in the upper Waitara River and in the lower Whenuakura River, because of the need for the Council put in place adequate representative monitoring of the region's proposed Freshwater Management Units (as required by the National Policy Statement on Fresh Water).

The Hangatahua (Stony) River was selected as a river with high conservation value and the Maketawa Stream was selected having been identified in the Regional Freshwater Plan for its regionally important recreational value. The Waitara, Manganui, Patea, Waiwhakaiho and the Mangaehu Rivers were chosen as examples of waterways with large catchments and multiple human impacts, arising in either the Egmont National Park or the eastern hill country. The Waingongoro River was included in the programme as a river under intensive usage with more recent wastes diversions out of the river, and the Waiongana Stream as a stream from which there is a major water abstraction (although not currently exercised). The Timaru, Mangaoraka, Waiokura (added in 2007) and Punehu Streams were included as streams within primary agricultural catchments. The Kaipokonui River, Mangorei Stream and Waimoku Stream were selected to monitor the progress of riparian planting in these catchments. These catchments had been targeted in management policies for riparian planting initiatives. The Katikara and Kapoiaia streams are western Taranaki streams also targeted for riparian planting initiatives, which have been part of the monitoring programme since 2000. The Tangahoe River was included in 2007 to monitor land use changes in an eastern hill country catchment. The Kurapete Stream was added to the programme as an example of a small seepage ringplain stream where significant improvements to a major point source discharge have been implemented. The Waiiau Stream is an example of a northern lowland catchment. The Mangawhero and Mangati Streams were selected as examples of small, degraded streams. The Huatoki Stream was selected as an example of a stream influenced by urbanisation and also in part by riparian vegetation while the Herekawe Stream, on the western outskirts of the New Plymouth urban area (with a lengthy consent monitoring record), has been added in order to monitor the impact of relatively recent community walkway planting initiatives. The Whenuakura River was selected as a large river draining the eastern hill country.

For sites located in lower catchments the proportion of 'sensitive' taxa in the macroinvertebrate communities generally have been lower in summer than in spring, coincident with lower flows, higher water temperatures, less scouring, and increased smothering of habitats by more widespread algal growth within rivers and streams in summer. During the 2015-2016 period, the median spring score (104 units) was eight units

higher than the median summer score (96 units) but the seasonal difference in scores was not statistically significant. As is typical in catchments worldwide, the proportion of 'sensitive' taxa in the macroinvertebrate communities decreased down the length of the waterways, which was reflected in the deterioration in generic stream 'health' from 'very good' in the upper reaches though 'good' in mid-reaches to 'fair' to 'good' in the lower reaches.

A large number of sites (11 sites with historical data) recorded new historical maximum MCI scores, while one decrease in historical minimum score was recorded (in the lower reaches of the Tangahoe River), in the 2015-2016 period.

Evaluations of generic stream 'health' have also been performed and assessments of current scores compared with predictive measures based on altitude and distance for ringplain streams arising from within the National Park and for all sites in relation to River Environment Classification (REC) predictions.

The trends through time have been evaluated and will continue to be assessed on an annual basis as the SEM programme continues. Only ten of the fifty-nine sites monitored have shown any indications of deterioration over the full 21 year period of monitoring, with only one site having a statistically significant deterioration in MCI scores (a result of headwater erosion effects inside the National Park). On the other hand, thirty sites have shown statistically significant improvements, all but five of which were of ecological importance. Roughly equal numbers of these sites were located in the lower reaches of ringplain catchments as in mid catchment reaches. Generally, in lower catchment sites the macroinvertebrate communities tend to be very 'tolerant' of the cumulative impacts of organic enrichment. Significant improvement of (predominantly 'fair') biological stream 'health' at the lowest sites is unlikely to be detected until habitat improvements occur by way of substantial catchment-wide initiatives such as riparian planting and diversion of point source surface water dairy treatment ponds systems wastes discharges to land irrigation. Notably, the data now shows that the proportion of lower catchment sites showing significant improvement over 21 years (52%) is almost the same as the proportion of mid catchment sites (60%).

For the first time, trends in the most recent ten years of data were also calculated. Eleven of 51 sites still showed statistically significant improvement over this shorter period (with one showing deterioration), and three sites still showed statistically significant improvements after FDR adjustment (the most rigorous test for determining whether a trend is statistically significant) using this more limited dataset. These results can be compared with, respectively, 30 and 16 sites with trends with the same degrees of significance across the entire history of record. This appears to be due to three reasons. Firstly, trends at several sites appear to have plateaued recently, which is only to be expected if interventions such as riparian management have already been completed or have been largely paused for several years. Furthermore, substrate instability and sedimentation caused by extensive headwater erosion events in recent years have affected the macroinvertebrate communities at upper sites in the Stony River (in particular), Katikara Stream, Maketawa Stream, Waiwhakaiho River, and Timaru Stream on occasions within this period. Most of these sites did continue to show recovery from these impacts during the 2015-2016 period. Finally, the smaller dataset has less power to detect statistically significant differences within a background of natural fluctuations even if real ecological improvements are occurring.

The recommendations for the 2016-2017 monitoring year provide for the freshwater biological component of the SEM monitoring to be maintained by way of the same



macroinvertebrate faunal programme and for time trend reporting on the full data set and the most recent ten year dataset (to detect recent trends) to be performed annually.

## **Recommendations**

It is recommended for 2016-2017:-

1. THAT the freshwater biological macroinvertebrate fauna component of the SEM programme be maintained in the 2016-2017 monitoring year by means of the same programme to that undertaken in 2015-2016;
2. THAT temporal trending of the macroinvertebrate faunal data continues to be updated on an annual basis.

## Agenda Memorandum

**Date** 31 January 2017



**Memorandum to  
Chairperson and Members  
Policy and Planning Committee**

**Subject: Interim review of the efficiency and effectiveness of the Regional Policy Statement for Taranaki**

**Approved by:** A D McLay, Director – Resource Management  
B G Chamberlain, Chief Executive

**Document:** 1789931

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### Purpose

The purpose of this memorandum is to introduce the draft report entitled *Interim review of the Regional Policy Statement for Taranaki 2010 – Evaluation of appropriateness, efficiency and effectiveness* (the Report) and recommend its circulation to stakeholders for their feedback.

A copy of the Report is attached separate to the agenda for Members' consideration.

### Executive summary

- The current *Regional Policy Statement for Taranaki 2010* (the RPS) became operative on 1 January 2010. The RPS does not contain rules but sets out 33 objectives, 92 policies and 332 methods on how Taranaki's natural and physical resources must be managed.
- Pursuant to sections 35(2)(b) and (2A) of the Resource Management Act 1991 (the RMA), the Council must undertake a non statutory interim review of the efficiency and effectiveness of the RPS every five years.
- The attached Report and associated process gives effect to that requirement.
- The process has so far involved a desktop review of possible change factors, and a series of workshops and meetings with Council staff and stakeholders, including iwi, major consent holders, district councils, non-governmental organisations and community groups, Department of Conservation, Heritage New Zealand and the Taranaki District Health Board.
- Key conclusions reached in the Report on the effectiveness and efficiency of the RPS are:
  - There are a number of legislative and policy change factors that have emerged since the RPS became operative. However, these do not, so far, require immediate changes to the RPS.
  - State of the environment monitoring confirms that the RPS is largely on track to meet its objectives (environmental outcomes).
  - Methods for implementing RPS objectives and policies are being implemented.

- The RPS is efficient and effective and delivering benefits that are considered to be substantially greater than its costs.
- Notwithstanding the above, as part of the full review scheduled to occur in 2020, there are a number of opportunities to improve and build on the current RPS. Of particular note is the recommendation to investigate developing a combined RPS and regional plans for air, the coast, freshwater and soil, the use of digital and spatial technology to improve the accessibility of our planning documents and their user friendliness, and options to better incorporate Maori values and principles.
- This item recommends that Council seek stakeholder feedback on the report's findings, test assumptions, and canvas their views.
- The views of these parties and responses to them will be included into the final report, which is likely to be presented to Members in mid 2017.

### **Recommendations**

That the Taranaki Regional Council:

1. receives this memorandum and attached report *Interim review of the Regional Policy Statement for Taranaki 2010 – Evaluation of appropriateness, efficiency and effectiveness*;
2. agrees to circulate to key stakeholders the attached report for their comment;
3. notes that a final report, including the views and responses of stakeholders on the effectiveness and efficiency of the RPS, will be presented for Members' consideration in mid 2017.

### **Background**

Under the Resource Management Act 1991 (RMA) the Council must, at all times have an RPS.

The RPS is one of the most important planning tools for Taranaki. The RPS does not contain rules but sets out 33 objectives, 92 policies and 332 methods of implementation on how natural and physical resources (land, water, air, soil, minerals, and energy) in the Taranaki region should be managed. The RPS's stated purpose is to:

- "... promote the sustainable management of natural and physical resources in the Taranaki region by:*
- *providing an overview of the resource management issues of the Taranaki region*
  - *identifying policies and methods to achieve integrated management of the natural and physical resources of the whole region."*

The current RPS became operative on 1 January 2010. It was the second RPS to be prepared by the Council. Like the first RPS, no Environment Court hearing process was required with any issues being resolved through an engagement process.

Pursuant to the RMA, a full statutory review of the RPS in accordance with Schedule 1 of the RMA must be commenced within 10 years of it becoming operative, i.e. 2020. However, a non statutory interim review of the effectiveness and efficiency of the RPS is also required.

### **Effectiveness and efficiency review – purpose, methodology and criteria**

Section 35(2) of the RMA requires the Council to monitor the efficiency and effectiveness of its policies and other methods and to report on the results of its monitoring every five years.

This is a non statutory review that examines the effectiveness and efficiency of regional policy statements and regional plans. It is a monitoring mechanism for ensuring that policy is 'on track', that implementation is occurring, and that outcomes sought are being achieved. In the event that policy is not on track, a council can then determine whether immediate changes need to be made to the planning document.

For the purposes of this review, the Council undertook:

- A desktop review of legislative and government policy changes, state of the environment information, and other relevant information;
- A series of workshops and meetings with Council staff, iwi and stakeholders, including major consent holders, the three district councils, non-governmental organisations and community groups, Department of Conservation, Heritage New Zealand and the Taranaki District Health Board, were held in July and August 2016;
- The preparation of the attached Report to set out the Council's preliminary findings and to seek further feedback from stakeholders.

Assessment on the effectiveness of the policies towards achieving the RPS objectives was largely based upon the Council's *Taranaki as One; Taranaki Tangata Tu Tahī State of the Environment Report 2015*. This report summaries and is underpinned by comprehensive state of the environment monitoring undertaken by the Council. For some RPS issues, particularly those associated with process or management issues (e.g. use and development of resources), the interim review necessarily relied on alternative sources and qualitative assessments, including the views of internal and external stakeholders.

As noted above, the Council is seeking to ensure that the RPS remains relevant, lawful and appropriate and that it is achieving its purpose in an efficient and effective way. Depending on the conclusions drawn from the review, the Council can then determine whether changes to the RPS are required now or can wait until the 10-year review of the Plan in 2020.

In deliberating as to the necessity to make immediate changes to the RPS, Council has had regard to the following criteria:

- The *ongoing relevance* of the RPS in terms of section 32 matters. Part of this assessment will need to include consideration of the:
  - timeliness of any change, particularly in view of any proposed changes in legislation and new or emerging issues; and
  - costs to the Council or resource users.
- The *effectiveness* of RPS policies in achieving its objectives.
- The *effectiveness* of the RPS in terms of its delivery of the methods of implementation.
- The *efficiency* of the RPS in terms of its benefits and costs.

### **The Draft Report**

The purpose of the attached Report is to outline the Council's preliminary findings on the effectiveness and efficiency of the RPS. The scope of the Report is similar to previously exercises undertaken by the Council when assessing the efficiency and effectiveness of the *Regional Coastal Plan for Taranaki*, the *Regional Air Plan for Taranaki* (both of which were completed in 2002), the *Regional Freshwater Plan for Taranaki* (completed in 2007) and the *Regional Soil Plan for Taranaki* (completed in 2008).

The Report has also been structured and aligned with best practice guidelines set in the Enfocus Limited report *Evaluating Regional Policy Statements and Plans – A Guide for Regional Councils and Unitary Authorities* (2008).

In brief, the Report concludes that the RPS is standing the test of time well and is assisting the Council in carrying out its resource management responsibilities. That is, the RPS has been both effective and efficient and no issues have been identified that would warrant an urgent review. Key findings from the Report are:

- There are a number of legislative and policy change factors that have emerged since the RPS became operative. These change factors include legislative changes, the promulgation of national policy statements and national environmental standards. However, these do not, so far, necessitate immediate changes involving a full review of the RPS.
- The RPS is largely on track to meet its objectives.
- In relation to the maintenance of the quality of our air, water, coastal and health of our soil resources, state of the environment monitoring indicates that Taranaki is tracking well in terms of environmental trends.
- In terms of water quality, data suggests that the water quality is improving, or at the least being maintained (no significant change).
- There continues to be a small but on-going loss in the areal extent of both wetlands and indigenous forest and shrub land in Taranaki.
- Achieving the RPS's objectives is based on a broad combination of regulatory and non regulatory methods. Methods for implementing RPS objectives and policies are being implemented.
- Administrative costs associated with the RPS are low with minimal costs on resource users. The costs of implementing methods are annually reviewed and tested via the annual plan process and though not insignificant, nevertheless the costs are not large in comparison to the environmental outcomes being achieved.

### **Report recommendations and future changes**

Section 8 of the Report presents the interim reviews conclusions and recommendations so far.

In brief, the interim review has not identified any change factors or issues with the implementation of the RPS that necessitate making immediate changes involving a full review of the RPS. Recent change factors such as the promulgation of the new *National Policy Statement for Urban Development Capacity 2016* are likely to require minor changes to the RPS such as the inclusion of new policies setting minimum development capacity targets. However, that requirement can be given effect to in accordance with section 55(2A) of the RMA without using the process in Schedule 1 of the Act.

Notwithstanding no immediate changes involving a full review of the RPS are required, the report does highlight a suite of actions or areas where there are opportunities for improving and building on the current RPS and which should be taken into account as part of the full review scheduled to occur in 2020. These are presented on pages 45 and 46 of the Report and include recommendations to investigate developing a combined RPS and regional plans, the

use of digital and spatial technology to improve the accessibility of our planning documents and their user friendliness, and options to better incorporate Maori values and principles.

Stakeholders were generally supportive of developing a combined RPS and regional plans to promote alignment, reduce unnecessary duplication, and enhancing integrated management outcomes across our regional planning instruments. Of note the Council is likely to commence a full review of its Coastal Plan in 2017/2018 and full reviews of the RPS and other plans are scheduled to occur in 2019/2020 and 2020/2021 financial years. Work on the plans will proceed, in terms of structure and content, with a view towards the plans being able to be inserted into a combined plan.

### **Where to from here?**

Section 35(2A) of the RMA requires that the Council undertake and make available to the public a review of the results of its monitoring into the efficiency and effectiveness of policies and methods in the RPS. The attached Report gives effect to that requirement.

However, as part of the review process into the effectiveness and efficiency of the RPS, it is also recommended that Council seek stakeholder feedback on the Report's findings. This was agreed with those who participated in the review process. This is considered a useful step to test assumptions and canvas the experiences of stakeholders with regards to their views on:

- Whether the RPS is achieving its purpose and the issues remain relevant?
- Whether the RPS has been effective in terms of achieving stated outcomes and implementing its methods?
- Whether RPS provisions are useful and readable?
- Whether the RPS has been efficient in terms of its benefits being greater than its costs?
- Whether any changes are urgently required (having regard to the criteria set out in Section 2.2 of the Report) to improve the effectiveness and efficiency of the RPS and/or to ensure its ongoing relevance in terms of new national and regional initiatives and policies?

The views of these parties and responses to them will be included into the final Report, which is likely to be presented to Members in mid 2017.

### **Decision-making considerations**

Part 6 (Planning, decision-making and accountability) of the *Local Government Act 2002* has been considered and documented in the preparation of this agenda item. The recommendations made in this item comply with the decision-making obligations of the Act.

### **Financial considerations—LTP/Annual Plan**

This memorandum and the associated recommendations are consistent with the Council's adopted Long-Term Plan and estimates. Any financial information included in this memorandum has been prepared in accordance with generally accepted accounting practice.

### **Policy considerations**

This memorandum and the associated recommendations are consistent with the policy documents and positions adopted by this Council under various legislative frameworks including, but not restricted to, the *Local Government Act 2002*, the *Resource Management Act 1991* and the *Biosecurity Act 1993*.

### **Legal considerations**

This memorandum and the associated recommendations comply with the appropriate statutory requirements imposed upon the Council.

### **Attachments – separate report**

[Document number 1750522: \*Interim review of the Regional Policy Statement for Taranaki 2010 - Evaluation of appropriateness, efficiency and effectiveness.\*](#)



## Agenda Memorandum

**Date** 31 January 2017



**Memorandum to  
Chairperson and Members  
Policy and Planning Committee**

**Subject: Submission on Draft District Plan for  
New Plymouth**

**Approved by:** A D McLay, Director – Resource Management

B G Chamberlain, Chief Executive

**Document:** 1793416

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### **Purpose**

The purpose of this memorandum is to introduce a submission made on the Draft District Plan for New Plymouth and to recommend its endorsement by the Council.

Submissions closed on 16 December 2016. A draft submission was circulated to Councillors for feedback prior to the closing date.

A copy of the submission is attached to this memorandum.

### **Executive summary**

The New Plymouth District Council has commenced a review of its district plan by releasing a Draft District Plan for public feedback.

The Draft District Plan contains new district-wide and specific zone objectives and policies. It also contains rule summaries that provide a general indication of the specific standards that would be required. It does not, at this stage contain, details of the rules, planning maps or special overlay zones that would apply to development proposals. These are intended to be developed over the next 10 – 12 months or so after which a Proposed District Plan will be formally released under the RMA in late 2017.

The submission comments on the importance of monitoring and of promoting integrated management with other agencies, including this Council.

Specific matters of detail that the submission provides feedback on include indigenous biodiversity, waterbodies, coastal environment, natural hazards, stormwater issues and the oil and gas industry.

Ongoing discussions will take place with the New Plymouth District Council throughout the review.

## Recommendations

That the Taranaki Regional Council:

1. receives the memorandum 'Submission on Draft District Plan for New Plymouth'; and
2. endorses the submission.

## Background

The Resource Management Act 1991 (the RMA) requires all district councils to review their district plans 10 years after they become operative. The New Plymouth District Plan was publicly notified in 1998 and it became operative in 2005.

New issues have emerged since the last district plan was made operative, and as part of the review process. The New Plymouth District Council will also be updating the district plan to ensure it is relevant and that it is up to date with changes in legislation, national policy statements and environmental standards and other regulations. The review process must also give effect to the *Regional Policy Statement for Taranaki (2010)* and must not be inconsistent with any regional plans prepared by the Taranaki Regional Council.

One of the key drivers shaping the new district plan is the District Blueprint. This is a high level spatial plan for the New Plymouth District, developed in consultation with the community, that will guide and integrate District Council decisions and planning – including the district plan review. The Blueprint identifies eight key directions that will be the District Council's planning focus for the next 30 years. The New Plymouth District Council estimates that 42% of the initiatives from the Blueprint will be achieved through the district plan review.

The New Plymouth District Council has also indicated that certain problems have arisen with the current effects-based district plan that they wish to address in the review. As a result the District Council has stated it intends to develop a clearer, more directive-leaning and user friendly district plan. This it expects will provide greater regulatory certainty for investment, better environmental outcomes and stronger communities.

The Draft District Plan released for public feedback proposes a new format for the district plan with new objectives, policies and zone provisions. It also includes rule summaries that provide a general indication of the specific standards that would be required. It does not at this stage contain details of the rules, planning maps or special overlay zones that would apply to development proposals. These are intended to be developed over the next 10 – 12 months or so after which a Proposed District Plan will be formally released under the RMA in late 2017.

In the meantime the New Plymouth District Council has sought feedback from the community on the higher level framework for the district plan – the objectives, policies and zone provisions – to help test whether they are on the right track before undertaking more detailed work.

The Draft District Plan can be viewed at <http://www.newplymouthnz.com/Council/Council-Documents/Plans-and-Strategies/District-Plan/District-Plan-Review>

## The submission

The submission commends the New Plymouth District Council for the early consultation process prior to the formal release of a Proposed District Plan. It has been the experience of this Council that early and informal engagement on plan related issues greatly reduces costly and time-consuming submissions and appeals later in the process. The Council has been involved in discussions with the District Council on a number of issues relevant to the review and this will continue over the coming months.

By way of general introductory comments, the submission raises with the New Plymouth District Council the importance of having a monitoring strategy in place to provide information on the effectiveness of the district plan in achieving its stated objectives. This is also an important issue for this Council in reporting to the community on the how well the *Regional Policy Statement for Taranaki* is addressing district council issues and for our state of the environment reporting.

Some further explanation in the district plan on integrated management is sought. This will provide helpful information to plan users on the roles and responsibilities of other agencies in resource management and on how issues, which cross-over into other chapters, are to be dealt with.

The submission then comments on a number of matters of detail concerning the scope or wording of particular objectives, policies or rules summaries. The matters raised are presented under the headings used in the Draft District Plan but in terms of the themes that are of interest to the Council, they include the following areas:

**Reverse sensitivity:** while reverse sensitivity issues are addressed in the draft plan, the submission seeks stronger and clearer provisions that protect existing industries from sensitive activities that may locate in close proximity to them, particularly in rural situations.

**Biodiversity:** the Council supports the intentions of the Draft District Plan to maintain, protect and enhance indigenous biodiversity within the New Plymouth district but raises potential inconsistencies in the use of terms, and issues with the practical application of some policies.

**Waterbodies:** again the submission supports the District Council's intentions with respect to waterbodies but seeks further discussions around identifying and scheduling 'priority waterbodies'.

**Coastal environment:** the objectives in this chapter only target natural character values but the policies underneath these objectives address a range of other values. Further discussions with the Taranaki Regional Council are suggested on a number of matters to align with the Council's *Proposed Regional Coastal Plan* due for release in 2017.

**Natural hazards:** the submission supports the objectives in this chapter but notes that there is no mention of severe storms or cyclones, landslide or tsunami, natural hazards that have been identified in a recent Taranaki Civil Defence Emergency Management Workshop.

**Stormwater, flooding and erosion:** the management of stormwater from residential and industrial development has been a significant issue within the district that has involved the Council in various ways. The submission supports policies that seek low impact design

features such as controlling the amount of hard surface area but points to areas where further planning for stormwater is needed.

**Traffic and transport:** the submission supports many of the policies relating to the safety and efficiency of the transport network, links to public transport and the need to take into account the needs of the mobility impaired. The Council suggests that more emphasis could be given to developing an integrated and connected transport network. The Council's *Regional Land Transport Plan 2015-2018* could be a useful source of information that could inform the further development of the district plan.

**Energy, oil, and gas:** the submission supports policies in this section and a specific policy section dealing with the oil and gas industry. Some matters of detail are raised for consideration by the District Council.

Other areas are also mentioned. The submission notes that ongoing discussions with the New Plymouth District Council as it develops its District Plan further will be beneficial for both parties.

### **Decision-making considerations**

Part 6 (Planning, decision-making and accountability) of the *Local Government Act 2002* has been considered and documented in the preparation of this agenda item. The recommendations made in this item comply with the decision-making obligations of the *Act*.

### **Financial considerations—LTP/Annual plan**

This memorandum and the associated recommendations are consistent with the Council's adopted Long-Term Plan and estimates. Any financial information included in this memorandum has been prepared in accordance with generally accepted accounting practice.

### **Policy considerations**

This memorandum and the associated recommendations are consistent with the policy documents and positions adopted by this Council under various legislative frameworks including, but not restricted to, the *Local Government Act 2002*, the *Resource Management Act 1991* and the *Biosecurity Act 1993*.

### **Legal considerations**

This memorandum and the associated recommendations comply with the appropriate statutory requirements imposed upon the Council.

### **Attachments**

Document 1767198: Draft New Plymouth District Plan Review

13 December 2016  
Document: 1767198

New Plymouth District Council  
District Plan Review Feedback  
Private Bag 2025  
New Plymouth 4342

## **Draft District Plan for New Plymouth**

### **Introduction**

1. The Taranaki Regional Council (the Council) thanks the New Plymouth District Council for the opportunity to provide early feedback on the draft District Plan for the New Plymouth District. The Council commends the New Plymouth District Council for this early consultation process prior to the formal release of a Proposed District Plan under the Resource Management Act (RMA).
2. The Council provides this feedback in recognition of the purpose of local government set out in the Local Government Act 2002, and the role, status and powers and principles under that Act relating to local authorities. In particular, the Council's comments are made in recognition of its:
  - functions and responsibilities under the *Resource Management Act 1991*
  - and its regional advocacy responsibilities whereby the Council represents the Taranaki region on matters of regional significance or concern.
3. The Council has also been guided by its Mission Statement '*To work for a thriving and prosperous Taranaki*' across all of its various functions, roles and responsibilities, in providing this feedback.

### **General comments**

#### **A new strategic policy direction**

4. The Council acknowledges that the draft District Plan that has been released for early public comment focuses on a new strategic policy direction for the New Plymouth District but does not at this stage, contain detailed rules or planning maps. These have yet to be developed.

5. The New Plymouth District Council has decided that it wants a district plan that is more directive than the 'effects-based' plan that is currently in place. The District Council has outlined several problems with the effects-based style of plan and wants to provide clearer direction and more certainty for the community. At the same time it is seeking to adopt a more simplified and user-friendly approach to land use control within the district.
6. The Council supports the District Council in its intention to provide clearer direction for activities within the New Plymouth district. Many policies make it clear that this approach will take place within a framework where a range of activities are to be enabled within the overall purpose of the various zones.

### **Monitoring strategy**

7. The Council raises for consideration by the District Council whether the relatively large number of policies in the draft plan have been developed with the need to consider how they are to be monitored for their efficiency and effectiveness. A district plan monitoring programme will be crucial for assessing how well the new strategic framework is meeting the sustainable purpose of the Resource Management Act and whether the District Plan is achieving what it set out to do.
8. There are practical implications for this Council as well. As part of its monitoring of the efficiency and effectiveness of the *Regional Policy Statement for Taranaki*, and in pulling together the 5-year state of the environment reports for Taranaki, the Council requests information from the district councils on land use and subdivision trends and how well district councils are managing land use issues to address matters of regional significance. The *National Policy Statement on Urban Development Capacity* is now operative and will also drive monitoring.
9. Consideration should be given to how the District Council is to monitor and publically report on the efficiency and effectiveness of the new district plan before the proposed plan is released. A district-wide monitoring strategy should be considered. This could involve a specific monitoring programme for the district plan backed by detailed programmes to monitor district-wide as well as zone-specific provisions.

### **Integrated management**

10. The Council also raises for consideration by the District Council whether the new district plan should contain a section on integrated management. This section could outline the roles and responsibilities of the Taranaki Regional Council which would help those using the district plan to know what role the Regional Council plays in resource management. It would also help in letting people know what other authorisations or consents might be required from the Taranaki Regional Council for their activity.
11. A section on integrated management might also be useful for explaining a number of cross-media effects or effects on other values or resources when dealing with specific resources or values within each chapter. For example, in the Natural Environments chapter there is a section on Indigenous Biodiversity but there is little cross-

referencing or mention of indigenous biodiversity values in other District Wide chapters or in the specific Zone Provisions where biodiversity values are relevant considerations. Similarly in the chapter on Waterbodies there is no mention of stormwater issues or the fact that waterbodies flood but mention is made of these in the Natural Hazards chapter. Some explanation of how these cross-media issues are addressed should be included in the District Plan.

12. Under a heading of 'Integrated management' mention could also be made of actions or activities that lie outside of the district plan but will be important for achieving a number of district plan objectives. Under this heading mention could be made of the Long-Term Plan and Annual Plan under the Local Government Act, as well as other the use of other non-regulatory tools such as grants or rates relief, information and advice, advocacy and voluntary agreements.
13. Some of these methods will be mentioned in the section 32 report but could form a useful part of the district plan. It could help place the district plan in a wider context that will assist understanding.
14. As you will be aware the four councils in Taranaki are promoting a high level of cooperation and coordination among the councils in reviewing their statutory RMA planning documents in an effort to have these better aligned in future. The South Taranaki District Council has almost completed a review of its district plan and the Stratford District Council has begun its district plan review process. This Council will be releasing its *Proposed Regional Coastal Plan* next year. The Council encourages the New Plymouth District Council to look for consistency with these and other plans as an aid to integrated management and ease of use by the public.

### **Regional Policy Statement and regional plans**

15. The Council considers that the draft District Plan is generally in accordance with the *Regional Policy Statement for Taranaki 2010* and regional plans. Where the Council considers that the draft District Plan does not fully give effect to the Regional Policy Statement or is inconsistent with regional plans, this is stated.

### **Section 32 report**

16. The Council notes that further explanation or justification for the policy positions taken in the draft District Plan, will be outlined in the section 32 report that will accompany the release of the Proposed District Plan.
17. The Council acknowledges that its comments on the draft District Plan will be considered in this context.
18. The remaining parts of the Council's feedback deal with the district-wide provisions, in the order that they appear in the draft District Plan. These provisions provide the strategic basis for many of the zone provisions. The Council understands that the zone-based provisions outline matters that are particularly relevant to that zone and set out how the district-wide provisions will be delivered. For this reason the Council

has focused its feedback on the district-wide provisions with occasional comments made on the zone provisions where appropriate.

19. Other matters will be dealt with by overlay zones or schedules which are still being developed.

## **Living and working environments**

### **Rural Development**

20. The Council supports statements on page 18 of the draft District Plan that rural land is an important resource for the district. The Council also fully supports statements that the principal functions of the rural environment are to provide for productive rural activities such as pastoral farming, livestock, horticulture, forestry and oil and gas activities (as well as providing for the district's indigenous vegetation and habitat and water supplies).
21. The Council also supports Objective RD-05 which states:

*'Farming and rural-based activities are able to operate efficiently and effectively without being constrained or compromised by new incompatible land uses.'*
22. This Objective addresses the issue of reverse sensitivity within the rural environment which has caused difficulties for the Council in its resource consenting processes in the past. Rural residential and lifestyle blocks have been permitted to encroach on poultry farms, chicken litter storage areas and oil and gas operations resulting in odour and other complaints being made to the Taranaki Regional Council and delays or difficulties for these rural industries when renewing their consents with the Council.
23. While the Council therefore welcomes the inclusion of Objective RD-05 it questions whether this Objective could be made stronger by referring to reverse sensitivity impacts on all activities that require a rural location.
24. The Council notes that the issue of reverse sensitivity is not clearly provided for in the policies. Policy RD-P4 requires rural industry to be located away from sensitive activities and Policy RD-P6 looks to avoid, remedy or mitigate adverse effects of incompatible activities 'at the rural zone interface'. The Council requests that a specific policy be included in the Rural Development section that specifically addresses reverse sensitivity impacts on rural activities everywhere within the rural zone.
25. The Council notes that specific mention is made in the zone provisions of minimising reverse sensitivity effects on activities that may establish within the Rural Production Zone (Policy RPZ-P7) and ensuring incompatible activities do not locate in the Rural Production Zone where the activity will result in adverse reverse sensitivity effects and/or will lead to conflict (Policy RPZ-P8).
26. Reverse sensitivity is an issue that is addressed in the *Regional Policy Statement for Taranaki 2010* and the *Regional Air Quality Plan for Taranaki 2011*.



27. The Council supports Policy RD-P3 that provides for a zone that recognises and provides for major facilities that are nationally or regionally significant and support the economic and social wellbeing of the community. Such a policy is consistent with policies in the *Regional Policy Statement for Taranaki 2010*.

### **Infrastructure and connectivity**

28. The Council supports the objectives and policies in this section, and in particular the specific recognition that infrastructure includes stormwater and sewage disposal systems and the transport network.

29. The Council supports Policy IC-P5 particularly subpart b)

*'effectively managing and disposing of stormwater, including through the use of sustainable, low impact design methods where possible'*

and subpart d)

*'providing a way to dispose of sewage in a sanitary manner which minimises adverse effects on the health and functioning of the environment.'*

30. These policies are carried through into the zone provisions. For example, in the Light and Heavy Industry Zones, Policy IDZ-P6 specifically refers to activities making adequate provision of permeable surfaces to provide for the on-site disposal of stormwater, the ability to manage any wastes generated by the activity and the ability to avoid adverse effects on waterbodies. In the Residential Zone (Policy RZ-P10) reference is made to increasing the opportunities for permeable surface areas and controlling the amount of hard surfacing used.
31. Stormwater runoff and discharge into waterways from the intensification of urban development has created problems for the Council in the past raising peak flows in small streams and contributing to river bank erosion downstream. Low impact design features such as controlling the amount of hard surface area as well as swales and wetlands that hold back stormwater can assist in addressing this issue.
32. The transport network provides for the movement of people, goods and services in and out of, and within the district. The *Regional Land Transport Plan 2015/2018* contains land transport issues and challenges for Taranaki, along with strategic objectives, policies and measures for addressing them. The *Regional Land Transport Plan* is due for review in 2017. The plan could be a useful source of information policy direction that could inform the further development of the District Plan.
33. Of particular importance and relevance for the New Plymouth District Council are current objectives, policies and measures in the *Regional Land Transport Plan* relating to an integrated transport network, facilitating growth and economic development, reducing safety risks, maintaining and improving accessibility and travel options and reducing the negative environmental and community impact arising from transport.

34. In this respect, the Council supports the objectives in this section and policies IC-P1, IC-P2 and IC-P3. In particular, the Council supports Policy IC-P1 that identifies a transport network hierarchy and Policy IC-P3 which outlines various matters that will be required in the design of a transport network that will include, amongst other things, links to public transport routes and making it accessible for all users, including the transport disadvantaged and mobility impaired.
35. This is followed through into the zone provisions where for the Residential Zone, Policy RZ-15 f) makes specific reference to the mobility impaired and connections to public transport.
36. Perhaps there could more specific attention given in Policy IC-P3 and/or Policy RZ-15 to providing for walking and cycling infrastructure and urban design features that encourage rather than discourage the use of public transport.
37. Some further explanation of the terms 'pathways' in Policy IC-P1 and 'indicative' in Policy IC-P2 is required. Without some additional explanation the precise meaning of these terms is unclear.

### **Natural environments**

38. The Council supports having a Natural Environments chapter as one of four district-wide chapters. New Plymouth has one of the largest combined areas of indigenous vegetation remaining within the city boundaries compared to other New Zealand cities. Parks, coastline and walkways are major visitor attractions and greatly add to the quality of life for residents in New Plymouth. Improving native biodiversity is ramping up throughout New Zealand and the New Plymouth District Council is well placed to be a leader in this area.
39. Accordingly it would be good to see policies ensuring environmental values are considered across all activities and zones. Perhaps the term 'environmental' or 'ecological' could be added to statements about social and economic wellbeing of the district where these values are mentioned in relation to the various zones.

### **Waterbodies**

40. The Council supports the District Council's intention to manage activities that occur adjacent to waterbodies (page 25 of the draft District Plan). This is consistent with the *Regional Policy Statement for Taranaki 2010*. It will also assist the District Council in protecting water quality and other values of waterbodies and will promote the integrated management of resources.
41. The Council supports the three stated objectives on page 25 of the draft District Plan in relation to waterbodies.
42. Policy WB-P1 refers to identifying and scheduling 'priority waterbodies' with high natural character, biodiversity, cultural and recreational values. The Council's review of its own *Fresh Water* and *Soil* plans leading to a revised *Draft Freshwater and Land Management Plan* (now delayed until about 2020) had proposed a schedule of

outstanding freshwater bodies, two of which were located within the New Plymouth district: the Stony (Hangatahua) River and the Maketawa Stream. It had identified further waterbodies containing nationally threatened or regionally distinctive species present in Taranaki rivers and wetlands, significant amenity values and significant inanga and trout spawning values.

43. There is no definition given the draft District Plan of 'priority waterbodies.' The Council suggests further discussions take place with the Taranaki Regional Council over what is meant by 'priority waterbodies' with a view to reaching agreement or alignment on what the priority waterbodies might be.
44. The Council supports Policy WB-P2. This policy seeks to protect the values of all waterbodies. However, appropriately, this is limited to managing activities on or along the margins of waterbodies, the erection of structures adjacent to waterbodies and controlling earthworks and subdivision. Policy WB-P2 b) refers to the erection of structures etc being set back an adequate distance from waterbodies to avoid adverse effects. Reference should also be made in this policy to separation height as this may also be a relevant consideration in avoiding adverse effects on the values of waterbodies from flooding.
45. It is important for the District Council to note that the Taranaki Regional Council considers all remaining wetlands on the ring plain to be regionally significant wetlands if they contain habitat for threatened or regionally distinctive species or are of an ecosystem or habitat type that is under-represented in the region. This will cover most wetlands remaining on the ring plain.
46. The Council supports Policy WB-P4 as it is targeted to activities that are located on or along the waterbody. The remaining policies WB-P5, WB-P6 and WB-P7 are unclear as to whether they are targeting activities on or along a waterbody or apply more generally to all activities within or adjacent to the waterbody. The Council seeks clarification of the scope of these policies.

### **Indigenous biodiversity**

47. The Council generally supports the policies in this section which are to identify and schedule areas of significant indigenous vegetation and habitats of indigenous fauna (Policy IB-P1) and to protect, maintain and enhance these areas (Policy IB-P3, Policy IB-P4 and Policy IB-P5), as well as providing funding and advice to landowners to encourage the enhancement and restoration of indigenous biodiversity (Policy IB-P7).
48. However, there are a number of matters of detail that the Taranaki Regional Council would like to discuss further with the District Council.
49. The Council has recently mapped natural ecosystems of Taranaki and these maps (which are available as GIS layers) may assist the District Council in determining areas of significant remnant ecosystems and habitats outside of the District Council's current SNA inventory.

50. There also seems to be some confusion or inconsistencies in the use of terminology throughout the policies in this section. This has to do with the use of terms such as endemic, endangered, vulnerable, rare, limited abundance or uncommon etc. The New Zealand Threat Classification System identifies species as being 'Threatened', 'At Risk', or a variety of other categories such as 'Extinct', 'Not Threatened' or 'Data Deficient'. Within these there are criteria describing their degree of threat, for example, species that are Threatened can be either Nationally Critical, Nationally Endangered, or Nationally Vulnerable. If they are At Risk they can be Declining, Naturally Uncommon, Recovering or Relict.
51. Currently the Council also recognises Regionally Distinctive species to identify those species for whom Taranaki is important because they reach a national distribution limit here, only occur in or are relatively confined to Taranaki, or although common elsewhere are particularly uncommon in the region. The Council can provide a list of Threatened, At Risk or Regionally Distinctive Species known within the region.
52. Perhaps Policy-P1a) should read '*There is an indigenous species that is Threatened, At Risk or Regionally Distinctive*'. Policy IB-P1c) is also confusing and could be rewritten based on the New Zealand Threat Classification System. The Council's ecosystem mapping could provide assistance here.
53. The Council considers that Policy IB-P1 should also be clear as to whether all of the criteria in the policy are to be met before the policy is triggered or whether meeting any one or more of the criteria will trigger the policy. If only one or more of the criteria trigger the significance policy this could create problems in implementation with d) and e) in particular worded in broad terms.
54. The Council welcomes the inclusion of Policy IB-P7. It is vital for the success of any biodiversity strategy that support is given to landowners to actively manage threats to indigenous biodiversity on their land. A commitment to provide funding and advice including by way of fencing and planting, will greatly assist in protecting indigenous biodiversity in the New Plymouth district and complements the District Council's regulatory approach.
55. The Council notes that the New Plymouth District Council is a member of the Taranaki-wide Biodiversity Forum and biodiversity trust Wild for Taranaki. The policy provisions of the Draft District Plan that combine a regulatory approach with the use of non-regulatory tools designed to lend support to landowners with active and ongoing management responsibilities on their land, is consistent with the *Regional Policy Statement for Taranaki 2010* and other long-term objectives for maintaining and enhancing indigenous biodiversity in Taranaki.
56. The Council notes that a number of terms used, such as 'farm maintenance' (Policy IB-P4) and 'exceptional circumstances' (Rule summary) will need to be defined or rules put in place that circumscribe the limits for these terms.
57. The Council would welcome further discussions with the District Council on these and other matters of detail in the indigenous biodiversity section.

### **Outstanding natural landscapes**

58. The Council considers that the objectives and policies of this section are generally consistent with the *Regional Policy Statement for Taranaki 2010*.
59. Outstanding natural features and landscapes that have been identified within the Council's *Draft Regional Coastal Plan* have been identified in Policy ONL-P1. In relation to the Mimi Estuary, the Council has identified this area as an outstanding natural character area rather than a feature or landscape. This could be a matter for further discussion.
60. The Hangatahua (Stony) River has also been listed in Policy ONL-P1 as an outstanding natural feature and landscape. As previously indicated, the Council's *Draft Freshwater and Land Management Plan* had identified the Stony (Hangatahua) River and the Maketawa Stream as outstanding freshwater bodies. The Council seeks further discussions with the District Council with regard to the list of natural features and landscapes in Policy ONL-P1.
61. The Council notes that the remaining policies ONL-P2, ONL-P3, ONL-P4 and ONL-P5 refer to outstanding natural landscapes but not outstanding natural features. The Council seeks clarification as to the reasons for the absence of outstanding natural features from these policies.
62. The protection of outstanding natural landscapes is one area where subjective values play a significant part in deciding what gets protected and what doesn't and in deciding what is an 'appropriate activity' having regard to the effects on particular landscape values and characteristics.
63. The District monitoring strategy should look closely at this issue with a view to reviewing or refining the approach if this proves necessary – either because the rules are too stringent and are unnecessarily restricting development or are allowing development in areas where the District Plan considers they should not.

### **Coastal environment**

64. As a general comment the Council notes that there are a number of threats to the coastal environment that need to be managed, either through the District Plan or by other means. For example, domestic pets can have a significant impact on coastal bird species including several threatened and at risk species such as the New Zealand dotterel and little blue penguins. It is also important to avoid inappropriate planting in the coastal environment as many species such as Marram and Karo can become weedy. Vehicle access is also an issue in some areas leading to erosion of dunes and destruction of coastal vegetation and shore bird nesting habitat.
65. The Council notes that the Objectives in this chapter only target natural character but the policies beneath these objectives address other values such as amenity values, cultural and historic heritage features, indigenous coastal species and the built environment. The current objectives should be amended to include these additional values or further objectives added to cover these values.

66. The Council supports the identification of a coastal overlay area that recognises and provides for the matters listed in Policy CE-P1. This is an area where further discussion with the Taranaki Regional Council would assist with integrated management as the Council has developed policy with respect to the coastal environment (including the landward boundary of the coastal environment) in its *Draft Regional Coastal Plan*. The Council would therefore like to be involved in further work on the boundaries of the coastal overlay area.
67. Policy CE-P2 avoids certain activities in areas of outstanding natural character. The Council raises for consideration by the District Council whether the activities listed are broad enough to be aligned with the *Draft Regional Coastal Plan* which lists significant values and characteristics in Schedule 2 of the draft plan that contribute to areas of outstanding natural character.
68. In Policy CE-P4 (dealing with indigenous biodiversity) there is no specific mention of the protection of threatened or at risk species which are included in Schedule 6A of our *Draft Regional Coastal Plan*. This schedule identifies 22 bird species, two invertebrate species, five reptile species as well as plants within the coastal environment that might fall within the scope of the policy.
69. Policy CE-P5 deals with the Waiwhakaiho surf break. This addresses the *New Zealand Coastal Policy Statement* requirement but there are other regionally significant surf breaks identified by the Council that could also be added to the policy. Further discussion with the Council and surfing organisations on this issue could be of assistance.
70. The Council notes that Port Taranaki is not mentioned in the Coastal Environment policies. Port Taranaki is an aspect of infrastructure that is of regional significance in the coastal environment and should be recognised and provided for in the Coastal Environment chapter.
71. In the Rule summary under the heading 'Control as a non-complying activity' is the 'Removal of indigenous coastal vegetation'. The Council questions whether the wording is appropriate and suggests as an alternative 'Destruction or disturbance of coastal habitat' or similar.

### **Public access**

72. The policies in this section are generally consistent with those in the *Regional Policy Statement for Taranaki 2010* on public access issues.
73. The Council fully supports the inclusion of the Taranaki Traverse in the *Draft District Plan* (Policy PA-P1). The Council is currently making a considerable investment in upgrading Pukeiti to become an international garden and rainforest experience. Providing for connections to walking or cycling infrastructure as part of the Taranaki Traverse would complement this world recognised garden.
74. The Council also supports Policy PA-P2 that requires esplanade reserves and/or esplanade strips along waterbodies and the coast, together with access strips, access

links and designations if required to secure land for the district-wide shared pathway network.

75. The Council raises for consideration by the District Council the inclusion of a policy that recognises where promoting public access may not be appropriate. The *Regional Policy Statement 2010* contains a policy (WPA Policy 1) that sets out circumstances where restrictions on public access may be necessary, for example, to protect public health and safety, infrastructure or historic heritage.

### **Natural hazards**

76. The Council notes that under the Resource Legislation Amendment Bill currently before Parliament, the management of significant risks from natural hazards will be elevated to a matter of national importance under section 6 of the RMA.
77. The Council supports the Objectives in this chapter. Planning for risk reduction should be a major focus of the District Plan and for this reason the Council supports Objective NH-O2 and Objective NH-O3. The Council also supports Objective NH-O4 to ensure that natural defences against natural hazards are protected and restored.
78. The Council notes that there is no specific mention in the background discussion on natural hazards from severe storms or cyclones, severe winds, landslide or tsunamis. These are individual hazards that feature in the list of the top fifteen natural hazards for Taranaki developed at the recent Taranaki Civil Defence Emergency Management Group risk assessment workshop. The Council requests that these additional hazards be included as appropriate within the policies.
79. Policy NH-P4 requires consideration of the 'extent to which the activity will increase the risk of the hazard or the risk of damage to existing activities on the site or on adjacent sites.' Whilst these two factors are important, there is also a need to consider the increased risk to downstream sites from increased runoff or flooding and not just adjacent sites.
80. This is where attention to effectively managing and disposing of stormwater by low impact design methods can reduce risk (see comment made under 'Infrastructure and connectivity'). The Mangaone Stream in New Plymouth is one area that is coming under increasing pressure from industrial development. It has limited capacity to accommodate additional flows and any capacity that is found there will likely be necessary to deal with the effects of climate change.
81. Without a stormwater management strategy that is sufficient to deal with limited capacity some areas such as the Mangaone Stream catchment may be constrained for future development.
82. The Council notes there is no direction in the natural hazards section on coastal hard protection structures (seawalls). The *New Zealand Coastal Policy Statement* and our *Draft Regional Coastal Plan* discourage hard protection structures, although the Council notes they are the only option in many cases.

## Community environments

### Historic heritage

83. The *Regional Policy Statement for Taranaki 2010* contains specific issues, objectives and policies relating to the protection of historic heritage. These are related to the need to identify and raise awareness of Taranaki's heritage values, manage the adverse effects of development on historic heritage and promote the active management of the region's historic heritage.
84. The objectives and policies in the draft District Plan are generally in accordance with the *Regional Policy Statement for Taranaki 2010*. The Council agrees that historic heritage is important to the district's identity (Objective HH-03).
85. The Council supports Policy HH-P11 which is designed to support landowners to maintain and preserve historic heritage by providing assistance to landowners. In this respect the Council supports the New Plymouth District Council's Heritage Fund and requests that this fund be retained for the purposes of maintaining the historic heritage of the New Plymouth District.

### District-wide activities

#### Subdivision

86. Policy S-P1 refers to avoiding subdivision where it creates new or exacerbates existing natural hazards including flooding. To account for the possible downstream flooding effects caused by additional runoff this policy should be amended to read:

*Avoid subdivision which:*  
*a) creates new or exacerbates ... flooding at the site or downstream of the site*
87. Policy S-P2 contains a general statement that subdivision is appropriately located and designed to avoid, remedy or mitigate adverse effects and to provide for a list of (other) things.
88. There are issues with managing urban stormwater generally and the need to adequately plan for this with new subdivisions, for example in the area of new residential development towards and around the airport.
89. The *Regional Policy Statement for Taranaki 2010* contains a number of references to district plan and resource consent processes, including subdivision, to help promote regional resource management policy. These include the use of subdivision tools to maintain and enhance water quality, protect the natural character of wetlands, maintain and enhance public access to rivers, lakes and the coast, mitigate natural hazards as well as maintain and enhance biodiversity and natural features and landscapes etc.
90. To make it clear that subdivision of land can be used to address all such effects Policy S-P2 could be amended to read:



*'Ensure subdivision is appropriately located and designed to avoid, remedy or mitigate adverse effects on natural and physical resources and to provide for...'*

91. As for the list of other things that subdivision should provide for the Council supports the matters listed and in particular supports b), c), e), f), and j) as these are all consistent with the *Regional Policy Statement for Taranaki 2010* or the *Regional Land Transport Plan 2015-2018*.
92. In Policy S-P2 c) the Council supports reference to flood free building platforms but notes that there also needs to be provision for safe egress in the event that a house whilst it might be high enough, could be surrounded by flood waters.

### **Earthworks**

93. The Council supports this section. Earthworks can create or exacerbate natural hazards such as landslide and flooding. The Council therefore supports Policy EW-P1.
94. Earthworks can have adverse effects on waterways if not appropriately managed. This is generally provided for in Policy EW-P3 and EW-P5 but there is no specific mention of the fact that earthworks can create changes to hydrology that can affect nearby waterways and wetlands.

### **Traffic and transport**

95. The Council is generally supportive of policies relating to the safety and efficiency of the transport network and traffic generation as these are consistent with policies in the *Regional Land Transport Plan 2015-2018*.
96. However, in the background discussion on traffic and transport, reference is made to the transport network as being a physical resource whose strategic importance needs to be safeguarded from activities that can adversely affect its operation. While the Council agrees this should be recognised in the District Plan, it is also clear that the transport network acts to enable (or constrain) development and therefore the District Plan needs to identify where additional investment in the transport network needs to be promoted to enable appropriate development to occur to development.
97. The Council considers that more emphasis could be placed in this section on developing an efficient, integrated and connected transport network where each mode is connected to other modes in an integrated way. This would include a transport network hierarchy that classifies different types of roads and pathways based on their purpose, strategic function and volume of traffic.
98. The Council supports minimising conflict between vehicles, pedestrians and cyclists (Policy TT-P1), providing for the safe and efficient movement of vehicles (Policy TT-P3) and encouraging parking for bicycles and end-of-trip facilities (Policy TT-P4).

### **Hazardous substances**

99. The Council generally supports the approach that the New Plymouth District Council has taken to the management of hazardous substances.
100. Objective HS-O1 refers to the benefits associated with the use of hazardous substances but the benefits of hazardous substances are not explicitly recognised in the background discussion. For completeness, mention of the benefits of hazardous substances should be included in the background discussion.
101. There is no mention in Policy HS-P1 to adequate separation from indigenous bush remnants or indigenous biodiversity values that are not otherwise covered by the policy.
102. The Council notes that the Resource Legislation Amendment Bill currently before Parliament proposes to remove the control of hazardous substances as an explicit function of local authorities. The intent of this change is to remove the duplication of regulation given that hazardous substances are already regulated under the Hazardous Substances and New Organisms Act 1996.

### **Contaminated land**

103. The Council supports the objectives and policies in this section. Objective CL-O1 to avoid, remedy or mitigate risks to human health from contaminated land appropriately recognises that land that has some residual contamination can be used if mitigation measures are put in place to reduce risks to human health to acceptable levels.
104. The objective also recognises the District Council's responsibilities under the RMA for managing human health impacts from the use of contaminated land. Potential wider environmental effects for example on waterbodies, remains the responsibility of the Taranaki Regional Council. This is another area where a section on integrated management could usefully explain the different roles and responsibilities of the councils.
105. The Council suggests that another policy, either in this section or in a section dealing with integrated management, be included on sharing information on contaminated land use with the Regional Council in order to avoid either duplication or gaps in knowledge arising.

### **Energy**

106. The Council generally supports the objectives and policies in this chapter. Recognition of the significant local, regional and national benefits of the use and development of both renewable and non-renewable energy resources (Objective E-O1) is supported as is Objective E-O2, to minimise adverse effects on communities and the environment from energy activities.

107. The Council also supports having a specific policy section dealing with the oil and gas sector. This will increase certainty for both the communities that may be affected and the oil and gas industry itself. The policy considerations or criteria for assessment are generally supported.
108. However, Policy E-P1 could be restrictive in requiring prospecting activities to be setback from sensitive activities, the coast, historic heritage and scheduled features. The definition of petroleum prospecting includes taking samples by hand held methods and aerial surveys and the Council believes that such methods should not pose a significant risk to the amenities of the district.
109. Similarly, the Council considers that Policy E-P7 is highly restrictive in requiring the oil and gas industry to avoid locating within or in proximity to the coastal overlay area. This includes petroleum prospecting activities. A more environmental effects based approach may be a more suitable approach to adopt.
110. Policy E-P2 requires exploration and production activities to be located having regard to the effects of the activity and the matters listed in a) to g). The Council suggests that the word 'and' be replaced by the word 'including'. In subparagraph e) consideration of adverse reverse sensitivity effects are limited to 'sensitive' activities and features' only. While the Council understands the reasons for focusing on particularly sensitive activities, this term is defined in the draft District Plan and therefore the District Plan runs the risk of leaving out activities that may be affected but do not come within the definition of 'sensitive activities'. The Council suggests removing the term 'sensitive activities and features' from Policy E-P2. Similar wording is found in Policies E-P3 and E-P5.
111. The requirement that above ground oil and gas activities are remediated once decommissioned or abandoned (Policy E-P4) is supported.
112. The Council also supports the stand alone policy provisions that deal with renewable electricity generation activities (policies E-P8 to E-P13). Allowing small-scale or community-scale renewable electricity generation activities while addressing their adverse effects on the environment and controlling the adverse effects of larger scale activities are consistent with the *Regional Policy Statement for Taranaki*.
113. Policy E-P11 refers to the storage of hazardous substances associated with renewable electricity generation activities. The Council notes that hazardous substances are not mentioned in the oil and gas industry policies where this aspect should also be a matter for consideration.
114. There may be energy resources that are not part of the oil and gas sector or used for renewable electricity generation that should also be considered for inclusion in policy under this chapter. One example is the potential use and reticulation of geothermal heat for heating of glasshouses or other applications.

### **Temporary events**

115. The policies in this section do not appear to consider the impact of large temporary events (for example musical or sporting events) on more fragile environments such as coastal dunes or wetlands etc. Specific mention of these effects should be included in Policy TE-P2.

### **Conclusion**

116. The Taranaki Regional Council again thanks the New Plymouth District Council for the opportunity to provide early feedback on the draft District Plan for the New Plymouth District.
117. The Council considers that many policies in the draft Plan implement the *Regional Policy Statement for Taranaki*.
118. Some of the main areas that the Council considers require greater attention or clarification include reverse sensitivity issues in the rural environment, stormwater management and flooding, policies relating to the management of waterbodies, indigenous biodiversity, energy and coastal management.
119. Monitoring of the efficiency and effectiveness of the District Plan and reporting to the community on the results of this monitoring will be important. The Council encourages the New Plymouth District Council to adopt a monitoring strategy specifically for the new district plan.
120. There are a number of areas where ongoing discussions between the Taranaki Regional Council and the New Plymouth District Council will be beneficial for both parties in terms of agreeing on the nature and scope of policy. The Council is keen to continue these discussions and would welcome the opportunity to be involved in later stages of the District Plan review.

Yours faithfully  
BG Chamberlain  
**Chief Executive**

per: A D McLay  
**Director - Resource Management**

## Agenda Memorandum

**Date** 31 January 2017



**Memorandum to  
Chairperson and Members  
Policy and Planning Committee**

**Subject: Submission on Stratford District Plan  
Review Issues Paper**

**Approved by:** AD McLay, Director – Resource Management

BG Chamberlain, Chief Executive

**Document:** 1794498

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### **Purpose**

The purpose of this memorandum is to introduce a submission made to the Stratford District Council on their District Plan Review Issues Paper and to recommend its endorsement by the Council.

Submissions closed in December 2016. A draft submission was circulated to Councillors for feedback prior to the closing date.

A copy of the submission is attached to this memorandum for Members' information.

### **Executive summary**

The Stratford District Council is in the early stages of reviewing its district plan. As part of this process, it has released a short District Plan Issues Paper and invited public feedback on the paper.

The Council has raised a number of other issues that should be considered in the review process. These are based on the Council's *Regional Policy Statement for Taranaki* and regional plans and include greater control of development to mitigate natural hazards, measures to maintain or enhance indigenous biodiversity, and the inclusion of appropriate provisions for both renewable and non-renewable energy resources including those associated with the oil and gas industry.

### **Recommendations**

That the Taranaki Regional Council:

1. receives the memorandum 'Submission on Stratford District Plan Review Issues Paper'
2. endorses the submission.

## **Background**

The Stratford District Council is in the early stages of reviewing its district plan. As part of this process, it has released a short District Plan Issues Paper and invited public feedback on the paper.

The Issues Paper identifies the 'Top 5' issues to be addressed as part of the district plan review process. It also lists issues that are dealt with in the current operative Stratford District Plan.

The Issues Paper can be viewed at <http://www.stratford.govt.nz/council/documents-publications/under-consultation/stratford-2035>

## **The submission**

The submission supports Issue 3 (the planning framework needs to be clear and provide certainty) and Issue 4 (the district plan needs to give greater effect to the *Regional Policy Statement for Taranaki* and be as joined up as possible to the planning frameworks of neighbouring councils) of the 'Top 5' issues to be addressed in the district plan review.

The remaining 'Top 5' issues are local issues that are to be addressed by the Stratford District Council.

The Council has raised a number of other issues that should be considered in the review process. These are based on the Council's *Regional Policy Statement for Taranaki* and regional plans and include greater control of development to mitigate natural hazards, measures to maintain or enhance indigenous biodiversity, and the inclusion of appropriate provisions for both renewable and non-renewable energy resources including those associated with the oil and gas industry.

Other issues arising from the *Regional Policy Statement* will also need to be considered for inclusion in the review.

The Council looks forward to ongoing dialogue and consultation with the Stratford District Council on the District Plan review.

## **Decision-making considerations**

Part 6 (Planning, decision-making and accountability) of the *Local Government Act 2002* has been considered and documented in the preparation of this agenda item. The recommendations made in this item comply with the decision-making obligations of the *Act*.

## **Financial considerations—LTP/Annual plan**

This memorandum and the associated recommendations are consistent with the Council's adopted Long-Term Plan and estimates. Any financial information included in this memorandum has been prepared in accordance with generally accepted accounting practice.

## **Policy considerations**

This memorandum and the associated recommendations are consistent with the policy documents and positions adopted by this Council under various legislative frameworks

including, but not restricted to, the *Local Government Act 2002*, the *Resource Management Act 1991* and the *Biosecurity Act 1993*.

**Legal considerations**

This memorandum and the associated recommendations comply with the appropriate statutory requirements imposed upon the Council.

**Attachments**

Document: 1788590: Stratford District Plan Review Issues Paper

13 December 2016  
Document: 1788590

Chief Executive  
Stratford District Council  
Private Bag  
Stratford

## **Stratford District Plan Review Issues Paper**

### **Introduction**

1. The Taranaki Regional Council (the Council) thanks the Stratford District Council for the opportunity to provide feedback on the Stratford District Plan Review Issues Paper. The Council commends the Stratford District Council for this early consultation process prior to the formal release of a Proposed District Plan under the Resource Management Act (RMA).
2. The Council provides this feedback in recognition of the purpose of local government set out in the Local Government Act 2002, and the role, status and powers and principles under that Act relating to local authorities. In particular, the Council's comments are made in recognition of its:
  - functions and responsibilities under the *Resource Management Act 1991* and its
  - regional advocacy responsibilities whereby the Council represents the Taranaki region on matters of regional significance or concern.
3. The Council has also been guided by its Mission Statement '*To work for a thriving and prosperous Taranaki*' across all of its various functions, roles and responsibilities, in providing this feedback.
4. The Council would welcome the opportunity to be involved in further discussions with the District Council on the issues to be addressed as part of the District Plan review.

### **Issues**

5. The Council agrees with Issue 4 in the District Plan Issues Paper that the District Plan needs to give greater effect to the Regional Policy Statement (RPS) at a regional level.



6. While the current Stratford District Plan is generally consistent with the RPS some changes may be required and this is what has been signalled by the Stratford District Council.
7. Issue 4 also signals that the District Plan needs to be as joined up as possible to the planning frameworks of neighbouring councils. The Council agrees with this statement. All four councils in Taranaki are promoting a high level of cooperation and coordination in reviewing their plans in an effort to have these better aligned in future. A recent example is work done on oil and gas provisions. This will aid in integrated management and ease of use by the public.
8. The Council also agrees with Issue 3 that the planning framework needs to be clear and provide certainty to industry with an understanding of the environmental effects generated. Industries that make a significant contribution to the national economy such as agriculture and the oil and gas industry are specifically listed. This is to be reflected within the activity status of the various activities. This issue is in line with the RPS.
9. The remaining issues in the 'Top 5' to be addressed as part of the district plan review are local rather than regional issues which the district plan review process will address with local input, for example the need to have clear and logical rules to improve the form and function of the town centre and help deliver the vision for the 'Future of Broadway' project.
10. Other priority issues that the review of the District Plan should consider include:
  - Greater control of development to mitigate the effect of natural hazards such as flooding and volcanic risk within the Stratford District (the Resource Legislation Amendment Bill currently before Parliament intends to elevate this to a matter of national importance);
  - Dealing effectively with reverse sensitivity effects where land use controls are placed on 'sensitive activities' to prevent them from locating too close to existing industries;
  - The appropriate management of activities along or adjacent to waterways to ensure their effects on waterbodies (including wetlands) are avoided, remedied or mitigated to acceptable standards;
  - Measures to maintain or enhance indigenous biodiversity within the Stratford District, including the possibility of identifying significant natural areas for protection ( the Council has recently finished mapping natural ecosystems of Taranaki which may assist the District Council in identifying significant natural ecosystems); and
  - Inclusion of appropriate energy provisions in the District Plan including the use and development of both renewable and non-renewable energy resources.

11. There will be other issues arising from the RPS that will also be considered for inclusion in the review (for example the protection of outstanding natural features and landscapes). The Council looks forward to ongoing dialogue and consultation with the Stratford District Council on the Stratford District Plan Review.

Yours faithfully  
BG Chamberlain  
**Chief Executive**

per: A D McLay  
**Director - Resource Management**

## Agenda Memorandum

**Date** 31 January 2017



**Memorandum to  
Chairperson and Members  
Policy and Planning Committee**

**Subject: Submission on Proposed South  
Taranaki District Council Trade Waste  
Bylaw 2016**

**Approved by:** A D McLay, Director – Resource Management  
B G Chamberlain, Chief Executive

**Document:** 1795049

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### **Purpose**

The purpose of this memorandum is to introduce a submission made to the South Taranaki District Council on their Proposed Trade Waste Bylaw 2016 and to recommend its endorsement by the Council.

The deadline for submissions was 20 December 2016. A draft submission was circulated to Councillors for feedback prior to the closing date.

A copy of the submission is attached to this memorandum for Members' information.

### **Executive summary**

The South Taranaki District Council proposes to introduce a district-wide Trade Waste Bylaw to manage trade waste from businesses within the district.

This Council has worked closely with the South Taranaki District Council on the requirement for a bylaw following the odour issues at the Eltham Waste Water Treatment Plant in 2014 and intermittently over an extended period prior to this. Arising from these issues was an enforcement order (7 February 2014) agreed between the councils, and approved by the Environment Court, to develop and implement a bylaw.

The Council therefore supports the intention of the South Taranaki District Council to introduce a separate Trade Wastes Bylaw for South Taranaki. It will enable the district council to ensure compliance with resource consent conditions for its own wastewater plants and protect the considerable investment the District Council has made in the wastewater system.

The Council's submission fully supports Option 1a) and related Options 1b), c), and d). A number of relatively minor, technical wording changes are suggested for consideration by the South Taranaki District Council.

## **Recommendations**

That the Taranaki Regional Council:

1. receives the memorandum 'Submission on South Taranaki District Council Trade Waste Bylaw 2016'
2. endorses the submission.

## **Background**

The South Taranaki District Council proposes to introduce a district-wide bylaw for managing trade wastes from businesses within the district. Currently trade wastes are either covered by an annual targeted wastewater rate or have separate, individual Trade Waste Agreements with the District Council.

This Council has worked closely with the South Taranaki District Council on the requirement for a bylaw following the odour issues at the Eltham Waste Water Treatment Plant in 2014 and intermittently over an extended period prior to this. Arising from these issues was an enforcement order (7 February 2014) agreed between the councils, and approved by the Environment Court, to develop and implement a bylaw.

The Council therefore supports the intention of the South Taranaki District Council to introduce a separate Trade Wastes Bylaw for South Taranaki. A robust process for managing, assessing and monitoring trade wastes will enable the district council to ensure compliance with resource consent conditions for its own wastewater plant discharge to water consents and Regional Air Quality Plan provisions with respect to odour.

A district-wide trade waste bylaw will also protect the considerable investment the District Council has made in the wastewater system and provide for a fairer distribution of the costs of dealing with trade wastes.

Other district councils in the region have trade waste agreements in place and generally don't have adverse environmental effects from trade waste discharges.

## **Discussion**

The Statement of Proposal for the draft bylaw presents a number of options for consideration.

The Council's submission fully supports Option 1a) and related Options 1b), c), and d). These options introduce a classification system for dealing with trade wastes from those that are permitted through to those requiring monitoring or sampling (controlled), those requiring a higher level of trade waste treatment and disposal (conditional) to those that are prohibited – plus annual licencing fees (for controlled and conditional premises) with unit charges for conditional premises (based on the actual costs of treatment).

The Council believes such a system will ensure that industry is liable and accountable for the costs of their waste treatment and disposal and will ensure a fairer and more consistent approach.

In terms of the proposed bylaw itself, the Council is generally supportive of the bylaw. A number of relatively minor, technical wording changes are suggested for consideration by the South Taranaki District Council.

### **Decision-making considerations**

Part 6 (Planning, decision-making and accountability) of the *Local Government Act 2002* has been considered and documented in the preparation of this agenda item. The recommendations made in this item comply with the decision-making obligations of the *Act*.

### **Financial considerations—LTP/Annual plan**

This memorandum and the associated recommendations are consistent with the Council's adopted Long-Term Plan and estimates. Any financial information included in this memorandum has been prepared in accordance with generally accepted accounting practice.

### **Policy considerations**

This memorandum and the associated recommendations are consistent with the policy documents and positions adopted by this Council under various legislative frameworks including, but not restricted to, the *Local Government Act 2002*, the *Resource Management Act 1991* and the *Biosecurity Act 1993*.

### **Legal considerations**

This memorandum and the associated recommendations comply with the appropriate statutory requirements imposed upon the Council.

### **Attachments**

Document 1791227: Submission on Proposed South Taranaki District Council Trade Waste Bylaw 2016

20 December 2016  
Document: 1791227

Chief Executive  
South Taranaki District Council  
Private Bag 902  
Hawera 4640

## **Proposed South Taranaki District Council Trade Waste Bylaw 2016**

### **Introduction**

1. The Taranaki Regional Council (the Council) thanks the South Taranaki District Council for the opportunity to make a submission on the Proposed South Taranaki District Council Trade Waste Bylaw 2016.
2. The Council makes this submission in recognition of the purpose of local government set out in the Local Government Act 2002, and the role, status, powers and principles under that Act relating to local authorities. In particular, the Council's comments are made in recognition of its:
  - functions and responsibilities under the *Resource Management Act 1991*; and
  - and its regional advocacy responsibilities whereby the Council represents the Taranaki region on matters of regional significance or concern.
3. The Council has also been guided by its Mission Statement '*To work for a thriving and prosperous Taranaki*' across all of its various functions, roles and responsibilities, in making this submission.

### **General comment**

4. The Council has worked closely with South Taranaki District Council in the requirement for a bylaw following the odour issues at the Eltham Waste Water Plant in 2014 and intermittently over an extended period prior to this. Arising from these issues was an enforcement order (7 February 2014) agreed between the Councils, and approved by the Environment Court, to develop and implement a bylaw.
5. The Council therefore fully supports the South Taranaki District Council in its intention to introduce a separate Trade Waste Bylaw for the entire South Taranaki district. A robust process for not only managing trade waste discharges but also for

assessing and monitoring trade wastes will enable the District Council to ensure compliance with resource consent conditions for its own wastewater plant discharge to water consents and Regional Air Plan provisions with respect to odour and thereby protect the environment and the community.

6. A Trade Waste Bylaw means that for potentially damaging or intractable wastes the generator is forced to deal with their own wastes at least to the degree that the wastes can then be accepted into the municipal system. It allows specific treatment to be matched to specific wastes which will result in more efficient and more effective treatment with costs being borne by the generator.
7. The Council agrees that a district-wide Trade Waste Bylaw will also protect the considerable public investment the District Council has made in the wastewater system and provide for a fairer distribution of the costs of dealing with trade wastes.
8. The Council notes that other district councils in the region have trade waste agreements in place and generally don't have adverse environmental effects from trade waste discharges. A trade waste bylaw will mean that incentives are in place for industry to manage their waste streams appropriately and that liability will not rest with the district council alone if things do go wrong. It should, for example, help ensure that the long history of pond overloading at Eltham with adverse odours impacting on the local community is not repeated.

### **Options to consider**

9. The Council fully supports Option 1a). This introduces categories for dealing with trade wastes from those that are permitted through to those requiring monitoring or sampling (controlled) and those requiring a higher level of trade waste treatment and disposal (conditional). Option 1a) also provides clear guidelines on what is prohibited trade waste which has the potential for adverse environmental effects as well as the potential to cause damage to the wastewater system.
10. This classification system gives the District Council the ability to better identify risks and provide greater equity in apportioning costs. For these reasons, the Council also supports related Options 1b), c) and d). An annual licencing fee for controlled and conditional categories in conjunction with unit charges for conditional premises (based on the actual costs of treatment) will ensure a fairer and more consistent approach. Industry will be liable and accountable for the costs of their waste treatment and disposal without effectively receiving a subsidy from residential ratepayers.
11. However, the Council questions the quantum of the annual licensing fee of \$130 (page 3 of the Statement of Proposal). From our experience a \$130 fee, based on actual and reasonable costs, may be too low for an adequate inspection plus costs associated with sampling, analysis, recording and reporting.

## The Bylaw

12. The Council supports the scope (clause 3.0) of the proposed bylaw. However, the Council suggests that clause 3.0 clearly and specifically provide for penalties for breaches of the bylaw and for the recovery of all actual and reasonable expenses associated with the operation, implementation and administration of the bylaw (see also related comments below under clause 11.1.8).
13. The Council supports the purpose (clause 6.0) of the proposed Bylaw. In particular the Council fully supports the purpose of the Bylaw as set out in clauses 6.1 b), c), d), f), g), and i).
14. The Council fully supports the stated intention that the proposed Bylaw encourages waste minimisation, water conservation, cleaner production, efficient recycling and reuse of waste streams (clause 6.1i)).
15. All such purposes are consistent with and give effect to the *Regional Policy Statement for Taranaki*, the *Regional Fresh Water Plan for Taranaki* and the *Regional Air Quality Plan for Taranaki*.
16. Clause 11.1.8 allows for the recovery of the costs of repairs to the wastewater system or stormwater system. However, additional costs may be incurred by the South Taranaki District Council in a variety of other ways. For example, chemical dosing may be required to neutralise a non-compliant low or high pH; additional aeration may be required for excessive BOD/COD levels or additional monitoring or wastewater treatment plant controls may be required to be put in place. All actual and reasonable costs associated with non-compliant or unauthorised discharges to the wastewater system should be covered by clause 11.1.8.
17. Clause 11.2.3 c) should be amended to include (added text underlined):

*‘Materials referred to in 11.2.1 and 11.2.2 are those:*

*c) likely to be deleterious to the health and safety of the Council’s staff, approved contractors and the public or likely to otherwise cause a public nuisance;*
18. The Council generally supports the provisions of the proposed Bylaw relating to ‘Consideration criteria’ (clause 12.2). However, under clause 12.2.1 the Council suggests that a new sub clause be added as follows:

*‘Any previous history of performance with respect to discharges to the wastewater or stormwater system by an individual or business’*
19. The Council supports clause 12.2.2 and in particular ways in which the volume or rate of discharge of trade waste may be reduced or the quality improved including through cleaner production practices.



20. The Council supports clause 12.3 'Conditions of trade waste consent' relating to waste minimisation and management and cleaner production technologies. The Council suggests that sub clause j) of 12.3.1 be altered to read (added text underlined):

*'j) the provision and maintenance at the occupiers expense of inspection chambers, manholes or other apparatus or devices to provide reasonable and safe access to private sewers for sampling and inspection';*

21. The provision of a bond or insurance in favour of the District Council is supported (clause 12.3.1t)) as this provides another tool that can be used by the Council where a failure to comply with the consent could for example, result in damage to the wastewater system.
22. The Council supports clause 13 'Sampling, testing and monitoring'. Sub clause 13.1.5 could be amended to refer to 'safe' access. A new part b) could be added to sub clause 13.2.1 along the lines of:

*b) an estimation from any previous equivalent period for which reliable flow metering is available; or ...*

23. The Council supports clause 14 'Bylaw administration', particularly section 14.2 on Accidents and non-compliance and 14.3 Charges and payments.
24. Schedule 1 (Permitted trade waste) lists pre-treatment requirements for swimming pools. Dechlorination limits should be added to the list of requirements, otherwise discharges could adversely affect biologically based treatment systems.
25. Clause 4.1.1 f) of Schedule 4 (Prohibited trade waste) refers to an 'approved' Regional Air Quality Plan. The word 'approved' should be deleted as it is redundant. Reference to the Regional Air Quality Plan is automatically a reference to an approved or operative plan.
26. Clause 4.1.2 j) of Schedule 4 as written would ban the discharge into the wastewater system of any waste that would not be a permitted discharge under the *Regional Fresh Water Plan for Taranaki*. It is possible that what was meant by this statement was a discharge that would lead to the wastewater treatment plant not complying with its resource consents issued in compliance with the *Regional Fresh Water Plan* under the RMA.
27. The last part of clause 5.1.7 (Schedule 5 Controlled substance list) is somewhat vaguely worded in its reference to discharges that are coloured 'to the extent that it impairs wastewater treatment processes or compromises the treated wastewater'. It may be better to reword this to read as follows (or similar wording):

*'... or compromises the treated wastewater in respect of its ultimate discharge into any receiving environment'*

28. Finally, adequate resourcing for the implementation of the Bylaw is also critical to enable education, monitoring and, if necessary, enforcement.

## Conclusion

29. The Taranaki Regional Council again thanks the South Taranaki District Council for the opportunity to comment on the proposed South Taranaki District Council Trade Waste Bylaw 2016.
30. The Council supports the proposed Trade Waste Bylaw. If properly monitored and enforced it will reduce liability for the District Council and enable it to ensure compliance with resource consent conditions and regional plan rules thereby protect the environment and people, as well as provide for a fairer distribution of the costs of dealing with trade wastes.
31. Once operative all District Councils in the region will then have trade waste bylaw provisions in place.
32. The Council has suggested some technical changes to various clauses of the Bylaw. The Council would be willing to discuss these further with the South Taranaki District Council if needed.
33. Thank you for the opportunity to submit on the Bylaw which is viewed as a very positive step forward for waste management in the district.

Yours faithfully  
BG Chamberlain  
**Chief Executive**



per: A D McLay  
**Director - Resource Management**

## **Agenda reports**

### **Policy and Planning Committee, January 2017**

#### **Item 3**

[Regional freshwater ecological monitoring annual report](#) (6.3 MB)

#### **Item 4**

[Interim Review of the RPS 2010](#) (1.3 MB)