



Notice of the Ordinary meeting of

Nelson City Council

Te Kaunihera o Whakatū

***(formerly a meeting of the Environment and Climate Committee,
while COVID-19 restrictions apply, only Council meetings are held
during Alert Levels 4 and 3)***

Date:	Thursday 9 September 2021
Time:	9.00am
Location:	via Zoom

Agenda

Rārangi take

Chairperson

Deputy Mayor

Members

Her Worship the Mayor Rachel Reese

Cr Judene Edgar

Cr Yvonne Bowater

Cr Trudie Brand

Cr Mel Courtney

Cr Kate Fulton

Cr Matt Lawrey

Cr Rohan O'Neill-Stevens

Cr Brian McGurk

Cr Gaile Noonan

Cr Pete Rainey

Cr Rachel Sanson

Cr Tim Skinner

Quorum: 7

**Pat Dougherty
Chief Executive**

Nelson City Council Disclaimer

Please note that the contents of these Council and Committee agendas have yet to be considered by Council and officer recommendations may be altered or changed by the Council in the process of making the formal Council decision. For enquiries call (03) 5460436.

Council Values

Following are the values agreed during the 2019 – 2022 term:

- A. Whakautetanga: respect
- B. Kōrero Pono: integrity
- C. Māiatanga: courage
- D. Whakamanatanga: effectiveness
- E. Whakamōwaitanga: humility
- F. Kaitiakitanga: stewardship
- G. Manaakitanga: generosity of spirit

Karakia and Mihi Timatanga

1. Apologies

Nil

2. Confirmation of Order of Business

3. Interests

3.1 Updates to the Interests Register

3.2 Identify any conflicts of interest in the agenda

4. Public Forum

5. Mayor's Report

6. Gambling Venues Policy Review 2021

6 - 29

Document number R24818

Recommendation

That the Council

- 1. Receives the report Gambling Venues Policy Review 2021 (R24818) and its attachments (A2090535, A2720694); and***
- 2. Notes that a review of the Council's Gambling Venues Policy (A2090535), which is required under the Gambling Act 2003 and the Racing Industry Act 2020, has been undertaken and is outlined in this report; and***
- 3. Agrees that the result of the review is that no change is needed to the current Gambling Venues Policy (A2090535); and***

4. ***Determines that it is not appropriate to carry out consultation or any further engagement on the decision to retain the current Gambling Venues Policy (A2090535) without change.***

7. Submission on the Natural and Built Environment Draft Exposure Bill 30 - 48

Document number R26121

Recommendation

That the Council

1. ***Receives the report Submission on the Natural and Built Environment Draft Exposure Bill (R26121) and its attachment (A2721199); and***
2. ***Approves retrospectively the submission on the Natural and Built Environment Draft Exposure Bill.***

8. Environmental Management Activity Management Plan - Mahere Taiao (2021-2031) 49 - 98

Document number R22662

Recommendation

That the Council:

1. ***Receives the report Environmental Management Activity Management Plan - Mahere Taiao (2021-2031) (R22662) and its attachment (A2480683); and***
2. ***Adopts the Environmental Management Activity Management Plan – Mahere Taiao (2021-2031) (A2480683) of report R22662.***

9. Environmental Management Quarterly Report - 1 April - 30 June 2020 99 - 150

Document number R26079

Recommendation

That the Council

- 1. Receives the report Environmental Management Quarterly Report - 1 April - 30 June 2020 (R26079) and its attachments (A2725276, A2692511, A2700782, A2719763, A2713286, A2717558 and A2711918).***

Karakia Whakamutanga

Gambling Venues Policy Review 2021

1. Purpose of Report

- 1.1 To review the Gambling Venues Policy 2018 in accordance with the three yearly review cycle and put forward options in response to the review.

2. Summary

- 2.1 Council must review its Gambling Venues Policy within three years of each prior review, as a statutory requirement. Officers have undertaken community pre-engagement as part of a review of the Policy. The officer recommendation is to respond to the review by retaining the Policy without change.

3. Recommendation

That the Council

- 1. Receives the report Gambling Venues Policy Review 2021 (R24818) and its attachments (A2090535, A2720694); and***
- 2. Notes that a review of the Council's Gambling Venues Policy (A2090535), which is required under the Gambling Act 2003 and the Racing Industry Act 2020, has been undertaken and is outlined in this report; and***
- 3. Agrees that the result of the review is that no change is needed to the current Gambling Venues Policy (A2090535); and***
- 4. Determines that it is not appropriate to carry out consultation or any further engagement on the decision to retain the current Gambling Venues Policy (A2090535) without change.***

4. Background

- 4.1 The Policy sets out the requirements for territorial authority consent to establish and operate Class 4 and Totaliser Agency Board (TAB) venues within Nelson. Council adopted its first Gambling Venues Policy in 2003 in response to the requirements of the Gambling Act 2003.

Legislative requirements

- 4.2 This review is a statutory requirement of both the Gambling Act 2003 and Racing Industry Act 2020 and is not in response to any particular issue arising from the Policy.
- 4.3 Any proposals to change the Policy will trigger a requirement to engage in a special consultative procedure.
- 4.4 The current Policy was approved on 6 December 2018 and is due for review within three years. Under the Act the Policy will not cease to have effect because it is due for review or being reviewed.

Previous Council decisions

- 4.5 The previous review, completed in 2018, resulted in a number of changes to the Policy, including reducing the cap on machine numbers in Nelson from 273 to 162, and limiting machine numbers for new venues from nine to five. Regarding this latter point, officers understand that no other councils in New Zealand have such a limit. This is based on analysis from True Legal, a law firm that often represents gaming societies during gambling policy reviews. The governing legislation provides for a maximum of nine machines for new venues, and this is the number most territorial authorities have incorporated into their policies. Geographic and zoning restrictions on new venues, including the 100 metre minimum distance requirements from ATMs and community, child and family focused facilities, were unchanged. The inclusion of a sinking lid was considered but ultimately not approved. Refer to Attachment One for the full Policy.
- 4.6 The pattern to date has been that reviews involving a special consultative procedure have occurred every second review i.e., six yearly. However, nothing prevents Council from proposing changes to the Policy and engaging in a special consultative procedure at any point in the cycle.

Statistics – Nelson machines and venues

- 4.7 Currently, gaming machines operate in nine venues in Nelson, which operate between 9 and 18 machines each. This is a decrease from 11 venues in 2018, when the current Policy came into force.
- 4.8 The present number of gaming machines operating is 140, with 144 active licences within Nelson. This is because one venue is voluntarily

Item 6: Gambling Venues Policy Review 2021

operating fewer machines than its licence allows for. In 2018, there were 154 machines operating in Nelson.

- 4.9 The current difference between active machines and allowed machines in Nelson is 22. Of this, four are covered by a current venue's licence, meaning 18 are available to new venues. This data was current as of 20 April 2021, with data for the June 2021 quarter still unavailable at the time of writing. True Legal, a firm that represents gaming societies and advocates for less restrictive policies, indicates that the fixed costs for establishing a gaming venue are such that a limit of five machines is too onerous for venues. True Legal also claims that community returns are diminished under a five machine limit due to the fixed costs.
- 4.10 Currently there are no standalone TAB venues in Nelson. There are four venues which operate NZ Racing Board self-service terminals (outlet type kiosks) or publican managed TABs. Gaming machine venues are predominantly located in the central City, with two locations in Tahunanui, and one in Stoke.
- 4.11 Since 2015, incremental increases in gaming machine expenditure have been recorded across New Zealand, including Nelson. 88% of people presenting to Addiction Advice and Assessment Limited Nelson in 2020 reported Class 4 machines as their primary source of gambling.
- 4.12 Conversely, there is a national trend of decreases in the number of Class 4 machines and venues. Nelson's decreases are in line with these national trends.
- 4.13 Two studies have been undertaken to review the impact of gambling policies on Class 4 gaming outcomes in New Zealand:
 - 4.13.1 One concluded that the policy interventions (namely imposing absolute caps on machines and/or venues, per capita caps on machines and/or venues, and sinking lid clauses) are all effective means of reducing the number of Class 4 machines and venues. However, the same study also concluded that reductions in numbers of Class 4 machines or venues is not enough to prevent problem gambling and other related harm.
 - 4.13.2 The second study found that while sinking lid clauses were effective at reducing the number of machines, the amount of money spent overall had grown. It indicated that up to December 2013, quarterly losses on Class 4 machines were \$206 million. By 2020 this quarterly figure had increased to \$242 million, an increase in the amount lost of 17.5%, exceeding increases in the consumer price index.
- 4.14 The second study is supported by analysis of data provided by the Problem Gambling Foundation for 14 councils and the years after they implemented sinking lid policies. Half of those councils implemented sinking lids too recently to provide sufficient data. Of the remaining councils sampled (seven), only one (Ōtorohanga) experienced an overall decrease in gaming machine spend following the implementation of a

Item 6: Gambling Venues Policy Review 2021

sinking lid policy. The number of venues and machines in these seven councils either dropped or remained static.

Gaming Machine Proceeds

- 4.15 Under the Act, 40% of gaming machine proceeds (GMP) from Class 4 machines must be distributed back to the community through grants. The societies that run the machines are not required to disburse funds back into the community of origin. Some may have a requirement to do so through their constitutions, but these are an exception not a rule.
- 4.16 The net annual revenue generated by Class 4 gambling in Nelson during the period 2015-20 has been between \$9-11 million. The general trend has been of annual increases in revenue, with a small drop from 2015-2016, and a larger drop in 2020. The table below sets out Nelson's GMP figures and grants over 2015-2020.

<u>Nelson</u> Year	GMP (\$millions)	40% of GMP (\$millions)	Value of grants to organisations based in Nelson (\$millions)
2015	9.2	3.67	2.1
2016	9.0	3.60	2.0
2017	10.1	4.04	2.0
2018	10.4	4.16	1.9
2019	10.8	4.32	2.8
2020	9.4	3.76	1.0

- 4.17 It is difficult to accurately quantify the value of grants to the Nelson community, as many organisations that benefit Nelson may receive grants at a head office based elsewhere.
- 4.18 Problem Gambling Services statistics for Nelson are another metric for determining the efficacy of the Policy. However, the number of clients presenting to Addiction Advice and Assessment Services Nelson has fluctuated between 2015-2020 and shows no clear link to machine numbers. There was a spike between 2017-2018 and 2018-2019 attributed to the addition of another fulltime employee, enabling more clients to be served.

5. Feedback on Council's current Policy

- 5.1 To inform the current review, pre-engagement was conducted between 20 July and 3 August. 58 stakeholders and interested parties were contacted to see if they had any views on how the Policy could be improved. The approached stakeholders cover a range of interests, from gaming societies and the hospitality sector, to healthcare and social service providers. Sporting and community groups were approached, as were individuals who had expressed an interest in the Policy in the past. The list from previous reviews was used for these contacts. Refer to Attachments Two and Three for further detail.
- 5.2 11 responses were received as a result of the pre-engagement. In some cases, a response contained multiple positions, meaning the totals do not necessarily add up to 11. A summary of the submissions is attached.

Suggestions for change:

Tighten the Policy (add a sinking lid, reduce caps)	6
Loosen the Policy (increase cap of machines in new venues, add a relocation clause, reduce geographic restrictions)	4
Other	2

- 5.3 The majority of responses were consistent with submissions made by organisations and individuals to previous submission processes.
- 5.4 Four respondents requested the inclusion of a sinking lid, with a common reason given being that reducing the number of machines available reduces the exposure of people to gambling harm. There were a number of comments outside of Council's legislative powers including that Council should remove Class 4 gaming machines from venues or prevent old machines from being replaced.
- 5.5 The hospitality sector and gaming societies advocated for a relocation clause. They recommend it as a harm minimisation tool, as it would allow for relocation of a venue from an area of high deprivation to lower deprivation (though the majority of machines are in the City Centre, making this argument less relevant for Nelson). Two respondents expressed a desire for the limit of five machines for new venues to be increased to the legislative maximum of nine, and for the removal of the 100m restrictions around ATMs for new venues. While these submitters' preferences were for a loosening of the Policy, they were also broadly in support of the current Policy and opposed the introduction of a sinking lid.

Item 6: Gambling Venues Policy Review 2021

- 5.6 Further points expressed concern around the use of private ATMs in bars (those not affiliated with a bank but stocked with cash by the venue), and the description of pokies as 'gaming machines' (which was seen as a less serious term than gambling machines). As private ATMs in venues are legal, so long as they are not in the gaming room itself, and the term 'gaming machine' comes from the legislation, neither point can be addressed by the Policy.
- 5.7 Another point raised was that the current Policy does not encompass the concept of minimising harm. The Policy does, however, say its objective is to have regard to the social impact of gambling in Nelson, wording taken directly from the two governing Acts.
- 5.8 In summary, the pre-engagement process shows there are a range of views similar to those expressed in previous processes.

6. Review findings

- 6.1 Overall, the review has found that the Policy is working effectively and is quite restrictive in its impact. Gambling expenditure has grown, however this is consistent with gambling across New Zealand, and analysis of sinking lid policies have not shown a demonstrative causal relationship with reductions in gambling expenditure.
- 6.2 Nelson's Policy has in place significant restrictions on new venues, with the lowest number of machines for new venues in the country. As all current venues are at maximum capacity bar one, and there has been no venue growth over the period covered by the current Policy, officers regard the Policy as operating to limit the growth of gambling.
- 6.3 A number of responses to the pre-engagement process sought a tightening of the Policy. Those that wished for the Policy to be loosened, did show some degree of acceptance of an outcome that retained the current Policy configurations. Making no changes to an already restrictive Policy therefore presents a balance between these two sets of views and, as such, officers believe it is the most reasonable outcome.

7. Options

- 7.1 Council may choose to not to change the Policy as a result of the review (meaning it is likely to remain in its current form until the next three-yearly review) (option one).
- 7.2 Alternatively, Council can decide to propose changes to aspects of the Policy as a result of the review, and direct officers to prepare draft consultation materials for consideration. These changes could include any one or more of the following:
 - 7.2.1 Including a sinking lid clause (option two)
 - 7.2.2 Including a merger and/or relocation clause (option three)
 - 7.2.3 Changing the current machine cap (option four)

Item 6: Gambling Venues Policy Review 2021

- 7.2.4 Changing geographic and/or machine restrictions on new venues opening (option five)
- 7.3 The governing legislation provides that use of the special consultative procedure is mandatory when making any changes to the Policy.
- 7.4 If Council preferred to propose changes, a suggested timeline for this follows:
- 7.4.1 Statement of Proposal brought to the 4 November Environment and Climate Committee meeting for approval
- 7.4.2 Consultation runs 8 November – 8 December
- 7.4.3 Hearings held either late 2021 or early 2022
- 7.4.4 Deliberations to be held at the first Environment and Climate Committee meeting of 2022

Option one: Making no change to the Policy as a result of the review (recommended)	
The option would maintain the cap of 162 machines and 100m restrictions on new venues with a five machine limit on new venues	
Advantages	<ul style="list-style-type: none">• Saves community and Council resources by not requiring a special consultative procedure• No impact on funding availability for community and sporting groups• Maintains a Policy configuration that has seen a reduction in gaming machines and venues over the course of its operation• Continues Policy outcome of restricting the number of machines for new venues
Risks and Disadvantages	<ul style="list-style-type: none">• May not be supported by groups and individuals who wish to see continued downward pressure on the cap and number of gaming machines
Discussion	The current Policy is delivering on its objective and is restrictive in its impact.

Option two: Introduce a sinking lid clause	
<p>Where a venue surrenders or ceases operation of machines, or has its licence suspended, the approved number of machines would automatically drop to the reduced number of machines operating.</p> <p>Note: Under the Gambling Act operators have a six-month grace period (in the case of licence surrender or suspension) to reapply to re-establish the number of machines they previously operated, without requiring council consent, before the sinking lid applies.</p>	
Advantages	<ul style="list-style-type: none"> • Would ensure no new venues could be established • Likely to be supported by people and groups concerned with gambling harm
Risks and Disadvantages	<ul style="list-style-type: none"> • Previously considered during other reviews but never adopted due to mixed feedback from the community • May reduce over the time the amount of money returned to the community via grants from gambling proceeds • Research suggests sinking lids have limited to no impact on reducing GMP • There is a resource burden on the community (and Council) in undertaking a special consultative procedure
Discussion	<p>The number of machines in Nelson is gradually decreasing under the current Policy and feedback from gaming societies is that the current limit of five machines is not financially viable. Therefore, introducing a sinking link clause to the Policy may not have any effect on the number of machines.</p> <p>There does remain a risk that without a reduction in the cap, or a sinking lid clause, that a new venue might be established but it would need to meet the requirements of the Policy, including location restrictions.</p>

Option three: Introduce merger clause	
<p>Merger clauses enable venues to amalgamate, effectively removing one venue from an area, and concentrating machines in another. This is managed through the licencing arm of the Department of Internal Affairs, but it must adhere to the territorial authority's policy.</p>	
Advantages	<ul style="list-style-type: none"> • Merging venues allows for a reduction in the number of venues in Nelson • Potential for Class 4 machines to move away from areas of high deprivation as a venue leaves an area to merge into another venue • Typically supported by the gaming industry
Risks and Disadvantages	<ul style="list-style-type: none"> • Council cannot direct which venues merge • Risks a greater concentration of Class 4 machines in receiving communities and venues with more machines, bypassing the objective of restricting new venues to five machines • There is a resource burden on the community (and Council) in undertaking a special consultative procedure
Discussion	<p>Given most Nelson venues are longstanding in their communities, or are located in the City Centre, it is considered unlikely that there would be many cases of venues merging.</p> <p>Note: if a merger of two venues is sought, ministerial approval is required, and the maximum number of machines is the lesser of 30 or the sum of the machines specified in the merging venues' licences at the time of application.</p>

Item 6: Gambling Venues Policy Review 2021

Option four: Introduce relocation clause	
Relocation clauses allow venues to move to new premises and retain the existing approval to operate Class 4 machines, moving machines around an area. The provision within the Gambling Act that allows for this was intended as a tool to reduce the concentration of gaming machine venues in high deprivation areas.	
Advantages	<ul style="list-style-type: none"> • Allows venues to move away from areas of high deprivation • Typically supported by the gaming industry
Risks and Disadvantages	<ul style="list-style-type: none"> • Council cannot direct which venues relocate • Increases access to Class 4 gambling in receiving communities • There is a resource burden on the community (and Council) in undertaking a special consultative procedure
Discussion	<p>Given the location restrictions that are in place, and that the venues in higher deprivation areas (Tahunanui and Stoke) are longstanding, venue relocation is considered unlikely to happen even if permitted by the Policy.</p> <p>Currently approximately 55 councils have some form of relocation clause in place.</p> <p>A relocation clause was moved as an amendment during the 2018 review and was not carried.</p>

Option five: Changing the current machine cap or geographic restrictions on new venues	
It is open to Council to consider changes to machine caps and geographic restrictions on Class 4 gambling in Nelson.	
Advantages	<p>Tightening</p> <ul style="list-style-type: none"> • A proactive approach to the reduction of gaming machines • May prevent new venues opening • In line with Council's objective to support harm minimisation principles • Strengthens restrictions on new venues <p>Loosening</p> <ul style="list-style-type: none"> • Brings Policy in line with standard set by legislation • Improves the entertainment offering of new venues • Improves the community return of GMP from new venues
Risks and Disadvantages	<p>Tightening</p> <ul style="list-style-type: none"> • Not likely to be supported by community groups reliant on grants from this source • There is a resource burden on the community (and Council) in undertaking a special consultative procedure • Current restrictions are already limiting on new venues, meaning further tightening of these rules may have a negligible effect <p>Loosening</p> <ul style="list-style-type: none"> • May promote growth in gambling venue numbers in Nelson • There is a resource burden on the community (and Council) in undertaking a special consultative procedure • Not supported by the harm minimisation sector
Discussion	<p>The current geographic restrictions have been in place since 2007.</p> <p>ATM location restrictions can be circumvented by getting cash out at the bar. This however helps</p>

Item 6: Gambling Venues Policy Review 2021

	<p>enable staff to identify potential problem gamblers. Removing the ATM clause was raised as a motion during the 2018 review and was not carried.</p> <p>Nelson's limit of five machines appears is tighter than the limit set by the governing legislation. This position is legal but is more restrictive than other policies across New Zealand.</p> <p>The number of machines on offer in a venue does not seem to impact levels of problem gambling.</p>
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8. Discussion

- 8.1 Under the current Policy configuration, there has been no year-end growth in the numbers of gaming machines or venues, outside of one venue adding four machines that it was already licenced to have, for over five years. Nelson's current Class 4 venues are almost at capacity, with only one venue operating fewer machines than its licence allows. If this venue was to operate at maximum capacity, there would be further capacity under the current cap for a further 18 machines, but these would have to be spread across multiple new venues. As discussed above, the Policy restrictions on new venues are such that new venues are unlikely to be established in Nelson.
- 8.2 Officers consider the Policy is operating as intended and is quite restrictive in its impact. Retaining the Policy without change is considered by officers to be the most appropriate response to the review.

9. Conclusion

- 9.1 Council is required to review the Gambling Venues Policy and determine if any changes to the Policy are warranted. Officers' view is that the most appropriate response to the recent review is not to make any changes to the Policy. If, however, Council determines that changes are warranted, any proposals to change the Policy would need to be consulted on using the special consultative procedure.

Author: Michelle Joubert, Policy Adviser

Attachments

Attachment 1: A2090535 Gambling Venues Policy 2018 [↓](#)

Attachment 2: A2720574 Gambling Venues Policy pre engagement summary [↓](#)

Attachment 3: A2724987 Pre-engagement list for Gambling Policy Review [↓](#)

<p>Important considerations for decision making</p>
<p>1. Fit with Purpose of Local Government</p> <p>Council is required by the Gambling Act 2003 and Racing Act 2003 to have gambling venue policies as part of its regulatory functions. Under legislation the Policy must undergo a review every three years.</p>
<p>2. Consistency with Community Outcomes and Council Policy</p> <p>Maintaining a Policy that controls the number of gambling venues, machines and their locations contributes to the community outcome, our communities are healthy, safe, inclusive and resilient.</p>
<p>3. Risk</p> <p>It is likely that some members of the community will not support Council continuing with the existing Policy. There are a wide range of views of what is considered appropriate for gambling regulation, from those who enjoy recreational gambling or support it for the benefit the community receives from gaming trust money, through to those concerned with the harm gambling causes. Overall, the risk associated with continuing with the existing Policy is considered low.</p>
<p>4. Financial impact</p> <p>There are no costs associated with not changing the Policy. If Council decided to propose to amend the Policy and undertake a special consultative procedure, this work would be met within existing budgets.</p>
<p>5. Degree of significance and level of engagement</p> <p>This matter is of medium significance as it will not impact greatly on the wider community but will be of high interest to businesses involved in gambling and to the families and individuals directly affected. It is also an issue that has attracted community interest in the past.</p> <p>In making a decision to not change the Policy officers consider no further consultation is required, taking into account the decision's medium significance and:</p> <ul style="list-style-type: none"> • That Council has undertaken pre-engagement with 58 interested stakeholders and interested parties in reviewing the Policy,

- A special consultative procedure was used when amending the Policy in 2018, so Council already has a solid understanding of the views and preferences of interested parties who come from both sides of the debate, as well as the wider community; and
- Public consultation uses considerable Council and community resources, so should not be undertaken lightly.

6. Inclusion of Māori in the decision making process

It is a requirement of the Gambling Act 2003 to provide notice of any proposed draft policy changes to organisations representing Māori. Should Council decide any changes are to be made to the Policy, this will happen as part of public consultation by way of notification of the proposed draft changes to organisations representing Māori, including iwi, in Nelson.

7. Delegations

The Environment and Climate Committee has the following delegations to consider the review of Council's Gambling Venues Policy.

Areas of Responsibility:

- *Gambling*

Delegations:

- *Undertaking community engagement, including all steps relating to special consultative procedures or other formal consultation processes other than final approval*

Powers to Recommend:

- *Approval of final versions of strategies, policies and plans*

As per 5.2.2 of Council's Delegation Register, the Chief Executive, Mayor and the Committee Chairperson have confirmed that the matter be considered by Council due to the COVID-19 Alert Level constraints.

Nelson City Council - Gambling Venue Policy 2018

INTRODUCTION

The Gambling Act 2003 and the Racing Act 2003 require territorial authorities to have Class 4 and Totalisator Agency Board (TAB) venue policies. Nelson City Council adopted its first policy, which combined both statutory policies, in early 2004.

Gambling Act

The purpose of the Gambling Act is to:

- *control the growth of gambling; and*
- *prevent and minimise the harm caused by gambling, including problem gambling; and*
- *authorise some gambling and prohibit the rest; and*
- *facilitate responsible gambling; and*
- *ensure the integrity and fairness of games; and*
- *limit opportunities for crime and dishonesty associated with gambling and the conduct of gambling; and*
- *ensure that money from gambling benefits the community; and*
- *facilitate community involvement in decisions about the provision of gambling.*

The Act requires territorial authorities to develop Class 4 and Totalisator Agency Board (TAB) venue policies in consultation with their communities. Class 4 gambling is the term used to describe non-casino gaming machines (pokies).

Under the Act, the Department of Internal Affairs is responsible for gaming licensing. Section 65(2)(b) provides that some applications to the Department for a Class 4 venue licence must be accompanied by territorial authority consent. The Council must consider an application for territorial authority consent in accordance with this policy (section 100).

The Act prescribes limits on the number of non-casino gaming machines in venues. The limits are:

- If the venue had a licence on 17 October 2001 a society can operate up to 18 gaming machines (section 92).
- If the venue had its licence granted between 17 October 2001 and the commencement of the Act it can operate up to 9 machines (section 93).
- Sections 92 and 93 can be overridden by Ministerial discretion of the territorial authority consents.
- If the venue is granted a licence after the commencement of the Act it can operate up to 9 machines (section 94).
- No society can operate more machines at a venue that were operated at the commencement of the Act unless the local authority consents to the increase.

The Gambling (Gambling Harm Reduction) Amendment Act 2013 introduced the requirement for territorial authorities to consider a 'relocation policy' at its next review. Relocation considers whether the territorial authority will grant consent for a venue within its district that requests to move to and operate from another site. The Council has considered the issue of relocation but opted not to include a relocation policy in the current Policy.

Racing Act

The purpose of the Racing Act 2003 is to:

Item 6: Gambling Venues Policy Review 2021: Attachment 1

- *provide effective governance arrangements for the racing industry; and*
- *facilitate betting on galloping, harness, and greyhound races, and other sporting events; and*
- *promote the long-term viability of New Zealand racing.*

A territorial authority consent is required if the TAB proposes to establish a new venue (section 65D). The Council must consider an application for territorial authority consent in accordance with this policy (section 65C).

NELSON CITY COUNCIL GAMBLING VENUE POLICY

OBJECTIVE		
To have regard to the social impact of gambling within the Nelson City Council district in determining applications for consent relating to Class 4 and TAB venues		
Definitions	Class 4 Gambling Venues: Venues where non-casino gaming machines or 'pokies' are operated and whose net proceeds are applied to or distributed for authorised purposes 100 metre rule: To be measured as a 100 metre radius from any public entrance to the venue	
Rules		
1.1	Class 4 Gambling Venues may be established within the Nelson district subject to:	1.1.1 The applicant meeting the application and fee requirements 1.1.2 The number of gaming machines within the venue being able to be met within the overall Nelson City cap (currently 162) 1.1.3 The venue being sited in any land zone as included in the Nelson Resource Management Plan apart from land zoned Residential or Open Space and Recreation 1.1.4 The venue not being sited in areas as identified in the attached maps, broadly being the mesh block areas of: Tahunanui (including the area zoned suburban commercial at the Tahunanui Rocks Road corner), Broads, Nelson Airport, Isel, Kirks, Grampians, Toi Toi and Washington 1.1.5 The venue not being: <ul style="list-style-type: none"> - within 100 metres of any playground, kindergarten, early childhood centre, school, place of worship, or Automatic Teller machine - primarily associated with family or children's activities
1.2	The total number of gaming machines in	1.2.1 The number of gaming machines within the venue application shall be able to be

12

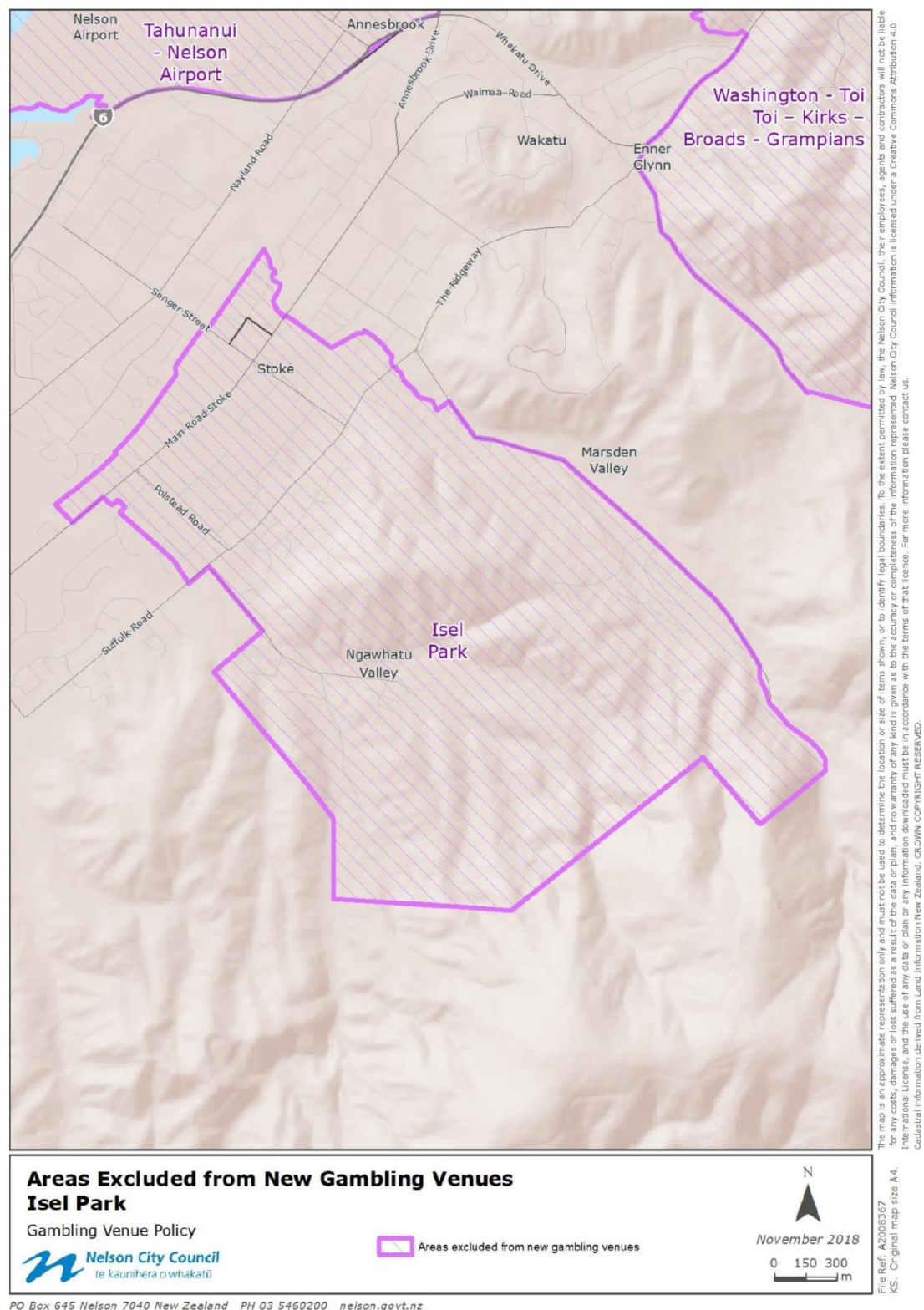
A2090535

Item 6: Gambling Venues Policy Review 2021: Attachment 1

	operation in the Nelson district shall be capped at 162	<p>met within the overall Nelson City cap. If the cap allows for consideration of a new venue application clauses 1.2.2 to 1.2.6 apply and need to be met</p> <p>1.2.2 New venues shall be allowed a maximum of no more than five gaming machines</p> <p>1.2.3 Existing venues with licences issued on or after 17 October 2001 shall be able to increase the number of machines operated in the venue to nine</p> <p>1.2.4 Existing venues with licences issued before 17 October 2001 shall be able to increase the number of gaming machines operated in the venue to 18</p> <p>1.2.5 Clubs licensed after 2001 shall be able to increase their machine numbers to a maximum of nine</p> <p>1.2.6 Where clubs will merge, the number of machines permitted will be considered on a case by case basis and will not exceed a maximum 30 machines per venue</p>
1.3	Totalisator Agency Board (TAB) venues may be established in the Nelson district subject to:	<p>1.3.1 The applicant meeting the application and fee requirements</p> <p>1.3.2 The venue being sited in any land zone included in the Nelson Resource Management Plan apart from land zoned Residential or Open Space and Recreation</p> <p>1.3.3 The venue being sited in areas as identified in the attached maps, broadly being the mesh block areas of: Tahunanui (including the area zoned suburban commercial at the Tahunanui Rocks Road corner), Broads, Nelson Airport, Isel, Kirks, Grampians, Toi Toi and Washington</p> <p>1.3.4 The venue not being within a 100 metres of any playground, kindergarten, early childhood centre, school, place of worship, or Automatic Teller machine</p>

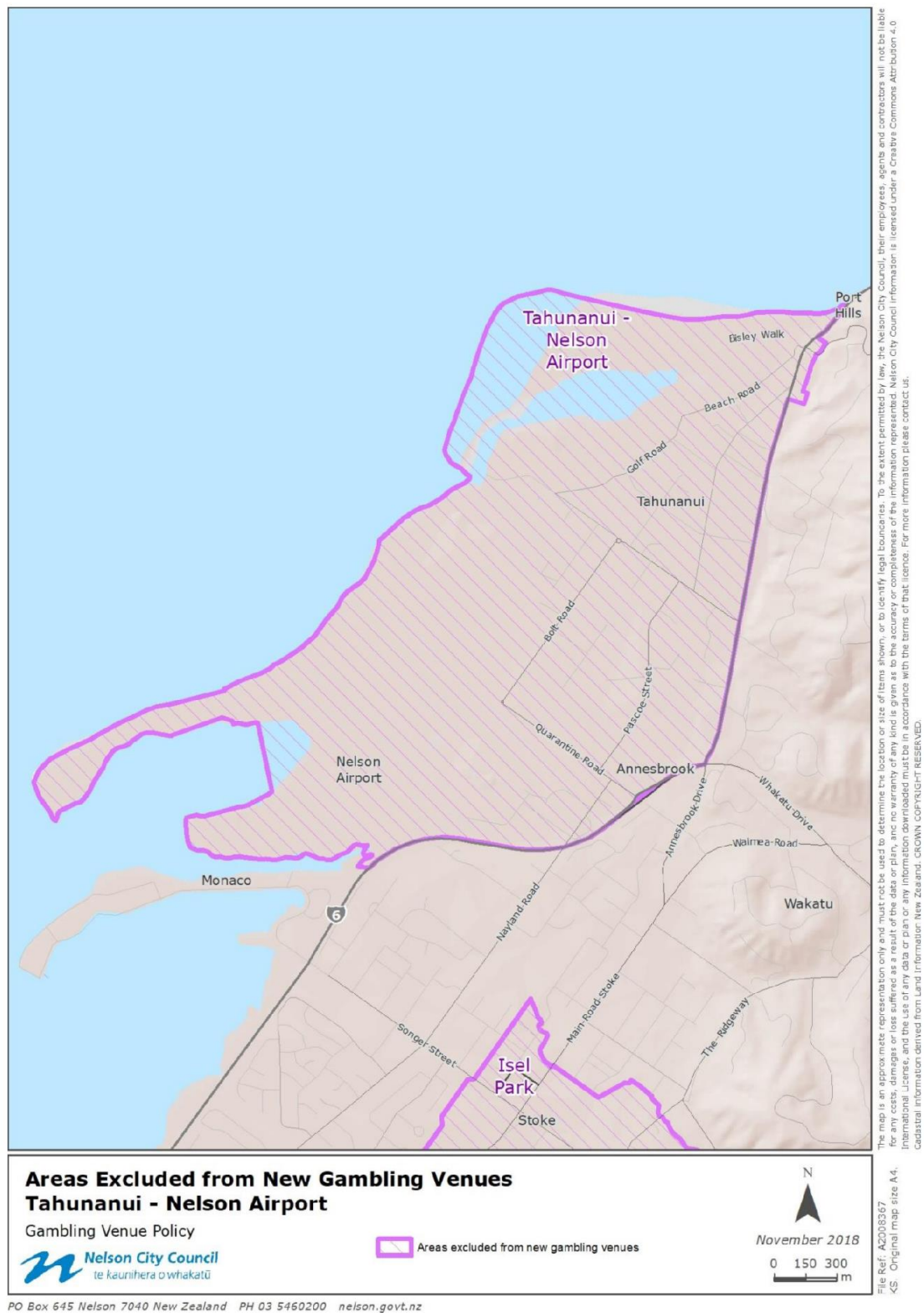
APPLICATION FEES

Application fees will be set by Council from time to time and shall include the cost of processing the new application. The Council will comply with section 150 of the Local Government Act 2002 in setting such fees.



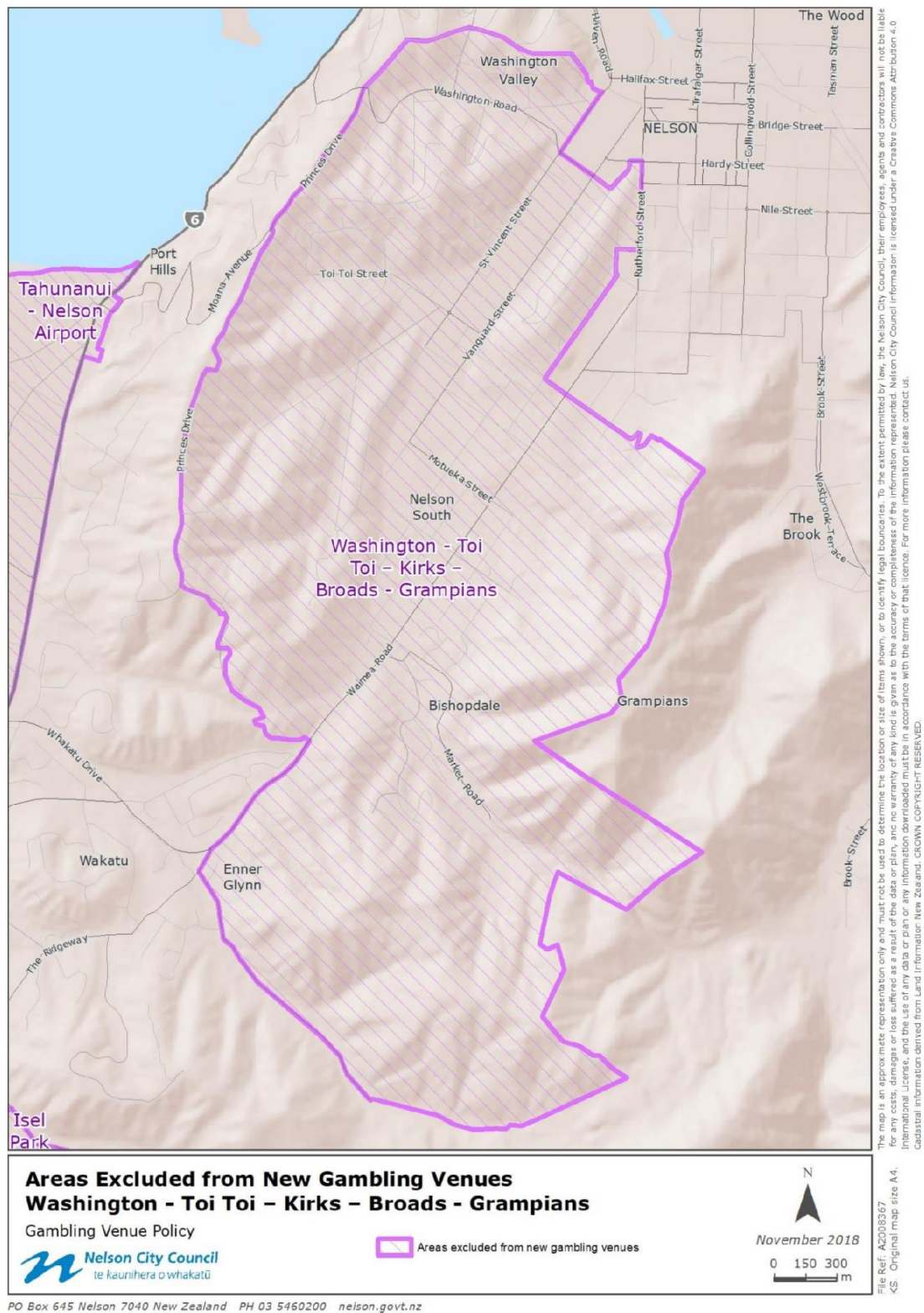
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Item 6: Gambling Venues Policy Review 2021: Attachment 2

Organisation	Feedback Summary
Peter Mayes (individual)	<ul style="list-style-type: none"> • Anti-gambling in general • Concerned with ATMs in bars
John Campbell (individual)	<ul style="list-style-type: none"> • Anti-gambling in general • Concerned with ATMs in bars
Peta Wellstead (individual)	<ul style="list-style-type: none"> • Advocates removing gaming machines from Nelson
Jarrold True (True Legal)	<ul style="list-style-type: none"> • Recommends Council include a relocation provision within the Policy <ul style="list-style-type: none"> ○ Allows venues to move to new, refurbished premises to provide more modern and attractive offerings ○ Currently 55 Councils have a relocation clause ○ Allows venues to move out of high deprivation areas • Replace the five machine per venue limit with the national nine machine limit • Remove the requirement that new venues be at least 100m away from an ATM
Kristy Kang (Problem Gambling Foundation)	<ul style="list-style-type: none"> • Recommends a sinking lid to prevent venue growth • Objects to a relocation clause • Objects to a merger clause to prevent concentration of gaming machines
Mathew McMillan (Addiction Advice and Assessment Services)	<ul style="list-style-type: none"> • If the cap is to be retained at 162, recommends implementing a sinking lid clause • Wants a more formal process of communication from Council whenever a decision is being made that may impact problem gambling clients
Samantha Alexander (Lion Foundation)	<ul style="list-style-type: none"> • Opposes implementation of a sinking lid • States the reduction of machine numbers at the previous review was sensible to reduce problem gambling harm • Recommends a relocation clause as a tool to allow venues to move out of high deprivation areas
Esmee Emerson (Nelson Chapter of National Council of Women)	<ul style="list-style-type: none"> • Members have not had direct involvement with Nelson gambling venues or the efficacy of the Policy • Would welcome a further reduction in the cap

A2720574

Item 6: Gambling Venues Policy Review 2021: Attachment 2

	<ul style="list-style-type: none"> Consider 30 machine maximum for merged venues to be too high Concerned with reference to Class 4 machines as "Gaming Machines"
Kim Odendaal (Hospitality NZ Nelson Regional Manager)	<ul style="list-style-type: none"> Supports retaining current machine cap Strongly opposes introduction of a sinking lid Recommends introducing a relocation clause Recommends an exemption clause to allow flexibility and measured responses to venues where relocation policies do not fit
Jane Murray (Nelson Marlborough Health)	<ul style="list-style-type: none"> Recommends a sinking lid clause be introduced Recommends clauses from TDC policy be inserted into the Policy: <ul style="list-style-type: none"> Council will not grant consent for the establishment of any additional Class 4 gaming machines in existing Class 4 venues Council will not grant consent to allow the merger of two or more clubs which hold Class 4 venue licences Council will not grant consent for the relocation of any Class 4 venue licence Introduce a policy objective around minimising community harm from gambling Recommends Council advocate to government about the need to replace Class 4 funding with sustainable, ethical funding for community groups who currently benefit from gaming machine funding
Niall Miller (TAB NZ)	<ul style="list-style-type: none"> Description of Gambling/Racing Industry Act and how it relates to TABs Recommended removal of 100m from an ATM rule as venues can set up private ATMs within their premises so long as not in the gaming room, as people can get money out from the bar

A2720574

Item 6: Gambling Venues Policy Review 2021: Attachment 3

First Name	Last Name	Full Name	Primary Organisation	Secondary Organisation	Address1	Email	Additional Email
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Sharon	Francis	Mrs Sharon Francis			4 Elliott street	Elliott-4@outlook.com	
Steve	Lawson	Mr Steve Lawson			8 Newall Avenue	femleighbbooks@gmail.com	
Aidan	Curran	Mr Aidan Curran			18 Sowman Street	aidan@swm.co.nz	
Nick	Koulourakis	Mr Nick Koulourakis	Manland Foundation		Level 1, 62 Riccarton Rd	nick@manlandfoundation.co.nz	info@manlandfoundation.co.nz
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Suzanne	Bateup	Ms Suzanne Bateup			48 Cleveland Toe	sbateup@outlook.com	
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Elizabeth	Richards	Mrs Elizabeth Richards			50 Hoddry Rd	Lzrichards53@gmail.com	
Bruce	Dyer	Mr Bruce Dyer			2035 Motueka Valley Highway PO Box 287	bdyer@ts.co.nz	
Vern	Mardon	Mr Vern Mardon	Athletos Nelson	The Saxton Field Pavilion Charitable Trust, National Academy of Distance Running		vern@vnmisk.co.nz	
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Matthew	Mollilan	Mr Matthew Mollilan	Nelson Marlborough Problem Gambling Services		room 10 150 Hardy st	aodh@ymail.com	mat@addictionadvice.nz
Jarrod	True	Mr Jarrod True	Gaming Machine Association of NZ			jarrod.true@truelegal.co.nz	chair@gmarnz.nz
Gwen	Bray	Ms Gwen Bray			281 Queen Street	fishbooknz@gmail.com	
Jane	Murray	Ms Jane Murray	Nelson Marlborough Health			jane.murray@nmhbs.govt.nz	
Nelson	Youth	Ms Nelson Youth Councilors	Nelson Youth Council			rachael.lange@noc.govt.nz	
Atsushi	Ota	Mr Atsushi Ota			4 Strawberry Grove	Atsushi.ota.nz@gmail.com	
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Les	Edwards	Mr Les Edwards	Tasman Rugby Union Inc.		Trafalgar Park Lane	les@tasmanrugby.co.nz	afroude@pgf.nz
Tanya	Piejus	Miss Tanya Piejus	New Zealand Community Trust (NZCT)		PO Box 10 857	tanya.piejus@nzct.org.nz	info@tasmanrugby.co.nz
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Kelly	Harris	Mrs Kelly Harris	Hospitality New Zealand Nelson Branch		243 C The Ridgeway	kelly@hospitality.org.nz	km@hospitality.org.nz
Scott	Gibbons	Mr Scott Gibbons	Victory Boxing		PO Box 7004	scott@gibbons.co.nz	info@victoryboxing.org.nz
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A2724987

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Emma	Lamont-Messer	Emma Lamont-Messer	Lion Foundation			office@hcvnz.org.nz	
Queenie	Balance	Queenie Balance	National Council of Women		PO Box 25498 Wellington 6140 New Zealand	info@necombudget.co.nz	
Marina	Gosnell	Marina Gosnell	Nelson Budget Service		29 Selwyn Place, Nelson	https://www.nmdhb.govt.nz/contact-us/general/	
Siri/Madam			Nelson Marlborough District Health Board		Private Bag 18, Nelson 7042, New Zealand	hagpds@tab.co.nz	
Siri/Madam			New Zealand Racing Board		PO Box 38899 Wellington Mail Centre Lower Hutt 5045	https://psuperporth.org.nz/contact-us	
Siri/Madam			Presbyterian Support Services (Upper South Island)			https://www.sporty.co.nz/stokebowls/	
Siri/Madam			Stoke Bowling Club			https://hbnph.org.nz/contact-us	
Siri/Madam			Nelson Bays Primary Health Organisation - Te Piki Oranga		PO Box 1776, Nelson 7040, New Zealand	vc@reception@victory.school.nz	
Siri/Madam			Victory Community Centre		2 Totara Street		

A2724987

REPORT R26121

Submission on the Natural and Built Environment Draft Exposure Bill

1. Purpose of Report

- 1.1 To seek retrospective approval for a submission on the Natural and Built Environment Draft Exposure Bill (NBA).

2. Summary

- 2.1 Central government is reforming the Resource Management Act (1991). As part of the reform process, an exposure draft of the NBA was released on 29 June 2021 for public feedback. The closing date was 4 August 2021.
- 2.2 The reform proposals represent a substantial change in the way resource management will occur in New Zealand and is likely to have a significant impact on local government in particular.
- 2.3 Given the very short timeframe and limited availability of Councillors during the July recess, a submission was prepared on behalf of Council and approved for release by the Environment and Climate Committee Chair, and Group Manager Environmental Management. Retrospective approval from the Committee for the submission is now sought.

3. Recommendation

That the Council

- 1. Receives the report Submission on the Natural and Built Environment Draft Exposure Bill (R26121) and its attachment (A2721199); and***
- 2. Approves retrospectively the submission on the Natural and Built Environment Draft Exposure Bill.***

4. Background

- 4.1 In February 2021, central government confirmed its plans to repeal the Resource Management Act and announced a programme for replacement legislation. The scope of the reform is based on findings of a comprehensive review of the resource management system. The report outlining the recommended changes can be accessed here: [New Directions for Resource Management in New Zealand](#) (also known as the Randerson Report, 2020).
- 4.2 The reform package includes repealing the Resource Management Act and replacing it with three pieces of legislation, alongside other potential legislative amendments to the Local Government Act, Climate Change Response Act and Land Transport Management Act.
- 4.3 The three new Acts will be the:
- **Natural and Built Environments Act (NBA)** to provide for land use and environmental regulation (this would be the primary replacement for the RMA). Under the NBA, central government's proposed new National Planning Framework will provide a set of mandatory national policies and standards on specified aspects of the new system. These will include environmental natural limits, outcomes and targets. The Natural and Built Exposure Draft Bill can be viewed online at: <https://environment.govt.nz/assets/publications/Natural-and-Built-Environments-Bill-Exposure-Draft.pdf>
 - **Strategic Planning Act (SPA)** to integrate with other legislation relevant to development, and require long-term regional spatial strategies. This Act provides a strategic and long-term approach to how to plan for using land and the coastal marine area.
 - **Climate Change Adaptation Act (CAA)** to address complex issues associated with managed retreat, and funding and financing adaptation.
- 4.4 To date, the only draft legislation that has been released is the NBA. The exposure draft is not the full Bill, rather is intended to provide the 'directions of change' and foundations for the full Bill.

5. Discussion

- 5.1 The legislative reform proposals represent a significant change for resource management activities within Council.
- 5.2 The changes are expected to particularly impact resource management planning, consenting, monitoring and enforcement activities. Work programmes, budgets and resourcing will need to be revised once there is more certainty about the changes.
- 5.3 The reform announcements include large changes to governance arrangements for plan development and decision making, including the

Item 7: Submission on the Natural and Built Environment Draft Exposure Bill

creation of 'plan making committees' and compulsory Independent Hearing Panels. The committee and panel will have local council, central government and iwi representation.

- 5.4 The role for iwi in resource management plan-making and decision-making increases significantly under the NBA.
- 5.5 The Randerson Report also recommends Nelson, Tasman and Marlborough provide a single combined plan. The Councils jointly wrote to the Minister for the Environment requesting more information about that proposal. A preliminary response was received on 14 June 2021, advising the Minister has asked officials at the Ministry for the Environment to prepare some advice to him on the matter of a combined Te Tau Ihu Plan. The Minister anticipated an update from them in the "middle of the year". As yet, no further information is available.
- 5.6 The proposals in the NBA are very limited and do not provide a full picture of how the new Act will operate. The Nelson City Council submission to central government concentrates on what has been included in the Draft Exposure Bill, rather than what has not yet been included. The submission requests further clarity over a single combined plan for Nelson, Tasman and Marlborough.
- 5.7 Further detail on the NBA is expected to be provided in early 2022, along with the Strategic Planning Act. Both pieces of legislation are expected to be enacted prior and within this term of Government. The CAA is expected to take longer.

6. Options

- 6.1 Two options are presented for consideration. Approve or not approve.

Option 1: Retrospectively approve submission (recommended)	
Advantages	<ul style="list-style-type: none">• Provides feedback to central government on concerns held about the NBA• Enables central government to potentially make changes that improve the legislation that local government will implement.
Risks and Disadvantages	<ul style="list-style-type: none">• Submission does not fully accord with views of the Environment and Climate Committee
Option 2: Do not approve, and seek withdrawal	
Advantages	<ul style="list-style-type: none">• Environment and Climate Committee not committed by submission content
Risks and Disadvantages	<ul style="list-style-type: none">• Issues that will directly affect Nelson City Council are not raised with central government

7. Next Steps

- 7.1 Continue to monitor and contribute to resource management reform proposals.
- 7.2 Report back to Council on work programme implications for the Nelson Plan, once there is further certainty on critical matters such as the combining of Top of the South Plans, and transitional timeframes.

Author: **Maxine Day, Manager Environmental Planning**

Attachments

Attachment 1: A2721199 - Nelson City Council Submission on Natural and Built Environment Draft Exposure Bill [↓](#)

Important considerations for decision making
<p>1. Fit with Purpose of Local Government</p> <p>The decision to retrospectively approve the submission on the NBA is important so that central government hears the views of local government when proposed changes will affect how councils operate and make decisions. The proposed changes are likely to impact how council represents community views and promotes wellbeing.</p>
<p>2. Consistency with Community Outcomes and Council Policy</p> <p>Our leaders understand our community, are confident in our future, know how to drive success and to work with others to tackle the big issues facing Nelson. Council leaders are strongly connected to our people and mindful of the full range of community views and of the generations that follow. Residents have the opportunity to participate in major decisions and information is easy to access. We support and mentor our young people to be our leaders of the future.</p>
<p>3. Risk</p> <p>There is low risk in retrospectively approving a submission to central government</p>
<p>4. Financial impact</p> <p>No immediate financial impact from this decision.</p>
<p>5. Degree of significance and level of engagement</p> <p>This matter is of low significance because the decision does not involve a strategic asset, does not change levels of service, does not have a financial impact, does not directly affect the community; does not flow from or promote a previous decision of Council; and the community interest in the retrospective approval of this submission is likely to be low. Therefore, no community engagement or consultation is proposed.</p> <p>Noting that once the reform package is complete, and any consequential decisions are to be made, community interest may increase.</p>
<p>6. Climate Impact</p> <p>There is no direct climate impact associated with this decision. Noting the submission does highlight a need for greater clarity on climate change matters contained in the Natural and Built Environment Draft Exposure Bill.</p>

7. Inclusion of Māori in the decision making process

No engagement with Māori has been undertaken in preparing this report.

8. Delegations

The Environment and Climate Committee has the following delegations to consider approving this submission:

Areas of Responsibility:

- *Policies and strategies related to resource management matters*
- *Policies and strategies related to compliance, monitoring and enforcement*
- *Science monitoring and reporting*
- *The Regional Policy Statement, District and Regional Plan, including the Nelson Plan*

Delegations:

- *Approving submissions to external bodies or organisations, and on legislation and regulatory proposals*

Powers to Recommend (if applicable):

- *Not applicable*

As per 5.2.2 of Council's Delegation Register, the Chief Executive, Mayor and the Committee Chairperson have confirmed that the matter be considered by Council due to the COVID-19 Alert Level constraints.

Section	Comment	Relief Sought
General: Overview	<p>It is our view that the Exposure Draft NBA does not contain sufficient detail to understand how the proposal provides a clear step forward for the environment or decision-making system.</p> <p>Of the material presented, it appears the complexity of the resource management system is increasing, rather than decreasing. For example, there is an increase in the range of plans, it introduces new layers of national directions (national planning framework) and introduces significantly different terms and concepts for communities, planners and decision-makers.</p> <p>While we are supportive of the need to improve the resource management system, the existing difficulties with the RMA appear likely to continue under the new legislation, particularly relating to capacity to implement legislation, demands for quality data, monitoring, costs, plan making complexity, uncertainty and reduced ability to respond quickly to environmental changes. It is also not clear yet whether the vital links between plan making, plan implementation and plan monitoring will be weakened with the new system.</p>	Consider how to simplify the NBA proposal and reduce complexity to better achieve the desired outcomes from the RMA reform.
General: Combined Plan for Top of the South councils	The three unitary councils in the Top of the South Island were identified in the Randerson Report as candidates for producing a single 'combined plan'. There was no explanation or rationale for the proposal. The councils have requested further clarity on this proposal and outlined their concerns in a letter to the Minister for the Environment, in April 2021.	Provide urgent clarity to the Top of the South councils

Section	Comment	Relief Sought
	The proposal represents a significant difference from the proposals for other regions to prepare a combined plan, in that three sets of Regional Policy statement, Plans (including, air, water, coast) and district plans would need to be combined. There are major implications for the three unitary councils and Te Tau Ihu iwi in undertaking a plan making exercise of this magnitude.	on proposal for 'one combined plan'. Discussions with MfE on this matter are requested. Refer attached letter to Minister Parker (March 2021)
General: Transitional arrangements	<p>Like Tasman District Council's submission we note that transitional timeframes are a major consideration for Marlborough, Nelson and Tasman Councils (Te Tau Ihu Councils). Each council is at significantly different stages of plan development and mindful of the significant community input, iwi involvement and cost of developing their unitary plans.</p> <p>While we appreciate the desire to implement reforms quickly, there will need to be appropriate transitional provision to avoid wasting existing planning work done to date, which could come at a cost of millions to ratepayers if not done well.</p> <p>We request a 10 year transition time to enable existing investment in plans to be efficiently maximised (including plans that have yet to be notified), while also enabling sufficient time for the National Planning Framework, Regional Spatial plans, Adaptation</p>	<p>Urgently provide information about transitional provisions</p> <p>Provide 10 year (min) timeframe transition for existing or yet to be notified Plans</p>

Section	Comment	Relief Sought
	<p>legislation, Natural and Built Environment plans and associated governance arrangements to be developed.</p> <p>Further, we request that the 'streamlined planning process' (currently enabled under Schedule 1 (Pt 5) of the RMA) is included in transitional arrangements to enable RMA plan changes to be expediently produced. This will assist in the delivery of changes that give effect to existing national policy statements.</p>	<p>Include transitional provisions for the Streamlined Planning Process</p>
General: Integration	<p>We support proposals to take an integrated approach to plan making across regional and district functions.</p> <p>However, we do not see the benefit from separating out parts 'that relate to water' in either plan content or decision making as this disrupts the integration across a plan, adds administrative costs and technical complexity.</p> <p>The benefits from a separate freshwater hearing panel process are not as obvious if the whole NBA plan making process now requires independent hearing commissioners and limited Environmental Court appeal rights.</p> <p>As a Unitary Council currently contemplating the disaggregation of the Nelson Plan to go through two separate processes, we can confidently say that this process does not support integrated planning decisions.</p>	<p>Discontinue separate Freshwater Planning process in NBA</p>

Section	Comment	Relief Sought
General: Integration	Further to the issue of integration, we highlight a concern that the NBA and Spatial Plan Act (SPA) process may duplicate and dis-integrate issues, particularly around competing issues under NBA and SPA processes. We are not yet clear enough on how the SPA and NBA plans that deal with the same topics are going to interact. We would strongly support a clear hierarchy of planning documents, with the National Planning Framework (NPF), SPA and then NBA plans being developed in that order.	Ensure integrating functions between SPP and NBA plans; and obligations for an order of plans to be produced starting with NPF, then SPA then NBA.
General: Role of Local Government in RMA	Local government has an important role in hearing community concerns, issues and values- responding to these is a core tenant of the Local Government Act. Under the RMA, communities have access to local government to influence when and where plan changes can occur, to make submissions, or appeal provisions. They help develop plans through such things as working groups, focus/advisory groups, citizen science, and providing feedback on draft plans – we are very concerned that the value that comes from these processes will be lost if there is not a clear connection between local people, plan development and their elected representatives (who control resourcing, timing, and non-regulatory methods, such as riparian stream plantings). We are also very concerned that councils will still be accountable to communities but have little influence on the content, cost or direction of plans. We see greater potential for local communities to become disenfranchised with plans under the NBA.	Reconsider the Planning Committee proposal. Ensure that the principals and purpose of local government are carefully considered when determining the plan making and decision making

Section	Comment	Relief Sought
	We also request officials consider inserting a provision similar to NBA s.14 (Strategic Direction from Minister) for each council preparing a combined plan for a region. The 'strategic direction' from each council would inform the Planning Committee of local issues and set <u>local</u> strategic priorities for the hearing panel to give effect to (or set out why not – e.g. balanced against national or regional priorities). This would provide local government a stronger 'voice' in the plan development and decision-making process.	roles under NBA; and Consider a s.14-like provision for each council.
General: Speed of change and Impact on communities	<p>The speed of change is very fast. <i>Many people in our community haven't had the opportunity to absorb and reflect on the proposals in the NBA. While there might be some agreement that the RMA is no longer fit for purpose there is far less agreement about potential solutions.</i></p> <p>We think there has been a lack of focus on helping communities understand the implications from the reforms.</p> <p>We are experiencing first-hand how the ongoing regulatory changes are creating uncertainty and adverse reactions. The communications about these changes need to ensure they not only talk about the proposed changes in ways that will engage communities, but also once the reforms are completed, convey what the changes mean – i.e. what the new system is.</p>	<p>Develop timeframes for the reforms that enable meaningful input.</p> <p>Increase communications with communities on the reform proposals and then reform outputs.</p>
General: Speed of change and quality of	The NBA represents a significant shift in legal terminology, plan processes, decision-making, iwi involvement, role of the environment court, funding, case law, monitoring,	A more considered timeframe for the

Section	Comment	Relief Sought
legislation/Planning framework	consenting, compliance and relationships with other legislation. Not only this, the content of the Act deals with complex matters that do not lend themselves to ‘easy solutions’. We urge central government to not rush through the reform process. Instead we request that a more considered partnership approach with local practitioners and councils is taken to ensure the goals of the reforms can be achieved. If the reforms are done poorly, communities and the environment will bear the brunt through high costs of plan making, uncertainty in consenting processes, and poorly functioning systems.	RMA reform programme and greater meaningful engagement with practitioners and local government.
General: Speed for plan making processes	We are supportive of measures to improve the efficiency of plan making processes. In particular, we request the plan making processes are ‘tailorable’ so that simple changes can be made quickly; or changes of significant urgency – say for example housing supply. We are not looking to bypass the value of community input into plans – however, the technical information, s.32 reporting, s.42 reporting, submission summaries, further submissions, hearings, decisions and appeal process does take a substantial amount of time and resourcing.	More streamlined plan making process options.
s.5 (1) (b) Purpose of the Act	In our view, the hierarchy of purpose needs to be clearer. If the goal of the reforms is to improve environmental outcomes, then this needs to be prioritised, otherwise it will continue to be ‘balanced’ as it currently is under the RMA. We also note some discomfort with the term ‘to use the environment’ - which perpetuates a disconnect between people and ‘the environment’ and is contrary to the concepts of intrinsic interconnectedness set out in s.5 (3)(b) and (c). The subsection could	Clarify purpose of the Act to remove confusion.

Section	Comment	Relief Sought
	be recast to delete the reference to ‘using the environment’ while still maintaining the focus of the subsection on well-being of people.	
s. 5(3)	We note that Te Oranga o te Taiao explicitly provides for the intrinsic relationship between iwi and hapū and the environment. We are less clear that the intrinsic relationship between the environment and other people is provided for in Part 2.	Revise s.5(3)
s.7 Limit Setting	<p>We support mandatory limits for some environmental domains. These need to be able to be clearly established at regional and site-specific scale; and be able to be readily monitored. Setting limits will be contentious and affect any existing use rights or consented activities. Setting limits may also result in people doing the minimum to comply and not considering better outcomes.</p> <p>In recognising the need to ‘improve and restore’ we expect that the new planning framework will impose potentially more restrictive environmental limits. These limits will directly affect property owners and businesses, while at the same time, the legislation proposes to reduce local democratic input to plan making processes. This is likely to create greater disquiet within communities and resistance to regulation. Greater clarity is needed for businesses and consent holders about the timeframes to transition to a new ‘limit setting regime’</p>	<p>Support limit setting for specific domains only.</p> <p>Provide timeframes for consent holders and permitted activities to transition to new limits.</p>

Section	Comment	Relief Sought
s.7 (5)	<p>Concern how environmental limits will be set for ‘any other matters’ and how allocation within those limits will be set. There will need to be very good scientific data to set limits and make allocation decisions. This information may not be available.</p> <p>Our science teams advise that defining environmental limits will require significantly more data and understanding of causal relationships between human activities and environmental effects than what we have now – particularly for some of the listed domains.</p> <p>While we may aspire to a high level of understanding across the environmental systems, currently hold this level in a consistent or comprehensive manner. Nor can it be obtained quickly. Good science takes time, committed resourcing, monitoring and high quality interpretation.</p> <p>Often environmental effects are caused by ‘death by 1000 cuts’ of various activities or many small activities. We don’t necessarily know where the limits are, or how each ‘cut’ impacts the environment.</p> <p>Also environmental effects can take some time to become apparent because of the ecological ‘tipping points’. Setting limits at maximum harm/stress or minimum state means if we get that wrong there is potential for severe harm to the environment.</p> <p>Both short, and long term, outcomes may need to be specified.</p>	<p>Spend greater time working through how environmental limits will work in practice. Consider short and long term limits.</p> <p>Consider implementation resourcing for limit setting work.</p> <p>Consider scale of limit setting – national, regional, area or property/activity specific.</p>

Section	Comment	Relief Sought
s.8 Environmental outcomes	<p>Applying a new framework with Environmental Outcomes and Limits at its core is theoretically supported. However, in <u>practice</u> plan-making, decision-making, monitoring and compliance become more difficult when we begin to plan for outcomes. Many factors affect environmental outcomes, and a large number of these will be outside the influence of a Plan or consent applicant. Staff here at NCC have had experience assessing 'environmental outcomes' under RMA plans, and it is very complex process to establish and justify how controls on a single activity will contribute to one or more environmental outcome, let alone monitor it. It assumes a high level of understanding of environmental effects, environmental systems theory and data across a range of sources. There are risks that in the face of uncertainty, plans and consenting decisions will take a precautionary approach – typically reducing development opportunity, limiting consent periods and/or increasing costs.</p> <p>Careful consideration of how Outcomes are to be used across the planning framework is required.</p>	Careful consideration of how Outcomes are to be used across the planning framework, bearing in mind practical constraints on an Outcome-based approach.
8 (a) – (i)	The list of outcomes are broadly supported, although it is unclear how tensions between outcomes and part 5 (use of the environment) will be resolved. We suspect that a large volume of caselaw will be needed to resolve the lack of clarity.	Provide greater clarity about hierarchy of provisions and where possible

Section	Comment	Relief Sought
	<p>The assumed hierarchy of language (protected, restored or improved) attached to the biophysical outcomes in s.8, sets a high bar that will be difficult to reconcile with ‘use of the environment’. In practice, it may mean greater restrictions on activities, not less.</p> <p>It is unclear if there are biophysical priorities, for say, degraded environments.</p> <p>Noting that s.13 (3) must include provisions to help resolve conflicts between the outcomes in s.8. It is difficult to see how a national framework will address different priorities in different regions.</p> <p>Our key concern is that NBA exposure draft does not clearly set out how the tensions between competing issues get managed, or articulate how the priority for each competing issues will be managed – leaving it up to either the Minister of the day, or lower order plans and frameworks to resolve. When this has occurred under the RMA, we typically find a wide variety of responses around the country that have come at high cost.</p>	<p>resolve tensions at national level across s.8</p>
s.8 (j)	<p>Implementing s.8 (j) ‘Greenhouse gas emissions are reduced and there is an increase in the removal of those gases from the atmosphere’ will present a significant challenge for local government to measure, monitor and report on. It will be essential that there is clear and efficient national directions and systems for use at a site specific and regional scale. Without this, it is likely that applicants and councils will face costly and complex decision-making and consenting processes – defeating the purpose of the RMA reforms.</p>	<p>Ensure national directions are clear about the scale and responsibilities for emission reductions</p>

Section	Comment	Relief Sought
	It will be important for nationally consistent tools to be available for making decisions about 'emission reductions' and 'removal of gases' – taking into account things like embodied carbon, timeframes, baselines. These tools will help councils efficiently make decisions and consistently contribute to national monitoring. Let's not get every council to re-invent the wheel on these tools.	Consistent tools are prepared for national use to measure 'emission reduction' and 'removal of those gases from the environment'
8 (n)	'The protection and <u>sustainable use</u> of the marine environment' presents an anomaly within the language of s.8 – and introduces a further concept of balancing 'protection' with 'sustainable use'. The term 'protection' has traditionally presented a very high bar, and it will be difficult to justify 'sustainable use' in local decisions.	Reconsider language of s.8(n)
8 (general)	The language across s.8 introduces a number of new concepts for plan making and consenting, including 'promote, restore, improved, enabling, ensuring, contributing, meeting, and supporting' while still retaining language of the RMA for avoiding, remedying and mitigating adverse effects on the environment. It will be important for the NBA or supporting documentation to carefully explain any hierarchy implicit in the language.	Simplify verbs and draw on existing RMA hierarchy of terminology where possible
8 (general)	From a local government perspective, we can expect real opposition to plan-making and consent decisions due to the NBA's lack of inclusion of amenity values (noise, odour, light,	Include amenity values in NBA to

Section	Comment	Relief Sought
	visual, vibration) or character provisions for urban and rural communities. These values are held highly by communities and arguably, contribute to their social and cultural wellbeing, health and safety. As we see more people living in more urban spaces we expect there will be increasing pressure for plans (or other regulations, such as bylaws) to manage effects of activities on amenity.	recognise urban tensions. S.8 ought to have greater consideration of urban environments.
Part 4	NBA plans – we support a regional approach to plan making. As a Unitary Authority, Nelson City has benefited from the integrated planning and decision-making across regional and district functions.	Retain region-wide NBA plans
s22(1)	There is insufficient direction on conflict resolution, especially (g)	Greater clarity on conflict resolution
S.23	Membership for the planning committees will need to be very carefully considered. Experience with 'Jobs for Nature' alliances (Councils, iwi, DOC) has shown that consensus on who has mandate to represent who on such committees is a process that needs to be worked through slowly and depends very much on collaborative relationships already existing. If elected members are to be involved then the impact of the 3 year political cycle will need to be mitigated in some way. The current NBA proposal does not address key questions such as: How would the representative local government member	Further consideration and clarity of Planning Committee structures, the relationship with political cycles, Long

Section	Comment	Relief Sought
	establish a mandate? Should elected members be involved or not involved? How can a local community expect to be involved in the plan development phase/s?	Term Plan funding cycle and local representation.
Not included - Technical	<p>We note that there are likely to be substantial challenges for councils to produce a combined plan from notification to decisions within a 2 year timeframe – if this timeframe is carried forward the existing RMA. As a Unitary Authority with experience in developing the equivalent of ‘combined plans’, the timeframe is extremely tight and is not likely to be met as councils grapple with the new legislation, new scope, and new systems. Councils will be ‘set up to fail’ with such a short timeframe.</p> <p>We also note that the costs of developing a new plan are going to be considerable and will be additional costs for councils that have recently completed or have heavily invested in RMA plan-making. The scale of the reforms and impacts on plan making mean that there are likely to be delays to the implementation of new policies to address urgent issues, such as rezoning for housing supply.</p>	<p>Remove the timeframe for notification of a plan and decisions.</p> <p>Greater consideration on how funding for the reforms will be supported.</p>

Environmental Management Activity Management Plan - Mahere Taiao (2021-2031)

1. Purpose of Report

- 1.1** To adopt the Environmental Management Activity Management Plan - Mahere Taiao (2021-2031) (EMAMP) following approval of the Long Term Plan in June 2021 (LTP).

2. Recommendation

That the Council:

- 1. Receives the report Environmental Management Activity Management Plan - Mahere Taiao (2021-2031) (R22662) and its attachment (A2480683); and***
- 2. Adopts the Environmental Management Activity Management Plan - Mahere Taiao (2021-2031) (A2480683) of report R22662.***

3. Background

- 3.1** A workshop was held on 1 September 2020 with Elected Members to review activities in the Draft EMAMP and on 22 October 2020 the Environment Committee resolved as follows:

That the Environment Committee

Receives the report Draft Environmental Management Activity Management Plan 2021-2031 (R21388) and its attachment (A2480683); and

Approves the Draft Environmental Management Activity Management Plan 2021-2031 (A2480683) as the version to inform the Long Term Plan 2021-31; and

Item 8: Environmental Management Activity Management Plan - Mahere Taiao
(2021-2031)

Notes that the Draft Environmental Management Activity Management Plan 2021-2031 (A2480683) will be updated and, the final Activity Management Plan approved, after the adoption of the Long Term Plan 2021-2031.

- 3.2 The proposed levels of service were separately reported to the committee on 17 February 2021.
- 3.3 Council adopted the Long Term Plan (LTP) on 24 June 2021 and the EMAMP has been amended to reflect those decisions. The process requires that the Environment and Climate Committee approve the revised EMAMP.

4. Discussion

- 4.1 The EMAMP sets out the Council's Environmental Management activities and includes areas of focus for those activities, levels of service, and the activity budgets for operations and capital expenditure.

Changes made through Long Term Plan deliberations

- 4.2 The following paragraphs summarise the LTP decisions. These changes have been incorporated into the final documents and highlighted (in yellow) for the purposes of transparency (highlights will be removed prior to publishing).
- 4.2.1 Working with Tasman Environmental Trust on blue carbon. (Page 22.)
- 4.2.2 Inclusion of an activity to develop a comprehensive freshwater accounting and reporting system, including a single overall score for ecosystem health for each freshwater management unit to meet the requirements of the National Policy Statement for Freshwater Management (NPS-FW). (Page 19.)
- 4.2.3 Further wording regarding city centre activation to cover off climate change and tactical greening initiatives. (Pages 4 and 22.)
- 4.2.4 Wording to outline the potential impact of the Resource Management Reform process and uncertainty for the Nelson Plan. (Pages 19 and 21.)
- 4.2.5 Developing a standard process for resource consent consultation with iwi across all three Te Taihū Councils. (Page 19.)
- 4.2.6 Utilising \$30,000 to develop a cultural health monitoring programme led by iwi to bring Mātauranga Māori to our science programmes (Page 24.)
- 4.2.7 Partner with Te Taihū iwi to ensure the mana of freshwater is placed at the top of the hierarchy to achieve Te Mana o Te Wai

Item 8: Environmental Management Activity Management Plan - Mahere Taiao
(2021-2031)

National Policy Statement for Freshwater Management (NPS FM)
for Nelson Whakatū. (Page 18.)

- 4.2.8 Add in additional wording regarding the staff resource that will drive outcomes for housing and in particular affordable housing and the housing reserve and the need for greenfield housing and housing intensification. (Pages 4 and 25.)
- 4.2.9 Amend the diagram on page 6 to remove waste minimisation as that work stream now sits with Infrastructure and to amend the City Development description to highlight housing and the spatial plan.
- 4.3 There was discussion at the workshop about the inclusion of a level of service for freshwater. The levels of service do include a measure around safe recreational bathing sites. This has been specifically included as it is not something that is required by law and can directly impact human health and is therefore important to measure and report on. The other outcomes for freshwater are managed by legislation and Council is obligated to report those and does so through the Land and Aotearoa Website (LAWA) and State of the Environment Reporting. It is not proposed to include any further levels of service for freshwater for the reasons outlined in the following paragraphs.
- 4.4 To be meaningful there would need to be several levels of service solely for freshwater – as there are a number of measures that indicate water quality. Water quality and the measures needed to manage quality can vary depending on the catchment, the sampling location within the catchment and the limiting contaminant parameters for each catchment. Measures can vary year to year depending on climate and other factors which does not lend itself to annual reporting but rather trend data reporting which is achieved through LAWA and other reporting avenues.
- 4.5 Having assessed all other Regional Councils there are only two that have prepared other levels of service for freshwater. Bay of Plenty has a percentage of monitored river and stream sites meeting swimmability requirements. However, this misses ecosystem health. Both Bay of Plenty and Wellington Regional Council have removed outcome based measures from their 2021-31 LTP's and included the development of a freshwater accounting system instead. As outlined in paragraph 4.2.2 above this has been included as a workstream in the EMAMP rather than a level of service.

Item 8: Environmental Management Activity Management Plan - Mahere Taiao
(2021-2031)

5. Options

Option 1: Adopt the EMAMP	
Advantages	<ul style="list-style-type: none">• Meets the requirements of the Local Government Act 2002.• Delivers on Councils statutory requirements under various pieces of legislation including the Resource Management Act 1991 and Building Act 2004.• Aligns with the direction set by the LTP.
Risks and Disadvantages	<ul style="list-style-type: none">• Nil.
Option 2: Not adopt the EMAMP	
Advantages	<ul style="list-style-type: none">• Nil.
Risks and Disadvantages	<ul style="list-style-type: none">• Fails to meet the requirements of the Local Government Act 2002.• Fails to deliver on Councils statutory requirements under various pieces of legislation including the Resource Management Act 1991 and Building Act 2004.

6. Conclusion

- 6.1 The EMAMP 2021-2031 has been reviewed following the adoption of the LTP and now needs to be adopted.

Author: Clare Barton, Group Manager Environmental Management

Attachments

Attachment 1: A2480683 - Environmental Management AMP - 1Sep21 [↓](#)

Important considerations for decision making

1. Fit with Purpose of Local Government

The EMAMP supports the social, economic, environmental and cultural wellbeing of the Nelson community through:

- a) Providing regulatory functions that manage the natural and built environment.
- b) Enabling intensification and growth supporting social outcomes.
- c) Planning for the needs of the community and its development.
- d) Engaging with iwi and Māori to embed cultural outcomes particularly in planning and science programmes.
- e) Supporting City Centre and wider development opportunities.
- f) Developing resilience for Nelson's natural environment.
- g) Ensuring monitoring, compliance and enforcement procedures protect the community.

2. Consistency with Community Outcomes and Council Policy

The EMAMP has been developed to support the delivery of the following community outcomes:

Our unique natural environment is healthy and protected.

Our urban and rural environments are people friendly, well planned and sustainably managed.

Our infrastructure is efficient, cost effective and meets current and future needs.

Our communities are healthy, safe, inclusive and resilient.

Our Council provides leadership and fosters partnerships, a regional perspective, and community engagement.

Our region is supported by an innovative and sustainable economy.

3. Risk

Adopting the EMAMP 2021-31 is a low risk as it has been through a thorough development process and reflects the relevant LTP decisions. Adopting the EMAMP helps Council mitigate risks by providing a clear plan to achieve levels of service, address relevant focus areas and sets activity budgets for operations and Environmental Management activities.

4. Financial impact

There are no direct funding implications from the recommendation. The EMAMP reflects the decisions made by Council on the 24 June 2021 when it adopted the LTP and sets out budgets for both operational and capital

Item 8: Environmental Management Activity Management Plan - Mahere Taiao
(2021-2031)

<p>expenditure both directly through rates and indirectly through borrowing and income that is generated through regulatory activities.</p>
<p>5. Degree of significance and level of engagement</p> <p>This matter is of low significance because decisions arising from the EMAMP have been consulted on through the LTP.</p>
<p>6. Climate Impact</p> <p>The EMAMP has been developed considering the potential impacts and risks climate change present. Examples of proposed adaptation, mitigation and leadership actions are demonstrated in the EMAMP.</p>
<p>7. Inclusion of Māori in the decision making process</p> <p>No engagement with Māori has been undertaken in preparing this report. Iwi were approached directly for comment on the EMAMP prior to calling for public submissions on the LTP.</p>
<p>8. Delegations</p> <p>The committee has all of the responsibilities, powers, functions and duties of Council in relation to governance matters within its areas of responsibility, except where they have been retained by Council, or have been referred to other committees, subcommittees or subordinate decision-making bodies.</p> <p><i>Delegations:</i></p> <ul style="list-style-type: none"> • <i>Developing and approving draft Activity Management Plans in principle, for inclusion in the draft Long Term Plan</i> <p><i>Powers to Recommend:</i></p> <ul style="list-style-type: none"> • <i>Approval of final versions of strategies, policies and plans</i> <p>As per 5.2.2 of Council's Delegation Register, the Chief Executive, Mayor and the Committee Chairperson have confirmed that the matter be considered by Council due to the COVID-19 Alert Level constraints.</p>

Environmental Management

Activity Management
Plan 2021-2031

Mahere Taiao



 **Nelson City Council**
Te Kaunihera o Whakatū

Item 8: Environmental Management Activity Management Plan - Mahere Taiao (2021-2031):
Attachment 1

Quality Assurance Statement	
Version:	1 September 2021
Status	Final
Activity Managers	Maxine Day Lisa Gibellini Mandy Bishop Jo Martin Mark Hunter Jane Budge
Author	Clare Barton, Group Manager Environmental Management
Adopted by the Council	



Contents

Sections

Section 1. Executive Summary	3
Section 2. The Purpose of the Plan	5
Section 3. Assumptions	7
Section 4. Risk Management Profile	7
Section 5. Strategic Direction	9
Section 6. Climate Change	10
Section 7. Our Customers and Stakeholders	10
Section 8. Relationship with Iwi/Māori	11
Section 9. Objectives for Environmental Management Activities	11
Section 10. Key Linkages	12
Section 11. Contribution to Community Outcomes	13
Section 12. Achieving our Outcomes	15
Section 13. Key Issues	15
Section 14. Challenges and Opportunities	18
Section 15. Key Activities and Work Programme	27
Section 16. Levels of Service	36
Section 17. EMAMP review	40
Section 18. Conclusion	40

Attachments

Attachment 1. Budgets	41
Attachment 2. Legislative context	42



1. Executive Summary

The Environmental Management Activity comprises five inter-related teams:

- City development
- Environmental planning
- Resource consents and compliance
- Building consents
- Science and Environment

Each team individually and collectively deliver all eight of the Council's community outcomes:

- Our unique natural environment is healthy and protected.
- Our urban and rural environments are people friendly, well planned and sustainably managed.
- Our infrastructure is efficient, cost effective and meets current and future needs.
- Our communities are healthy, safe, inclusive, and resilient.
- Our communities have opportunities to celebrate and explore their heritage, identity, and creativity.
- Our communities have access to a range of social, educational and recreational facilities and activities.
- Our Council provides leadership and fosters partnerships, a regional perspective, and community engagement.
- Our region is supported by an innovative and sustainable economy.

The Environmental Management Activity carries out work in all four Long-term Plan (LTP) priorities and one of the triennium focus areas as follows:

Infrastructure

Outcome: Meets current and future needs for Nelson.

Delivery includes: The Development Contributions Policy; the Future Development Strategy; implementation and monitoring of resource and building consent controls for delivery of infrastructure; establishing provision for infrastructure and the control of the effects of infrastructure through the Nelson Plan; projects to reduce impacts of infrastructure on the natural environment in the short and long term.

Environment

Outcome: Healthy and protected environment.

Delivery includes: Resource consent conditions and monitoring those conditions and permitted standards; advocacy and support programmes for environmental protection and enhancement; a resource management planning framework; monitoring of the natural environment; delivery of environmental projects; delivery of a regulatory biosecurity programme; and reporting of information on state and trend of natural resources.

City Centre Development

Outcome: People friendly, well planned and sustainably managed.

Delivery includes: City Centre Programme plan and six key moves, City Centre Spatial Plan, Business, landowner and developer relationship building, Resource management planning to support an attractive, well built, resilient and walkable city; guidance on urban design outcomes; sustainable management of areas susceptible to earthquake prone building matters; assessing, planning and responding to growth needs, delivery of projects; modelling and planning for future issues including growth pressures and climate change.

Lifting Council performance

Outcome: Leadership and fostering partnerships.

Delivery includes: Enabling Participation in partnerships where there are multiple authorities e.g. the top of the south marine biosecurity partnership; forming strategic partnerships e.g. with the Department of Conservation and the Kotahitanga mo te Taiao Alliance; partnering with iwi to co-manage and deliver programmes e.g. Project Mahitahi; and leveraging Government funding to assist project delivery e.g. Jobs 4 Nature, MPI Hill Country erosion funding.

Housing affordability and intensification

Outcome: Supportive frameworks for housing supply and intensification.

Delivery includes: The planning framework of the Whakamahere Whakatū Nelson Plan; delivery of the Intensification Action Plan; delivery of the changes to the National Policy Statement on Urban Development; resource consents and building consents, **delivery of the housing reserve, and a work programme focussed on delivering affordable housing in collaboration with others.**

Key Focus Areas

The key focus areas for Environmental Management over the next three years are:

- Customer focused delivery of all services.
- Increased collaboration, and co-management, with key partners including iwi, Government, the regional sector/local government and the community.
- Effective delivery of Government legislation and regulation, in particular the suite of new National Policy Statements.
- Delivery of Council's second generation resource management plan Whakamahere Whakatū Nelson Plan.
- Collection, management, analysis and reporting of accurate, reliable and appropriate information/data to meet the needs of the community and regulatory requirements. This is crucial to respond to audit and Government monitoring and reporting requirements.
- Retain IANZ Accreditation for Building Control functions and increase the quality assurance and compliance aspects of the Building team.
- Effectively deliver Government funded programmes; and pursue opportunities to leverage additional funding.
- **Respond to and be proactive regarding climate change matters and initiatives.**
- Respond to new biosecurity incursions and emerging pests, including anticipating what changes there may be due to change in climate.
- Support actions to enable greater residential intensification through the delivery of an Intensification Action Plan.
- City centre programme delivery including city centre activation; completion of the City Centre Spatial Plan; review of the Development Contributions Policy.



2. The Purpose of the Plan

The purpose of the Environmental Management Activity Management Plan [EMAMP] is to provide strategic direction for the Environmental work/programmes of the Council to deliver on Nelson being a Smart Little City.

The EMAMP will respond to key themes and priorities, which will be referred to throughout the EMAMP. Without considering their order of importance these include:

- A population that is predicted to grow, albeit more slowly over the first three years.
- Partnering with iwi.
- Community engagement and customer service.
- Mitigating and adapting to the effects of climate change.
- Government legislation that impacts the delivery of environmental management activities.

The Environmental Management Activity provides the policy direction, implementation, monitoring and review of Nelson's natural and physical resources and the built environment. The Environmental Management Activity covers both regulatory and non-regulatory functions of NCC as a unitary authority. While the Environmental Management Activity has a leadership role, delivery of positive environmental outcomes is not solely achieved through this EMAMP. Other activity and asset management plans support the implementation of actions to achieve environmental outcomes e.g., all infrastructure, parks and reserves, property and facilities, and heritage AMPs.

Legislative Context

Local government is established and empowered by legislation. The powers vested in local government range from substantive discretion and autonomy through to delegated powers to implement regulation with little or no discretion.

The main laws that currently govern and empower the environmental management activity are set out in Attachment 2: Legislative Context.

Situational Context

There are many factors that affect the delivery of the EMAMP and its activities. These can include:

- Population and economic growth and demographic change.
- Meeting community expectations.
- Environmental changes such as natural hazards and climate change.
- Changes in legislation and planning documents.
- Changes in the environmental risk profile.



Roles and activities of the Environmental Management Activity

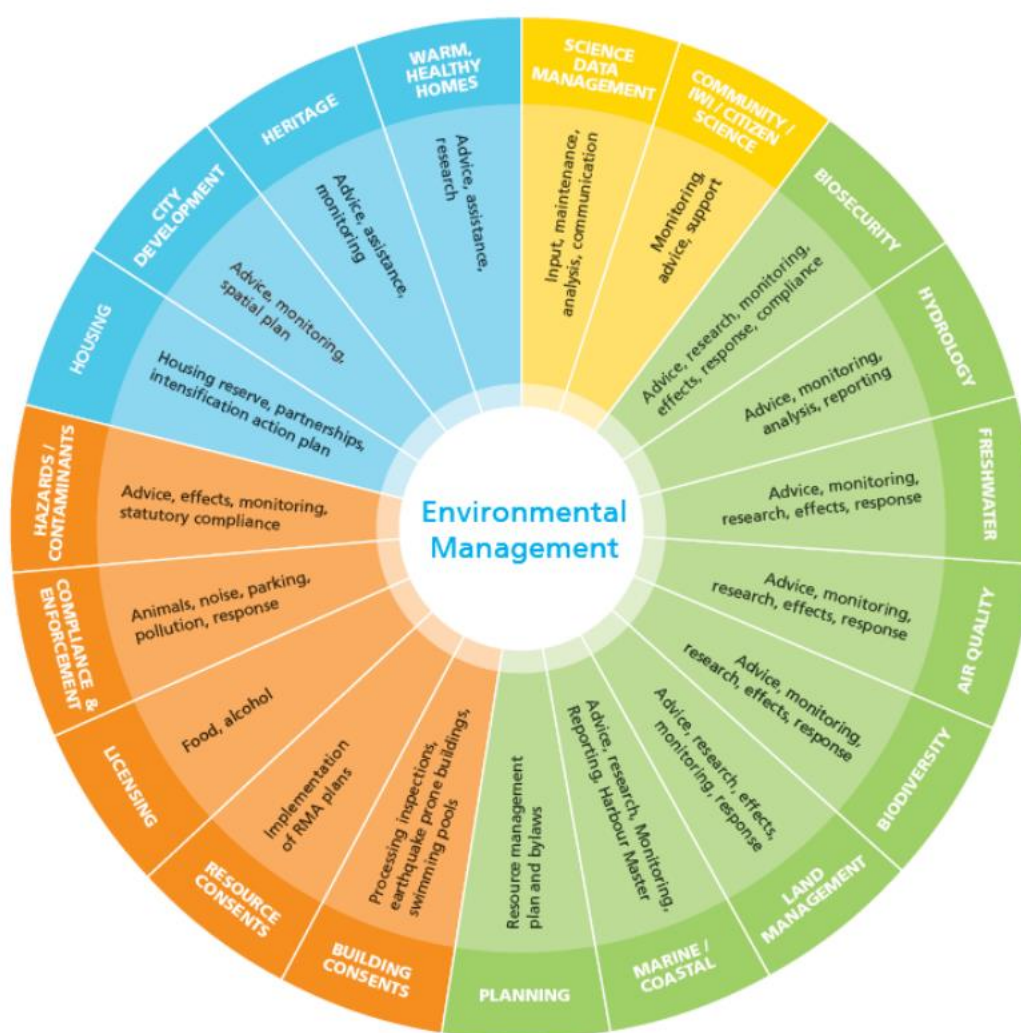
NCC is legislatively required to deliver both regional council and territorial authority functions. These functions require integration across the Council for our freshwater, coastal environment, land management, air quality, biodiversity, and biosecurity outcomes at the same time as providing quality built environments and enabling growth.

The Environmental Management Activity seeks to protect our environmental and community wellbeing into the future, whilst considering and incorporating social, cultural and economic outcomes. The activities are:

- Environmental Planning
- City Development
- Resource Consents
- Compliance and Enforcement
- Building Consents
- Science and Environment

Navigation safety is also part of this activity; a responsibility that has been transferred to Port Nelson Ltd and is managed through the appointment of a Harbourmaster and Deputy Harbourmasters. Council is responsible for the marine environment for 12 nautical miles out into Tasman Bay from Waimea Estuary in the south to Cape Soucis in the north.

The following diagram details the activities and deliverables. The diagram is a wheel to depict the inter-related nature of the activities, the relationship between regulatory and non-regulatory functions and the cycle of monitoring, analysis, reporting and review.



3. Assumptions

The most significant assumptions and uncertainties underlying the approach outlined in this EMAMP are:

- Population remains as per growth projections. However, projections must be carefully tracked to ensure that they remain a reliable indicator of likely future trends.
- Government regulation changes are not yet fully known. Assumptions have been made in the EMAMP but Government work programmes will need to be watched.
- Future budgets are based on a similar level of effort required to respond to the demands of this activity, but with growth and increasing contests over resource use, the outlook is for a slow increase in effort required over the ten year period.
- We understand the values held by our community.
- We understand the growing impacts of climate change, and rapid developments in understanding the science of adaptation and mitigation to maintain agile reactions.

4. Risk Management Profile

Risk management is an important part in the development and management of Council environmental management activities. It is difficult to fully eliminate all risk and there are four manners in which these can be managed:

Avoidance:

Where we make an assessment and due to the inherent risk involved avoid undertaking the project or task.

Reduction:

Where we know the risks associated with a task and improve planning and procedures to ensure the task is completed safely.

Transfer:

Where the risk is clear and we transfer the liability such as purchasing insurance in case of the risk occurring.

Acceptance:

Where we accept the risk as the reward outweighs the risk, such as providing a Pop-Up park for the community when some only see risk.



Item 8: Environmental Management Activity Management Plan - Mahere Taiao (2021-2031): Attachment 1

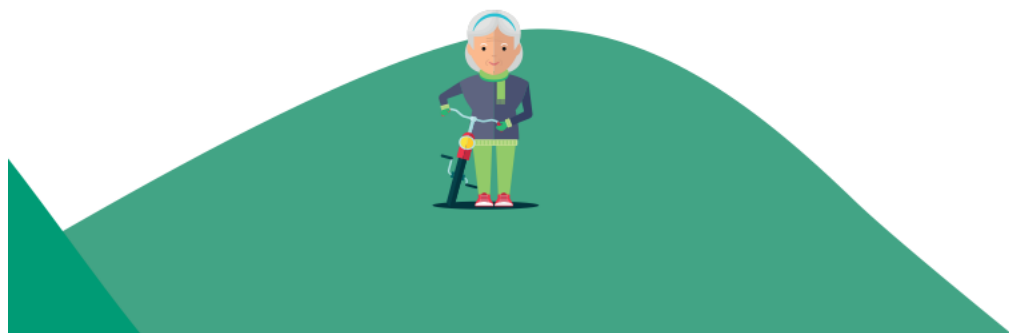
The high levels of risk in environmental management include:

- Extreme weather conditions, increasing erosion, flooding, natural disasters, rising sea levels, fires, due to climate change.
- New regulatory controls, such as new National Policy and Environmental Standards introduced by Government.
- Health and safety concerns for our staff, particularly from angry and disgruntled recipients of regulatory controls such as parking infringements.
- Loss of reputation due to a number of factors including: poor customer experiences and decision making.
- Uncertainty in the financial markets particularly due to COVID-19, this could cause significant reduction to revenue as the national and regional economies shrink.
- Growing international political and market unrest, again due to COVID-19, leading to increases in tariffs and regulatory controls which could contribute to a slowing of the Nelson economy which is highly reliant on international markets.
- Adverse media attention and coverage.
- Failure to identify risks and concerns.

Various tools are used by Council to mitigate these risks, including:

- Identifying the threats and hazards.
- Coordinating and planning activities related to the threats and hazards.
- Monitoring financial and economic data to plan for growing recessions and potential reduction in revenue.
- Assessing and analysing options and implications clearly for robust decision-making.
- Encouraging cooperation and joint action within the region and our neighbouring councils.
- Determining our communities needs through consultation and understanding.
- Examining and monitoring the risks and hazards within our region.
- Ensuring our staff are well trained in customer services and health and safety.
- Carrying out due diligence through thorough work practices and project management.
- Reviewing Government consultation documents and participating on working groups to ensure early notifications of potential regulatory changes.

Council will determine the likelihood and severity of risks by making a Council wide risk determination.



5. Strategic Direction

The Council's vision, mission, community outcomes and four key priorities set out in the Long Term Plan 2021-31 provide the context for the EMAMP. These are summarised below. As outlined in section 11 Environmental Management delivers across all eight community outcomes not just the outcome related to the natural, urban and rural environments.

Vision

Nelson is a Smart Little City: Whakatū Tōire

Mission

We leverage our resources to shape an exceptional place to live, work and play.

Community Outcomes

- Our unique natural environment is healthy and protected.
- Our urban and rural environments are people friendly, well planned and sustainably managed.
- Our infrastructure is efficient, cost effective and meets current and future needs.
- Our communities are healthy, safe, inclusive and resilient.
- Our communities have opportunities to celebrate and explore their heritage, identity and creativity.
- Our communities have access to a range of social, educational and recreational facilities and activities.
- Our Council provides leadership and fosters partnerships, a regional perspective, and community engagement.
- Our region is supported by an innovative and sustainable economy.

Four Key Council Priorities

- Infrastructure – Ko ngā Tūāpapa
- CBD Development – Whakahou Taone
- Lift Council Performance – Whakapikinga pukenga
- Environment – Ko te Taiao

The environment is one of the key priority areas to meet the Nelson community's aspirations. Environmental work implements the requirements of a wide range of legislative and policy directives. Feedback from the community demonstrates that water quality in streams, our beaches and in the marine environment, along with maintenance of natural habitats and ecosystems and air quality have strong support.

City Centre development is also one of the key priorities for Council and has a strong connection with delivery of the Environmental Management Activity and in particular through the City Development Team and also through the regulatory functions and the development of the Whakamahere Whakatū Nelson Plan.



6. Climate Change

In 2019, NCC declared a Climate Change emergency. In August 2020 Council adopted a net zero emission target by 2050 and is working on an Emissions Reduction Action Plan. Reducing greenhouse gas emissions helps reduce the effects of climate change, e.g. increased planting to stabilise coastlines and erodible hillsides also absorbs more of the greenhouse gas carbon dioxide.

The main greenhouse gas emissions generated from Environmental Management activities are predicted to be from the use of vehicles, electricity and travel. The NCC Greenhouse Gas Emissions Inventory Report for the 2017-18 business year shows that emissions from these sources are relatively small compared to the total emissions estimated for NCC operations. These types of emissions are also generated by all other NCC business units, so it is sensible that these emissions receive an organisation-wide mitigation response.

Environmental Management will contribute to NCC's mitigation and adaptation responses. These are outlined in detail in section 14.

7. Our Customers and Stakeholders

The Environmental Management Activity interacts on a daily basis with a significant number of customers and stakeholders. These interactions range from one on one customer service delivery such as counter enquiries for building and resource consents; interactions with key developers, businesses and landowners as part of City Development's work; to community meetings on complaints; discussing significant policy work with the community e.g. the Nelson Plan; partnering with iwi and agencies to deliver projects e.g. Project Mahitahi; and working with landowners and community groups eg predator trapping groups.

Environmental Management activities will be professional and courteous, working with people. Of course there are regulatory functions that may involve delivering difficult news but within all that the focus will be on working to find solutions. Building on improving customer service and delivery with stakeholders is a focus area for the Environmental Management activity.



8. Relationship with Iwi/Maori

Environmental Management has a partnership with Te Tau Ihu iwi through delivery of a number of aspects of the work programme. This partnership results in effective delivery for Whakatū Nelson. The work programme includes:

- The Whakamahere Whakatū Nelson Plan has been developed in partnership with an iwi working group. Iwi wrote some provisions and have been active in the development of all the Plan provisions. Council is grateful for iwi support and their energy and commitment in working on this critical piece of resource management policy.
- The Science and Environment Team has various working relationships and partnerships with Te Tau Ihu iwi ranging from iwi developing cultural monitoring indicators through to partnerships for delivery of the Maitai Ecological Restoration project which has received Government funding of \$3.7 million.
- The City Development team works with iwi through growth planning, the city centre spatial plan and is a member of the Te Tau Ihu Maori Housing Forum.
- Working on a framework with iwi for involvement in resource consent processes for private applicants.
- Involvement in the Kotahitanga mō te Taiao Alliance.
- Involvement in the Biodiversity Forum which has some iwi representation.
- Iwi involvement in resource consent processes, including provision of cultural impact assessments for significant Council projects and other consent applications.
- Giving effect to Iwi Management Plans.
- Recognising post settlement development opportunities.
- Protecting areas of significance to iwi.

9. Objectives for Environmental Management Activities

The following are the objectives for each activity:

Environmental Planning

Nelson's natural environments are protected and enhanced; built environments are well planned for current and future generations through smart resource management frameworks and sustainable development.

Resource Consents and Compliance

Natural resources are used wisely and activities are undertaken without causing public nuisance or risking health and safety.

Building Consents

Buildings and facilities pose no risk to public health and safety.

Science and Environment

Sufficient information is available to underpin environmental management decisions and emerging issues are documented, projects are delivered to support the protection and restoration of our natural environment, and opportunities for partnership and funding are acted on.

City Development

Nelson City Centre is an attractive, well built, resilient and walkable city and urban development occurs in the right place at the right time.



10. Key Linkages

The following flow diagram articulates the links between overarching policy and strategies and the work streams that deliver on the outcomes for the community.



11. Contribution to Community Outcomes

Community Outcomes	How the Environmental Management Activity contributes to achieving the outcome	Teams
Our unique natural environment is healthy and protected	<p>The Activity provides for implementation of resource management instruments such as the Resource Management Act (RMA), National Policy Statements (NPSs), and National Environmental Standards (NESs). The Activity also provides for the implementation of other legislation aimed at managing the natural environment e.g. the Biosecurity Act.</p> <p>Implementation is achieved through a variety of means including:</p> <ul style="list-style-type: none"> a) Managing resource consent conditions for activities which use natural resources. b) Developing a resource management planning framework to protect the natural environment. c) Advocacy and supporting programmes for environmental protection and enhancement. d) Monitoring of the natural environment and reporting of information on the state and trend of natural resources. <p>The Nelson Regional Policy Statement, Nelson Resource Management Plan and Nelson Air Quality Plan are being reviewed and combined into a single planning document - The Whakamahere Whakatū Nelson Plan. Once notified, this will set out an updated framework for managing Nelson's natural and physical resources.</p>	<p>Environmental Planning</p> <p>City Development</p> <p>Resource Consents</p> <p>Compliance</p> <p>Building</p> <p>Science and Environment</p>
Our urban and rural environments are people friendly, well-planned and sustainably managed	<p>The Environmental Management Activity contributes to the achievement of this Outcome through:</p> <ul style="list-style-type: none"> • Undertaking planning to achieve an attractive, well-built, safe, resilient and walkable city for people of all ages and abilities. • Providing guidance on urban design outcomes. • Protecting unique built and natural sites and systems. • Supporting the community to make environmentally sustainable choices. • Ensuring sustainable management of land in the rural community through land management programmes. • Assessing, planning for and responding to growth needs. • Sustainable management of areas susceptible to earthquake prone building matters. • Ensuring growth related infrastructure expenditure is paid for by those that create the need. 	<p>Environmental Planning</p> <p>City Development</p> <p>Resource Consents</p> <p>Compliance</p> <p>Building</p> <p>Science and Environment</p>
Our infrastructure is efficient, cost effective and meets current and future needs	<p>The Environmental Management Activity contributes to this Outcome by:</p> <ul style="list-style-type: none"> • Co-ordinating implementation of the NCC's growth and infrastructure planning. • Programming growth to areas where infrastructure efficiencies can be made. • Available funding mechanisms are utilised. • Building infrastructure that meets the needs of those within it and complies with the Building Act. • Reducing the carbon footprint of infrastructure and urban development. • Increasing the resilience of infrastructure (including natural infrastructure such as wetlands) to the impacts of climate change. • Complying with regulatory requirements for infrastructure e.g. discharges to meet community needs. • Ensuring growth related infrastructure expenditure is paid for by those that create the need. 	<p>Environmental Planning</p> <p>City Development</p> <p>Resource Consents</p> <p>Compliance</p> <p>Building</p> <p>Science and Environment</p>
Our communities are healthy, safe, inclusive and resilient	<p>The Environmental Management Activity achieves this Outcome by:</p> <ul style="list-style-type: none"> • Providing a high standard of statutory compliance for the built and natural environments. • Providing a healthy and safe built environment. • Providing data and information on natural hazards so communities understand the risks and can make informed decisions in response. • Providing information to support communities to manage the impact of climate change, specifically adaptation to impacts. 	<p>Environmental Planning</p> <p>City Development</p> <p>Resource Consents</p> <p>Building</p> <p>Science and Environment</p>

Contribution to Community Outcomes		
Community Outcomes	How the Environmental Management Activity contributes to achieving the outcome	Teams
Our communities have opportunities to celebrate and explore their heritage, identity and creativity	The Environmental Management Activity provides for this Outcome by ensuring protection, retention and promotion of Nelson's heritage sites and resources.	Environmental Planning City Development Science and Environment
Our communities have access to a range of social, educational and recreational facilities and activities	The Environmental Management Activity provides for this Outcome by using sound planning, regulatory processes that include iwi and communities to ensure that the environment is suitable for a range of range of activities on land and water in relation to air.	Environmental Planning City Development Resource Consents Building
Our Council provides leadership and fosters partnerships, a regional perspective, and community engagement	<p>The Environmental Management Activity contributes to this Outcome by:</p> <ul style="list-style-type: none">Establishing partnerships where multiple local authorities can achieve more than NCC alone, e.g, growth planning, pest management and biosecurity management;Forging strategic partnerships to achieve even greater gains for Nelson's Environment, e.g., with the Department of Conservation and private philanthropists.Partnering with iwi to achieve greater outcomes within the development delivery.	Environmental Planning City Development Science and Environment
Our region is supported by an innovative and sustainable economy	The Environmental Management Activity provides for this Outcome by promoting a helpful and business-friendly approach to building, regulatory and planning activities while promoting environmental management best practice.	Environmental Planning City Development Resource Consents Building Science and Environment

12. Achieving our Outcomes

An objective of the EMAMP is to match what we do in providing a service, as required by law, with the expectations of the community and their willingness to pay for the service. Activity management planning requires a clear understanding of what we do, why we do it and the levels of service delivered. The levels of service are intended:

- To inform people of the proposed type and levels of service offered. (now and in the future)
- To focus our work required to deliver the agreed levels of service.
- To enable people to assess suitability, affordability and equity of the services offered.
- There are many factors to be considered when deciding what level of service the Council will aim to provide. These include:
 - Needing to understand and meet the needs and expectations of the community
 - Meeting Council's statutory obligations
 - Operating within Council policy and objectives
 - Needing to be able to fund the level of service provided

To this end levels of service have been designed to align with statutory requirements, community feedback, Council strategies, responding to environmental issues, and measuring effectively and efficiently the achievement of the EMAMP outcomes. Levels of service are detailed in section 16.



13. Key Issues

There are various issues, challenges, opportunities and priorities that affect the Environmental Management Activity. The key issues are outlined below.

Key Issues

Many of the key issues for the Environmental Management Activity are directly related to the United Nations Sustainable Development Goals and this is depicted in the diagram that follows. The Environmental Management Activity delivery is outlined below each goal.

Environmental Management's contribution to Sustainable Development Goals

	END HUNGER, ACHIEVE FOOD SECURITY AND IMPROVED NUTRITION AND PROMOTE SUSTAINABLE AGRICULTURE <ul style="list-style-type: none">• Soil health• Access to safe water for recreation and food gathering• Provisioning ecosystem services• Biodiversity• Productive land
	ENSURE AVAILABILITY AND SUSTAINABLE MANAGEMENT OF WATER AND SANITATION FOR ALL <ul style="list-style-type: none">• Water quality and quantity• Access to safe water for recreation and food gathering• Water stress• Regulate waste flows into waterways and coastal marine environments

<p>7 AFFORDABLE AND CLEAN ENERGY</p> 	<p>ENSURE ACCESS TO AFFORDABLE, RELIABLE, SUSTAINABLE AND MODERN ENERGY FOR ALL</p> <ul style="list-style-type: none"> • Warmer Healthy Homes • Energy resources and consumption • Renewable energy • EnviroSchools
<p>11 SUSTAINABLE CITIES AND COMMUNITIES</p> 	<p>MAKE CITIES AND HUMAN SETTLEMENTS INCLUSIVE, SAFE, RESILIENT AND SUSTAINABLE</p> <ul style="list-style-type: none"> • Housing and housing quality • Urban development • Active transport • Urban biodiversity • Levels of pollutants Heritage assets
<p>13 CLIMATE ACTION</p> 	<p>TAKE URGENT ACTION TO COMBAT CLIMATE CHANGE AND ITS IMPACTS</p> <ul style="list-style-type: none"> • Declared Climate emergency • Net zero emissions target • Emissions Reduction Action Plan • Planting to stabilise coastlines and erodible hillsides • Eco-design advice services
<p>14 LIFE BELOW WATER</p> 	<p>CONSERVE AND SUSTAINABLY USE THE OCEANS, SEA AND MARINE RESOURCES FOR SUSTAINABLE DEVELOPMENT</p> <ul style="list-style-type: none"> • Regulating ecosystem services • Biodiversity-native species • Ecological integrity • Quality of water resources
<p>15 LIFE ON LAND</p> 	<p>PROTECT, RESTORE AND PROMOTE SUSTAINABLE USE OF TERRESTRIAL ECOSYSTEMS, SUSTAINABLY MANAGE FORESTS, COMBAT DESERTIFICATION, AND HALT AND REVERSE LAND DEGRADATION AND HALT BIODIVERSITY LOSS</p> <ul style="list-style-type: none"> • Regulate waste flows into waterways and coastal marine environment • Biodiversity- native species • Efficiency of land use • Regulating ecosystems
<p>17 PARTNERSHIPS FOR THE GOALS</p> 	<p>STRENGTHEN THE MEANS OF IMPLEMENTATION AND REVITALIZE THE GLOBAL PARTNERSHIP FOR SUSTAINABLE DEVELOPMENT</p> <ul style="list-style-type: none"> • Kotahitanga mō te taiao alliance • Central Government agencies • Neighbouring councils • Te tau ihu iwi • Residents, landowners and developers • Regional sector • Professional and community groups • Organisations e.g. Uniquely Nelson

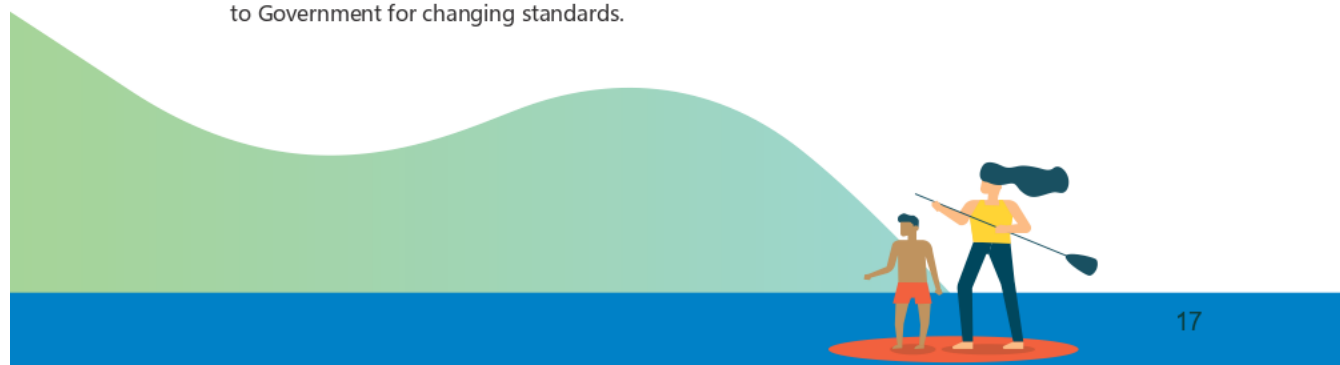
Item 8: Environmental Management Activity Management Plan - Mahere Taiao (2021-2031): Attachment 1

The particular issues that fall out of the goals for the EMAMP and are beyond business as usual include:

- Ensuring NCC has an enduring delivery of land management functions once the Ministry of Primary Industries funding ends in June 2023. *(Funding included in the LTP)*
- Providing for changes the Government proposes in the biodiversity space e.g. the NPS Indigenous Biodiversity. The significant change to current work programmes will be the need to develop and implement a biodiversity monitoring framework. *(Partial funding included in the LTP)*
- Providing for the National Policy Statement Freshwater requirements to map and monitor wetlands in the region. *(Partial funding included in the LTP)*
- Changes to the National Policy Statement Freshwater requiring Freshwater Panels for hearing Plan submissions, changes to frequency, types and methods of freshwater quality and quantity monitoring and management, stock exclusion, real time reporting of data, and monitoring of rule implementation and consent conditions. *(Partial funding included in the LTP)*
- Climate change actions particularly for planning for adaptation and ensuring ecosystems can adapt; including increasing likelihood of new biosecurity incursions and emerging risks as the climate changes. *(Partial funding included in the LTP)*
- Warmer healthier homes and eco-advice services are increasing in demand and need to continue to be serviced. *(Funding included in the LTP)*
- Potential changes to the National Environmental Standard for Air Quality requiring changes to monitoring equipment and reporting and standards that are set in the Nelson Plan. *(Partial funding included in the LTP)*
- Changes to the National Policy Statement on Urban Development requiring strategies and plans for growth, housing and urban form and increased monitoring and feasibility analysis. *(Partial funding included in the LTP)*
- Potential legislative changes to the Resource Management Act requiring spatial planning for the Region and the delivery of services for resource consents adapting to legislative change. *(Not yet funded as extent not yet known)*
- Quality assurance and compliance in the Building area to ensure a quality built environment. *(Funding included in the LTP)*

Sustainable development

Sustainable development of the built environment includes: how building materials are reused; Carbon emission reduction; Orientation of buildings for positive solar gain; Green star ratings for buildings; Biodiversity gains within the city; solar energy; and Adopting Climate Change solutions to things like increased drought e.g. water tanks. These issues will be responded to through work programmes such as the Whakamahere Whakatū Nelson Plan, Eco-Design advice service as well as advocacy to Government for changing standards.



14. Challenges and Opportunities

Challenges are truly opportunities and are interchangeable. Opportunities come out of challenges and allow us to grow.

The Government has either recently completed or is planning a number of new National Policy Statements (NPS) and National Environmental Standards (NES) and amendments to the Resource Management Act (RMA) that will require implementation by NCC. Existing National Policy Statements and National Environmental Standards are also subject to ongoing review and resulting amendments may require changes to current implementation by NCC.

The following legislation and standards are expected to have an impact for NCC during the term of this EMAMP:

- Reform of the RMA (Phase 2);
- Updated NPS for Freshwater Management;
- Updated NES for Freshwater;
- New NES for Wastewater Discharges and Overflows;
- Various RMA regulations;
- New NPS for Indigenous Biodiversity;
- New NPS on Urban Development;
- New NPS for Highly Productive Land;
- New NES for Marine Aquaculture;
- Amended NES for Sources of Drinking Water;
- Amended NES for Air Quality;
- Amended NPS for Electricity Transmission Activities; and
- Proposed NES for the Outdoor Storage of Tyres.

At this time officers are only at the beginning of understanding the wide ranging implications of these changes. The following synopsis is intended to provide the key challenges and opportunities, as we see them at this time, for the more significant changes.

The challenge is how implementation can be achieved in the most cost-effective manner while achieving the intended outcomes. Consideration has been given to some of the above provisions in relation to additional cost.

Implementation of Freshwater Changes (including stock exclusion)	
Issue	Comment
Iwi management	<p>Te Tau Ihu Iwi - freshwater management frameworks under Te Mana o te Wai provisions of the NPS for Freshwater. The nature and extent of the management frameworks need to be established in partnership with Iwi to ensure the mana of freshwater is placed at the top of the hierarchy to achieve Te Mana o te Wai (NPS-FW) for Whakatū Nelson.</p> <p>The costs of this have not been included in the LTP as they are not known.</p>
Implementation through resource management plans	<p>Ensure the embedding of all NPS Freshwater Requirements and Te Mana o Te Wai. Limit setting.</p> <p>This work has been anticipated, in part, due to changes required to the Whakamahere Whakatū Nelson Plan for Te Mana o Te Wai.</p>

Item 8: Environmental Management Activity Management Plan - Mahere Taiao (2021-2031):
Attachment 1

Implementation of Freshwater Changes (including stock exclusion)	
Issue	Comment
State of environment reporting, data requirements and monitoring standards	<p>Changes to national state of environment reporting framework and regional data will be an ongoing challenge. Similarly, the implementation of the National Environmental Monitoring Standards to support nationally consistent methods for environmental monitoring and data collection including real time data collection.</p> <p>Develop a comprehensive freshwater accounting and reporting system, including a single overall score for ecosystem health for each freshwater management unit to meet the requirements of the NPS-FW.</p> <p>Estimated budgets for this are included in the LTP.</p> <p>Developing a standard process for resource consent consultation with iwi across all three Te Taihū Councils.</p> <p>These costs are unknown and have not been included in the LTP.</p>
Stock exclusion	<p>The provisions can be included in the Nelson Plan. The monitoring and enforcing of these requirements will necessitate additional work. Partial budget has been included in the LTP.</p>
Farm planning	<p>The annual auditing requirements will require dedicated personnel.</p> <p>Budget is included in the LTP.</p>
Wetland management	<p>There are new requirements to identify, map and monitor wetlands over time. This will require working closely with landowners and development of new data capture systems.</p> <p>Additional budget for this has been included in the LTP budgets.</p>
Reform of the Resource Management Act	
Issue	Comment
Potential for separate legislation covering natural and physical environments and spatial strategies/ planning	<p>Could require the formation of regional partnerships, joint committee with iwi, quasi autonomous committees for the spatial plan, changes to the way consenting is managed, changes to the way a Plan is framed, and/or new plans under separate pieces of legislation.</p> <p>These are significant changes in the way resource management business is transacted. These changes will have a significant impact on the delivery of the Whakamahere Whakatū Nelson Plan.</p> <p>These costs are unknown and have not been included in the LTP.</p>

Item 8: Environmental Management Activity Management Plan - Mahere Taiao (2021-2031):
Attachment 1

National Policy Statement on Urban Development	
Issue	Comment
Provisions requiring planning for growth	<p>The Nelson Plan has anticipated this by providing for intensification and zoning. Further work is required for parking and housing bottom lines.</p> <p>Planning with Tasman District Council for growth across urban areas is progressing.</p> <p>Developing, monitoring and maintaining an evidence base for demand and supply and pricing is required.</p> <p>These costs are unknown and have not been included in the LTP.</p>
Amended NES for Air Quality	
Issue	Comment
Replacing PM10 with PM2.5	<p>Will require changes to the air monitors and the frequency of monitoring.</p> <p>Funding for AQ monitor renewals are included in the LTP.</p>
NES for Marine Aquaculture	
Issue	Comment
Provision for marine aquaculture	<p>Will involve consenting requirements if marine aquaculture activities are proposed in Tasman Bay.</p> <p>The Whakamahere Whakatū Nelson Plan has proposed a regulatory framework for marine aquaculture that will be reviewed prior to finalisation to ensure the Whakamahere Whakatū Nelson Plan is not inconsistent with the NES for marine aquaculture. Budget is included in the LTP.</p>
NPS for Indigenous Biodiversity	
Issue	Comment
A new NPS requiring effective management of biodiversity	<p>Being anticipated for inclusion in the Nelson Plan.</p> <p>Will require development and implementation of a new biodiversity monitoring framework and ongoing programme.</p> <p>Estimated budgets for this are included in the LTP.</p>

Resource management planning

The RMA requires NCC to ensure its resource management plans are kept up to date and reviewed every ten years. NCC resource management plans are due or overdue for review.

The review process has resulted in the development of a single document bringing all the current plans into one called the Whakamahere Whakatū Nelson Plan. The Whakamahere Whakatū Nelson Plan will provide an updated planning framework for managing the natural and built environments and play a major role in enabling progress toward NCC's "Smart Little City" vision and many Community Outcomes.

This is a complex document requiring delivery of various national instruments, iwi partnership and community consultation. The Proposed Plan also needs to comply with National Planning Standards (templates) including the requirements for electronic accessibility.

The formal plan change process will require significant resourcing especially during the hearing of submissions and appeals. The indicative timetable shows that the planning process will run through to 2028 when the process is expected to be completed by making the Whakamahere Whakatū Nelson Plan operative. There will need to be changes to the NRMP to give effect to some of the NPS Urban Development requirements.



The challenge for the Council is progressing the Plan through the Formal RMA planning process as efficiently as possible, while meeting statutory timeframe obligations including those under the NPS for Freshwater and NPS on Urban Development. **The Resource Management Reform process has added considerable uncertainty to the delivery of the Whakamahere Whakatū Nelson Plan. The development and finalisation of the Whakamahere Whakatū Nelson Plan remains however a key priority for Council.**

Addressing Climate Change

The Environmental Management Activity contributes to NCC's mitigation response by:

- Reducing fuel use by using electric vehicles and alternative modes of transport when practicable; and
- Using energy efficient ways of working, especially in terms of electricity usage when practicable.

The Environmental Management Activity has a bigger role in helping the Nelson region achieve reductions in greenhouse gas emissions and helping the community respond proactively to the predicted adverse effects of climate change.

This means continuing and where appropriate expanding the following programmes:

- Ensuring development of the Whakamahere Whakatū Nelson Plan provides for climate change mitigation and adaptation;
- Working with the community to better understand and plan for future hazards related to climate change and sea level rise, such as river flooding, coastal erosion and coastal inundation (flooding) applying the Adaptive Pathways approach recommended by the Ministry for the Environment;

Item 8: Environmental Management Activity Management Plan - Mahere Taiao (2021-2031): Attachment 1

- Working with landowners to manage their land sustainably, minimise carbon emissions and plan for climate change impacts (eg drought);
- Ensuring implementation of the City Development Programme and Nelson Tasman Future Development Strategy is underpinned by good data and are consistent with NCC's climate change policy;
- Enabling teachers and learners to educate and prepare for the future by participating in the Enviroschools programme;
- Protecting and building resilience of our natural environment and biodiversity through Nelson Nature, Healthy Streams and Sustainable Land Management programmes;
- Planning and responding to biosecurity incursions including anticipating what changes there may be with climate change impacts;
- Delivering large scale native planting and biodiversity restoration projects;
- Responding to national directions on climate change;
- Providing Eco Design advice to residents to help reduce energy usage; and
- Achieving City Centre activities to address climate change including urban greening initiatives.

Marine and coastal environments programme

There is a need to continue NCC's greater focus on the marine and coastal environments it has responsibility for.

The marine and coastal environments have high significance for Whakatū-Nelson. The eight iwi of Te Tau Ihu have Statutory Acknowledgements over the coastal marine area which provide recognition of their cultural, spiritual, historical and traditional association with the coastal and marine environments. It forms a fundamental part of people's lives and experience of Nelson. Port Nelson, fishing, tourism and aquaculture activities make a significant contribution to the regional economy and it is widely used by locals and visitors for enjoyment and recreation.

The work programme seeks to address a number of issues related to the marine and coastal environment including sea level rise, coastal erosion, marine biosecurity, Tasman Bay water quality and biodiversity, and estuarine health. NCC also needs to respond to national and regional initiatives in the coastal and marine areas such as the Sustainable Seas National Science Challenge. A comprehensive estuarine monitoring programme has been developed since the 2018 AMP, and a marine state of the environment monitoring programme is currently under development to provide better information to inform future marine management.

A recent clarification of the roles of the RMA and Fisheries Act also supports a greater focus on the coastal and marine area (Court of Appeal – Motiti Decision). Although previously considered a Fisheries Act matter, the decision provides a pathway for protection of marine environments under the RMA that includes controlling fishing if necessary. Information from an enhanced monitoring programme will place NCC in a good position to evaluate this in the future. Development to provide better information to inform future marine management.

The multidisciplinary nature of the work programme requires a collaborative approach, e.g. to minimise the risk of invasive marine species impacting on the Tasman Bay ecosystem and productivity, NCC must work collaboratively through the Top of the South Marine Biosecurity Partnership and other biosecurity agencies. This includes working with the Tasman Environmental Trust on Blue Carbon. This AMP identifies the resources required for ongoing implementation of these programmes.

Maximising return on environmental monitoring investment

NCC has developed an effective environmental monitoring programme, and has a raft of data that is potentially able to be utilised and reported on e.g. consent data to assist understanding for growth on housing.

Maximising the return on NCC's environmental monitoring investment is identified as a challenge. This AMP identifies the resources required to make steady progress on resolving this issue.

The data on its own is a valuable resource. NCC reports data for 34 water quality sites, 11 swim spot sites, four river flow sites, three rainfall stations and four air quality monitoring sites on the public-facing national environmental monitoring LAWA database. However, to make full use of the data it needs to be turned into information. In its simplest form, understanding the reason for data trends is necessary for identifying and evaluating options for future management.

The success of our data collection programme is outpacing our capacity to turn this data into the kind of information required for its many applications. As technology advances there is an increasing volume of data being stored in databases that require quality control and analysis, and in some cases we do not have the right data systems or skills for collection and reporting. Responding to this challenge is therefore a priority and the shortfall is addressed through the LTP by identifying the additional resources required.

Collaboration with key regional partners including Delivery of Government Funded Projects

Many environmental issues do not recognise regional boundaries, and require regional collaboration to address them. Examples include our combined Nelson-Tasman approach to biosecurity, and our participation in the Kotahitanga mō te Taiao Alliance, which aims to deliver landscape scale biodiversity restoration. This approach of working collaboratively with our treaty partners and other regional partners is something that will increasingly need to be adopted for the delivery of our work programmes.

A recent new partnership trend is the government funding of large environmental projects, particularly for the delivery of economic stimulus through 'Jobs for Nature'. Although much of the cost of delivering these projects is recoverable through the funding, the oversight of project delivery increases workload across Council. The \$3.7m Jobs 4 Nature Project Mahitahi funding over the next four years, and other economic stimulus projects, will require careful management to achieve successful delivery of the programme.

There are likely to be other opportunities to work collaboratively and leverage external funding for environmental projects over the life of the AMP. It is important that the Environmental Management Activity is resourced to be able to participate in collaborative projects, and access and manage external funding to bring both environmental and economic benefits to the region. Funding has been included in the LTP.



Healthy Streams Programme

Healthy Streams is NCC's long-term freshwater improvement programme. It provides a platform to pull together, align and support freshwater monitoring and science, Council projects, and community initiatives seeking to enhance Nelson's freshwater resources.

The programme began with the successful Project Maitai/Mahitahi in 2014-2018, and has now been expanded to include all Nelson catchments in a staged approach. The scope of the programme has also been widened to include all freshwater monitoring and science, as well as freshwater projects and on-going community education. **Utilising \$30,000 to develop a cultural health monitoring programme lead by iwi to bring Mātauranga Māori knowledge into state of the environment science.**

This AMP identifies the ongoing operating and capital budget resources required to support Healthy Streams projects focused on improving stream health in both rural and urban areas, to make further progress toward programme outcomes and deliver to the requirements of the National Policy Statement for Freshwater.

Nelson Nature Programme

Nelson Nature is NCC's long-term programme for the protection, restoration and enhancement of native ecosystems and species, and sustainable management of land. A key success factor for the programme is partnerships with collaborative groups such as the Nelson Biodiversity Forum; government agencies and other councils; private landowners; and the many local enthusiasts who already work tirelessly and passionately carrying out weed control and trapping pests.

The programme is aligned with the Nelson Biodiversity Strategy, the New Zealand Biodiversity Strategy, the Kotahitanga mō te Taiao Alliance Strategy, and the Tasman-Nelson Regional Pest Management Plan. Deliverables include running an Environmental Grants scheme, offering support for pest plant and animal control, providing advice and support for management of significant natural areas and coastal margins, development of bio-corridors, identification of threatened species, and habitat restoration. The Nelson Nature programme scope has recently been widened to include the biosecurity and land management programmes alongside biodiversity management.

The Ministry for the Environment have advised that the NPS for Indigenous Biodiversity will likely be finalised in 2021. Although the Nelson Nature Programme is likely to be compatible with it, there are expected to be requirements beyond the current programme, such as the development and implementation of a state of the environment biodiversity monitoring framework. Similarly to the NPS for Freshwater, it is expected that implementation of this NPS will need additional resources.

It should also be noted that the Nelson Nature programme was originally funded for 10 years through till 2025. However with the development of the NPS for Biodiversity, Council will have additional statutory requirements for biodiversity management, and therefore funding for Nelson Nature is likely to be needed beyond 2025 to meet these requirements.



Biosecurity

The Tasman Nelson Regional Pest Management Plan (2019-29) [TNRPMP] review was finalised in 2019. The priority is to ensure successful implementation of the Plan and its associated operational plan. This AMP identifies the resourcing required to fulfil NCC's implementation obligations.

The AMP also identifies resourcing requirements for the development of a biosecurity strategy to guide management of pests not covered by the TNRPMP. In particular, additional resource is needed for the response to new incursions by emerging pests such as myrtle rust, mycoplasma bovis, water celery, Lindavia (lake snow) and Vietnamese parsley. The incidence of new pests and new incursions, including marine pests, is likely to increase as the climate changes and becomes more suitable for species not usually found here.

Finally, Government is overhauling the Biosecurity Act 1993. NCC will need to respond to consultation opportunities as this progresses and fulfil any new obligations once amendments to the Biosecurity Act 1993 are finalised.

Housing and Urban development

NCC has resolved to make the intensification and affordability of housing one of three key focus areas for the triennium 2019-22. Housing intensification is a key response identified in the Nelson Tasman Future Development Strategy which forms part of the City Development work programme. **In addition, working with others to deliver housing is critical. Council has supported a role dedicated to delivering housing as well as delivery of a \$12 million enduring housing reserve.**

Nelson's population is projected to grow to approximately 54,520 people by 2028. The Nelson Tasman Future Development Strategy (FDS) identified that more intensive residential development will be necessary if we are to accommodate the projected 8,000 additional households in the combined Nelson-Richmond area by 2048.

Intensification occurs when an existing building, site or area within the existing urban area is developed or redeveloped at a density higher than that which currently exists. To achieve this:

- Appropriate supporting and enabling rules and policies need to be provided and this in part is being delivered through the Whakamahere Whakatū Nelson Plan;
- Planning and provision in Long Term Plans for necessary infrastructure to ensure sufficient capacity is available for intensification; and
- Appropriate use of funding tools to support implementation of NCC's intensification objectives, e.g., development contributions and private developer agreements.

Note: There is a timing issue in terms of the NPS Urban Development meaning capacity requirements may not be met **and intensification needs to occur in conjunction with greenfield development if housing needs are to be met.**

An Intensification Action Plan that gives effect to Nelson's growth actions from the Nelson Tasman Future Development Strategy has been adopted. This provides the foundation for Council's intensification growth action focus. This work includes encouraging an increase in housing supply within existing neighbourhoods which are suitable for residential intensification and the integrated, smart development and infrastructure planning needed to achieve it.



City Centre Programme Plan

Development of the Nelson City Centre is one of the four priorities for NCC identified in its Long Term Plan. The City Centre Programme Plan (the CCPP) sets the strategy to achieve a step-change in the Nelson City Centre environment.

The CCPP approach is people-focused, aiming to create a social hub where people 'linger longer'. Growing residential occupancy is identified as key to revitalising the City Centre. The CCPP also seeks to create a successful regional heart, attracting high-quality development reflecting the goals of a Smart Little City. The outcome will be a memorable place that draws talent, offers great hospitality and celebrates events and activation, connected to and enveloped by stunning natural landscapes.

The CCPP includes a Spatial Plan for the City Centre area. **The Te Ara o Whakatu** Spatial Plan will deal with a range of opportunities to develop and activate the city centre and, in conjunction with the Six Key Moves identified in the CCPP, will form the city centre programme of work into the future. The Spatial Plan is given effect in planning of specific projects to ensure they are consistent with CCPP outcomes.

The Spatial Plan, developed in 2020-21, will be implemented during the life of this AMP.

Meeting community expectations (customer focus)

Enhancing NCC's reputation in a climate of increasing community customer experience expectation is both a challenge and an opportunity. There is an expectation of a high level of communication, consultation and online access to services such as resource consents, building consents and planning documents.

Most environmental issues are consistently perceived by residents as of high importance, but there is room for improvement in satisfaction with NCC's environmental management performance. There are also ongoing expectations that Council will provide resources to support eco advice, and environmental grants to enable the public good derived from these initiatives.

Much of the Environmental Management Activity is demand driven and carried out within a regulatory framework and the service may involve unwelcome messages about restrictions, time delays or costs. The challenge is to make the interaction as stress-free as possible while maintaining process integrity and statutory timeframes.

Recruitment and retention of staff, particularly senior or experienced staff, is a challenge. Additional staff are being recruited as appropriate to make workloads manageable, enhance relations with iwi, reduce the reliance on consultants, and meet the service expectations of our customers.

Ongoing evaluation and provision of customer-friendly information systems and financial support for non-regulatory programmes is required to meet the changing service expectations of the community. Improving the customer experience is a priority for the next three years. Actions provided for in this AMP are:

- Building staff member capability to enhance the customer experience;
- Introduction of dedicated in-house staff point of contact for key customers;
- Improved co-ordination between teams to achieve a smoother service delivery;
- Review of guides, procedures and templates;
- Evaluation of enhancing the current resource consents management software or obtain alternative software to provide the best support tool for staff and customers;
- Retention of IANZ accreditation for building control functions to meet customer requirements; and
- Maintenance of statutory timeframe compliance for building and resource consents.



Integration across Teams at Nelson City Council (NCC)

Implementation of NCC's other asset and activity management plans has a significant impact on the achievement of environmental goals. Integration between the environmental management programmes such as planning, consents and monitoring is good. Integration across other activities has also improved with inclusion of environmental outcomes and related levels of service that sit alongside asset management outcomes.

Further progress can be made and integration of environmental outcomes across NCC will continue under this EMAMP.

NCC's role to ensure that sufficient urban development capacity in the form of zoned, serviced and planned to be serviced land for residential and business activities in accordance with the NPS Urban Development requires a coordinated approach across AMPs.

15. Key Activities and Work Programme

Environmental Planning

Environmental Planning contributes to the Environmental Management Activity by providing policy development, policy review and policy advice for NCC and its community. The primary role is policy implementation of the Resource Management Act 1991 [RMA].

The outputs shape resource management, natural and physical resources including city form into the future.

The key NCC RMA documents currently in force are the:

- Nelson Regional Policy Statement [RPS];
- Nelson Resource Management Plan [NRMP]; and
- Nelson Air Quality Plan [NAQP]

The RPS, NRMP and NAQP set out the issues, objectives, policies, methods (including rules) and anticipated environmental results for management of the Region's natural and physical resources. NCC has a duty under the RMA to review its policies and plans at no more than 10-year intervals.

The NRMP is being reviewed and combined into a single planning document. This Plan will be notified as the Proposed Whakamahere Whakatū Nelson Plan.

Bylaws that sit within the Environmental Management Activity are reviewed in line with statutory requirements. Current Bylaws include: Urban Environment Bylaw, City Amenity Bylaw and Dog Control Bylaw

These Bylaws are required to be reviewed regularly.



Item 8: Environmental Management Activity Management Plan - Mahere Taiao (2021-2031): Attachment 1

Environmental Planning		
What we do	Why we do it	Framework
Lead role in regional and district resource management planning processes for Nelson	Establishing, monitoring and reviewing the framework for sustainable management of Nelson's natural and physical resources	RMA
Responding to and implementing national resource management instruments, e.g. National Policy Statements (NPS) and National Environmental Standards (NES)	NPSs and NESs are promulgated by Government to provide sustainable management of resources across NCC must evaluate how these apply locally, and then, as necessary, give effect to the national directions	RMA
Development and review of Environmental Bylaws	Bylaws are developed and adopted by NCC to address issues related to public health and safety, nuisance, and environmental amenity issues	Various Acts and Regulations
Provide Planning/and Environmental Strategic advice	To enable the community to understand NCC's resource management framework and make informed decisions	Plans and priority direction

City Development

Council's City Development work implements the National Policy Statement on Urban Development, the City Centre Programme Plan and the Development Contributions Policy. This activity focuses on ensuring there is an adequate supply of residential and business land; city centre development and opportunities for reinvigoration; and facilitates the relationships between developers and the Council to leverage better development outcomes.

City Development manages, implements and reports on:

- The City Centre Programme Plan;
- The NPS on Urban Development;
- The Intensification Action Plan;
- The Development Contributions Policy;
- Population Projections;
- The Nelson Tasman Future Development Strategy.

Note: Council's role under The Housing Accord and Special Housing Areas Act 2013 will cease when it is repealed on 16 September 2021.

Council works closely with Tasman District Council, developers, land and business owners, infrastructure providers, and the wider community to monitor and propose means of ensuring there is adequate supply of feasible residential and business land. It also works closely with City Centre developers, landowners, retail, and hospitality providers in partnership with the Nelson Regional Development Agency and Uniquely Nelson to ensure a vibrant attractive city centre.

Item 8: Environmental Management Activity Management Plan - Mahere Taiao (2021-2031):
Attachment 1

City Development		
What we do	Why we do it	Framework
Implementation of the City Centre Programme Plan	Creates a successful regional heart, attracting high-quality development reflecting the goals of a Smart Little City.	Four top priorities for Council
Urban Development and Infrastructure Planning	Support housing supply and business capacity for the Nelson urban environment. Ensuring that growth related infrastructure costs are funded by those who create the growth via development contributions and private developer agreements	RMA, NPS Urban Development, Local Government Act 2002
Lead Implementation monitoring and review of the Nelson Tasman Future Development Strategy	Implementation of the Strategy provides the basis for ensuring sufficient and adequate business and residential land supply and infrastructure provision for the Nelson-Tasman urban environment for the next 30 years	NPS Urban Development
Monitor and analyse the Business and Housing Market	Reports on the state and trends of the business and housing demand and supply in Nelson. Provides fact-based information for decision-making by NCC and the community	NPS Urban Development
City Development Projects & Advice	Builds and maintains relationships with key partners for an integrated and coordinated process to facilitate development. Underpins achieving good outcomes e.g. City Centre enhancement	City Centre Programme Plan, Future Development Strategy and Intensification Action Plan
Population Projections	Providing robust peer reviewed population projections to guide planning of all Council activities	Local Government Act 2002
Development Contributions Policy	Establishes how infrastructure for growth is funded	Local Government Act 2002

Item 8: Environmental Management Activity Management Plan - Mahere Taiao (2021-2031): Attachment 1

Resource Consents

Resource Consents contribute to the Environmental Management Activity by implementing the regulations adopted by NCC in its RMA plans and monitoring activities to ensure compliance with the regulations.

The workload is demand driven. Applications for resource consents are processed and monitored. Monitoring of resource management matters also occur.

The navigation safety activity has been transferred to Port Nelson Ltd and is undertaken by the Harbourmaster and Deputy Harbourmasters. Oversight is provided by the Manager Consents and Compliance.

Resource Consents		
What we do	Why we do it	Framework
Provide planning information for customers	To help people work through what is required if their activity requires resource consent and how to apply for consent.	RMA
Process applications for resource consents	The activities requiring resource consents are specified in the NRMP and NAQP. Applications are assessed to meet the requirements of the Resource Management Act. Consent planners work with applicants to ensure resource consent decisions are fit for purpose within the RMA framework	RMA
Resource use and consent Compliance monitoring	Consent conditions and permitted activity standards are monitored to check compliance and evaluate the effectiveness of the conditions	RMA
Navigation safety	To ensure the safety of various users of the coastal marine area	Maritime Transport Act 1994, and Navigation Safety Bylaw 2019

Item 8: Environmental Management Activity Management Plan - Mahere Taiao (2021-2031): Attachment 1

Compliance and Enforcement

The Compliance and enforcement area oversees regulatory activities performed by external contractors and provides strategic advice and project management for tasks within the Environmental Management Activity.

Compliance and Enforcement		
What we do	Why we do it	Framework
Dogs and other animal control	Ensures public safety and nuisance effects of keeping dogs and other animals in Nelson are minimised by educating owners, monitoring and controlling these activities and responding to non-compliance	Dog Control Act 1996, NCC's Dog Control Policy and Bylaw and the Impounding Act 1955
Noise control	Monitors the adverse effects of excessive noise levels and non-compliance controlled to mitigate public nuisance	LGA, RMA, and NRMP
Parking enforcement	Monitors and enforces vehicle parking places to ensure safety, accessibility and availability for all users	Land Transport Act 1998, regulations, rules and Parking and Vehicle Control Bylaw 2011
Food safety and public health compliance	Undertakes this activity to ensure the safety and suitability of food for sale to protect public health. Other activities are monitored to protect public health such as hairdressers and camping grounds	Food Act 2014, the Health Act 1956 and other legislation
Alcohol licensing and compliance	Undertakes this activity to promote the safe, responsible sale, supply, and consumption of alcohol and minimise the harm caused by its excessive or inappropriate consumption	Sale and Supply of Alcohol Act 2012
Freedom Camping Bylaw and other bylaw compliance	Ensures activities are carried out in accordance with legislation and local bylaws to minimise impacts on the environment and the wellbeing of others	Freedom Camping Act 2011, NCC's Freedom Camping Bylaw and various other bylaw compliance
Incident response including Pollution Hotline – 0800 NO POLLUTE	Reports and responds to pollution incidents, hazardous substances and other public concerns likely to harm people and the environment. Regular training and exercises occur with other agencies for marine pollution preparedness	RMA, Hazardous Substances and New Organisms Act 1996 and the Maritime Transport Act 1996

31

Item 8: Environmental Management Activity Management Plan - Mahere Taiao (2021-2031): Attachment 1

Building

Council's Building work programme contributes to the Environmental Management Activity by implementing the provisions of the Building Act 2004, regulations, the Building Code and Land Information Memorandum (LIM) provisions of Local Government Official Information and Meetings Act 1987. The purpose of this work is to ensure that:

- Buildings are designed, constructed and able to be used in ways that promote sustainable management;
- Buildings are safe, accessible and are not a danger to public health (including swimming pools); and
- Information on properties and building requirements is available for the community to make informed decisions.

Building		
What we do	Why we do it	Framework
Process applications for building consents, undertake inspections related to building consent processing and inspections, and certification of acceptance for unauthorised works	Ensures new buildings and alterations are safe, accessible and are not dangerous to public health	Building Act 2004
Building warrant of fitness compliance	Ensures buildings open to members of the public are safe to use and required safety systems are well maintained and operating, e.g. fire alarms	Building Act 2004
Implement the identification and remediation framework for earthquake-prone buildings	Identifies and manages earthquake-prone buildings ensuring public safety	Building Act 2004
Compile and provide PIMs and LIMs	Ensures those undertaking building projects and property purchases have the most up-to-date Council information for decision-making	Building Act 2004 and LGOIMA 1987
Compliance monitoring of residential swimming pool fencing	Provides for the safety of young children by reviewing and monitoring of measures in accordance with legislation to prevent access and drowning in residential swimming pools	Building Act 2004
Certificates of Acceptance, Illegal building work, Notices to Fix, Dangerous and Insanitary Buildings and the issuing of relative notices	Ensures buildings are compliant with the Building Act 2004 and are healthy and safe to use	Building Act 2004

Science and Environment

The Science and Environment work programme manages and implements:

- NCC's environmental science and state of the environment monitoring programmes;
- Non-RMA policy implementation, e.g., the Tasman-Nelson Regional Pest Management Plan; and
- Environmental protection and enhancement projects including pest and plant and animal control and capital works eg fish passage installation; and
- Non-regulatory community based programmes, e.g., providing advice and assistance to landowners and community groups; participation in collaborative regional initiatives such as the Nelson Biodiversity Forum; and education programmes eg Enviroschools, and the Eco Building Design Advisor.

NCC undertakes science and monitoring programmes to ensure accurate environmental data is available for decision-making by NCC and the community and to contribute to meeting Government reporting requirements.

Science and Environment		
What we do	Why we do it	Framework
Freshwater quality and quantity monitoring	<p>To monitor the state and trends of freshwater quality, river flows, and groundwater levels to provide fact-based information for:</p> <ul style="list-style-type: none"> • Freshwater resource management planning decision-making by NCC and the community; • Health-risk advice for recreational use of freshwater; • Tracking progress on implementation of the NPS Freshwater Management and NES Freshwater; • Identification of emerging freshwater ecosystem health issues • Management of resource consents when low flows or levels are measured; • Flood warning and hazard management; and • State of the Environment reporting at a local and national level to contribute to the requirements of the Environmental Reporting Act 2015 	RMA, NPS for Freshwater Management

Item 8: Environmental Management Activity Management Plan - Mahere Taiao (2021-2031):
Attachment 1

What we do	Why we do it	Framework
Coastal and estuarine monitoring	<p>To identify state and trends of coastal and marine water quality and estuarine health and provide fact-based information for:</p> <ul style="list-style-type: none"> • Resource management planning decision-making by NCC and the community; • Health-risk advice for recreational use of beaches; and • Identification of emerging estuarine, coastal and marine ecosystem health issues • State of the Environment reporting at a local and national level. 	RMA, NZ Coastal Policy Statement
Air quality monitoring	<p>Identifies state and trends of air quality and provides data and information for:</p> <ul style="list-style-type: none"> • Air quality resource management planning decision-making by NCC and the community; • Health-risk advice for the community; • Tracking progress on implementation of the National Environmental Standard for Air Quality; and • State of the Environment reporting at a local and national level. 	RMA, National Environmental Standard for Air Quality
Biodiversity monitoring	<p>Identifies state and trends of indigenous biodiversity and provides data and information for:</p> <ul style="list-style-type: none"> • Resource management planning decision-making by NCC and the community; • Implementing and tracking progress on implementation of the National Policy Statement for Indigenous Biodiversity; and • State of the Environment reporting at a local and national level 	RMA, National Policy Statement for Indigenous biodiversity and Nelson Biodiversity Strategy
Report on environmental science programmes and provide advice to external and internal customers	<p>Keeping the community and Council up-to-date with current information, enables informed decision-making and evaluation of the effectiveness of environmental policies and programmes</p>	RMA

Item 8: Environmental Management Activity Management Plan - Mahere Taiao (2021-2031): Attachment 1

NCC undertakes environmental protection and enhancement programmes that encourage and support best practice environmental management. Most of these programmes are non-regulatory responses. These involve iwi, community and landowner participation. Other programmes are undertaken to implement non-RMA legislation, e.g., the Tasman-Nelson Regional Pest Management Plan.

What we do	Why we do it	Framework
Biodiversity management non-regulatory programmes	Promotes and supports activities that protect and restore native species and natural ecosystems of Nelson Whakatū	RMA
Freshwater quality and quantity enhancement non-regulatory programmes	Promotes and supports activities that improve in-stream values of waterways, whilst encouraging community participation and reconnection with Nelson waterways	RMA and NPS Freshwater Management
Land management	Promotes and supports activities that reduce soil erosion and encourage sustainable land management in Nelson Whakatū	RMA
Biosecurity management and pest management programmes	<p>Manages and minimises the risks posed to production and indigenous biodiversity by pest plant and animal pests in the district</p> <p>Manages and minimises the risk of invasive marine species impacting on the Tasman Bay environment and industry, through working collaboratively with the Top of the South Marine Biosecurity Partnership</p>	Biosecurity Act 1993 and guided by the Tasman-Nelson Regional Pest Management Plan
Air quality management non-regulatory programmes	Improves air quality in Nelson Whakatū by providing advice and community support	RMA, Nelson RPS and Nelson Air Quality Plan
Eco building design advice	Improves the performance of the residential built environment, and support community health and resilience	RMA and Building Act 2004
Heritage incentives programme	Encourages and enables protection and maintenance of heritage buildings	RMA, Nelson RPS, NRMP and Local Government Act 2002
Enviroschools programme	To promote a culture of environmental responsibility within our community, through educating and empowering children and youth to be catalysts for positive change within their communities	RMA

16. Levels of Service

Levels of Service	Community Outcome	Performance Measure	Current Level of Performance	Future Performance Targets			
				Year 1 - 2021/22	Year 2 - 2022/23	Year 3- 2023/24	Year 10 - 2030/31
Compliance with National Environmental Standards for Air Quality for PM10	Our unique natural environment is healthy and protected Our communities are healthy, safe, inclusive and resilient	Number of exceedances in any of the airsheds do not exceed one in a calendar year	Airshed A - 0 breaches in 2020 Airshed B1 - 0 breaches in 2020 Airshed B2 & C – 0 breaches in 2020	No more than one exceedance in any calendar year in any airshed. Reported to Council each year	No more than one exceedance in any calendar year in any airshed. Reported to Council each year	No more than one exceedance in any calendar year in any airshed. Reported to Council each year	No more than one exceedance in any calendar year in any airshed. Reported to Council each year
Information on safe recreational bathing sites, marine and freshwater	Our unique natural environment is healthy and protected Our communities are healthy, safe, inclusive and resilient	% of key bathing sites monitored and public advised if water quality standards are breached	100%	100% of key bathing sites are monitored	100% of key bathing sites are monitored	100% of key bathing sites are monitored	100% of key bathing sites are monitored
Compliance with the Biosecurity Act 1993 (amended 2015)	Our unique natural environment is healthy and protected Our communities are healthy, safe, inclusive and resilient	Compliance with the Tasman Nelson Regional Pest Management Plan reporting requirements for operational plans	New measure	100% Delivery of operational plan reported to Council each year	100% Delivery of operational plan reported to Council each year	100% Delivery of operational plan reported to Council each year	100% Delivery of operational plan reported to Council each year
Provision of easily accessible, accurate, up to date and fit for purpose state of the environment monitoring data for all environmental domains	Our unique natural environment is healthy and protected Our communities are healthy, safe, inclusive and resilient	Five yearly comprehensive State of the Environment report is published to achieve compliance with section 35 of the Resource Management Act 1991	Altered measure 100%	Five yearly report due by December 2023	Five yearly report due by December 2023	Five yearly report due by December 2023	Five yearly report due by December 2033
Ensure Resource consent decision-making is robust and legally defensible	Our unique natural environment is healthy and protected Our communities are healthy, safe, inclusive and resilient	No decisions are over turned by the High Court upon judicial reviews	New measure	No decisions are over turned by the High Court upon judicial reviews	No decisions are over turned by the High Court upon judicial reviews	No decisions are over turned by the High Court upon judicial reviews	No decisions are over turned by the High Court upon judicial reviews

Levels of Service	Community Outcome	Performance Measure	Current Level of Performance	Future Performance Targets			
				Year 1 - 2021/22	Year 2 - 2022/23	Year 3- 2023/24	Year 10 - 2030/31
Food safety and public health comply with legislative requirements	Our communities are healthy, safe, inclusive and resilient	Respond to food safety complaints within one working day	Altered measure	100%	100%	100%	100%
Resource consent processes that comply with statutory timeframes	Our unique natural environment is healthy and protected	All resource consents are processed within statutory timeframes	Altered measure	100%	100%	100%	100%
	Our urban and rural environments are people friendly, well planned and sustainably managed	All resource consents requiring monitoring are monitored at least annually	All condensed into one measure				
	Our infrastructure is efficient, cost effective and meets current and future needs						
	Our region is supported by an innovative and sustainable economy						
Provision of dog and animal control services	Our communities are healthy, safe, inclusive and resilient	Respond to reports of dog attacks that have just occurred within 60 minutes	Altered measure 90%	90%	90%	90%	90%
Navigation safety is delivered to meet all legislative requirements	Our communities are healthy, safe, inclusive and resilient	Safety checks are conducted for other vessels	New measure	At least 1,000 annually	At least 1,000 annually	At least 1,000 annually	At least 1,000 annually
	Our communities have access to a range of social, educational and recreational facilities and activities	Inspect navigation safety aids and maintain, replace or provide additional aids as required	New measure	At least annual inspection	At least annual inspection	At least annual inspection	At least annual inspection
Sale of alcohol complies with legislative requirements	Our communities are healthy, safe, inclusive and resilient	Inspect high risk premises at least two times each year	New measure	100%	100%	100%	100%

Levels of Service	Community Outcome	Performance Measure	Current Level of Performance	Future Performance Targets			
				Year 1 - 2021/22	Year 2 - 2022/23	Year 3- 2023/24	Year 10 - 2030/31
Provide building control services in a professional and timely manner, to ensure building work is safe and in accordance with the Building Code	Our urban and rural environments are people friendly, well planned and sustainably managed	% building consents and code compliance certificates issued within 20 working days	Altered measure 100%	100%	100%	100%	100%
	Our infrastructure is efficient, cost effective and meets current and future needs						
	Our communities are healthy, safe, inclusive and resilient	% building consents and code compliance certificates issued within 20 working days	Altered measure 100%	100%	100%	100%	100%
Maintain current and enforceable environmental bylaws for dogs, urban environments and city amenity	Our unique natural environment is healthy and protected	Bylaw reviews are completed within timeframes set out in the Local Government Act	100%	100%	100%	100%	100%
	Our urban and rural environments are people friendly, well planned and sustainably managed			Urban Environment Bylaw (expries 02/06/22)	City Amenity Bylaw (expires 11/09/2024)		Dog Control Bylaw (expires 27/07/32)
	Our communities are healthy, safe, inclusive and resilient						Navigation Safety Bylaw (expries 01/10/31)
Create and implement a city centre programme	Our urban and rural environments are people friendly, well planned and sustainably managed	Monitor performance every three years with a public life survey	Altered measure 100%	Monitoring due in years 2023/24 and 2028/29	Monitoring due in years 2023/24 and 2028/29	Monitoring completed and reported to Council	Monitoring due in years 2031/32
	Our infrastructure is efficient, cost effective and meets current and future needs						
	Our communities have access to a range of social, educational and recreational facilities and activities						
	Our region is supported by an innovative and sustainable economy						

Levels of Service	Community Outcome	Performance Measure	Current Level of Performance	Future Performance Targets			
				Year 1 - 2021/22	Year 2 - 2022/23	Year 3- 2023/24	Year 10 - 2030/31
Urban Development Capacity is sufficient to meet future demand	Our urban and rural environments are people friendly, well planned and sustainably managed	Report annually on Urban Development capacity and how the requirements of the National Policy Statement Urban Development are met	New measure	100% Reported to Council each year	100% Reported to Council each year	100% Reported to Council each year	100% Reported to Council each year
	Our infrastructure is efficient, cost effective and meets current and future needs						
	Our region is supported by an innovative and sustainable economy						
The Compliance Strategy is reviewed for effectiveness	Our unique natural environment is healthy and protected	The effectiveness of the Compliance Strategy is reported to Council annually	New measure	Reported to Council each year	Reported to Council each year	Reported to Council each year	Reported to Council each year
	Our communities are healthy, safe, inclusive and resilient						
	Our urban and rural environments are people friendly, well planned and sustainably managed						

17. EMAMP review

The EMAMP is a living document. To ensure the EMAMP remains useful and relevant, an ongoing process of AMP monitoring and review will be undertaken, including a comprehensive review at intervals of not less than three years to inform Long Term Plan reviews.

18. Conclusion

The Council will undertake its Environmental Management Activity Management activities in accordance with its legal obligations, in a manner that ensures community outcomes are achieved and as set out in the EMAMP.



Attachment one: Environmental Management AMP Budgets 2021-2031

Cost Centre	Full Year Actuals 2020/21	Total Operating Budget 2021/22	2021/22 AMP (2021/31)	2022/23 AMP (2021/31)	2023/24 AMP (2021/31)	2024/25 AMP (2021/31)	2025/26 AMP (2021/31)	2026/27 AMP (2021/31)	2027/28 AMP (2021/31)	2028/29 AMP (2021/31)	2029/30 AMP (2021/31)	2030/31 AMP (2021/31)
Grand Total	1,388,658	4,328,163	4,350,673	6,443,131	2,149,082	2,774,165	6,347,376	5,462,989	1,786,521	1,204,988	1,133,706	1,043,251
Income	(6,189,279)	(6,712,240)	(6,712,239)	(6,258,795)	(5,295,442)	(5,242,839)	(5,006,956)	(5,006,956)	(5,006,956)	(5,006,956)	(5,006,956)	(5,006,956)
4502 Monitoring The Environment	(323,852)	(360,000)	(360,000)	(350,000)	(30,000)	(30,000)	(30,000)	(30,000)	(30,000)	(30,000)	(30,000)	(30,000)
4504 Developing Resource Mgt Plan	(88,913)	0	0	0	0	0	0	0	0	0	0	0
4508 City Development	(31,245)	0	0	0	0	0	0	0	0	0	0	0
4514 Environmental Advocacy/Advice	(750,058)	(1,461,359)	(1,461,359)	(1,017,914)	(344,176)	(285,883)	(50,000)	(50,000)	(50,000)	(50,000)	(50,000)	(50,000)
4518 Pest Management	(15,000)	0	0	0	0	0	0	0	0	0	0	0
4521 Clean Heat Warm Homes	(2,184)	0	0	0	0	0	0	0	0	0	0	0
4702 Dog Control	(548,642)	(525,409)	(525,409)	(525,409)	(525,409)	(525,409)	(525,409)	(525,409)	(525,409)	(525,409)	(525,409)	(525,409)
4706 Alcohol Licencing	(176,051)	(196,201)	(196,201)	(196,201)	(221,586)	(227,276)	(227,276)	(227,276)	(227,276)	(227,276)	(227,276)	(227,276)
4708 Food and Public Health	(108,058)	(123,100)	(123,100)	(123,100)	(123,100)	(123,100)	(123,100)	(123,100)	(123,100)	(123,100)	(123,100)	(123,100)
4712 Public Counter Land & General	(221,538)	(237,479)	(237,479)	(237,479)	(237,479)	(237,479)	(237,479)	(237,479)	(237,479)	(237,479)	(237,479)	(237,479)
4714 Building Services	(2,855,177)	(2,627,348)	(2,627,347)	(2,627,348)	(2,627,348)	(2,627,348)	(2,627,348)	(2,627,348)	(2,627,348)	(2,627,348)	(2,627,348)	(2,627,348)
4720 Navigation Safety	(45,699)	(41,500)	(41,500)	(41,500)	(41,500)	(41,500)	(41,500)	(41,500)	(41,500)	(41,500)	(41,500)	(41,500)
4722 Pollution Response	(15,584)	(32,265)	(32,265)	(32,265)	(32,265)	(32,265)	(32,265)	(32,265)	(32,265)	(32,265)	(32,265)	(32,265)
4738 Resource Consents	(978,845)	(1,088,396)	(1,088,396)	(1,088,396)	(1,088,396)	(1,088,396)	(1,088,396)	(1,088,396)	(1,088,396)	(1,088,396)	(1,088,396)	(1,088,396)
4742 Enforcing Bylaws	(28,434)	(19,183)	(19,183)	(19,183)	(24,183)	(24,183)	(24,183)	(24,183)	(24,183)	(24,183)	(24,183)	(24,183)
Expenses	7,245,183	9,255,128	9,079,273	10,294,748	7,067,346	6,088,826	6,266,154	6,377,767	5,765,299	5,773,766	5,698,484	5,572,029
4502 Monitoring The Environment	1,001,296	1,427,726	1,343,498	1,377,735	1,112,735	1,185,895	1,116,419	1,116,419	1,099,814	1,082,735	1,168,816	1,133,498
4504 Developing Resource Mgt Plan	1,081,740	2,208,400	2,180,000	3,795,750	1,320,000	570,750	1,002,500	1,018,250	518,250	522,500	325,000	270,000
4508 City Development	517,242	620,857	554,057	554,057	604,057	326,057	326,057	376,057	326,057	326,057	376,057	326,057
4514 Environmental Advocacy/Advice	1,631,644	2,322,393	2,322,393	1,835,162	1,319,373	1,261,080	1,109,997	1,109,997	1,109,997	1,109,997	1,109,997	1,109,997
4518 Pest Management	248,932	333,108	333,108	345,108	333,108	333,108	333,108	345,108	333,108	333,108	353,108	333,108
4521 Clean Heat Warm Homes	18,680	0	0	0	0	0	0	0	0	0	0	0
4523 Solar Saver	2,601	369	0	0	0	0	0	0	0	0	0	0
4702 Dog Control	564,009	532,289	532,256	532,256	532,256	532,256	532,256	532,256	532,256	532,256	532,256	532,256
4704 Animal Control	19,780	20,058	20,058	20,058	20,058	20,058	20,058	20,058	20,058	20,058	20,058	20,058
4706 Alcohol Licencing	179,937	186,000	186,000	186,000	186,000	186,000	186,000	186,000	186,000	186,000	186,000	186,000
4708 Food and Public Health	197,562	204,000	204,000	204,000	204,000	204,000	204,000	204,000	204,000	204,000	204,000	204,000
4712 Public Counter Land & General	13,364	10,238	10,238	4,594	4,594	4,594	4,594	4,594	4,594	4,594	4,594	4,594
4714 Building Services	254,257	250,194	251,004	297,366	288,504	322,366	288,504	322,366	288,504	309,911	276,048	309,911
4720 Navigation Safety	127,970	150,175	153,341	153,341	153,341	153,341	153,341	153,341	153,341	153,342	153,342	153,342
4722 Pollution Response	87,714	99,000	99,000	99,000	99,000	99,000	99,000	99,000	99,000	99,000	99,000	99,000
4738 Resource Consents	935,647	701,208	701,208	701,208	701,208	701,208	701,208	701,208	701,208	701,208	701,208	701,208
4742 Enforcing Bylaws	180,724	189,113	189,113	189,113	189,113	189,113	189,113	189,113	189,113	189,000	189,000	189,000
4747 Building Claims	182,082	0	0	0	0	0	0	0	0	0	0	0
Capital Expenditure	332,754	1,785,275	1,983,639	2,407,178	377,178	1,928,178	5,088,178	4,092,178	1,028,178	438,178	442,178	478,178
4502 Monitoring The Environment	298,749	429,155	476,839	364,778	269,778	274,778	234,778	234,778	274,778	234,778	234,778	274,778
4508 City Development	5,962	1,350,000	1,500,000	2,039,000	100,000	1,650,000	4,850,000	3,850,000	750,000	200,000	200,000	200,000
4514 Environmental Advocacy/Advice	24,795	0	0	0	0	0	0	0	0	0	0	0
4714 Building Services	3,249	6,120	6,800	3,400	3,400	3,400	3,400	3,400	3,400	3,400	3,400	0
4720 Navigation Safety	0	0			4,000	0	0	4,000	0	0	4,000	0

Attachment two: Legislative Context

- Amusement Device Regulations 1978
- Animal Welfare Act 1999
- Biosecurity Act 1993
- Building Act 2004 and Building Regulations
- Camping Ground Regulations 1985
- Dog Control Act 1996
- Environmental Reporting Act 2015
- Food Act 2014, Food Act 1981, Food Hygiene Regulations 1974
- Hazardous Substances and New Organisms Act 1996
- Health Act 1956 and Health Regulations 1966
- Health Burial Regulations 1946
- Health Hairdressers Regulations 1980
- Impounding Act 1955
- Climate Change Response (Zero Carbon) Amendment Act 2019
- COVID-19 Recovery (Fast-track Consenting) Act 2020
- Freedom Camping Act 2011
- Soil Conservation and Rivers Control Act 1941
- Land Transport Act 1998 and Regulations 1998, 1999, 2011
- Litter Act 1979
- Local Government Act 2002
- Local Government Official Information and Meetings Act 1987
- Machinery Act 1950
- Maritime Transport Act 1994
- Plumbers, Gasfitters and Drainlayers Act 2006
- Resource Management Act 1991
- Sale and Supply of Alcohol Act 2012
- Waste Minimisation Act 2008
- Burial and Cremation Act 1964
- Bylaws Act 1910
- Climate Change Response Act 2002
- Hazardous Substances and New Organisms Act 1996
- Housing Accords and Special Housing Areas Act 2013
- Marine and Coastal Area (Takutai Moana) Act 2011



National Policy Statements

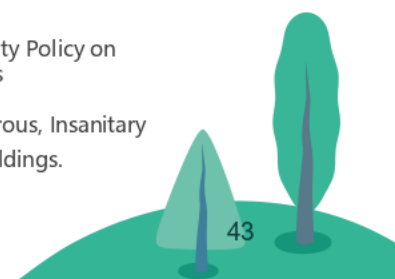
- New Zealand Coastal Policy Statement 2010
- National Policy Statement for Freshwater Management 2020
- National Policy Statement on Urban Development 2020
- National Policy Statement for Renewable Electricity Generation 2011
- National Policy Statement on Electricity Transmission 2008

National Environmental Standards

- National Environmental Standards for Air Quality
- National Environmental Standard for Sources of Human Drinking Water
- National Environmental Standards for Telecommunication Facilities
- National Environmental Standards for Electricity Transmission Activities
- National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health
- National Environmental Standards for Plantation Forestry
- National Environmental Standards for Freshwater
- National Environmental Standards for Marine Aquaculture

Council's Strategic Documents

- Long term plan 2018-2028
- Regional Policy Statement and Resource Management Plans
- City Vision
- Nelson 2060 Strategy
- Biodiversity Strategy
- Regional Pest Management Plan
- Marine Biosecurity Strategy
- Other Activity and Asset Management Plans
- Future Development Strategy
- Reserve Management Plans
- Land Development Manual
- Compliance Strategy
- Dog Control Policy and Bylaw 2020
- Navigation Safety Bylaw
- Other bylaws including City Amenity, and Urban Environments
- Regional Authority Policy on Dangerous Dams
- Policy on Dangerous, Insanitary and Affected Buildings.



Council



9 September 2021

REPORT R26079

Environmental Management Quarterly Report - 1 April - 30 June 2020

1. Purpose of Report

- 1.1 To report on financial and non-financial performance measure results for the fourth quarter of the 2020/2021 financial year for the Environmental Management Group activities. The activities included are: Building, City Development, Resource Consents and Compliance, Planning, and Science and Environment. Climate Change is also included in this report.
- 1.2 As this is the end of year report for the Group, the report covers the entire year and a presentation will be provided at the meeting of the key achievements for the year.

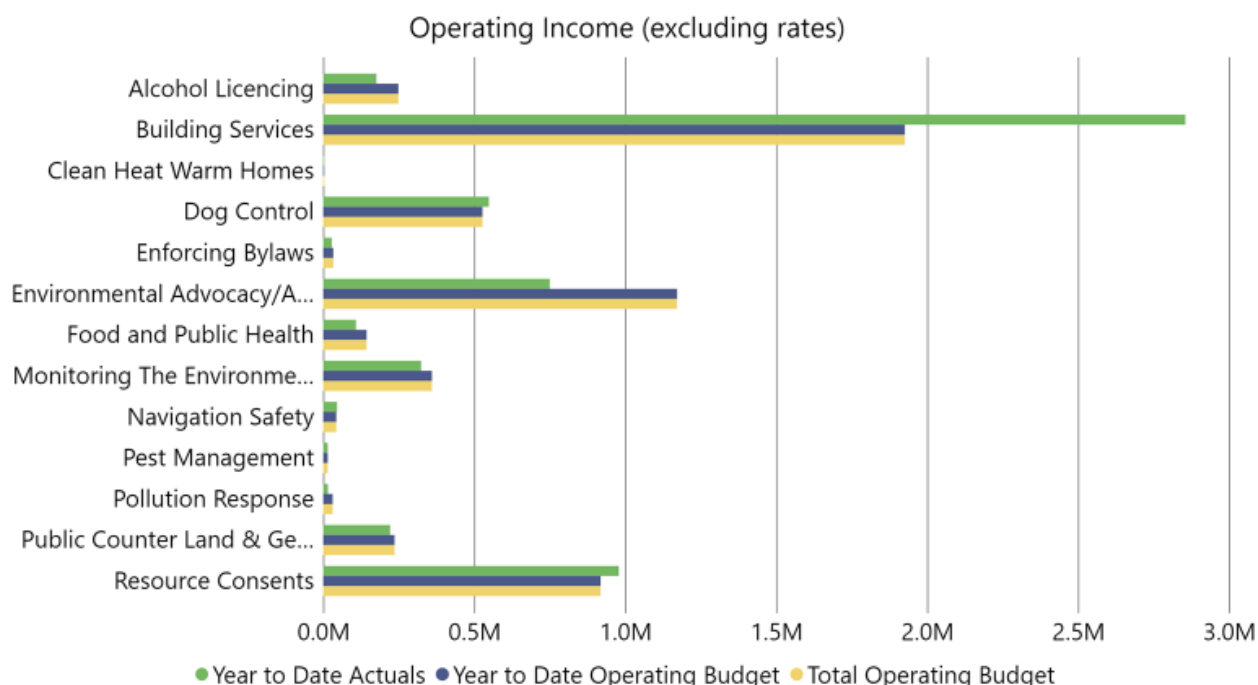
2. Recommendation

That the Council

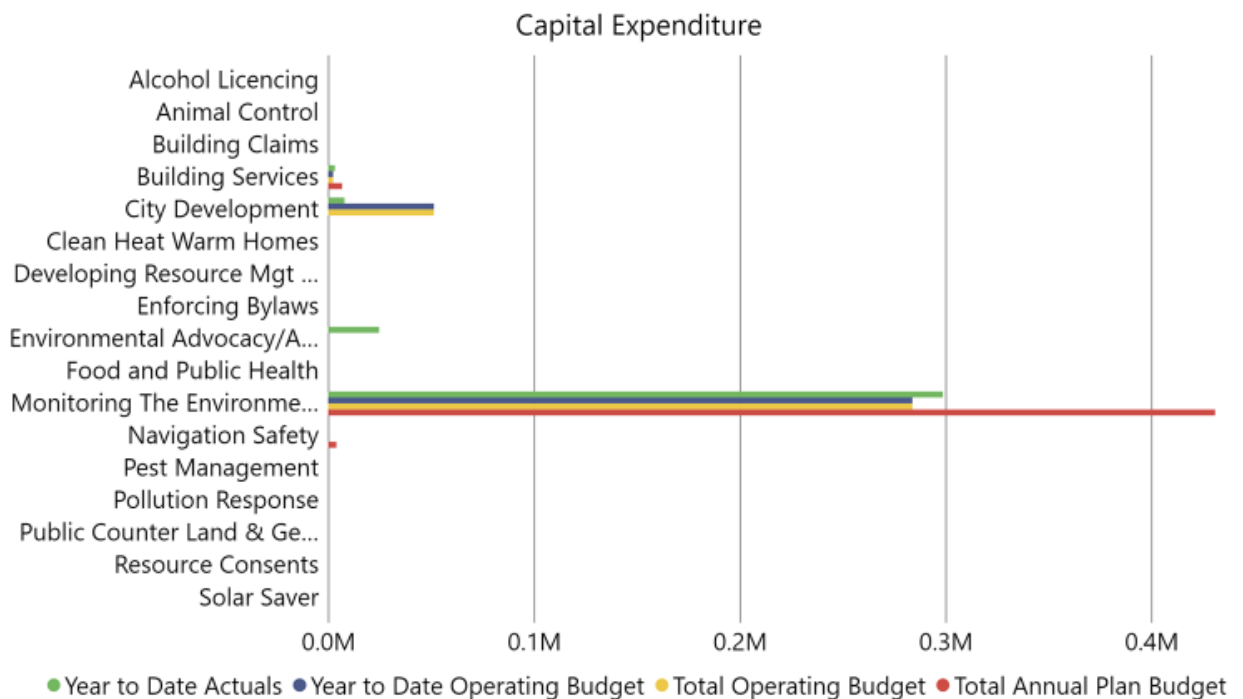
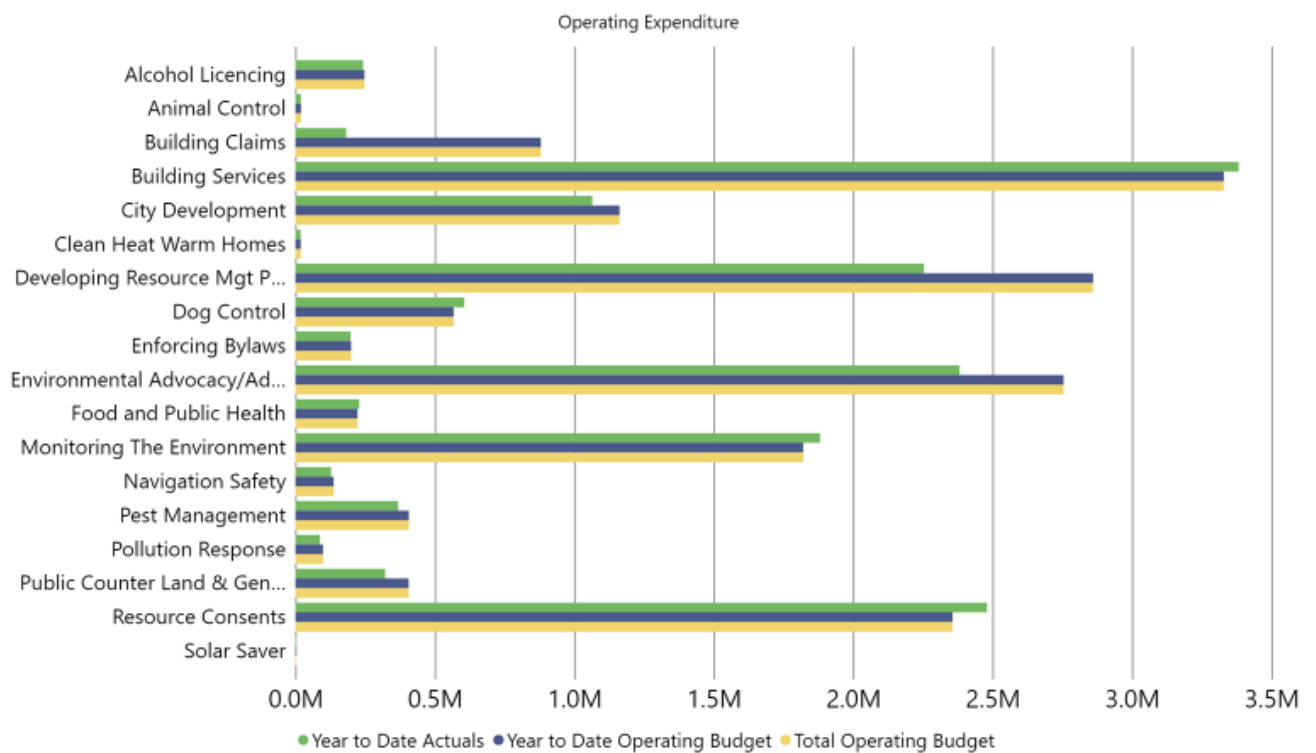
- 1. ***Receives the report Environmental Management Quarterly Report - 1 April - 30 June 2020 (R26079) and its attachments (A2725276, A2692511, A2700782, A2719763, A2713286, A2717558 and A2711918).***

3. Financial Results

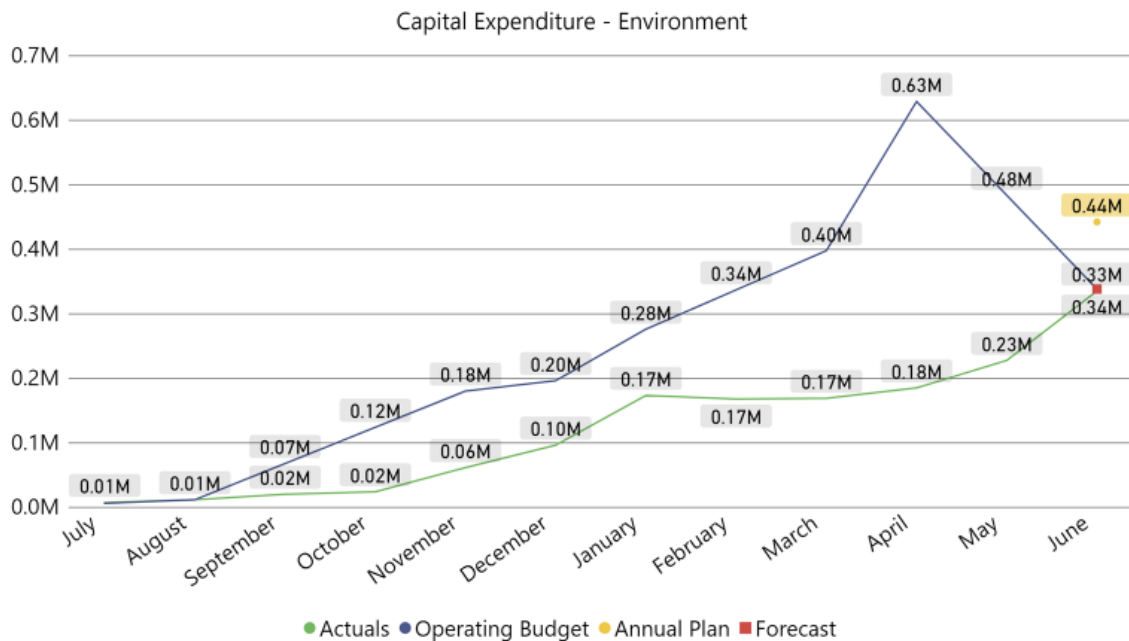
Environment	YTD Actuals	YTD Operating Budget	YTD Variance	Annual Plan Budget
Income				
Rates Income	(9,293,560)	(9,677,167)	383,607	(9,677,166)
Other Income	(6,189,279)	(5,656,759)	(532,520)	(4,566,089)
Total	(15,482,840)	(15,333,926)	(148,914)	(14,243,255)
Expenses				
Unprogrammed Expenses	168,161	832,000	(663,839)	832,000
Staff Operating Expenditure	8,677,438	8,763,862	(86,424)	8,678,244
Programmed Expenses	2,314,205	2,802,231	(488,026)	1,752,953
Finance Expenses	53,112	65,284	(12,172)	65,284
Depreciation	19,724	83,195	(63,471)	83,195
Base Expenditure	4,614,796	4,943,959	(329,163)	4,788,181
Total	15,847,436	17,490,531	(1,643,095)	16,199,857
Total	364,597	2,156,605	(1,792,008)	1,956,602



Item 9: Environmental Management Quarterly Report - 1 April - 30 June 2020



Item 9: Environmental Management Quarterly Report - 1 April - 30 June 2020



- 3.1 The Environmental Management capital expenditure operating budget peaked in April due to changes approved to the City Development budget which increased the total operating budget by \$290,394. This was then reduced downwards through the May carry forwards, with both City Development and Monitoring the Environment carrying forward funds, resulting in the final Operating Budget of \$337k which closely reflects the actuals.
- 3.2 **Monitoring the Environment expenditure is greater than budget by \$60,000.** This is mainly due to Staff expenditure being over budget by \$104,000. Staff costs were allocated among different cost centres within the business unit differently than anticipated, but the actual cost is close to budget at the Science and Environment Business Unit level. This over budget variance is partially offset by under budget variances in the Air Quality Gasses Study (\$19,000) budget due to contract savings and Air Quality Monitoring (\$16,000).
- 3.3 **Developing the Resource Management Plan Income is greater than budget by \$89,000** coming from unbudgeted plan change recoveries.
- 3.4 **Developing the Resource Management Plan expenditure is less than budget by \$606,000.** Base expenditure is \$527,000 under budget due to staff taking on some work instead of consultants, while a number of costs have been delayed in response to the RM reforms.
- 3.5 **City Development expenditure is less than budget by \$98,000.** CBD Development is under budget by \$58,000 and City Development Consultants are under budget by \$27,000 due to costs being lower than anticipated and work on Te Ara o Whakatu extending over the financial year.

- 3.6 **Environmental Advocacy/Advice income is less than budget by \$422,000.** The Maitai Ecological Restoration Plan (ERP) Ministry for the Environment (MFE) Grant income is \$127,000 behind budget and the Maitai ERP Department of Conservation (DOC) Grant income is \$293,000 under budget due to timing. These payments are expected to be received in July 2021 following June reports.
- 3.7 **Environmental Advocacy/Advice expenditure is less than budget by \$373,000** due to The Maitai ERP Grant (DOC) expenditure being under budget by \$338,000. The grant funding year is November to November, and expenditure is timed to meet project milestones rather than the end of the financial year. This expenditure will occur early in the 21-22 financial year. The Warmer Healthier Homes Insulation Program Grant is under budget by \$52,000 due to changes in government funding.
- 3.8 **Alcohol Licensing income is less than budget by \$73,000.** Application Fees are under budget \$41,000, Annual Fees are under budget by \$13,000 and Managers Certificates fees are under budget by \$11,000. Fees are set nationally and the activity has yet to fully recover after impacts to the hospitality sector caused by COVID-19.
- Public Counter Land & General expenditure is less than budget by \$84,000.** Staff operating expenditure is \$87,000 under budget due to a budgeting error which will be corrected.
- 3.9 **Building Services income is \$929,000 greater than budget.** Building consent fees are over budget by \$620,000. This is due to fee increases, higher consent numbers compared with prior years, and reduced budgets for an expected decrease in income due to COVID-19. Further details on consent numbers are discussed further later in this report.
- 3.10 **Building Services expenditure is greater than budget by \$53,000.** Staff time allocated is over budget by \$162,000 due to higher levels of activity across the building sector resulting in increased workloads and staff costs. BCA Tech training costs are under budget by \$20,000 due to reduced training provided due to staff being away. Depreciation expense is \$40,000 under budget due to several vehicles being sold albeit these will be replaced.
- 3.11 **Resource Consents income is greater than budget by \$60,000.** Resource consent fees are over budget by \$44,000 due to higher consent numbers compared with prior years and the budget was set based on a lower level of activity. It was expected that with a shortage of supplies in the construction sector the level of consenting would stabilise, but numbers are still increasing.
- 3.12 **Resource Consents expenditure is greater than budget by \$123,000.** One item of the expenditure is over budget by \$224,000 with additional consultant engagement due to conflicts or vacancies. A fixed-term contract for a consultant while recruiting will help to reduce this cost going forward.

Building Claims expenditure is less than budget by \$698,000 as the activity was largely expensed in the last financial year but budgeted this year.

4. Key Performance Indicators

- 4.1 Five performance measures were not met in the 2020/21 year. (Attachment 1 - A2725276)
- 4.2 Building consents were slightly behind target for processing within the statutory timeframes of 20 working days at 99.1%. This is predominantly due to the highest number of building consent applications received in three years. The building team have recently successfully recruited, in a role that will help resourcing within this area.
- 4.3 Resource consent compliance mandatory timeframe measures for the fourth quarter were 87% (20 working days), and 78% for fast-track consents (10 working days). The average for both over the year was 94%. This is due to a combination of the high number of resource consent applications received, and ongoing vacancies within the team due to difficulty recruiting experienced staff. Consultants are engaged to assist where they have capacity but their capacity does not fully cover for the staff vacancies.
- 4.4 Pollution response timeframes were met for the 4th quarter but were not met over the year due to two complaints delayed being notified to EIL. It was identified as a staff training issue which has since been addressed.
- 4.5 The performance measure of all alcohol premises receiving two inspections over the year was not achieved, because the Sale and Supply of Alcohol Act has changed since this measure was written, and Council now inspects high risk premises only as required by the legislation. 100% of high-risk premises were inspected in 2020/21. This measure has been changed in the 2021-2031 LTP.



5. Summary of Achievements for the 2020/21 financial year

Building

IANZ accreditation

- 5.1 The Building Control Authority went through an IANZ accreditation audit and were informed they were amongst the top Building Control Authorities in the country. The audit resulted in 11 General Non-Compliances, 3 were cleared while IANZ was on site. This compares to 32, 2 years ago. The remainder will be cleared within 3 months to retain accreditation. Fees were revised and changes implemented on 1 July 2021.

Building Inspections

- 5.2 There were significantly more building inspections undertaken than in previous years, with 7629 inspections undertaken in 2020/21 which is a 32% increase compared to 2019/20. This was unexpected and has seen the value of works increasing from \$168.7 million in 2019/20 to \$183.3 million in 2020/21.

City Development (Urban Development Sub-Committee Matters)

Te Ara ō Whakatū– Nelson City Centre Spatial Plan engagement

- 5.3 Targeted community pre-engagement for Te Ara ō Whakatū was completed to help inform the plan that will be adopted later in 2022. A total of 81 meetings were held with more than 40 community sectors across Nelson, and more than 250 attendees participated over the four-month pre-engagement period.

Development Contributions Policy

- 5.4 Council sought feedback from a wide range of people including developers and the public on how to make the policy as fair and easy to understand as possible. The 30 Housing Units of Demand (HUD's) waiver was removed and the waiver now applies to all HUD's in the city centre to encourage intensification. The Council adopted its revised policy on 24 June 2021, and it came into force on 1 July 2021.

Planning

Draft Whakamahere Whakatū Nelson Plan (WWNP)

- 5.5 A draft of the Whakamahere Whakatū Nelson Plan (WWNP) was released to the public for feedback in September and October 2020, following stakeholder engagement in the first half of 2020. A second phase of engagement on specific topics, such as freshwater flood hazards, has been prepared in early 2021 for public feedback later in 2021. The WWNP is being developed with input from the eight iwi of Te Taihū.

Natural Hazard Information

- 5.6 In conjunction with the development of the WWNP, a broad range of natural hazard information has been collected and was shared with the community – including coastal inundation, fault rupture, liquefaction and slope instability susceptibility. For coastal inundation, maps were released in November 2020 as part of Council's Dynamic Adaptive Pathway Planning (DAPP) process. The DAPP process is recommended by Central Government for considering where and how our region may be affected by rising sea levels and the uncertainties of climate change. Work will be on-going with the community using the DAPP process.

Resource Consents and Compliance

Resource consent applications

- 5.7 The Resource Consents and Compliance team has been busy in the 2020/21 financial year. Instead of a forecasted decline in consent applications following the economic impacts of Covid-19, there was an 11% increase in resource consent applications compared to the previous year.

Dog Registrations

- 5.8 Dog registrations were up and complaints down for the 5th year in a row. A positive trend has been dog registrations being higher than in the previous year, with 6079 dogs registered in 2020/21, compared to 5969 in 2019/20. The increase in dog registrations has occurred at similar levels year on year and likely to be attributed to the increase in Nelson's population.

Science and Environment

Jobs for Nature projects

- 5.9 Project Mahitahi was launched in October 2020 and since its inception has employed 33 people across a range of projects, planted the first 15,000 trees (of 125,000 to be planted over five years), held five community planting events, and removed pest animals and pest plants from the Maitai catchment. The Project is a Kotahitanga mō te Taiao Alliance project, co-designed and co-governed by Council, Iwi partners (Ngāti Koata, Ngāti Rārua, and Te Ātiawa) and the Department of Conservation (Refer to Attachment 2 A2692511).
- 5.10 Council has been successful in securing \$990,628 of funding from DOC's Jobs for Nature Biodiversity on Private Land fund to restore sites of high ecological value on private land in the Wakapuaka and Whangamoa catchments. The project was endorsed by Ngāti Tama ki te Waipounamu Trust and Wakapuaka 1B Trust, and the Kotahitanga mō te Taiao Alliance. The three-year project will start in 2021/22 and will result in more than 15 FTE's being employed over 3 years.

Healthy Streams

- 5.11 In the 2020/21 year the river bathing sites at Maitai Camp, Sunday Hole, Girilies Hole and Wakapuaka at Hira, and all four marine recreational bathing sites, were 100% compliant with the recreational bathing guidelines. The Paremata Flats Reserve site was compliant for 94% of samples and the Collingwood Street bridge for 89% of samples. These results are contributing to council's targeting of urban Stormwater Quality Improvement Programmes and rural Sustainable Land Management initiatives to achieve greater water quality improvement.
- 5.12 The flow recorder at the 'Roding at Skidsite' site was upgraded with modern equipment and now has telemetry to enable real time data relay to the office. Along with the new continuous water quality monitoring site in the lower Maitai, this upgrade is part of a wider enhancement programme providing telemetered water quality and hydrology data in the Nelson region. This data will allow a much better understanding of variations in water quality over time and help inform limit setting and water quality accounting required for the National Policy Statement – Freshwater.

Nelson Nature

- 5.13 There are now over 30 community trapping projects in Nelson, across Council and private land, supported by Council's Nelson Nature Halo programme. Over the six months from January-June this year more than 2,300 predators (rats, stoats, possums) were removed by community volunteers. A highlight has been a significant increase in the number of groups using a national online recording tool to record their data, which will help contribute to Predator Free NZ goals.

Item 9: Environmental Management Quarterly Report - 1 April - 30 June 2020

- 5.14 A total of 62 applications requesting \$647,000 of funding were received across two rounds in the second year of the Environmental Grants Scheme. Most grant applicants were successful with some funding for their project and \$336,000 was awarded from Council's Nelson Nature, Healthy Streams and Sustainable Land Management programmes. \$179,000 of this funding was sourced from Ministry of Primary Industries' Hill Country Erosion fund. The grants will help support landowners and community groups to manage erosion on steep erodible land; control weeds and animal pests; restore stream margins and wetlands; and plant over 43,000 native plants across the Nelson region. The next round opens in August 2021.

Sustainable Land Management

- 5.15 The second year of the Hill Country Erosion (HCEF) Project, funded by MPI, was completed with planting of 50,000 plants across erosion prone sites by the end of June.
- 5.16 Council has worked with 10 rural landowners to develop land environment and forestry environment plans for their properties to help guide sustainable land management practices and address issues like erosion, pest plants and stock exclusion from waterways as part of Councils HCEF deliverables.

Coastal and Marine Monitoring

- 5.17 The Coastal and Marine Monitoring programme started with water quality monitoring at eight coastal and six marine sites and aligns with the current freshwater and estuarine monitoring programmes. The data will enable coastal and marine state of the environment reporting.
- 5.18 Nelson is now part of an international coastal monitoring project with camera holders installed at five locations. Photos taken by citizen scientists using the camera holders will be used to monitor changes in the coastline after storm events, high tides and for sea level rise. This will help with understanding these events and for management of coastal areas.

Biosecurity

- 5.19 In June a trial was completed to control Water Celery (an invasive aquatic weed) along a section of Orphanage Stream. Collaborative monitoring was undertaken between Council teams and iwi resource managers, including cultural assessments. Monitoring of dissolved oxygen, pH, temperature, and MCI (macroinvertebrates) showed there was no detectable adverse effect on the water quality or ecological values in the treatment area or immediately downstream. The results will inform the operational plan for ongoing control in this and other waterways in Nelson.

Air Quality

- 5.20 There were no exceedances of the National Environmental Standards for Air Quality (NESAQ) during this quarter.

6. Risks and Challenges

- 6.1 Two recreational vessels impeded ship movements in the cut. The pilot boat will be patrolling the exclusion zone more when ships are due to enter the cut. The harbourmasters will also continue work on educating recreational boaties on the Navigation Safety Bylaw rules.
- 6.2 Recruitment for consents planners, staff in the building area and the Environmental Planning team has been difficult due to the nationwide shortage. The resource consents team is carrying three vacancies. The Environmental Planning team is carrying two vacancies. High workloads due to ongoing vacancies has reduced time to focus on improving practices. The Building Team is still carrying a Team Leader gap which is placing increased operational pressure on the Manager.
- 6.3 Preparation of a new Future Development Strategy to meet the requirements of the National Policy Statement – Urban Development (NPS-UD) requires working across territorial authority boundaries. There is likely to be widespread community interest.
- 6.4 The primary risk to the delivery of the Science and Environment’s work programme in the 2021/22 year is uncertainty relating to change and new direction. Examples are the delayed amended National Environmental Standards for Air Quality, and National Policy Statement for Indigenous Biodiversity. Both pieces of regulation will require new workstreams which have been budgeted for, but which cannot be fully implemented until the regulations are passed.

7. Legal Proceedings

- 7.1 The Building team currently has four legal proceedings in progress. These are being reported to the Audit, Risk and Finance Sub-Committee.
- 7.2 A prosecution for a dog attack was heard on 2 December 2020 and the Judge’s decision to euthanise was made on the 18 December 2020. This decision was appealed; however, the appeal was not upheld by the High Court. Council is opposing the application to take the matter to the Supreme Court.
- 7.3 Another dog that attacked a policeman has been seized. This case was also recommended for prosecution and is proceeding toward a hearing on 19 August 2021.
- 7.4 A full outline of where the Marine and Coastal Areas Act 2011(MACA) Court process is included in the Audit, Risk and Finance quarterly legal report. The next Court event for the Nelson proceedings is a case management conference in June 2022.

8. Climate Change

- 8.1 In the last quarter of the financial year a focus has been on completing the Climate Action Plan, which includes actions across four areas (mitigation and adaptation for Council and community).
- 8.2 This Plan identifies how Council will meet operational targets as well as support the community in achieving net zero carbon and adapting to the impacts of climate change.
- 8.3 Another focus in the last quarter has been the engagement with community groups such as the Nelson Tasman Climate Forum and Businesses for Climate Action which have been allocated funding in the Long Term Plan.
- 8.4 New streams of collaboration have been identified (eg developing videos, fundraising collaboration) with positive feedback coming from both of these groups.
- 8.5 This quarter has also seen initiatives related to mitigation of Greenhouse Gases (e.g. Council's fleet saving estimation and identification of future funding from the Low Emission Vehicles Contestable Fund (LEVCF) to accelerate the uptake of electric vehicles, staff are currently getting ready information and data for when the funding is released in October – November; following the development of the new Procurement Policy that ensures that purchasing decisions are guided by the underlying principle of minimising greenhouse gas emissions, staff supported the development of new criteria that will be used in Capital Projects tender evaluations going forward.
- 8.6 As a result, the Capital Projects tender evaluation forms have been updated to include Broader Outcomes. The Broader Outcomes attribute sets out the requirements the supplier will need to respond to and will be assessed against the priority items identified in Council's Procurement Policy.
- 8.7 It is expected that the assessment criteria will develop over time.; progress on energy audits and the development of a working group to estimate the carbon footprint for communities and also initiatives related to climate change adaptation (e.g. climate change risk assessment for the Nelson coastal area).



9. Urban Greening Project Update:

- 9.1 Officers are working with the Chair and a consultant to refine the brief for the Urban Greening Strategy which is planned to be workshopped with the Committee on 21 October. The Chair of the Infrastructure Committee and the Chair of the Community and Recreation Committee will also be involved in the discussions. The Strategy intends to provide a guide with a long-term perspective, addressing a range of urban green space typologies to assist in decision-making and resource allocation.
- 9.2 The key objectives of the Strategy are proposed to be:
- 9.2.1 **Social:** to safeguard the future of green spaces for amenity and wellbeing of all users;
 - 9.2.2 **Environmental:** to enhance and support local biodiversity;
 - 9.2.3 **Cultural:** to celebrate local identity and character; and
 - 9.2.4 **Economic:** to improve the management and value of the city's urban green spaces.

10. Environmental Management Activity Update by Business Unit

Building Updates:

- 10.1 A new fully resourced building compliance team has been established, dedicated to undertaking the Council's territorial authority functions. The team undertakes such activities as Building Warrants of Fitness, commercial building inspections, and Swimming Pool Barrier inspections and compliance, and has seen major improvements around its systems. Recruitment for some other roles has been difficult.
- 10.2 There was a high level of activity in the building area over both the quarter and the year (Attachment 3 - A2700782), including:
- 10.2.1 272 building consents formally received (964 over the year)
 - 10.2.2 279 building consents granted (947 over the year)
 - 10.2.3 1942 building inspections undertaken (7629 over the year)
 - 10.2.4 187 Code Compliance Certificates issued (699 over the year)
 - 10.2.5 145 Land Information Memorandum (LIMs) reports produced (711 over the year).
- 10.3 There was one breach of the Code Compliance Certificate timeframes at 107 days. This was missed and officers are reviewing the process as to what occurred that led to the oversight.

Item 9: Environmental Management Quarterly Report - 1 April - 30 June 2020

- 10.4 The Building team has also upgraded systems used to view electronic consent applications. This improvement will drive efficiencies through technology. The software can compare documents, identifying changes to plans from previous versions, amongst other new features.
- 10.5 The number of Land Information Memorandum (LIM) reports produced were the highest in four years. A total of 711 were processed this financial year, compared to 605 in the 2019-20 FY.

Planning Updates:

Nelson Plan Development

- 10.6 Development of the Nelson Plan continued to be the focus for the fourth quarter for the Environmental Planning team. The team has been working through changes to the Nelson Plan following stakeholder and public feedback.
- 10.7 In addition, the Environmental Planning team have been engaging with property owners on notable tree provisions and preparing material for the second round of engagement on selected Draft Nelson Plan topics. These topics relate to flood hazards, port noise, and the airport zone.
- 10.8 Further natural hazard planning work continued with the initial release of slope instability susceptibility maps. The maps were released in conjunction with public information sessions. Following those meetings, a Slope Instability Technical Advisory Group has been established to advise on further work needed to assess the hazard and risks. The group is comprised of local geotechnical and engineering geologists, and Council officers.
- 10.9 Officers have continued to work with iwi on identifying sites of significance to Māori, and freshwater plan development.
- 10.10 In June, the Mayor and officers met with the Chief Freshwater Hearing Commissioner to discuss the new hearing process for Freshwater Plans. The process involves sending any parts of a plan 'that relate to freshwater' to an independent hearing panel. The panel hears submissions and makes decisions, for Council to then adopt before making the Plan operative. There are limited grounds for appeals through this new process.

Coastal Hazards

- 10.11 The team has continued applying the Dynamic Adaptive Pathways Planning (DAPP) approach for responding to coastal and lower Maitai river flooding hazards. A multi-agency risk and vulnerability assessment was undertaken in June. The work was a high-level assessment to help establish priorities for further work. The outputs will be reported separately to Council, and then feedback sought from the community.

Resource Management Reforms and National Directions

Item 9: Environmental Management Quarterly Report - 1 April - 30 June 2020

- 10.12 The National Environment Standard on the Outdoor Storage of Tyres (NES OST) was released in May 2021 and comes into force on 20 August 2021. The purpose of the NES OST is:
- 10.12.1 To ensure the risks of harm to the environment, human health and local communities from outdoor tyre storage are appropriately managed.
 - 10.12.2 To support more consistent management practices across New Zealand, filling gaps in regulatory settings that create incentives to move tyres between regions.
- 10.13 The NES OST prevails over the Nelson Resource Management Plan (NRMP). However, plans can be more stringent than the NES. The NRMP is being checked for consistency with the NES OST and will be amended if required.
- 10.14 In May, Central Government closed its engagement on its proposals for Phasing out Fossil Fuels in process heat. They propose developing national direction to:
- 10.14.1 Achieve national consistency and certainty in the management of industrial greenhouse gas emissions under the RMA; and
 - 10.14.2 Reduce industrial GHG emissions to mitigate the adverse effects of climate change and support New Zealand's transition to a low emissions economy.
- 10.15 Central Government has also released an Exposure Draft of the Natural and Built Environment Act (NBA), which is one piece of a suite of legislation to replace the Resource Management Act. The exposure draft of the NBA is high level and does not contain details about consent processes, governance or decision-making arrangements, compliance, monitoring, allocation methods, or transitional arrangements. No direction has yet been received about the proposal for a single plan for Nelson, Tasman and Marlborough councils. Explicit clarification was requested from the Minister in April 2022 as to whether they intend a single plan for the 3 councils. A submission on the NBA was submitted and will be reported to the Environment and Climate Committee on 9 Sept 2021 for retrospective approval.

Planning Strategic Direction and Focus:

- 10.16 The focus for the second half of 2021 will be on:
- 10.16.1 Work to confirm the next steps for the Nelson Plan given the central government resource management reforms.
 - 10.16.2 Progressing the Dynamic Adaptive Pathways Planning approach for coastal hazards while awaiting new legislation on climate change and managed retreat;

Item 9: Environmental Management Quarterly Report - 1 April - 30 June 2020

- 10.16.3 Draft Farm Plan regulations that were released in early July 2021 for feedback; and
- 10.16.4 Responding to national directions, including those relating to Freshwater.

Resource Consents and Compliance Updates:

- 10.17 Resource consent application numbers for the quarter were the highest of the year with 142 consents received. 105 consents were granted in the quarter, all non-notified. There were 50 more consents received this year than in the 2019-20 financial year (11% increase). A summary of the consents and compliance statistics is contained in attachment 3.
- 10.18 The Dog Control Activity Report for the 2020-21 year has been produced as required by Section 10A of the Dog Control Act 1996 and will be publicly notified, including updating the website, see Attachment 4 for details (A2719763). Dog related incidents have decreased in the community compared to previous years, which in part can be attributable to having an effective dog control service.
- 10.19 More noise complaints were responded to this financial year, with 1436 incidents, compared to 1360 in 2019-20.
- 10.20 The freedom camping enforcement was significantly down on the previous year due to COVID-19 and the closed borders. Enforcement was also down with 4,528 vehicle checks undertaken compared to 10,937 in 2019-20, 118 infringements issued in 2020-21, compared to 244 in 2019-20, and 426 warnings compared to 684 in 2019-20.
- 10.21 The harbourmaster and deputy harbourmaster completed 1,700 safety checks for the year, a 45% increase from 2019-20. On water patrols or exercises and events remained steady at 25% of the Harbourmaster and Deputy's time for the year. Between January and April, the on-water time increased to 40% over the summer period.
- 10.22 Eight vessels were towed to safety or assisted after mechanical failures, four swimmers and a kite surfer were assisted back to shore, and a kayaker was rescued off Pepin Island after they activated their personal locator beacon. Seven paddle craft and two jet skis were returned to shore due to bad light, poor conditions or had insufficient safety gear.

Resource Consents and Compliance Strategic Direction and Focus:

- 10.23 Officers are participating in special interest group forums to gain a greater understanding of new legislation and provide consistency in how new provisions are implemented. The resource consents team have recruited a new Principal Development Adviser to coordinate all Council approval processes associated with development and provide a smoother pathway for customers. A new graduate planner has recently commenced leaving 2.5 FTEs to recruit.

City Development Update (Urban Development Sub-Committee Matters):

- 10.24 The Upper Trafalgar Street multi-function pole fabrication and catenary lights have been installed. This was completed in time for the opening of Te Ramaroa (Nelson Lights). There have been issues with water intrusion into the catenary lighting and the pole light control box delivery being delayed from the supplier. Staff are working on rectifying these issues.
- 10.25 Officers completed the Housing and Business Capacity Assessment that is required under the National Policy Statement on Urban Development. The Assessment was due by 31 July 2021 and includes the Housing Bottom Lines that are to be inserted into Council's regional policy statement/district plan. A separate assessment that covers the urban environment of Nelson-Tasman has also been prepared.
- 10.26 Officers, in conjunction with the Tasman District Council, have commenced preparation of a new Future Development Strategy. The Future Development Strategy needs to meet the requirements of the National Policy Statement on Urban Development.
- 10.27 An Urban Design Panel was convened this quarter to review a potential development proposal. Meanwhile, two of the three earlier developments reviewed by the Panel in this financial year have now progressed to resource consent/building consent application stage.

City Development Strategic Direction and Focus:

- 10.28 The key strategic focus of the team is to complete:
 - 10.28.1 Te Ara ō Whakatū (City Centre Spatial Plan) with a report to Council to approve the draft Plan for public feedback on 26 August 2021;
 - 10.28.2 Establishment of the City Centre Residential Conversion Fund that was approved through the LTP 2021-31;
 - 10.28.3 Adoption of the vision, principles, and definitions for the housing reserve by Council;
 - 10.28.4 Collaboration with Kāinga Ora and other developers and housing providers to explore options to leverage housing supply; and
 - 10.28.5 Officers are continuing to work on implementing the Intensification Action Plan with a focus on the production of city centre residential conversion and backyard infill guides during this quarter.

Science and Environment Updates:

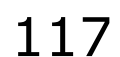
Air Quality

Item 9: Environmental Management Quarterly Report - 1 April - 30 June 2020

- 10.29 Winter smoke patrols resumed on 29 May, with 28 properties visited up to 30 June as a result of excessive smoke.
- 10.30 The woodburner behaviour change programme this quarter focussed on 'Getting Ready for Cooler Weather', 'Wood Burner Know-how', 'Don't Burn Treated Wood', 'Fire Needs Air', and 'Why are Ultra-low Emission Burners Better for Air Quality'.

Healthy Streams

- 10.31 Cumulative rainfall totals across the Nelson region for July 2020 to June 2021 were between 5% and 17% higher than long term averages. In April the Founders Park rain gauge recorded 37.1 mm in 30 minutes, this is a 100-year event for 30-min rainfall duration at this site. (Attachment 5 - A2713286)
- 10.32 Freshwater fish and invertebrate diversity in Nelson waterways was investigated by sampling water for environmental DNA (eDNA). Analysis is underway including using tools that are specific for identifying threatened short jaw kokopu and lamprey. The analysis has detected a few surprises: two sites with goldfish; a harmless freshwater jellyfish; and snapper and kingfish, probably discarded by shags or fishers. Fish eDNA has also been used to assess fish passage in the Brook stream open culvert and Waimarama Sanctuary.
- 10.33 The image below shows the species detected in the Maitai River near the Maitai Camp. (A larger copy can be provided.)



- 10.34 Winter fish spawning surveys confirmed banded kokopu spawning at Maire stream, which is now the second urban reserve after Pipers Park where kokopu eggs have been found in riparian vegetation. These tenacious climbing fish navigate over 1.5km of stormwater pipe to find refuges.
- 10.35 Water quality monitoring in the Maitai reservoir included a research programme investigating the response of the nuisance diatom *Lindavia* to seasonal changes in water temperature, nutrients and water

Item 9: Environmental Management Quarterly Report - 1 April - 30 June 2020

chemistry. Preliminary results indicate that the diatom and planktonic cyanobacteria are at low levels and low risk.

- 10.36 Water samples were taken at Paremata Flats as part of a national pilot study to look at pathogens and sources of faecal bacteria at recreation bathing sites with different land uses. A 2-page summary of the pilot is attached (Attachment 6 - A2717558). The project is seeking Ministry for the Environment funding to expand the study to gather more data over the next 3 years and include cultural health monitoring.
- 10.37 Draft environmental reporting web pages for freshwater quality, freshwater ecology, toxic algae monitoring, and bathing water quality have been developed as a trial. Information is shown in a range of formats including summary tables and heat maps and is presented against national environmental reporting limits and proposed Nelson Plan targets. There are plans to publish a series of annual, easily accessible, on-line and interactive State of the Environment reporting services and tools. Progress on this project will be reported through future quarterly reports.
- 10.38 The second art project for the Poorman Valley Stream Community Engagement Project was completed at the end of June. Artworks were displayed in time for Matariki, with people encouraged to walk along the stream between the art works. Six local schools and kindergartens presented their artworks as part of their Matariki celebrations. Community artworks were displayed in the Greenmeadows Centre, Stoke Library and esplanade reserve adjacent to Plumtree Lane. The project was covered by the media:
<https://www.stuff.co.nz/environment/125676433/students-public-art-work-focuses-on-neglected-stream>
- 10.39 The Poorman Valley Stream restoration plan was progressed with weed tree control undertaken along the esplanade reserve at Marsden Cemetery, and over 3000 plants were planted along the stream at Plumtree Lane at the top of the catchment and at Nayland College at the bottom of the catchment.
- 10.40 A standard suite of erosion and sediment control consent conditions have been drafted and legally reviewed and are currently being finalised for use by the consents team. These conditions will provide consistency for developers and contractors and enable monitoring and compliance to be more easily undertaken.

Nelson Nature

- 10.41 Five-yearly monitoring to measure changes in presence of pest plants and animal pests in the Maitai and Roding Water Reserves and Nelson Halo was completed. Initial analysis of the data indicates a general decrease in pest presence in areas where Nelson Nature has focused control efforts since 2015 and little change or slight increase in areas without control. The data will be analysed more fully during 2021-2022.

Item 9: Environmental Management Quarterly Report - 1 April - 30 June 2020

- 10.42 The third year of the annual goat and deer control operation in the Maitai and Roding Water Reserves was completed this year. This year, the operational area was expanded to include 5,500 ha of the reserves and removed 73 goats and 50 deer. The goal of the programme is to reduce both goat and deer numbers to effectively zero density within the control area within 5 years to enable native forests to recover from animal browse and work is on track to achieve that goal.
- 10.43 Backyard predator trapping is also increasing, and a trial selling council-subsidised rat, stoat and possum traps from the DOC Visitor Centre has seen more than 200 traps purchased by residents to protect wildlife in their backyards from predators. The subsidised trap scheme will be continued in 2021-22.
- 10.44 Significant Natural Areas (SNAs) are sites identified as holding particularly high biodiversity values and are proposed to be scheduled under the draft Nelson Plan. Extensive consultation has occurred with the landowners and Nelson Nature supported 14 private landowners this year to manage threats impacting the values of their SNAs, particularly vine weeds and possums. Contractors were engaged to enable landowners to get ahead for sites with heavy weed infestation, and support for possum control was provision of traps, with the landowners doing the trapping.

Sustainable Land Management

- 10.45 Two Sustainable Land Management projects led by Council are being delivered through the Regional Council's Envirolink fund this year. The first project, to understand more about Mātauranga Māori in relation to land science, was completed and delivered through workshops and webinars with Regional Councils through the Land SIGs (Special Interest Groups).
- 10.46 The second Envirolink funded project is to develop guidelines for transitioning plantation forestry to native forestry, partly in response to demand from small woodlot owners wanting to transition away from plantation species. Site visits were completed this quarter and site-specific plans are currently being developed for a number of iwi-owned forestry sites. The final report for this work is expected to be delivered by 30 August.
- 10.47 A landowner-led Jobs for Nature project to restore riparian and wetland areas on private land in the Wakapuaka started this year, and Council is supporting with advice, GIS information and co-funding. The Wakapuaka Mouri Project has secured funding for five years through the MfE Freshwater Improvement Fund and is being delivered by Tasman Environmental Trust. The first years funding deliverables are complete with thousands of plants in the ground and the first phase of pest and stock proof fencing successfully installed.

Coastal and Marine

- 10.48 Council continues to participate in the Waimea Inlet Coordination group (WICG) to support the implementation of the Waimea Inlet Strategy and

Item 9: Environmental Management Quarterly Report - 1 April - 30 June 2020

Action Plan, alongside other statutory agencies and iwi. A report summarising progress of the Waimea Coordination Group in implementing the Waimea Inlet Action Plan is attached, including key highlights over the 2020 calendar year (Attachment 7 - A2711918).

- 10.49 An Ecological Restoration Plan (ERP) for Whakatu Drive esplanade reserves has been developed in collaboration with Parks & Facilities. The Plan will guide future weeding and planting to enhance the ecology of this fragile coastal area.
- 10.50 Approximately 2,900 native plants were planted in the coastal margin of Whakatu Drive this winter, in collaboration with Tasman Environmental Trust's Waimea Inlet Restoration Project. Te Uru Rākau One Billion Trees fund provided \$15,000 towards the cost of plants. Most of the planting was completed by children from local primary schools. The focus of this year's plantings was to enlarge some established plantings, introduce longer lived tall forest species and extend salt marsh margins.

Biosecurity

- 10.51 Two rounds of the Council's annual dive survey of vessels, piles and pontoon in the Nelson marina and moorings for Mediterranean fanworm (*Sabella spallanzanii*) were completed in June 2021. Three *Sabella* (2 large (260mm and 522mm) and 1 medium size (150mm)) were found and removed at three sites, all on pontoons in the marina. A large area and number of vessels were covered by the survey so to find only three specimens was encouraging.

Environmental education

- 10.52 The Enviroschools programme was busy this quarter: Nayland Kindergarten became a Green-Gold Enviroschool in June; a successful Bioblitz Adventure event was held for primary school children (teaching them citizen science skills); and the Secondary Leadership Hui was held at Bark Bay in collaboration with Project Janszoon.
- 10.53 A number of professional development events were run for teachers this term covering Adopt a Spot, Bikes in Schools, Active Transport for Kindergartens. Travel Champion Challenges were run at Nayland Primary School and Victory Square Kindergarten.
- 10.54 Nelson Central School and Auckland Point School completed the Drains to Harbour Programme.

Heritage Project Fund

- 10.55 Eighteen of the 2020/2021 year's successful applicants completed their projects. Three projects came in under budget, one applicant withdrew and three did not use the funds allocated, resulting in this account being underspent this year.

Item 9: Environmental Management Quarterly Report - 1 April - 30 June 2020

- 10.56 Thirty-nine applications were received for the 2021/2022 year, seeking \$393,572 with \$112,042 available. Site visits have been carried out and applicants will be notified of the outcome shortly.

Sustainable Building

- 10.57 The Government further adjusted the Warmer Kiwi Homes funding model in May, to 80% EECA funding and 20% local funding. Demand remains strong with this year shaping up to be a record for the number of homes insulated in the Nelson region.
- 10.58 Council renewed its New Zealand Green Building Council membership. Here is a link to the [benefits of NZGBC membership](#)

Science and Environment Strategic Direction and Focus:

- 10.59 In the 2021/22 year, the Science and Environment team will be analysing the impact of upcoming widespread change and responding to and futureproofing for that change. Key focus areas will include:
- 10.59.1 response to new national direction;
 - 10.59.2 ongoing development of the Coastal/Marine programme;
 - 10.59.3 delivery of council's Jobs for Nature projects;
 - 10.59.4 supporting resilience of ecosystems to climate change impacts; and
 - 10.59.5 improvement in environmental data management and reporting processes and tools; and collaboration with mana whenua iwi.

Author: Jane Budge, Principal Adviser Environmental Management

Attachments

- Attachment 1: A2725276 - Quarterly Reporting - 2020-21 - Environment Performance Measures - 10Aug2021.pdf [↓](#)
- Attachment 2: A2692511 - Project Mahitahi Governance Group Report - July 2021 [↓](#)
- Attachment 3: A2700782 - Building and Consents and Compliance statistics - 1 Apr - 30 Jun 2021 [↓](#)
- Attachment 4: A2719763 - NCC Dog control activity report - 2020-21 [↓](#)
- Attachment 5: A2713286 - Cumulative rainfall graphs - 2020/21 [↓](#)

Item 9: Environmental Management Quarterly Report - 1 April - 30 June 2020

Attachment 6: A2717558 - Fact sheet: Pilot study for pathogens in water - MFE
- March2021 [↓](#)

Attachment 7: A2711918 - Report to Council Waimea Inlet Coordination Group
Updates 2020-2021 [↓](#)

Important considerations for decision making
1. Fit with Purpose of Local Government Section 10 of LGA 2002 requires local government to promote the social, economic, environmental and cultural well-being of communities in the present and for the future. This quarterly report identifies the performance levels of regulatory and non-regulatory functions that seek to provide for healthy and safe communities, economic outcomes (e.g. Jobs 4 Nature) and the well-being of the natural and physical environments.
2. Consistency with Community Outcomes and Council Policy The Council's Long Term Plan includes performance measures for various activities and this report enables the Council to monitor progress towards achieving these measures. The Environmental Management work programme addresses the following community outcomes: <ul style="list-style-type: none">• Our unique natural environment is healthy and protected.• Our urban and rural environments are people friendly, well planned and sustainably managed.• Our infrastructure is efficient, cost effective and meets current and future needs.• Our communities are healthy, safe, inclusive and resilient.• Our communities have opportunities to celebrate and explore their heritage, identity and creativity.• Our Council provides leadership and fosters partnerships, a regional perspective, and community engagement.• Our region is supported by an innovative and sustainable economy.
3. Risk Increased changes from Central Government have the potential to impact on work programmes, particularly the Nelson Plan, budgets and statutory timeframes. In addition, the inability to recruit staff is placing considerable pressure on delivering for resource consents, building consents and environmental planning.
4. Financial impact No additional resources have been requested.
5. Degree of significance and level of engagement

<p>This matter is of low significance and no engagement has been undertaken.</p>
<p>6. Climate Impact</p> <p>The provision of regulatory and non-regulatory services directly assists Council to take appropriate action or advocate for others to take action to address the impacts of climate change.</p>
<p>7. Inclusion of Māori in the decision making process</p> <p>No consultation with Māori has been undertaken regarding this report.</p>
<p>8. Delegations</p> <p>The Environment and Climate Committee has the following delegation:</p> <p>Areas of Responsibility:</p> <ul style="list-style-type: none">• <i>Building control matters, including earthquake-prone buildings and the fencing of swimming pools</i>• <i>Brook Waimarama Sanctuary Trust</i>• <i>Bylaws, within the areas of responsibility</i>• <i>Climate Change policy, monitoring and review</i>• <i>Climate change impact and strategy overview - mitigation, adaptation and resiliency</i>• <i>Climate change reserve fund use</i>• <i>Environmental programmes including (but not limited to) warmer, healthier homes, energy efficiency, environmental education, and eco-building advice</i>• <i>Environmental regulatory and non-regulatory matters including (but not limited to) animals and dogs, amusement devices, alcohol licensing (except where delegated to the Alcohol Regulatory and Licensing Authority), food premises, gambling, sugar-sweetened beverages and smokefree environments, and other public health issues</i>• <i>Environmental science monitoring and reporting including (but not limited to) air quality, water quality, water quantity, land management, biodiversity, biosecurity (marine, freshwater and terrestrial), pest and weed management, and coastal and marine science</i>• <i>Environmental Science programmes including (but not limited to) Nelson Nature and Healthy Streams</i>• <i>Hazardous substances and contaminated land</i>• <i>Maritime and Harbour Safety and Control</i>• <i>Planning documents or policies, including (but not limited to) the Land Development Manual</i>• <i>Policies and strategies relating to compliance, monitoring and enforcement</i>

Item 9: Environmental Management Quarterly Report - 1 April - 30 June 2020

- *Policies and strategies related to resource management matters*
- *Pollution control*
- *Regulatory enforcement and monitoring*
- *The Regional Policy Statement, District and Regional Plans, including the Nelson Plan*
- *Urban Greening Plan*

Delegations:

- *The committee has all of the responsibilities, powers, functions and duties of Council in relation to governance matters within its areas of responsibility, except where they have been retained by Council, or have been referred to other committees, subcommittees or subordinate decision-making bodies.*

As per 5.2.2 of Council's Delegation Register, the Chief Executive, Mayor and the Committee Chairperson have confirmed that the matter be considered by Council due to the COVID-19 Alert Level constraints.

Item 9: Environmental Management Quarterly Report - 1 April - 30 June 2020: Attachment 1

Activity	What Council will provide	Performance measures	Year 3 (2020/21) target	End of year 2020/21 comment (Annual Report)	End of year result 2020/21
Environment	Clean air	Compliance with National Air Quality Standards – number of breaches in each airshed	No more than 3 breaches in winter 2020	No breaches airshed A. This measure was achieved in 2019/20.	Achieved
Environment			No more than 1 breach in winter 2020	No breaches airshed B1. This measure was achieved in 2019/20.	Achieved
Environment			No breaches	No breaches airshed B2. This measure was achieved in 2019/20.	Achieved
Environment			No breaches	No breaches airshed C. This measure was achieved in 2019/20.	Achieved
Environment	Natural water ways complying with National Policy Statement Freshwater requirements	% of pristine water bodies maintained at current state (2017 baseline) as a minimum	100%	100%. This measure was achieved in 2019/20.	Achieved
Environment	Safe recreational bathing sites, marine and freshwater	% key bathing sites monitored and public advised if water quality standards breached	100%	100%. This measure was achieved in 2019/20.	Achieved
Environment	Resource consent processes that comply with statutory timeframes	% non-notified processed within 20 working days	100%	93.75% of non-notified resource consents were processed within 20 working days. Application numbers increased by 11% in 2020/21 compared to the previous year. This, combined with processing staff vacancies and a shortage of consultants, meant that some consents were not able to be processed within the target timeframe.	Not achieved
Environment		% fast track consents within 10 working days	100%	94.5% of fast track resource consents were processed within 10 working days. Application numbers increased by 11% in 2020/21 compared to the previous year. This, combined with processing staff vacancies and a shortage of consultants, meant that some consents were not able to be processed within the target timeframe.	Not achieved
Environment	Building unit compliance	% building consents (BC) and code compliance certificates (CCC) issued within 20 working days	100%	99.1% were issued within 20 working days. This was 96% in 2019/20	Not achieved
Environment	Dog and animal control	% of all complaints responded to within one day	90% of complaints responded to within one day	94% of complaints were responded to within one day. This result was not fully verifiable in 2019/20.	Achieved
Environment	Food safety and public health	% premises receiving inspection as per statutory requirements	100% of premises are inspected according to legislative requirements on frequency	100% of premises were inspected according to legislative requirements on frequency. This result was not fully verifiable in 2019/20.	Achieved
Environment	Alcohol licensing	% of licensed premises receiving two inspections per year	100% of premises inspected two times per year	The Sale and Supply of Alcohol Act has changed since this measure was written, and Council now inspects high risk premises only, as required by the legislation. 100% of high risk premises were inspected in 2020/21. This measure has been changed in the 2021-2031 Long Term Plan.	Not achieved
Environment	Pollution response	% responses to emergencies within 30 minutes and all other incidents within one day	100% of emergencies responded to within 30 minutes and all other incidents within one day	98.63% - two complaints were delayed in being notified to EIL. This result was not fully verifiable in 2019/20.	Not achieved



PROJECT MAHITAHİ PROJECT GOVERNANCE MEETING

15 July 2021: 9:00 am to 11:00 am

1. Introduction

This report provides an update to the Project Mahitahi Project Governance Group (Governance Group). The table below outlines action points or specific sections to be noted, which are further explained in the body of the report.

Paragraph	The Governance Group is asked to:
2.3	Note the budget as it stands at 30 June 2021
3.2	Note the number and type of roles that are now recruited through Project Mahitahi.
4.6	Approve that an end of Year One celebration be held in October/November
11.2	Note the risks and mitigations contained in the Risk Management Spreadsheet.

2. Budget

- 2.1 The tables below show the \$2,000,000 grant spread over financial years July to June, and over funding years, November to November. Due to roles not being fully in place during the first stage of this project, there is an underspend in Year One of the grant. However, this will be required to meet the cost of all roles in Year Two of the grant. The Project is on track to exceed the 15 FTE per year required under the Agreement with the Department of Conservation. Across both MFE and DOC, the target is 54 FTE over five years, with the Project on-track to deliver 57 FTE.
- 2.2 As at June 30, 2021, there is a contingency of \$90,380 in opex available across the remaining Project life. This is in part due to additional funding made available by Nelson City Council to fund operational costs including trees, agrichemicals, and event delivery. It is anticipated that the opex contingency will be spent by November 2022 to meet similar costs in the upcoming months.
- 2.3 **The Governance Group is asked to note the status of the budget as at 30 June 2021.**

(A2692511)

Table One: Budget by financial years

Financial Year – July - June	Transferred from previous financial year	Income	Total Income incl. transfer	FTE Expenditure & Related Costs	Opex Expenditure	Total Expenditure
2020 - 2021		\$750,000	\$750,000	\$311,074	\$131,885	\$442,959
2021 - 2022	\$307,041	\$1,000,000	\$1,307,041	\$911,218	\$176,807	\$1,088,025
2022 - 2023	\$219,016	\$250,000	\$469,016	\$310,051	\$68,585	\$378,636
OPEX Contingency						\$90,380
TOTALS		\$2,000,000		\$1,532,343	\$377,277	\$2,000,000

Table Two: Budget by grant years

Grant Year – Nov - Nov	Transferred from previous financial year	Income	Total Income incl. transfer	FTE Expenditure & Related Costs	Opex Expenditure	Total Expenditure
2020-2021		\$1,000,000	\$1,000,000	\$623,709	\$194,542	\$818,251
2021 - 2022	\$181,749	\$1,000,000	\$1,181,749	\$908,634	\$182,735	\$1,091,369
OPEX Contingency						\$90,380
TOTALS		\$2,000,000		\$1,532,343	\$377,182	\$2,000,000

(A2692511)

3. Role Numbers

- 3.1 As at 30 June 2021, there are 30 different people employed to work toward the goals of Project Mahitahi. Two people work 50/50 between MFE and DOC funded roles, hence the discrepancy in the table below.
- 3.2 **The Governance Group is asked to note the number and type of roles that are now recruited through Project Mahitahi.**

Host Employer	Status	No people	FTE	Description
MFE: Public Waterways and Ecosystem Restoration Fund (PWER)				
Kūmānu Conservation (Nelmac)	Roles in place	6	4.5	Field staff
Nelson City Council	Role in place	1	0.5	Project Management
DOC: Kaimahi for Nature (KFN)				
Brook Waimarāma Sanctuary	Roles in place	3	2	Volunteer support; Visitor experience
Kūmānu Conservation (Nelmac)	Roles in place	9	8	Field Supervisor; Senior Ranger; Programme Leader Pest Animal Control; GIS co-ordinator and ecological support; 4 field staff.
Fulton Hogan	Roles in place	3	2	Animal pest control
Easy Trails	Roles in place	5	1	Field staff
Ngāti Koata Trust	Roles in place as at 01 July 2021	3	3	Kaitiaki Whenua
NCC	Role in place	2	1	Project Management / Administrative Support
TOTAL (annual)		32	22	

Note: Roles are considered full time if between 30 and 40 hours per week; half time if between 10 and 20 hours per week. Less than 10 does not count as a role, but the hours worked do count.

4. Community Projects / Events

- 4.1 This planting season has seen five community planting events to date (including two for Matariki in July). Two of these were with targeted groups (Cawthron Institute and Nelson Girls College), while three were wider community plantings. The attendance at all events was good, with wide engagement across the Project.
- 4.2 Approximate attendance at each planting is shown in the table below:

(A2692511)

Cawthron Institute Centennial Planting	@100
Nelson College for Girls Planting	@35
Nelson Tasman Multicultural Planting	@50
Matariki Planting	@50
Peneamine Planting	Between 20 – 40 per day, for six days

- 4.3 The commemorative planting event at Sunday Hole, which was to commemorate Kākatī and the connection of people with land, was presented as a Matariki planting. There was no decision made by either iwi or the Whakatu Marae on how the commemoration should be managed. This planting is planned for the next two seasons, and it is hoped that the greater lead-in time will allow for a more appropriate acknowledgement to be made in 2022.
- 4.4 In the upcoming quarter, there is one further community project to be delivered: this is a bus tour up the Maitai / Mahitahi Valley which will provide information about the ecology of the valley from experts. NMIT media students are developing collateral to support this event, and we also have last years' student work to distribute as part of this event, which is seed pods of plants from the catchment.
- 4.5 A Maitai / Mahitahi specific planting guide is currently being produced which will form part of the discussion on this trip. The trip will be limited to two small bus loads, to avoid traffic issues, and will in the first instance be targeted at those living in the catchment.
- 4.6 November will mark the first-year anniversary of Kaimahi for Nature and Project Mahitahi. This would present an opportunity to bring together all of those employed through the project, and those connected to its delivery, for an informal afternoon tea in celebration of a successful year of project outcomes being realised.
- 4.7 **The Governance Group is asked to approve that an end of Year One celebration be held in October/November.**

5. Contract Work Programme

- 5.1 The Kūmānu team are progressing well with weed control in numerous sites in the catchment. Key sites for the last quarter have: included Venner Reserve near the Maitai Dam, which has seen over 9000 native trees planted, and a number of large pest trees removed; and the Ngāti Koata owned land in the Sharlands Creek catchment, to support the Peneamine Restoration project. Over 5000 native trees have been planted on the hillier slopes, and a similar number along the riparian margins.
- 5.2 Across the Project, including community planting and contractor planting, all involving Kūmānu staff, the total number of trees planted this season is over 32,000.
- 5.3 Nelson City Council has committed additional funding of over \$40,000 for the removal of pest trees including willows, sycamores, and wilding pines, that are encroaching in

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the catchment. Kūmānu arborists are tackling the larger and more hazardous trees, while the smaller trees are being used for training purposes for Kaimahi for Nature staff to gain arborist qualifications.

- 5.4 Kūmānu also has two staff employed under Kaimahi for Nature who are planning and overseeing the delivery of, animal pest control work in the catchment. This includes working alongside Fulton Hogan staff to undertake possum and ungulate control in the Maitai Waterworks Reserve, including training these staff to use appropriate technology and practices.
- 5.5 A trapping programme is now up and running on Teal Saddle, being serviced by Kaimahi for Nature staff, with a second project being set up around the outside perimeter of the Brook Sanctuary. The total area for these two projects combined is greater than that required under the DOC funding agreement.
- 5.6 One additional part time role has been added to the team, beginning work in July, to co-ordinate the training of the team. Training of staff is comprehensive and having a dedicated focus on this will ensure the outcomes are appropriate for each trainee ranger. Kūmānu has advised that they will look to extend the hours of this role using other funding, as further Kaimahi for Nature/Jobs for Nature roles are incorporated.
- 5.7 **Easy Trails** have 5 part time staff employed to undertake weed control along mountain bike trails in the catchment and are currently focused on the Tantragee area in the Brook Valley. This work is additional to, and complements, work being undertaken under Nelson City Council contracts with Easy Trails.
- 5.8 Work continues to progress well with those three staff employed at **the Brook Waimarama Sanctuary**. One staff member left earlier in the year and has since been replaced. An additional staff member is currently being recruited. One of the new staff members is running a fortnightly radio broadcast on FreshFM and leading front of house visitor experience and was instrumental in the delivery of the [Glowworm and forest-after-dark tour](#).
- 5.9 A second staff member is supporting biosecurity and monitoring teams along with the Sanctuary Ecologist, while the third employee is managing social media, newsletters, and other administrative activities.
- 5.10 **Fulton Hogan** are supporting the employment of one full time trapper, one half time trapping assistant, and a hunter that operates for an average of one day per week. There has been some upskilling required to work to industry standards, and to meet Ministry of Health requirements for the laying of cyanide poison but these issues are being worked through with the assistance of Kūmānu.

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6. Health and Safety

- 6.1 No significant health and safety issues have been reported. Several “Near Miss” incidents are reported each month, which include matters such as spillage of dye, small slips while working, and cattle in the Sharlands area.
- 6.2 One Safe Work Observation was carried out ahead of a planting, with the daily safety briefing observed to be undertaken appropriately for staff working on site that day. These briefings take place at the beginning of every day’s work.

7. Training

- 7.1 A “Willow Workshop” was held in May which was attended by a number of the Kūmānu staff, along with NCC staff who work in the catchment including Parks and Utilities staff, and Project Managers from two other Catchment projects in the wider region. This workshop, funded by NCC, will support a common understanding of “good willow – bad willow” and form the basis of a willow removal strategy for the Maitai Mahitahi Catchment.
- 7.2 Kūmānu continue to provide a range of training opportunities to the expanding field staff (11 trainee rangers, one senior rangers, one supervisor), now supported by a dedicated training administrator, including:
- Plant identification
 - Chainsaw use
 - Growsafe
 - Arborist training / tree felling
 - Nursery work
 - Powelliphanta snail surveys (ongoing with DOC)
 - MCI workshop with Cawthron and Mel McColgan
 - Trapping
- 7.3 Trainees are working toward formal qualifications alongside in-house training opportunities. There has been discussion about holding workshops with NMIT on specific topics, and these will be extended to trainees in other programmes as required.
- 7.4 The three Kaitiaki Whenua rangers will be working alongside NCC freshwater sciences team members as part of training in the monitoring space.

8. Communications

- 8.1 Community planting events have been covered by Nelson City Council communications team through Facebook, Instagram, and the regular Council newsletter, and through Ngāti Koata social media platforms.

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- 8.2 Additionally, the Cawthron Institute planting was covered by both the Nelson Mail and Nelson Weekly, while the Nelson College for Girls event is mentioned as a highlight in the regional EnviroSchools newsletter.
- 8.3 Signage is underway through Hothouse Designers for a permanent sign to be installed at the Peneamine Restoration Project explaining the project origins, the name of the site, and acknowledging the connection with Project Mahitahi.
- 8.4 A further Maitai Oral History video is being produced focused on the Packer family, and some original sound recordings from early last century about life in the Maitai valley.
- 8.5 Kūmānu now has a dedicated vehicle for the Project which is Project Mahitahi branded.

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9. Cultural Health Monitoring

- 9.1 The cultural health monitoring programme to support Project Mahitahi continues to be developed. There have been some issues with capacity to deliver the work, however the three new roles placed with Ngati Koata Trust will assist in this.

10. Other Funding opportunities

- 10.1 An application was made to the DOC Biodiversity on Private Land Fund to be focused on the native forest blocks within the Sharlands Forest on land owned by Ngāti Koata. The application sought \$522,975 over three years and included employment of three field staff, and two Matauranga Maori roles.
- 10.2 Unfortunately, this was not successful in being funded, which is particularly disappointing given that the larger covenanted area that was included, is on land in a DOC managed Covenant, but in severe need of an injection of funding and labour resourcing.
- 10.3 Until a further funding opportunity presents itself, Nelson City Council's Biodiversity Team will continue to work with Ngati Koata Trust and Koata Limited to progress work here, albeit at a lesser level than the DOC funding would have allowed.

11. Project Risk Register

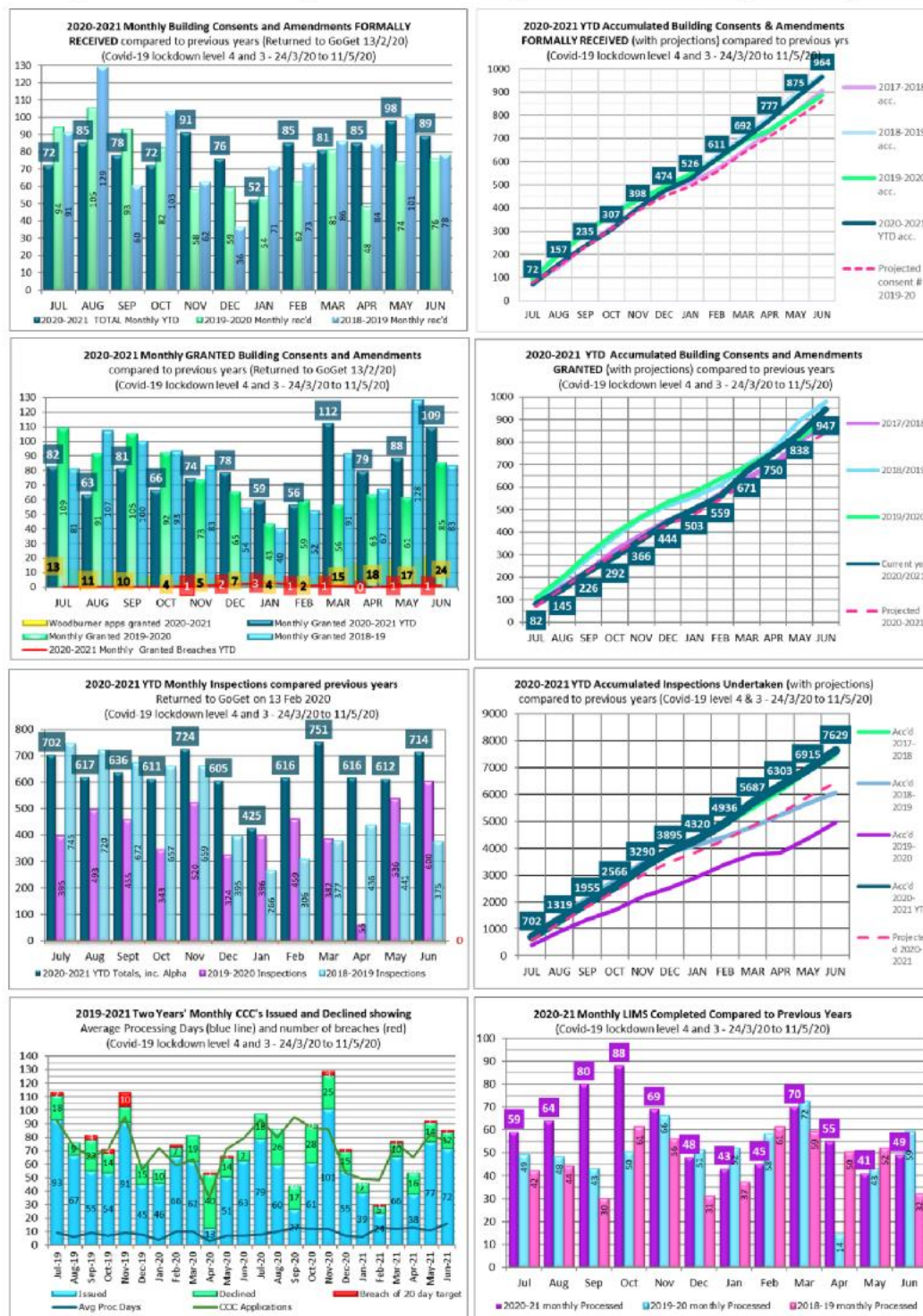
- 11.1 A risk management spreadsheet has been provided.
- 11.2 **The Project Governance Group is asked to note the risks and mitigations contained in the Risk Management Spreadsheet.**

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Attachment

Building Unit Statistics 1 April – 30 June 2021

1. Quarter 4 summary for the building consent authority activity.



Council received 964 building consent applications (including amendments) compared to 902 received in 2019/20, which is approximately 10% higher than projected for the year.

The value of the work for consents received has increased from \$168.7 million in 2019/20 to \$183.3 million in 2020/21, which again is higher than expected.

7629 building inspections were undertaken in 2020-2021, compared to 5232 in 2019/20, which amounts to 1,200 more inspections (32%) than projected for the year.

The building team upgraded their online systems to improve customer service and performance

The Building Control Authority went through an IANZ accreditation audit in July 2021 which resulted in 8 General Non-Compliances (compared to 32 - 2 years ago) and were informed they were amongst the top Building Control Authority's in the country. The General Non-Compliances are to be cleared within 3 months to retain accreditation. Fees were revised and changes implemented on 1 July 2021.

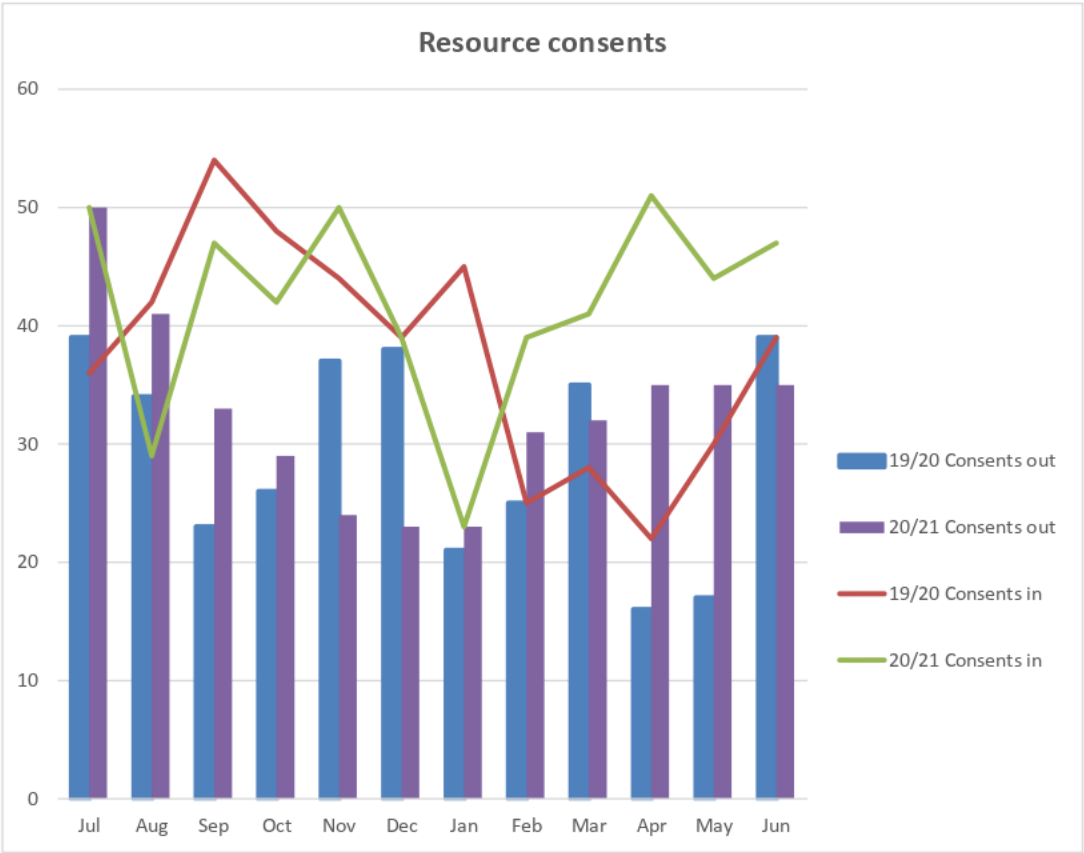
The number of Land Information Memorandum (LIM) reports produced, were the highest in 4 years, 711 were processed this financial year, compared to 605 in 2019-20 FY.

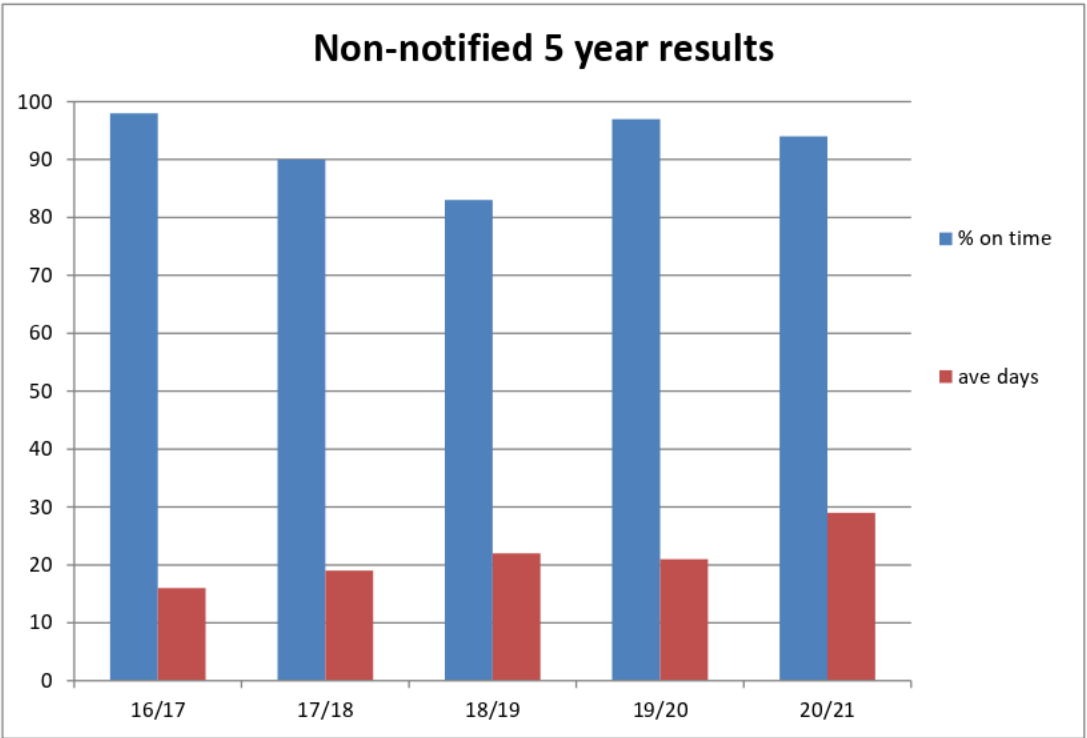
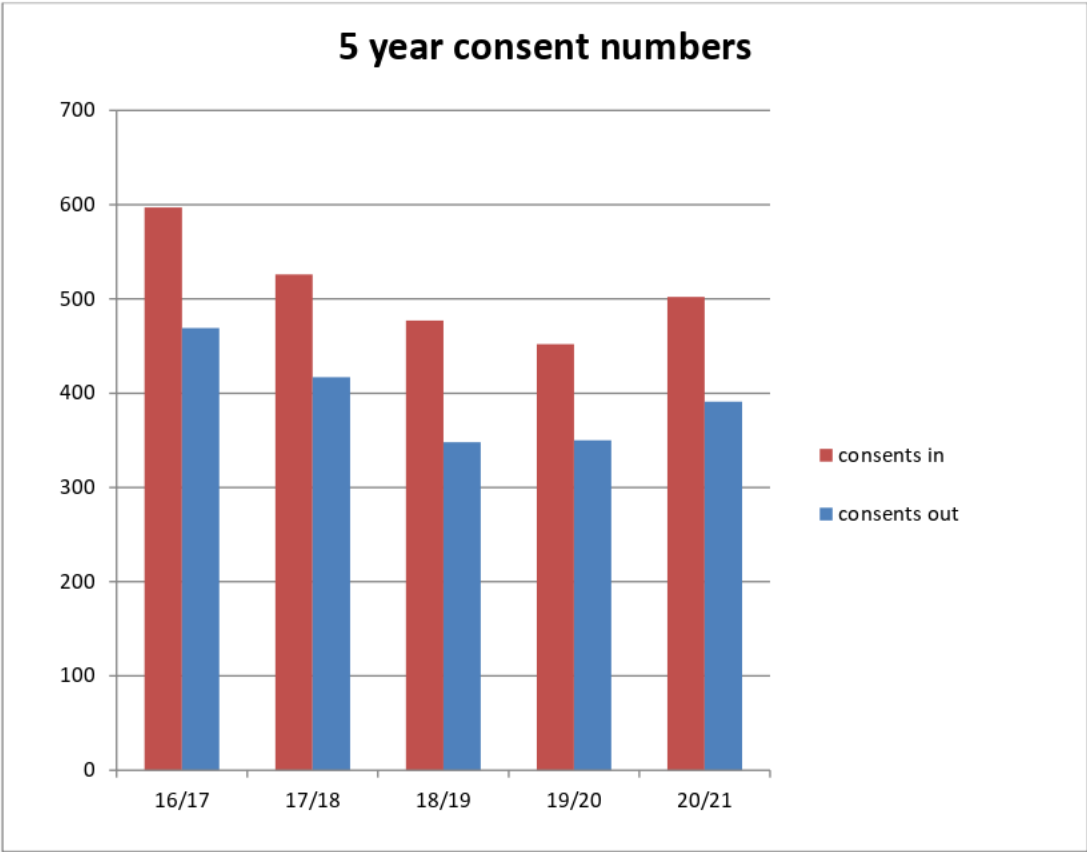
Consents and Compliance Statistics 1 April – 30 June 2021

1. Resource Consent Processing Times

Period of time	NON NOTIFIED				NOTIFIED AND LIMITED NOTIFIED		
	% on time	Average process days	Median process days	Consent numbers	% on time	Average process days	Consent numbers
April	94	32	26	35			0
May	86	33	26	35			0
June	77	32	21	35			0
2020/21 average	94	29	22	32	75	120	1
2020/21 total				385			6
2019/20 average	97	21	18	28	60	132	3
2019/20 totals				335			15

2. Resource Consent numbers





3. Parking Performance

Activity	Apr	May	Jun
Enforcement			
Safety	129	175	148
Licence labels /WOF	210	351	334
Licence labels/WOF (Warnings)	146	123	136
Meters/Time restrictions	545	959	938
Total Infringement notices issued	1030	1608	1556
Service Requests			
Abandoned Vehicles	29	36	21
Requests for Enforcement	58	63	79
Information /advice	10	17	22
Total service requests	97	116	122
Courts			
Notices lodged for collection of fine	311	177	279
Explanations Received	133	164	181
Explanations declined	37	44	31
Explanations accepted	96	120	150

4. Environmental Health and Dog Control Activities

Activity	Responses			Total 2020/21	Total 2019/20
	April	May	June		
Dog Control	137	119	95	1613	1693
Resource consent monitoring	113	97	112	1436	2496
Noise nuisance	116	87	77	1453	1360
Bylaw / Building / Planning	48	30	33	544	560
Alcohol applications	35	36	33	456	465
Alcohol Inspections	2	12	9	124	99
Pollution	12	44	34	317	256
Stock	3	6	3	84	78

5. Freedom Camping Enforcement

Activity	Total 2020/21	Total 2019/20
Service Requests	111	129
Numbers of Patrols (commenced in November)	224	242
Vehicles Checks	4528	10937
Infringements Issued	118	244
Education/Warnings Issued	426	684

Dog control activity report

Nelson City Council Dog Control Activity Reports

(Pursuant to the Dog Control Act 1996, S.10A)

Section 10A(2) Ref	Requirement	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21
(a)	Number of registered dogs	5362	5507	5649	5770	5869	5901	5969	6079
(b)	Number of probationary owners	1	1	0	0	2	3	2	1
	Number of disqualified owners	1	3	2	2	2	2	2	2
(c)	Number of dogs classified as dangerous under s.31(1)(b)	17	12	12	12	14	10	8	9
(d)	Number of dogs classified as menacing under s.33A(1)(b)(i)	20	27	27	33	30	44	57	56
		51	55	40	39	35	30	32	37

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Section 10A(2) Ref	Requirement	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21
	Number of dogs classified as menacing under s.33(C)(1)								
(e)	Number of infringement notices	251	290	276	272	270	288	274	264
	Number of complaints and nature of complaints:								
(f)	Dog attack human	24	31	26	34	22	22	25	24
	Dog attack animal	69	68	58	52	66	64	56	56
	Dog aggression	86	106	73	88	60	68	63	53

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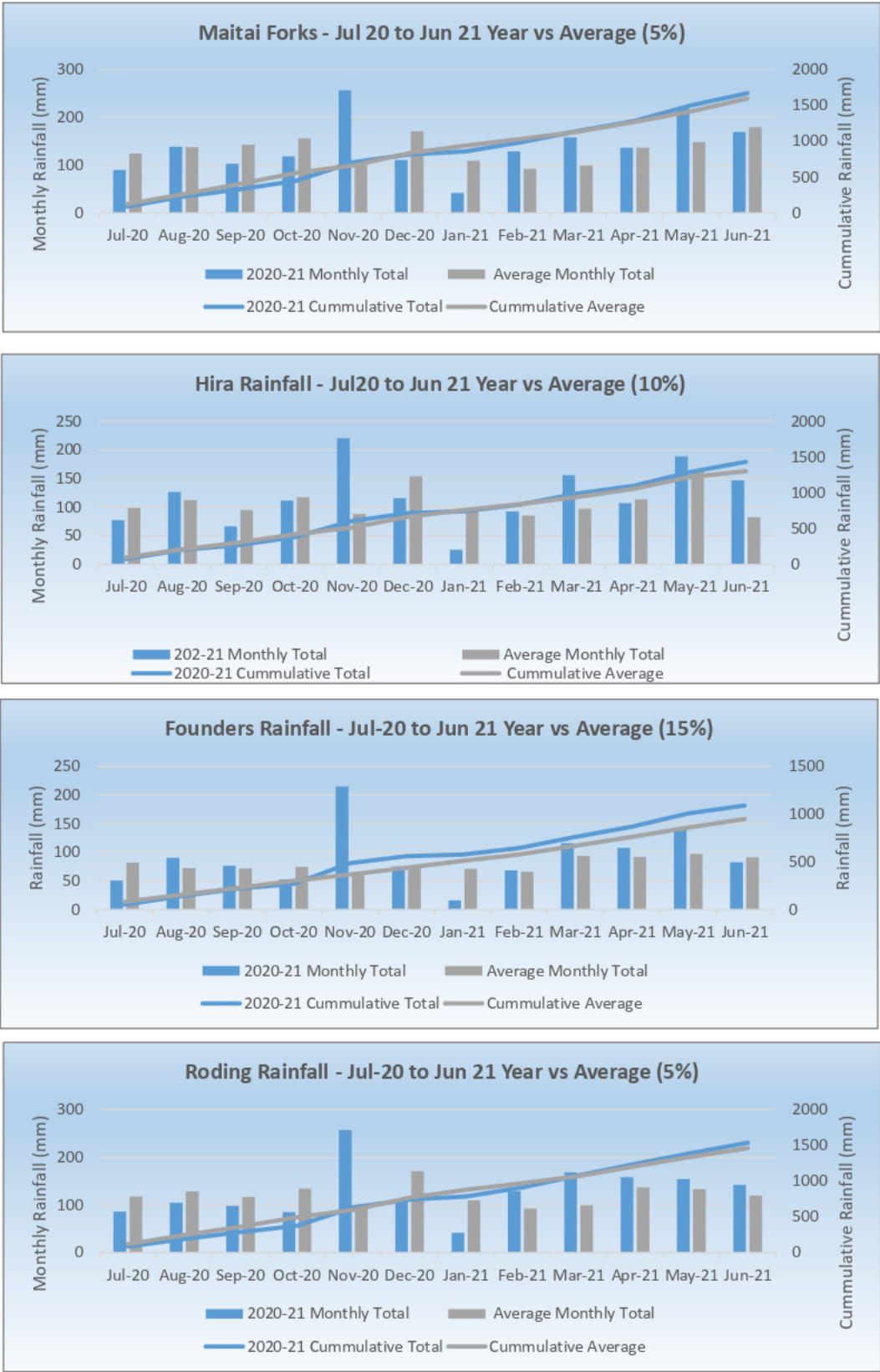
Section 10A(2) Ref	Requirement	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21
	Barking	596	599	593	525	557	551	405	491
	Fouling	10	19	10	14	19	10	10	15
	Wandering	487	513	477	673	568	528	527	460
	Unregistered	38	32	47	75	79	68	64	60
	Welfare	28	21	17	24	25	32	18	25
	In restricted area	7	8	4	8	8	3	2	9
	Not on lead	7	7	8	27	12	15	14	12

(A2719763)

Section 10A(2) Ref	Requirement	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21
	Not under control	41	44	31	47	35	41	34	38
	Impounded	464	395	368	353	281	270	248	196
	Total	1855	1843	1712	1920	1732	1672	1466	1439
(g)	Number of prosecutions	2	1	1	1	2	3	0	2

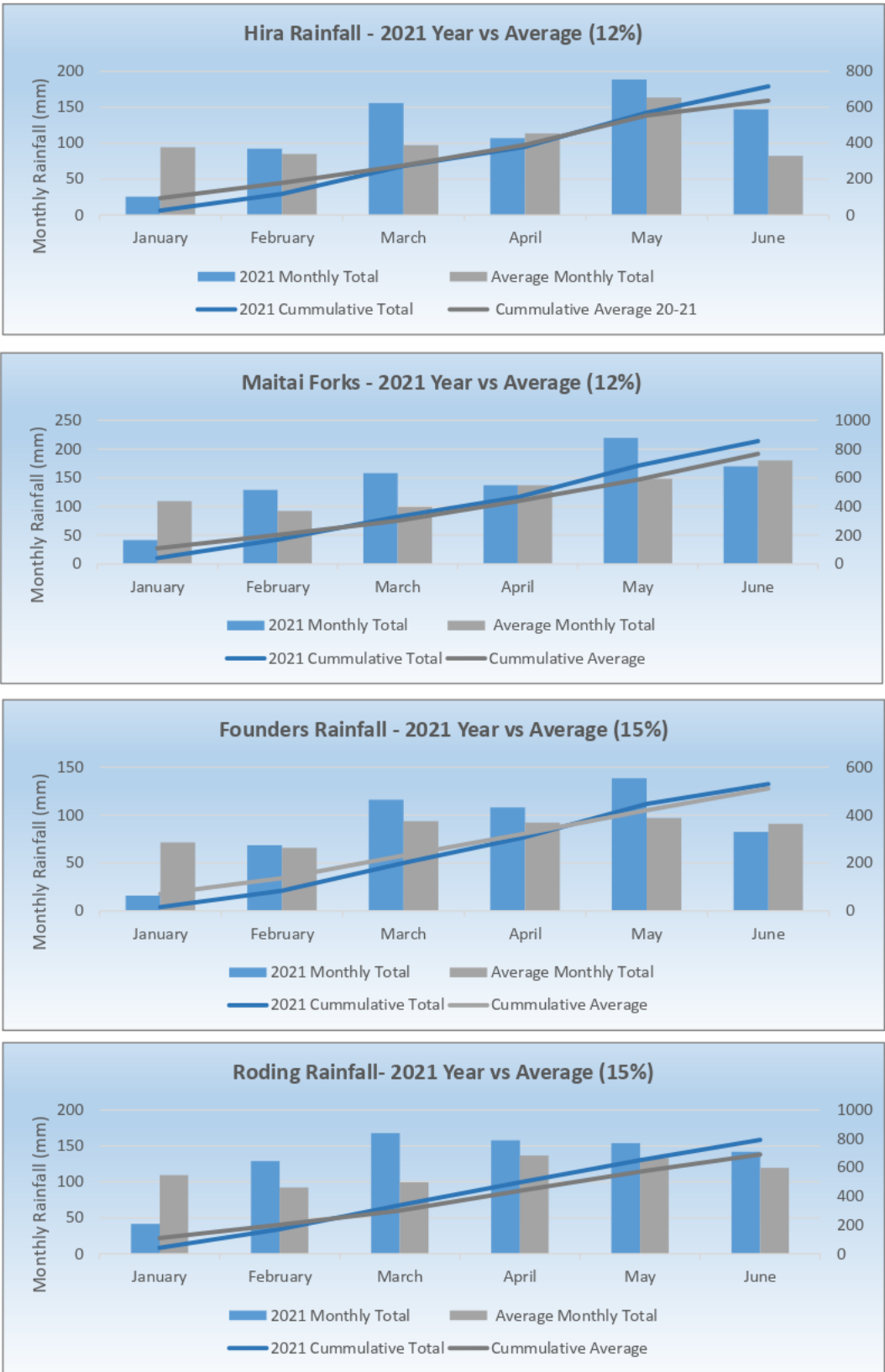
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Hydro Year 2020-21 Cumulative Rainfall



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Calendar Year 2021 Cumulative Rainfall



A2713286

Pilot study on pathogens in rivers



- Urban sites**
- Auckland
 - Wellington
 - Canterbury
 - Southland
 - Marlborough
 - West Coast
- Sheep & Beef**
- Manawatu-Wanganui
 - Nelson
 - Bay of Plenty
 - Gisborne
 - Northland
- Dairy sites**
- Northland
 - Taranaki
 - Southland
 - Canterbury
 - Waikato

River recreation is an activity that is highly valued by New Zealanders. The guidelines which assess the risk of getting an infection are based on a large study undertaken in 1998–2000. Much has changed in the last 20 years and it is important to determine if the data used for the guidelines reflects the current concentrations and prevalence of pathogens in rivers.

The Ministry for the Environment funded a pilot project to:

- determine the current prevalence of pathogens in rivers.
- confirm methodologies.
- determine the logistics and costs for a larger study.
- engage with iwi and hapū.

Project outline

Sixteen rivers across New Zealand were selected. They had a history of high concentrations of the bacteria *Escherichia coli* (*E. coli*) and reflected different land uses – urban, sheep & beef and dairy.

What was measured?

Traditional methods and PCR¹ were used to detect:

- bacterial pathogens: *Campylobacter*, *Salmonella*, Shiga toxin-producing *E. coli*
- protozoa: *Giardia*, *Cryptosporidium*
- human viruses: adenovirus, enterovirus, norovirus GI and GII.
- Faecal Source Tracker² (FST) markers to identify the faecal pollution from humans, ruminants and birds.

What we found

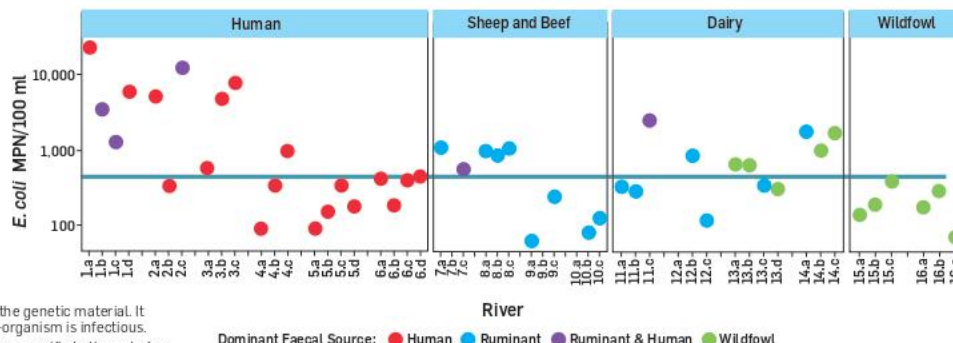
As expected all of the samples had *E. coli* present, with 45% above 540 MPN/100 mL which is the guideline value for safe recreation (the blue line in Figure 2). The major source of faecal contamination in each sample was determined from the FST concentration and mostly reflected the observed land use (Figure 2). However, at two sites bird FST was dominant so they were classified as wildfowl impacted sites.

What pathogens were present and how much?

All target pathogens, except for adenovirus, were present in at least some samples from each river, mostly at low concentrations. The results presented in the Figure 3 (next page) are based on traditional culture methods. Even sites classified as “wildfowl” sometimes had pathogens present.

FIGURE 2 (right): Concentration of *E. coli* by river (1-16) with dominant faecal source for each sampling event (a-d) within the different categories.

NOTE the data is anonymised and in the same order as the table.



¹ PCR is a method which detects the genetic material. It does not determine if the micro-organism is infectious.

² FST markers are micro-organisms specific to the gut of an animal and can be used to determine the origin of faecal contamination, such as human, ruminant or birds.

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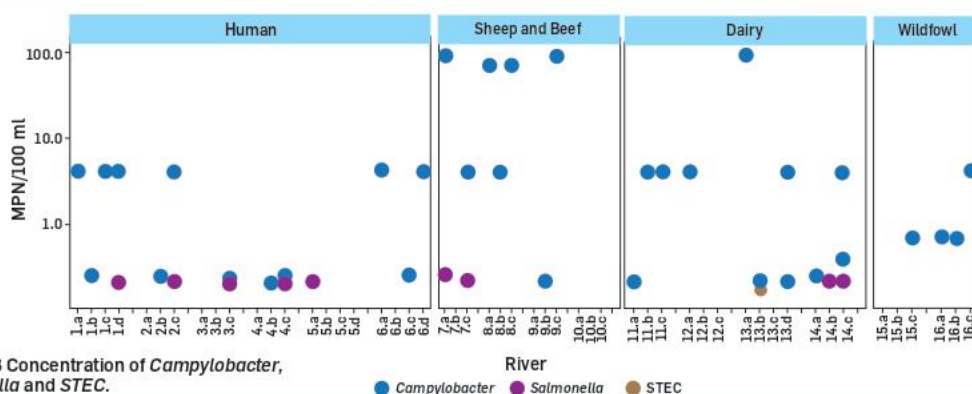


FIGURE 3 Concentration of *Campylobacter*, *Salmonella* and STEC.

Bacteria

- *Campylobacter* was present in 68% of samples in 14/16 rivers, but only 36% of all samples had concentrations greater than 1 MPN/100 mL, with five samples ranging from 72 to 92 MPN/100 mL.
- *Salmonella* was found in 18% of all samples and in 7/16 rivers with a maximum concentration of 0.25/100 mL.
- STEC was only found once (2%) at 0.14 MPN/100 mL.

Protozoa

- Both protozoa were present at low concentrations.
- *Giardia* was the most frequently present pathogen in 81% of all samples and in 15 rivers.
- *Cryptosporidium* was present in 42% of samples in 13 rivers.

Viruses

- No adenovirus was detected.
- The other viruses were present in 11 samples (12%) and at such low concentrations they couldn't be quantified.

PCR Methods

- In some samples pathogens were detected by PCR, but not traditional methods e.g. STEC was detected at low concentrations by PCR in 22% of all samples in 10 rivers
- A good correlation was found for *E. coli* using both methods.



Acknowledgements: We would like to acknowledge Juliet Milne, NIWA, council staff, iwi and hapū who generously gave their time and knowledge.

This project was funded by the Ministry for the Environment.

What next?

Engagement with Māori

The pilot study provided an opportunity to engage with iwi and hapū for the selected awa. Because sites with problems were specifically selected to test methods and maximise the likelihood of pathogens being present, cultural significance for iwi was not a criterion in the pilot study. The next phase of the project will include cultural significance and a Cultural Health Index, or similar. Pathogen data may also help to understand potential impacts on mahinga kai. Incorporation of Māori values and approaches responds to Te Mana o Te Wai, in the National Policy Statement Freshwater 2020.

- Expand collection and analysis of samples. There was low rainfall in many places during this pilot study which may have resulted in lower concentrations of micro-organisms. Higher concentrations may occur in a year with normal rainfall.
- Collect more samples New Zealand-wide, over different seasons. Some pathogens are more prevalent in spring when lambing and calving occur. This pilot study was done in summer.
- Analyse bacteria and protozoa using traditional and PCR methods.
- Use FST to determine sources of faecal contamination.
- Collect enough samples to enable statistical analysis e.g. association between pathogens and *E. coli*, the impact of land use and rainfall
- Engage with iwi on site selection and Cultural Health Index, or similar
- Revise the Quantitative Microbial Risk Assessment using the new data.

Determining the sources of pathogen contamination and prevalence of pathogens allows mitigation measures to be targeted. This supports the National Environmental Standards for Freshwater and the National Policy Statement for Freshwater Management to increase recreational water quality for recreational use.

For more information contact:

Margaret Leonard margaret.leonard@esr.cri.nz 03 351 0056
Full report available at <https://www.mfe.govt.nz/publications/fresh-water/quantitative-microbial-risk-assessment-pilot-study>

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ESR 0920 March 2021

Progress Update on the Waimea Inlet Coordination Group



September 2021

REPORT

Progress Update on the Waimea Inlet Coordination Group

1. Purpose of Report

- 1.1 To update Council on the progress of the Waimea Coordination Group in implementing the Waimea Inlet Action Plan.

2. Background

- 2.1 The Waimea Inlet is the largest semi-enclosed coastal inlet in the South Island and has international and national importance as a site for migratory birds.
- 2.2 The Waimea Inlet Management Strategy (Strategy) was developed in 2010 to coordinate a cross-regional approach for the care of the Inlet. The Waimea Inlet lies within both Nelson and Tasman Regions.
- 2.3 The Waimea Inlet Coordination Group (Group) was formed in 2017 to identify, prioritise and coordinate the actions needed to achieve implementation of the Strategy and collate these into an Action Plan.
- 2.4 Nelson City Council is a signatory to the Strategy. Tasman District Council (TDC), Department of Conservation (DOC) and Fish & Game are also signatories. Other participants include Waimea Inlet Forum (WIF), Tasman Environmental Trust (TET), Ngāti Tama, Ngāti Rārua and Te Ātiawa, Ngati Apa and Ngati Koata. All eight Te Taihū iwi have an open invitation to become signatories to the Strategy.
- 2.5 The Waimea Inlet Action Plan 2018-2021 (Action Plan) was finalised at the end of 2018, with Group member organisations committing to take responsibility for implementing several actions. Both the Action Plan and Strategy are non-statutory documents, aimed at maintaining and improving the health of the Inlet.
- 3.2 The Group meets quarterly and annually reviews progress on the Action Plan. The review process includes minor amendment to the Action Plan in response to new knowledge and changing circumstances.
- 2.6 This report provides key achievements in implementing the Waimea Inlet Action Plan between January 2020 to June 2021, with particular focus on actions within the Nelson Region.

Attachment A2811918: Progress Update on the Waimea Inlet Coordination Group

3. Achievements

- 3.1 Tasman Environment Trust received funding from the Te Uru Rākau Billion Trees Fund in 2019-2021 for 61,000 native plants to restore Waimea Inlet margins. This included 2,300 plants for Council's Whakatu Drive Esplanade Reserve to supplement the 3,400 plants planted here through Council's Nelson Nature programme.
- 3.2 TDC secured \$500,000 from the Ministry of the Environment (MfE) in 2020 for the Waimea Inlet Enhancement Project, a five-year project 2020-2025 to implement priority actions from the Action Plan. The funding will be used to: trial salt marsh restoration techniques and control weeds on Inlet margins in Nelson and Tasman; restore priority Tasman streams and wetlands flowing into the Inlet; and revise the Strategy and Action Plan.
- 3.3 TDC also secured \$1.1 Million from MfE Billion Trees fund in 2020 to extend the Waimea Inlet margin plantings for a further five years, including sites within Nelson region. The funding will provide 70,000 plants and employment for planting and restoration tasks.
- 3.4 NCC and TDC have completed both broad and fine-scale habitat monitoring and an estuary vulnerability assessment for the Inlet. A workshop was held with NCC Councillors in 2020 to present the results.
- 3.5 NCC commissioned a scoping report to identify opportunities for saltmarsh restoration at Nelson sites within the Inlet in 2020. A site has been identified beside Whakatu Drive to trial techniques and a more detail plan for the restoration project is currently being prepared.
- 3.6 NCC has undertaken fish spawning surveys in Stoke streams to identify critical fish habitat. The results are being used to prioritise stream restoration work.
- 3.7 NCC and TDC commissioned a joint report to better understand important habitat for shorebirds along the Nelson and Tasman coastline, including the Waimea Inlet.
- 3.8 NCC and TDC commissioned NIWA to complete a subtidal fish survey for the Inlet in March 2021. The results are expected early in 2021/22.

6. Conclusion

- 6.1 Significant progress has been made to implement the Waimea Inlet Action Plan over the past 18 months. This progress will be considered when the Strategy and Action Plan are reviewed by the Group during 2021-22.

Author: Scott Butcher, Environmental Programmes Advisor