

I hereby give notice that an ordinary meeting of the Environment Committee will be held on:

**Date:** Wednesday, 13 November 2019  
**Time:** 9.00am  
**Venue:** Tararua Room  
Horizons Regional Council  
11-15 Victoria Avenue, Palmerston North

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## **ENVIRONMENT COMMITTEE**

### **AGENDA**

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#### **MEMBERSHIP**

<b>Chair</b>	Cr NJ Patrick
<b>Deputy Chair</b>	Cr WK Te Awe Awe
<b>Councillors</b>	Cr AL Benbow
	Cr EM Clarke
	Cr DB Cotton
	Cr SD Ferguson
	Cr EB Gordon
	Cr FJT Gordon
	Cr RJ Keedwell
	Cr NJ Patrick
	Cr JM Naylor
	Cr GJ Turkington

**Michael McCartney**  
**Chief Executive**

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Palmerston North 4442

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for further information regarding this agenda, please contact:  
Julie Kennedy, 06 9522 800

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<b>SERVICE CENTRES</b>	<b>Kairanga</b> Cnr Rongotea & Kairanga-Bunnythorpe Rds, Palmerston North	<b>Marton</b> 19-21 Hammond Street	<b>Taumarunui</b> 34 Maata Street	<b>Woodville</b> Cnr Vogel (SH2) & Tay Sts
<b>REGIONAL HOUSES</b>	<b>Palmerston North</b> 11-15 Victoria Avenue	<b>Whanganui</b> 181 Guyton Street		
<b>DEPOTS</b>	<b>Levin</b> 120-122 Hokio Beach Rd	<b>Taihape</b> 243 Wairanu Rd		
<b>POSTAL ADDRESS</b>	Horizons Regional Council, Private Bag 11025, Manawatu Mail Centre, Palmerston North 4442			
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## AGENDA

1 Welcome/Karakia

2 Apologies and Leave of Absence

At the close of the Agenda no apologies had been received.

3 **Public Forums:** Are designed to enable members of the public to bring matters, not on that meeting's agenda, to the attention of the local authority.

**Deputations:** Are designed to enable a person, group or organisation to speak to an item on the agenda of a particular meeting.

Requests for Public Forums / Deputations must be made to the meeting secretary by 12 noon on the working day before the meeting. The person applying for a Public Forum or a Deputation must provide a clear explanation for the request which is subsequently approved by the Chairperson.

**Petitions:** Can be presented to the local authority or any of its committees, so long as the subject matter falls within the terms of reference of the council or committee meeting being presented to.

Written notice to the Chief Executive is required at least 5 working days before the date of the meeting. Petitions must contain at least 20 signatures and consist of fewer than 150 words (not including signatories).

Further information is available by phoning 0508 800 800.

4 Supplementary Items

To consider, and if thought fit, to pass a resolution to permit the Committee/Council to consider any further items relating to items following below which do not appear on the Order Paper of this meeting and/or the meeting to be held with the public excluded.

Such resolution is required to be made pursuant to Section 46A(7) of the Local Government Official Information and Meetings Act 1987 (as amended), and the Chairperson must advise:

- (i) The reason why the item was not on the Order Paper, and
- (ii) The reason why the discussion of this item cannot be delayed until a subsequent meeting.

5 Members' Conflict of Interest

Members are reminded of their obligation to declare any conflicts of interest they might have in respect of the items on this Agenda.



Report No.	19-174
Information Only - No Decision Required	

## ENVIRONMENTAL EDUCATION

### 1. PURPOSE

- 1.1. The purpose of this item is to provide members of Council's Environment Committee with an Environmental Education progress report for the period from 1 July 2019 – 1 November 2019.
- 1.2. For the purpose of this report, the Environmental Educator role is split. 0.5FTE of the role is regional coordination of the Enviroschools Programme, with the remaining 0.5FTE of the role delivering Horizons Environmental Education programmes.

### 2. RECOMMENDATION

That the Committee recommends that Council:

- a. receives the information contained in Report No. 19-174.

### 3. FINANCIAL IMPACT

- 3.1. There is no financial impact associated with recommendations in this paper.

### 4. COMMUNITY ENGAGEMENT

- 4.1. This is a public item and therefore Council may deem this sufficient to inform the public.

### 5. SIGNIFICANT BUSINESS RISK IMPACT

- 5.1. There is no significant business risk associated with recommendations in this paper.

### 6. ANNUAL PLAN TARGETS

Measure	Reporting Period				YTD Actual	Target	%
	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>			
Number of Enviroschools	72				72	48	150
Waiora sessions conducted	4				4	33	15
Community engagements	24				24	32	75

- 6.1. The measure for Waiora sessions conducted includes only sessions run by Mrs Williams. Sessions conducted using Horizons' kits without Mrs Williams are not included.
- 6.2. The measure for community engagements does not include Waiora sessions. This measure tracks all other events and activities that fall within Environmental Education. If a school has multiple classes completing set activities then these are counted as individual sessions.

**7. ENVIROSCHOOLS DATA**

- 7.1. In addition to the official 72 Enviroschools, there are 12 school/centres on the Friends of Enviroschools list in the region. The Friends list allows schools/centres to try out the programme to see how it fits within their own context before taking the next step to become an official Enviroschool. We also use this list to determine who will be our next Enviroschools when funding becomes available. Periodically this list is revised depending on the commitment shown from the schools/centres.

**8. ACTIVITY REPORT – WAIORA**

- 8.1. Mrs Williams conducted the following Waiora sessions: four sessions with West End School on the Manawatū River at Ahimate Reserve.

**9. ACTIVITY REPORT – ENVIROSCHOOLS**

- 9.1. Mrs Williams met with all Enviroschools funding partners in July and August. The following funding partners have affirmed their ongoing support of the Enviroschools programme in the Manawatū-Whanganui Region:
- Manawatū District Council: \$13,000.00.
  - Tararua District Council: \$4,000.00.
  - Whanganui District Council: \$15,000.00.
  - Rangitīkei District Council: \$7,000.00.
  - Ruapehu District Council: \$7,000.00.
  - Palmerston North City Council: \$15,000.00
  - Horowhenua District Council: \$8,000.00
  - Ruahine Kindergarten Association: in-kind support with 11 Enviroschools.
- 9.2. Six Facilitators are contracted to support the Enviroschools. Three of these Facilitators have renewed contracts for their respective districts. Georgina Morrison has been contracted to facilitate in Palmerston North (schools only) and Tararua District; Rowena Brown has been contracted to facilitate in the Manawatū and Rangitīkei Districts, and in Palmerston North (Early Childhood Centres only); and Ron Fisher has been contracted to facilitate in the Whanganui District. Two of the Facilitators are new this year. Emily Jasmine has been contracted to facilitate in the Ruapehu District and Chris Simons has been contracted to facilitate in the Horowhenua District. The Ruahine Kindergarten Association have also employed a Facilitator to work solely with their services, and has contributory funding from Manawatū and Rangitīkei District Councils. This Facilitator is part of our regional facilitation team.
- 9.3. New Enviroschools: Whanganui Girls College, Fun House Learning Centre, Tui Two's and Three's Learning Centre, Waiopahu College, Manawatū College, Shannon School, Ōhau School, Opiki School, Betty Montford Kindergarten, Tararua Educare, and Country Educare.
- 9.4. New Friends of Enviroschools: Riverdale School, Palmerston North Intermediate Normal School, and the Secret Garden Childcare Centre (Palmerston North).
- 9.5. Mrs Williams has met with all Facilitators to discuss 2019-2020 financial year expectations and their individual plans.
- 9.6. The two new Facilitators have begun the process of being inducted into their role. Mrs Williams has met with the majority of Enviroschools to introduce them to their respective Facilitator and outline their role.

- 9.7. Mrs Williams attended the Enviroschools secondary school hui in Auckland on 7 August 2019.
- 9.8. Congratulations to five Enviroschools who held a holistic reflection this term. Holistic reflections are an integral part of the Enviroschools journey. They enable each Enviroschool to pause and take stock of how far they have travelled on their Enviroschools journey, celebrate their successes with their community and plan next steps. The level of reflection reflects the breadth and depth of the Enviroschools journey. After 12 years as an Enviroschool, Manchester Street School reflected to Green Gold. The students, staff and community are immensely proud of their journey so far. They are working hard to maintain and develop a vibrant and healthy school environment, and know they can continue to effect change for a sustainable community. Orautoha School, Gail's Childcare Centre, Puddleducks Nursery and Preschool, and the Secret Garden Childcare Centre (Feilding) all reflected to Bronze.
- 9.9. Mrs Williams attended a planting event at Tararua College to launch themselves as an Enviroschool.
- 9.10. Mrs Williams assisted in the judging of the whānau group projects at Enviroschool Apiti School's lamb and calf day. Each student in the school is part of a whānau group. These are the organisation framework for ako (teaching and learning) in all curriculum areas throughout the school, while also participating and contributing to the wider environment and community. Each group is responsible for a particular project/s within the school such as purchase and organisation of the library resources and use of the library space and orchard, potting up and keeping seedlings in the growing unit and shade house and planting out natives, and recycling and worm farm.

## 10. ACTIVITY REPORT – OTHER

- 10.1. Mrs Williams assisted students from Waiopahu College to complete a waste audit.
- 10.2. Horizons Biodiversity Officer, Neil Gallagher, Research Associate, Erin Bocker, and Mrs Williams met with students from Hunterville School at a private native bush block in Rangitikei to learn more about the work both Horizons and the QEII Trust do to support landowners. The students also planted some native trees on periphery of the bush.
- 10.3. Subsequent to their Waiora stream study with Mrs Williams in Term 2, Tangimoana School invited Mrs Williams this reporting period to judge student science boards on different freshwater invertebrates found on the river.
- 10.4. Mrs Williams is the liaison for a number of Horizons' community grant recipients. She met with Ōhau School, Ngā Tawa Diocesan College, and Hunterville School to discuss their projects.
- 10.5. Awahou School have been learning more about their local environment and with Tōtara Reserve right on their doorstep, they invited Mrs Williams along to help them explore the reserve further. The senior students walked the Pettifer Loop looking for fungi, and checked animal pest tracking tunnels which Mrs Williams laid out a few days before.
- 10.6. Mrs Williams has been working with Ruapehu College to set up a long term water monitoring project on the Makaranui Stream in Ohakune. The project begins in Term 1 next year and will involve students from Years 9-13 collecting the same data, including samples for laboratory testing, across three sites of the same stream throughout the year.
- 10.7. Envirosapes® is a water catchment model which explores non-point source pollution. This class-based resource has a range of activities which help students to identify the types of non-point source, or run off, pollution, coming from both urban and rural areas. Students can also discuss ways to mitigate the pollution to keep our waterways healthy.

Mrs Williams conducted the following sessions: One session with Tawhero School; four session with West End School; and two sessions with Hokowhitu Brownies and Pippins.

- 10.8. Mrs Williams supported Natural Resources and Partnerships Manager Dr Jon Roygard in judging the Manawatū Science and Technology Fair 2019. Horizons supported the event with an internship prize for students whose projects were considered highly commendable. Seven students were selected with an internship day, with Horizons staff.
- 10.9. Six of the seven science fair prize winners attended the Internship Day on Monday 21 October. Mrs Williams together with Staci Boyte, Environmental Scientist and Ian Hurst, Research Associate, organised a day to showcase the science we do and our role in managing freshwater and terrestrial environments. Students went to Tōtara Reserve and looked at the biotic data we collect to measure the state of our rivers. This was led by Research Associate, Amber Garnett, who ran activities on macroinvertebrates and assessing algal cover. Ms Boyte then gave an introduction to our soils programme. In the afternoon, Aaron Madden, Biodiversity Coordinator, and Mrs Williams talked about our role in managing privately owned native bush remnants and wetlands. Students completed some basic native tree identification, looked at pest animal tracks and talked about invasive weeds and their effect on our native bush habitats.
- 10.10. Mrs Williams attended the 50 years of Conservation Week event held at Te Manawa by the local Department of Conservation office. The evening acknowledges work done by different conservation organisations where Mrs Williams had the opportunity to talk to attendees about the work she does in the environmental education and Enviroschools space.
- 10.11. Mrs Williams attended a wetland planting day at a Tokomaru dairy farm. The invitation was extended to Mrs Williams from her counterpart at Environment Southland whose family owned the farm. Students from Opiki School and the young farmers club from Palmerston North Boys' High School helped put the plants in the ground in an area which has been retired from farming.
- 10.12. Mrs Williams joined other educators to run a series of activities at Awahuri Forest - Kitchener Park for local schools. She ran four sessions helping students to look for bugs in the native bush.
- 11. The following activities were also undertaken in this reporting period however are not counted as community engagements in the table under Section 6.**
- 11.1. Mrs Williams provided communications support at a planting day with Kaitieke School.

## 12. SIGNIFICANCE

- 12.1. This is not a significant decision according to the Council's Policy on Significance and Engagement.



Looking for fungi on the Pettifer Loop with Awahou School



Hunterville School students at a native bush block in the Rangitikei





Horizons Internship Day at Tōtara Reserve



Horizons Internship Day at Tōtara Reserve



Investigating bugs at Awahuri Forest -Kitchener Park



Leaf veined slug at Awahuri Forest - Kitchener Park



Enviroscapes® with West End School



Planting with students at a Tokomaru dairy farm

Sarah Williams  
**ENVIRONMENTAL EDUCATOR**

Chrissie Morrison  
**MEDIA AND COMMUNICATIONS MANAGER**

**ANNEXES**

There are no attachments for this report.





Report No.	19-175
Information Only - No Decision Required	

## DISTRICT ADVICE UPDATE

### 1. PURPOSE

- 1.1. This report is to inform Members of the District Advice activities carried out over the last financial year 2018-19 and the four month period from 1 July to 31 October 2019.

### 2. RECOMMENDATION

That the Committee recommends that Council:

- a. receives the information contained in Report No. 19-175 and Annexes.

### 3. FINANCIAL IMPACT

- 3.1. The coordination of this function is part of the role of the Coordinator District Advice and is included in the 2018-28 Long Term Plan under the Community Relationships Activity.

### 4. COMMUNITY ENGAGEMENT

- 4.1. This is a public item. Therefore Council may deem this sufficient to inform the public.

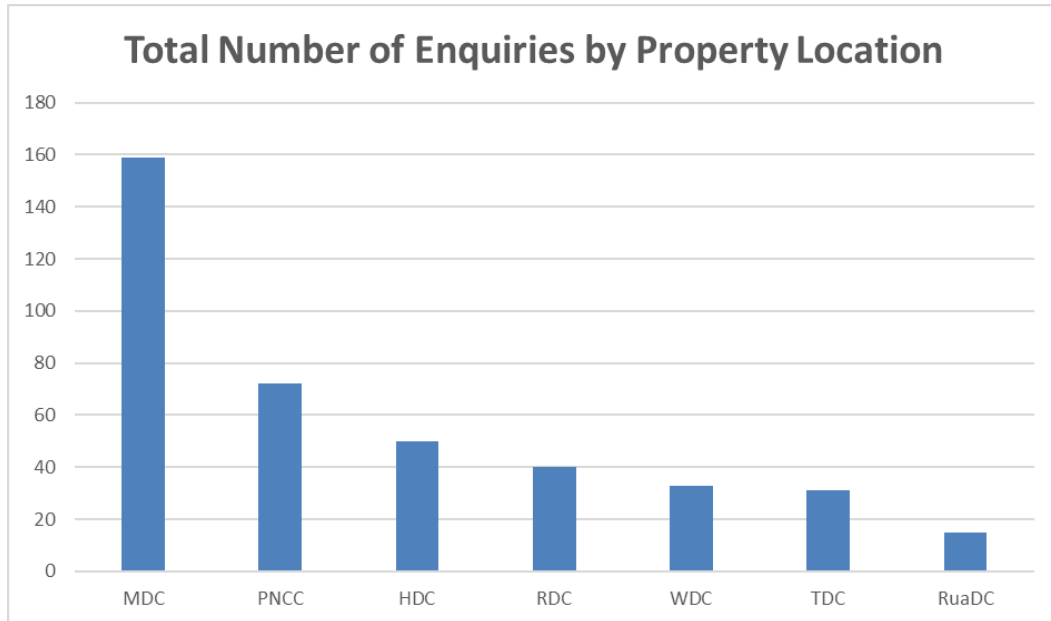
### 5. BACKGROUND

- 5.1. The District Advice Service is responsible for responding to requests for information from the general public and territorial authorities for properties in our Region.
- 5.2. It provides information to the public to inform on land valuations, insurance matters, prospective purchases and hazard risk for new developments and activities.
- 5.3. It also provides comments and advice to the Region's **Territorial Authorities (TAs)** to assist with their assessments of building consents, land use consents, and subdivision decisions. Comments and advice include any relevant information that **Horizons Regional Council (Horizons)** may hold on the property, particularly natural hazard information, and information on One Plan policies and rules.
- 5.4. The **Coordinator District Advice (CDA)** manages Horizons' obligations to the Building Act in relation to dams.
- 5.5. The CDA contributes to Horizons' responses to draft and proposed plan changes that are notified by TAs within our Region and provides relevant knowledge on urban growth.

### 6. INFORMATION REQUESTS

- 6.1. The total District Advice responses for 2018-19 financial year was confirmed at **1062**. This compares to a total of **979** responses during the 2017-18 financial year. This shows that the trend for requests for information was an 8.5% increase in volume on the previous year.
- 6.2. This Report provides the summary of statistics for the first four months of this financial year from 1 July to 31 October 2019.
- 6.3. The District Advice Service responded to a total of **400** requests. **248** of these requests were for the general public and **152** for TAs.

6.4. The total requests for the same time last financial year (from 1 July to 31 October 2018) were **358**. This shows that the trend for requests is a 12% increase compared to the same time last financial year.

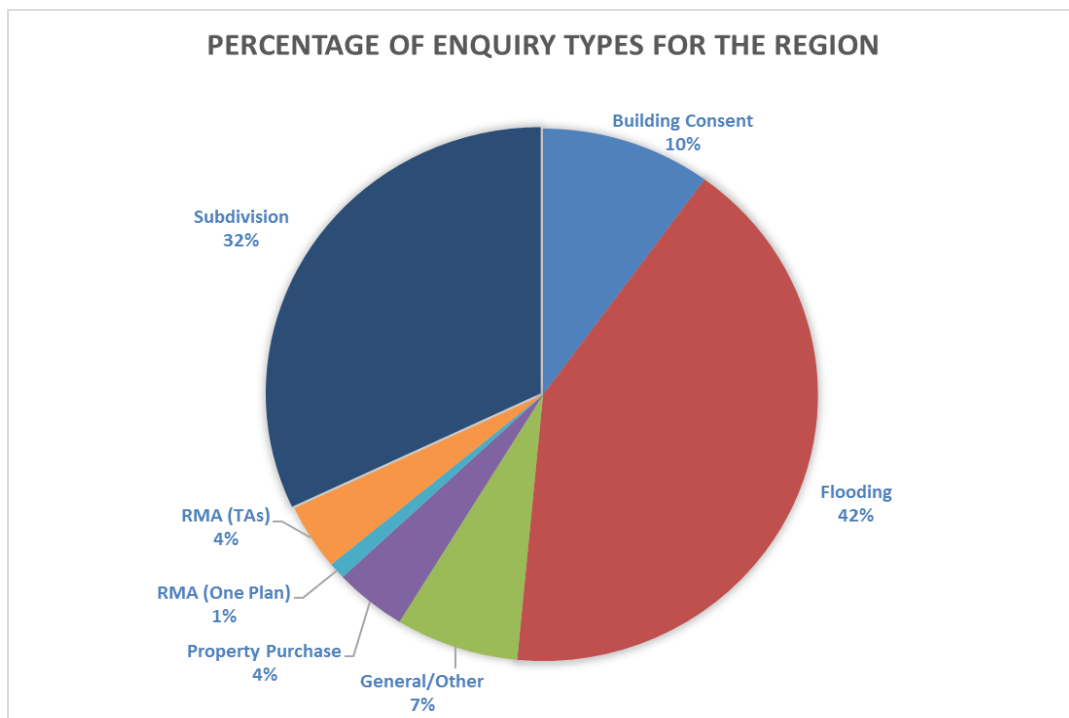


**Figure 1**

6.5. Figure 1 above illustrates the number of enquiries responded to in the first four months of this financial year (2019-20) by property location.

6.6. The greatest number of enquiries are for properties within the Manawatū District followed by Palmerston North City, Horowhenua, Rangitikei, Whanganui, Tararua and Ruapehu Districts.

6.7. Given the growth developments in the Region, we are expecting to see a continued high number of enquiries in these areas in the next reporting period.



**Figure 2**

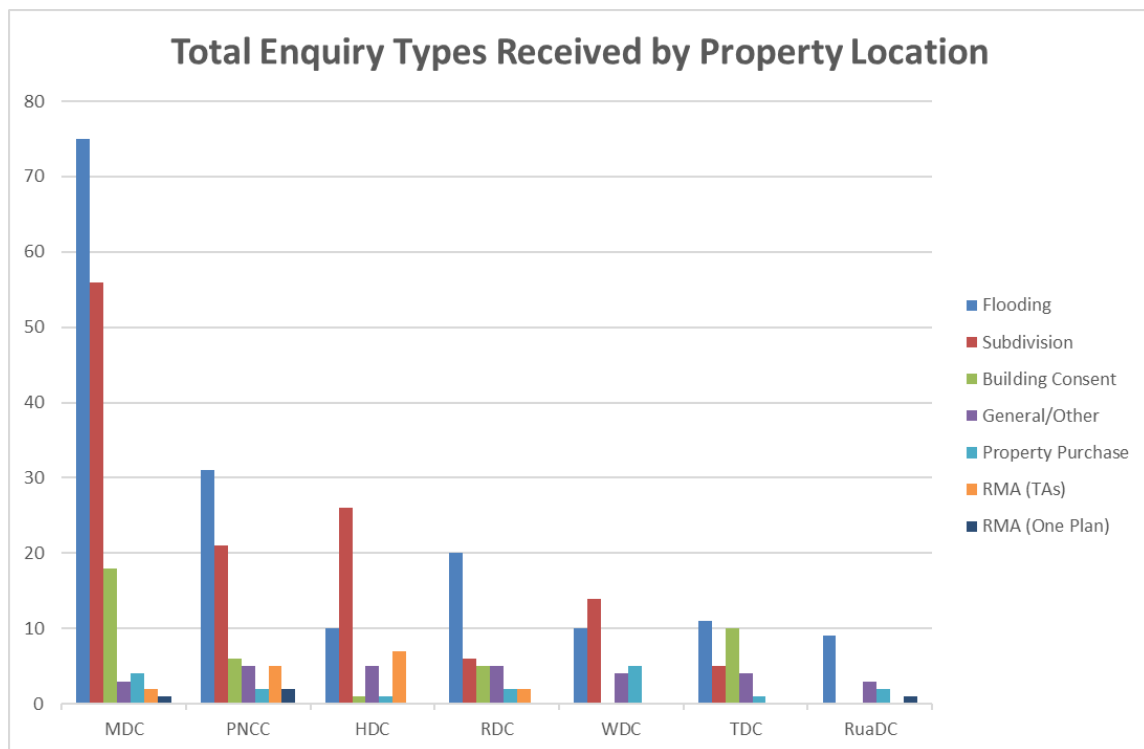


Figure 3

- 6.8. Figure 2 shows the total enquiry type by percentage that the District Advice service has received for the Region.
- 6.9. Figure 3 shows the enquiry types that the District Advice Office has received by property location.
- 6.10. The main type of enquiry is for flooding (166), and this is consistent across most districts. This is followed by subdivisions (128), building consents (40), property purchases (17) and the remaining are general or other RMA related requests (49).

## 7. IMPROVEMENT INITIATIVES

- 7.1. With support from the Information Management Team, District Advice has implemented a number of initiatives to improve efficiencies and quality of information provided to customers. This includes a District Advice favourite map section especially tailored for District Advice enquiries. There is also an improved public facing “property viewer” map that helps customers to self-source property related information. District Advice has recently had a new map layer added which geospatially locates previous District Advice responses. These initiatives have improved response times and accuracy of information collected and provided to customers.

## 8. DAMS - BUILDING CONSENTS

- 8.1. To date this financial year there has been two general dam enquiries. No dam proposals have been received to assess if a building consent is required.
- 8.2. The **Ministry of Business, Innovation and Employment (MBIE)** published a proposed regulatory framework for dam safety as a consultation document in June 2019. The proposed framework is to establish a nationally consistent approach to dam safety that better manages the potential risks of dams. The framework does not cover investigation, design and construction of new “large” dams and significant modifications to “large” dams, which is already covered by the building consent system. The proposed framework will cover post-construction dam safety management. Horizons submitted on the proposed framework from the perspective as the regulatory authority as well as an owner of dams.

Submissions closed on 6 August 2019 and timeframes are unknown at this stage. A copy of Horizons submission letter is attached at Annex A and a copy of the responses to the discussion paper question are attached at Annex B.

## 9. DISTRICT PLAN AND DISTRICT ENGAGEMENT UPDATE

- 9.1. The following is a brief update on the CDA's involvement in recent draft and proposed Plan Changes that have been prepared by TAs in our Region during this reporting period from 1 May to 31 October 2019. This also includes engagement with TAs around potential growth areas.

### Horowhenua District Council

- 9.2. In March the CDA and other relevant Horizons staff attended the Regional Planning Forum at **Horowhenua District Council (HDC)** and learnt more about HDC's growth and their approach to planning Levin's future.

### Manawatū District Council

- 9.3. In May 2019, Horizons' made a submission on **Manawatū District Council's (MDC)** proposed Plan Change 51 (Growth Precinct 4 and New District Plan Structure) and proposed Plan Change 64 (Boarding, Breeding and Training Kennels). A copy of this letter is attached at Annex C. Horizons key areas of focus were land use change, improving water quality, stormwater management, natural hazard planning, biodiversity, integrated transport and responding to cultural needs within our region. Prior to this submission the CDA and relevant Horizons staff (including Group Manager River Management, Senior Policy Analyst, Regulatory Manager and CDA) met with MDC staff various times to provide feedback on MDC's Draft Plan Change 51. Horizons made a further submission on a range of matters raised by submitters to Plan Change 51. Horizons Senior Policy Analyst and Horizons Manager of Investigations and Design attended the hearing to further discuss Horizons' concerns about stormwater management and offered potential stormwater solutions.

10. In July the CDA coordinated a submission on the Notice of Requirement (NOR) from MDC to designate land for the extension of Churcher Street, creation of new collector road off Roots Street, three new collector roads off Reid Line West, and a road bridge over the Makino Stream. A copy of this letter is attached at Annex D.

- 10.1. In October 2019, relevant Horizons staff (Geospatial Analyst, River Management Analyst and CDA) met with MDC's Planning and GIS teams to discuss flood hazard mapping for their proposed Rural Zone Review. Another session is booked in for November 2019 to further these discussions, which will also include Horizons' Senior Policy Analyst.

### Palmerston North City Council

- 10.2. In June 2019, the CDA coordinated Horizons' comment on **Palmerston North City Councils (PNCC)** draft proposed Plan Change B: Napier Road. A copy of this letter is attached at Annex E.
- 10.3. In June 2019, the CDA coordinated Horizons' comment on PNCC's potential growth areas in Ashhurst. The comments discussed strategic integration of infrastructure with land use, flooding, stormwater management, Schedule B Values and other relevant One Plan Rules, active known faults, liquefaction, indigenous biodiversity, Te Ao Maori, transport and connectivity.
- 10.4. In July 2019, Horizons provided a response to the submissions prepared for PNCC Proposed Plan Change C: Kikiwhenua Residential Area. This was a comment discussing the flooding of the Mangaone Stream and advising floodwaters would remain on the northern side of Pioneer Highway and not affect the area subject to Plan Change C.

10.5. In October 2019, the CDA and relevant staff met with PNCC staff to discuss their proposed Aokautere Structure Plan. The discussions focused on flooding, stormwater management, biodiversity, transport and connectivity.

**Rangitikei District Council**

10.6. In May the CDA met with **Rangitikei District Council's (RDC)** staff and their agents to discuss RDC's initial plans to propose a plan change for rezoning at 1165, 1151 and 1091 State Highway 1, Marton from rural to industrial. The discussions focused on flooding, stormwater management, the active known fault line (Leedstown Fault), soil type, Land Use Capability, land disturbance and other relevant One Plan Rules and Policies. Horizons' comments were followed up by an email. The comments raised by Horizons was considered and discussed in RDC's proposed plan change report.

10.7. In September 2019, Horizons Senior Policy Analyst formally made a submission on the proposed plan change. Horizons generally supports the proposed plan change insofar as it gives effect to the relevant One Plan Regional Policy Statement provisions, in particular around urban growth and natural hazards (or any further, alternative or consequential provisions that achieves this outcome).

**Whanganui District Council**

10.8. In July 2019, Horizons made a submission on Whanganui District Council's (WDC) Proposed Plan Change 53 - Springvale Structure Plan. This was submitted by Horizons' Senior Policy Analyst, with initial information coordinated by CDA.

**Remaining Territorial Authorities**

10.9. No new notifications were received during this reporting period from 1 May to 31 October 2019 for Ruapehu and Tararua District Councils.

**SIGNIFICANCE**

10.10. This is not a significant decision according to the Council's Policy on Significance and Engagement.

Sarah Carswell  
**CO-ORDINATOR DISTRICT ADVICE**

Ged Shirley  
**GROUP MANAGER REGIONAL SERVICES  
& INFORMATION**

**ANNEXES**

- A Horizons' Submission Letter on the Proposed Regulatory Framework for Dam Safety
- B Horizons' Responses to the Discussion Paper on the Proposed Regulatory Framework for Dam Safety
- C Horizons' Submission on MDC's Proposed Plan Change 51 & 64
- D Horizons' Submission on MDC's Notice of Requirement - Extension Churcher Street, Feilding (Growth Precinct 4)
- E Horizons' Comments on PNCC Proposed Plan Change B Napier Road

31 July 2019

**Dam Safety Consultation 2019**  
Building System Performance  
Ministry of Business, Innovation and Employment  
15 Stout Street PO Box 1473  
WELLINGTON 6140

File ref: RAI 01 00  
SJC



Private Bag 11025  
Manawatu Mail Centre  
Palmerston North 4442

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[www.horizons.govt.nz](http://www.horizons.govt.nz)

Email: [DamSafety@mbie.govt.nz](mailto:DamSafety@mbie.govt.nz)

Dear Sir/Madam

**Horizons Regional Council (Horizons) feedback on Proposed Regulatory Framework for Dam Safety 2019 – Dam Safety Consultation**

Thank you for the opportunity to provide feedback on the Government's proposed regulatory framework for Dam Safety. Horizons appreciates the opportunity to engage with the Government on this proposed Framework.

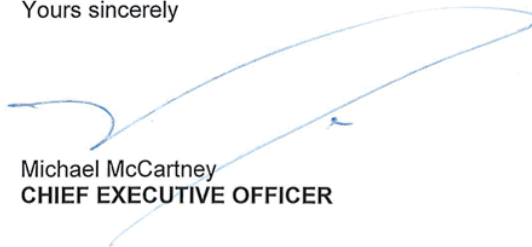
Horizons generally supports the proposed regulations as these will assist with achieving the outcomes intended with the changes of the dam safety management framework in the Building Act 2004.

At present there is no nationally consistent dam safety scheme and as a result there are significant risks and liabilities for the Government. This has resulted in gaps where there is no comprehensive scheme to monitor and maintain the structural integrity of dams in New Zealand; the impact of a dam failure could potentially mean the loss of life, damage to property, and damage to the environment. The Building Act 2004 provides a framework for the regulation of dams however regulations are required to bring this framework into full effect. The proposed dam safety scheme will bring New Zealand into line with the majority of the OECD countries that already have such schemes in place.

Horizons considers the proposed regulatory framework rightly places obligations on dam owners, proportionate to the risk their dam or dams pose to downstream communities, property, and the environment. That said we note that the analysis and guidelines for the regulatory authorities to administer and regulate this framework have yet to be undertaken. Therefore we are unable to confirm support for this aspect until these are provided.

Responses to the discussion paper questions are set out in the attachment.

Yours sincerely



Michael McCartney  
CHIEF EXECUTIVE OFFICER

Kairanga

Marton

Palmerston North

Taihape

Taumarunui

Wanganui

Woodville

24hr Freephone 0508 800 800



# Submission template

## From Horizons Regional Council (Manawatu-Wanganui Region)

### Proposed regulations for dam safety

The Ministry of Business, Innovation and Employment (MBIE) would like your feedback on a proposed regulatory framework for dam safety. Please provide your feedback by 5pm, 6 August 2019.

We appreciate your time and effort taken to respond to this consultation.

We may contact submitters directly if we require clarification of any matters in submissions.

### Instructions

To make a submission you will need to:

1. Fill out your name, email address, phone number and organisation.
2. Fill out your responses to the discussion document questions. You can answer any or all of the questions in the discussion paper. Where possible, please provide us with evidence to support your views. Examples can include references to independent research or facts and figures.
3. If your submission has any confidential information:
  - i. Please state this in the e-mail accompanying your submission, and set out clearly which parts you consider should be withheld and the grounds under the Official Information Act 1982 that you believe apply. MBIE will take such objections into account and will consult with submitters when responding to requests under the Official Information Act.
  - ii. Indicate this on the front of your submission (e.g. the first page header may state "In Confidence"). Any confidential information should be clearly marked within the text of your submission (preferably as Microsoft Word comments).

Note that submissions are subject to the Official Information Act and may, therefore, be released in part or full. The Privacy Act 1993 also applies.

4. Submit your feedback:

i. As a Microsoft Word document by email to [damsafety@mbie.govt.nz](mailto:damsafety@mbie.govt.nz)

ii. By post to:

Dam Safety Consultation 2019  
Building System Performance  
Ministry of Business, Innovation and Employment  
15 Stout Street PO Box 1473  
Wellington 6140

iii. If you would prefer, you can fill in the [online survey](#)

5. Note: MBIE may contact you directly if we require clarification of any matters in your submission.

## Submission on the *Proposed Regulatory Framework for Dam Safety* discussion paper

Your name, Email address, phone number and organisation

<b>Name</b>	Sarah Carswell
<b>Email address</b>	Sarah.Carswell@horizons.govt.nz
<b>Phone number</b>	06 9522 908
<b>Organisation</b>	Horizons Regional Council (Manawatu-Whanganui)

The Privacy Act 1993 applies to submissions. Please tick the box if you do not wish your name or other personal information to be included in any information about submissions that MBIE may publish.

MBIE may upload submissions or a summary of submissions received to MBIE’s website at [www.mbie.govt.nz](http://www.mbie.govt.nz). If you do not want your submission or a summary of your submission to be placed on our website, please tick the box and type an explanation below.

I do not want my submission placed on MBIE’s website because... [Insert text]

### Please check if your submission contains confidential information:

I would like my submission (or identified parts of my submission) to be kept confidential, and **have stated** my reasons and grounds under the Official Information Act that I believe apply, for consideration by MBIE.

### Responses to discussion paper questions

#### Proposed definitions of key dam safety terms

1	Do you think the proposed definitions of key dam safety terms are appropriate?  <i>Yes Horizons supports the definition of Classifiable Dam as the evidence prepared by MBIE demonstrates that this achieves the right balance between risk and cost.</i>  <i>Horizons recommends there be a lower limit stipulated and/or guidance on how to interpret low risk dams under say, 1 metre. For example would coastal sand country ponds/lakes controlled by outlet weirs become ‘classifiable dams’ and would wastewater/effluent ponds with low walls become ‘classifiable dams’.</i>
2	If you do not think any of the proposed definitions are appropriate, can you make suggestions on how any of them can be improved?  <i>Refer to Q1 answer above.</i>
3	Do you have any comments on how these proposed terms will work in practice?  <i>Refer to Q1 answer above. Resolving complex ownership situations could potentially be a challenge in implementing the proposed regulations. Thus, the recommendation above to include “dam owner” as a key definition.</i>



**Proposed ‘Recognised Engineer’ requirements**

4	Do you agree with the proposed qualification requirements for a ‘Recognised Engineer’?
	Yes.
5	Do you agree with the proposed competencies for a ‘Recognised Engineer’?
	<p><i>Yes, with the proviso that the public need confidence that the scheme is working and has integrity. For that reason the work of ‘Recognised Engineers’ under the proposed scheme needs to be subject to an audit programme developed and undertaken by Engineering New Zealand and MBIE. Regional authorities should not be relied upon to undertake audits as the Act and proposed regulations do not allow them to do so. In our view, it is not a cost that should be transferred to ratepayers. Given the scheme is a form of self-regulation, then the responsibility for auditing best lies with Engineering New Zealand and MBIE.</i></p> <p><i>Horizons recommends a register is maintained by Engineering New Zealand that also states in which areas a ‘Recognised Engineer’ is proficient.</i></p>
6	If you do not agree with the proposed qualifications and competencies, please comment on what they should be.
	N/A
7	What evidence should be attached to the certificate provided by the engineer (for example a CPEng registration number) to show the engineer is a ‘Recognised Engineer’?
	<p><i>Depending on how Engineering NZ run their competencies, which the discussion paper suggests it will be a Chartered Professional Engineer registration number. In our view that is best determined between Engineering NZ and MBIE.</i></p>

**Implementing the proposed dam safety regulations**

8	The proposed timeframe for regulations to come into force is 12 months after they are gazetted. Do you think this timeframe is adequate?
	Yes.
9	If you do not think the timeframe is adequate, please tell us how much time you would prefer.
	N/A

**Core elements: step 1 of the dam safety regulations**

10	Do you agree with the proposed classification threshold to determine if a dam is a classifiable dam?  <i>Yes agree as long as there is a rational evidence based approach to determine the threshold. Please also refer to Q.1.</i>
11	If you do not agree, what other measure could be used?  <i>See Q.10 above.</i>
12	Do you agree that it is unnecessary to have a separate category for referable dams (considering the proposed classification threshold and regional authorities' powers under section 157 of the Building Act)?  <i>Yes, for the reasons given in the discussion document. The document presents an accurate summary of the history associated with "referable dams". The "referable dams" concept was not practical as enforceable thresholds could not be defined. Horizons agrees with the view of MBIE that the classification threshold is sufficient to capture dams that present a potential risk.</i>

**Core elements: step 2 of the dam safety regulations**

13	Do you agree with the proposed Potential Impact Classification system in step 2?  <i>Yes. It is a reliable and cost effective screening system that is consistent with the NZ Dam Safety Guidelines (2015). It ensures that only the dams that pose significant risk are subject to a high level of scrutiny.</i>
14	If you do not agree with the proposed Potential Impact Classification system, what alternative system, or changes, do you suggest for classifying the potential impact of a dam's failure?  N/A

Core elements: steps 3 and 4 of the dam safety regulations

15 Do you agree with the proposed content of a Dam Safety Assurance Programme?

Yes.

*What is the regional authority approving or refusing? Horizons does not believe that we should be 'approving or refusing a DSAP' when a Recognised Engineer has 'approved' the DSAP. Regional authorities have limited grounds to refuse to approve a PIC or DSAP provided the certification is by a Recognised Engineer.*

*Additionally, if a regional authority approves a PIC or DSAP, who is liable if the dam fails?*

16 Do you think there are any elements in the Dam Safety Assurance Programme that are missing or are too onerous?

*It appears to be good practice and is consistent with the dam safety management principles provided in the NZ Dam Safety Guidelines (2015). In relation to the Emergency Action Plan (EAP) there needs to be a stronger connection to CDEM Groups. In particular, the owner should be required to provide the EAP directly to the Group, including revised EAPs. This is so that the Group is fully aware of the risks in its region and so that it has immediate access to EAPs during potential or actual dam safety incidents.*

17 Do you agree that there is no need for an accreditation regime at present?

*Yes. Horizons supports MBIE's approach to monitor and review the effectiveness of the Dam Safety regulations before considering accreditation options.*

**Dangerous, earthquake-prone and flood-prone dams**

18	<p>Do you agree with the proposed definition of ‘moderate earthquake’?</p> <p><i>It aligns with building regulations however consideration should be given to retention dams, see further details in Q.20.</i></p>
19	<p>Do you agree with the proposed definition of ‘moderate flood’?</p> <p>Yes</p>
20	<p>If you do not agree with the proposed definitions of ‘moderate earthquake’ and ‘moderate flood’, what definitions do you consider more appropriate, and why?</p> <p><i>Some flexibility should be enabled for flood detention dams in terms of the return period for a “moderate earthquake”. Many flood detention dams are dry most of the time, so the exposure time for an uncontrolled release of water due to an earthquake is much lower than for a dam with a permanent water depth. Even if a flood detention dam failed in a moderate earthquake, there may be minimal downstream consequences if the dam is dry at the time and if it is reasonable to expect the dam can be made safe before a subsequent flood occurs</i></p>
21	<p>For owners of dams:</p> <p>What impacts (if any) would the proposed definitions of ‘moderate earthquake’ and ‘moderate flood’ have on the management of your dams?</p> <p><i>That assessment would suggest that the definitions as proposed would have minimal to no impact on Horizons management of our dams. Horizons inspects and maintains a total of 54 flood control or detention dams mainly located in the Rangitikei and Whanganui Districts. These dams have been recently (2018) assessed by a Recognised Engineer applying the 2015 guidelines.</i></p>
22	<p>For regional authorities:</p> <p>What (if any) potential issues do you see in applying the definitions of ‘moderate earthquake’ and ‘moderate flood’?</p> <p><i>Horizons considers how ‘moderate flood and earthquake’ are calculated needs to be qualified, otherwise it will be applied differently by regional authorities. Whilst the annual exceedance probability is defined there is no guidance as to an appropriate methodology to calculate the magnitude of these events.</i></p>

Item 7	23	Do you agree with the proposed definition of ‘earthquake threshold event’? <i>Yes but some consideration should be given to retention dams (see Q.25)</i>
	24	Do you agree with the proposed definition of ‘flood threshold event’? <i>Yes. In regards to climate change effects, while we agree that the process will account for such effects as Comprehensive Dam Safety Reviews (CDSRs) are updated, there should also be specific reference around the need to account for climate change effects.</i>
	25	If you do not agree with the proposed definitions of ‘earthquake threshold event’ or ‘flood threshold event’, what definitions do you consider more appropriate and why? <i>Some flexibility should be enabled for flood detention dams in terms of the return period for an “earthquake threshold event”. Refer also the response under Q.20 above.</i>
	26	For owners of dams: What impacts would the proposed definitions of ‘earthquake threshold event’ and ‘flood threshold event’ have on the management of your dams? <i>The definitions proposed would have little impact on the management of Horizons dams. Horizons design standards are low, and we can’t see any implications as overtopping is 1 in 20 year standard. However, this will also depend on what dam safety policies Horizons develops for earthquake-prone dams and flood-prone dams.</i>
	27	For regional authorities: What (if any) potential issues do you see in applying the definitions of ‘earthquake threshold event’ and ‘flood threshold event’? <i>If there isn’t enough information provided in the DSAP, the DSAP needs to include an assessment of these events. Regional authorities must receive sufficient information in the DSAPs so as to know whether regional authorities should exercise their powers.</i>

Annex B

### Guidance and forms for compliance

28	For regional authorities: What information would you need to ensure the regulations are implemented effectively?
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*Refer to Q.27 answer above. Regional authorities need sufficient information to populate the register. They also require the owner’s assessment of whether the dam is flood prone or earthquake prone – it is not for regional authorities to make that assessment. Costs must be borne by the owner and not transferred to ratepayers.*

*Horizons recommends MBIE develops a communication strategy so that information is consistent and there is clear guidance available for dam owners who are not familiar with engineering and regulatory requirements. Horizons recommend that this information is available on a national website e.g. MBIE. Including a general 0800 general enquiries phone number, national email address and social media platforms.*

*Horizons also recommends that there is national training for regional authority staff so there is consistencies and efficiencies.*

29

For owners of dams:

What information would you need to ensure the regulations are implemented effectively?

*As discussed in question 28 above - a website with all relevant information and communication.*

*Horizons recommends that MBIE continue to engage with technical interest groups around the country to ensure good practice. A guidance document needs to be produced for Recognised Engineers to ensure consistency.*

*Guidance on resolving complex ownership situations would also be valuable for potential dam owners to help implement the regulations within the proposed timeframes.*

30

Do you have any comments on the proposed content of the forms for a Dam Classification Certificate, Dam Safety Assurance Programme or Annual Dam Compliance Certificate?

*The Dam Classification Certificate and DSAP must clearly list & describe the appurtenant structures.*

*The Annual Dam Compliance Certificate should include details of the exercising of the Emergency Action Plans (EAPs) (Element 6 of Table 5) and verification that this exercising has occurred. This is vital as EAPs are only of use if they are tested and shown to be effective.*

*Can the forms fields be electronic so there is the capability to push information automatically into a data base etc.*

Regulatory impacts

31	<p>Can you describe any other costs and benefits not discussed in Table 6?</p> <p><i>Some additional costs will be incurred upgrading Horizons IRIS data management system and to manage information provided by dam owners. Initially there will be additional costs managing communications.</i></p> <p><i>Horizons note that the analysis and guidelines for the regulatory authorities to administer and regulate this framework have yet to be undertaken. Therefore we are unable to confirm additional costs for this aspect until these are provided. Once the regulatory impact analysis and cost benefit analyst are undertaken we will be interested in providing feedback on these. We would also like to provide feedback on any guidelines that are planned.</i></p>
32	<p>For regional authorities:</p> <p>In your experience what will be the likely cost of administering the proposed dam safety regulations e.g. additional resource requirements?</p> <p><i>There will be additional resource requirements which will be incurred managing information supplied by dam owners including ‘approving or refusing DSAPs’, maintaining a dam register and for undertaking enforcement action on those dam owners that do not comply with the regulations.</i></p> <p><i>Difficult to say until the guidelines are provided and a regulatory impact analysis (RIA) and cost benefit analysis are undertaken. What does ‘approving or refusing DSAPs’ mean and will this have to be a skilled staff member? If a skilled person is required then the cost will be significant.</i></p>
33	<p>For owners of dams:</p> <p>Are you following the NZSOLD dam safety guidelines?</p> <p>Yes.</p>
34	<p>If you are following the NZSOLD dam safety guidelines, please tell us about any additional costs you may incur from implementing a Dam Safety Assurance Programme?</p> <p><i>Horizons has through the most recently update of our key long term plan made provision for increased costs association with implementing DSAPs.</i></p>
35	<p>If you are not following the NZSOLD dam safety guidelines, please tell us about any additional costs you may incur from implementing a Dam Safety Assurance Programme?</p> <p><i>N/A as Horizons is following the guidelines.</i></p>

**Additional feedback from Horizons:**

*Has MBIE considered a national dam register? A database template/platform that is centralised so all information captured is consistent. This would allow MBIE to have real time data on dams, without having to request information from regional authorities. This would create efficiencies and cost saving for regional authorities as they wouldn’t have to share the information with MBIE and savings to set up information systems to capture information. Also this would be helpful for National Emergency Management Coordination as this information would be more accessible. However, it would depend if the centralised platform could capture monitoring and reviewing processes plus compliance and enforcement activities.*

31 May 2019



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2019/02074

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Brent Limmer  
General Manager – Community and Strategy  
Manawatu District Council  
60 Stafford Street  
FEILDING

Dear Brent

**HORIZONS REGIONAL COUNCIL SUBMISSION: MDC PROPOSED PLAN CHANGE 51 & 64**

Thank you for the opportunity to respond to the proposed plan changes for Manawatu District Council's Proposed Plan Changes 51 & 64.

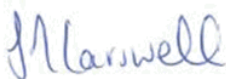
At Horizons Regional Council (Horizons) we believe our region is a great place to live, work and play. As a regional council, our responsibilities include managing the region's natural resources, flood control, monitoring air and water quality, pest control, facilitating economic growth, leading regional land transport planning and coordinating our region's response to natural disasters.

In terms of environmental planning, our integrated planning document the One Plan sets out four keystone environmental issues for our region – surface water quality degradation, increasing water demand, unsustainable hill country land use and threatened indigenous biodiversity.

Regionally, the Accelerate25 programme identifies a number of opportunities and key enablers to help realise our Region's economic potential. The action plan sets out a path to grow our regional prosperity between now and 2025. An expected outcome of the Accelerate25 programme is to see managed urban growth and increased economic activity on our region.

In relation to the proposed plan change proposals 51 & 64, our key areas of focus are land use change, improving water quality, stormwater management, natural hazard planning, biodiversity, integrated transport and responding to cultural needs within our region. These areas are addressed in brief on the following pages.

Yours sincerely



Sarah Carswell  
**COORDINATOR DISTRICT ADVICE**

Kairanga

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24hr Freephone **0508 800 800**





## SUBMISSION OF HORIZONS REGIONAL COUNCIL

### MANAWATU PROPOSED DISTRICT PLAN CHANGE 51

This submission considers the relationship between Horizons' One Plan<sup>1</sup> and the need for the District Plan to give effect to the regional policy statement components and not be inconsistent with regional plan provisions, as set out in section 75 of the Resource Management Act 1991 (RMA).

This submission also considers the contributions the proposed district plan changes will make to the Regional Land Transport Plan's strategic priorities.

Horizons does not consider it would gain an advantage in trade competition through this submission.

Where not otherwise specified, Horizons generally supports the Proposed Plan Change or any further, alternative or consequential relief; as these proposals are considered consistent with the issues, objectives and policies of the One Plan, and/or matters for the territorial authority.

### CHAPTER 8: SUBDIVISION

**Support** Objectives 1(a), 1(d), 1(f) or any such wording of a similar effect; as these are considered consistent with the issues, objectives and policies of the One Plan, and/or matters for the territorial authority.

**Support** Policies 1.2-1.5 or any such wording of a similar effect; as these are considered consistent with the issues, objectives and policies of the One Plan, and/or matters for the territorial authority.

**Support in part** Objectives 1(b), 1(c), 1(e), 1(g) and 1(h)  
Policies 1.1, 3.3, 3.4, 3.5, 3.7, 3.8  
Rules g(viii)(ix)(xi)(xiv)(xv)

Taken together, these objectives do not adequately address the provisions in the One Plan that relate to infrastructure, particularly stormwater management. Issue 3-3 identifies strategic integration of infrastructure with land use, and links with water quality (Issue 5.1) and natural hazards (Issue 9.1).

Effective stormwater management, delivered through a combination of robust regulation and guidance in the District Plan provisions and careful operational planning during subdivision activities, development and construction is necessary for any future urban growth within the identified precinct area.

The stormwater quantity and quality objectives of the One Plan are not met when considering the sensitivity and high in-stream values of the receiving environment. The proposal to incorporate a single large pond and its location do not appear to adequately address the stormwater discharge from Growth Precinct 4. There is

<sup>1</sup> Manawātū-Whanganui combined regional policy statement (RPS) and regional plan



also potential to exacerbate stormwater-related flood hazards for the Feilding township.

Horizons has undertaken significant investment in works to support effective management and protect Feilding CBD from inundation. This work is planned to continue as part of our ongoing programme of work. However it should not be relied upon as an effective mitigation to the stormwater risks faced by increased urban development in Growth Precinct 4.

It should be noted that the modifications to the Reid Line Floodway north of Feilding address both limitations with the current configuration and ensuring that the flood protection standard is commensurate with the level of operating risk.

Horizons support the inclusion of rule performance standards identifying the location of natural watercourses and overland flow path and how these will be managed or enhanced from the perspective of effective natural hazard management.

Horizons notes that the overland flow path information you propose to include in the district plan as an appendix risks becoming out-dated given the potential for changes to ground levels. We understand that the intent of the provisions is primarily to ensure thorough consideration of this matter early in a consenting process and in the creation of Comprehensive Development Plans.

*Relief sought*

In previous discussions with MDC staff, Horizons highlighted the requirements that would need to be met the account for future urban growth, particularly where there would be further pressure on the Makino/Mangakino Stream, taking into account the existing stormwater discharges from Feilding.

This included incorporation of contemporary stormwater management principles and adoption of best practise (based on examples from across New Zealand). Horizons refer you to Rule 14-18 in the One Plan for the stormwater conditions that must be met for permitted activities.

Relief sought includes:

- a. changes to the objectives, policies and rules to give effect to effective stormwater management arising from Growth Precinct 4.
- b. retention of the wording relating to objective 1(h) in relation to natural hazards, except where changes are needed to address the stormwater issues as outlined (any such wording of a similar effect).

**Support in part**      Objective 2  
Policies 2.1-2.7

Horizons is generally comfortable with the wording proposed, or any such wording of a similar effect, however there are additions that could be considered for this objective and policy suite where they are not otherwise addressed in the plan.



Indigenous biodiversity is not considered specifically within this Proposed Plan Change, and the further loss of indigenous biodiversity, or lack of enhancement through urban development is an issue that would need to be addressed to be consistent with the provisions of the One Plan (Issue 6.1, Policy 6-3 and 6-4).

The One Plan also has a Chapter on Te Ao Maori. While not strictly within our remit, it is noted that the proposed subdivision makes no mention of Papakainga Housing. It should however be noted that the One Plan also acknowledges Hapu and Iwi interest in indigenous biodiversity, and resource management issues generally.

Relief sought:

- a. changes to the objective and policies to include integration of indigenous biodiversity, particularly preventing further loss, and enhancement of indigenous biodiversity within Growth Precinct 4.
- b. Consider the incorporation of policies that address the aspirations of Iwi and Hapu within the Rohe.

**Support** Objective 3  
Rule f

Horizons support the inclusion of performance standards requiring minimum floor levels to mitigate the effects of a 0.5% annual exceedance probability (AEP) flood event within Chapter 8, and therefore support the proposed wording or any such wording of a similar effect; as these are considered consistent with the issues, objectives and policies of the One Plan.

**Support in part** Objective 4  
Policies 4.1-4.5

Horizons support the objectives and policies in so far as they provide for effective infrastructure and growth planning, provided that they account for the stormwater management issues as addressed above.

**Support in part** Rules (chapter 8)

Horizons generally support the rules in Chapter 8, and the activity cascade, except where changes are needed to give effect to the issues raised in this submission.

#### CHAPTER 15: RESIDENTIAL ZONE

**Support** Objectives 1, 3 and 4 or any such wording of a similar effect; as these are considered consistent with the issues, objectives and policies of the One Plan, and/or matters for the territorial authority.

**Support in part** Objective 2



Horizons generally supports the proposed changes to strengthen the District Plan's provisions relating to natural hazards. New policies and amendments to rules, to enable more comprehensive consideration and control of subdivision and residential development where there are risks of flood hazards, give effect to One Plan Policy 9-4(a) and (c) in particular.

Ensuring buildings and structures are located and designed to manage the risk of natural hazards, rules about providing appropriate permeable surfaces and providing information about flooding, overland flows and liquefaction within the Growth Precinct gives effect to One Plan Policy 9-1(a)(i), with regard to our councils' joint responsibility for raising public awareness of the risk of natural hazards.

Horizons acknowledges that MDC commissioned liquefaction studies and that the proposed growth area generally has low vulnerability to liquefaction and liquefaction-induced ground damage.

Horizons supports the inclusion of the rule performance standards on subdivisions and residential development providing a building platform and land free from hazard risks while also achieving a permeable surface for all lots.

Horizons seeks the same relief as set out above in relation to stormwater management, natural hazards, indigenous biodiversity and Te Ao Maori in relation to these issues being effectively managed in residential development.

#### **Appendix 8.1 Precinct 4 Structure Plan**

##### **Support in part**

While the rezoning of this rural area for residential activities to plan for urban growth is well understood, this does result in the loss of versatile soils for rural production. It should be noted that there is a limited amount of class II soils available in the region, and their loss is an issue identified in the One Plan (Issue 3-4).

##### **TRANSPORT**

Horizons Transport Team generally supports the Proposed Plan changes, particularly:

- That the changes provide for development of multi-modal transport via shared pathways, walkways and cycleways which is consistent with the requirements of the Regional Land Transport Plan.
- That there is a strong theme in the consultation to date requesting adequate public transport services be provided in Growth Precinct 4. With that in mind we wish to advise that Horizons, in collaboration with MDC are undertaking a mid-term review of the Feilding Around Town / Feilding to Palmerston North bus service as the contract is in the middle of its nine year term. The review will consider urban growth in Feilding, specifically Growth Precinct 4, and assess any future public transport demand and requirements in these areas.



Given the possibility of future public transport services in this area, we request that MDC ensure that road and footpath design / layout is adequate to enable public transport infrastructure to be developed so as not to stifle growth of the network. We refer to Policy 5.1.7 of the Regional Land Transport Plan which states "Promote the increased use of public transport by planning and providing for public transport routes and facilities in residential subdivisions and major new facilities (territorial authorities, NZ Transport Agency)" The brackets indicate who is responsible for this. It is important that the changes to the District Plan provide for the development of such infrastructure as part of the subdivision chapter. We therefore request that MDC consider adding specific reference to possible future public transport networks and infrastructure under the Objectives and Policies of the subdivision chapter.

Horizons Transport Team look forward to continuing to work with MDC as the mid-term review progresses to ensure development of this area is well understood and considered as part of the review.

#### **MANAWATU PROPOSED DISTRICT PLAN CHANGE 64**

Horizons have reviewed the proposals and generally support the proposed changes. We consider that the proposals are not inconsistent with the One Plan.

#### **Hearings**

Horizons reserves the right to be heard in support of the submission on proposed plan change 51, but at this stage does not request to be heard. Horizons does not wish to be heard in support of proposed plan change 64.

#### **Contact for submission queries**

Please do not hesitate to contact the Coordinator District Advice, Sarah Carswell if you would like to discuss or clarify any aspect of this submission.

Email: [sarah.carswell@horizons.govt.nz](mailto:sarah.carswell@horizons.govt.nz)



2 July 2019

Attn: Kirk Lightbody  
Manawatū District Council  
Private Bag 10 001  
FEILDING 4743

File ref: RAI 04 02  
2019  
SC

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Dear Kirk

**HORIZONS SUBMISSION ON A NOTICE OF REQUIREMENT FROM MANAWATU DISTRICT COUNCIL TO DESIGNATE LAND FOR ROADING PURPOSES (GROWTH PRECINCT 4, FEILDING)**

1. Thank you for the opportunity to make a submission on the Notice of Requirement (NOR) from Manawatū District Council (MDC) to designate land for the extension of Churcher Street, creation of new collector road off Roots Street, three new collector roads off Reid Line West, and a road bridge over the Makino Stream.
2. Horizons Regional Council (Horizons) could not gain an advantage in trade competition through this submission.

**Specific parts of the NOR that our Submission relates to:**

1. Horizons' submission generally supports the decision being sought. We agree that there is a need to provide and protect road connections between Port Street East and Reid Line West that facilitate current and future residential development within Growth Precinct 4.
2. In relation to the NOR, Horizons wishes to provide advice on natural hazards, stormwater management, improving water quality, Horizons' One Plan and future consenting requirements, and strategic transport priorities. Please find attached Horizons' submission on MDC's Proposed Plan Change 51 and 64, which has some comments that are relevant to the NOR.
3. The NOR application suggests that parts of the project has alignment with Horizons' One Plan and the Regional Land Transport Plan.
4. Horizons has ongoing communication and engagement with MDC in regards to urban development in Feilding. In December 2018 relevant Horizons staff (including Group Manager River Management, Senior Policy Analyst, Regulatory Manager and Coordinator District Advice) met with MDC and their Opus Consultant to provide feedback on MDC's Growth Precinct 4. The main topic of discussion was about stormwater management as well as water quality, future consenting requirements, flooding, liquefaction, future stopbank upgrades, and transport planning.

Kairanga

Marton

Palmerston North

Taihape

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Wanganui

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- Horizons Transport Team in collaboration with MDC are undertaking a mid-term review of the current Feilding public transport service, which is considering urban growth in Feilding.

#### **Natural Hazards and Stormwater Management**

- Section 5.3 of the application discusses Objective 9-1 of the One Plan, however, it did not discuss Policy 9-4.
- Objective 9-1 of the One Plan sets the overarching approach towards managing the effects of natural hazard events in the Region, as follows:

*The adverse effects of natural hazard events on people, property, infrastructure and the wellbeing of communities are avoided or mitigated.*

Policy 9-4 (Other types of natural hazards) states that:

*the Regional Council and Territorial Authorities must manage future development and activities in areas susceptible to natural hazard events (excluding flooding) in a manner which:*

- Ensures that any increase in risk to human life, property or infrastructure from natural hazard events is avoided where practicable, or mitigated where the risk cannot be practicably avoided,*
  - Is unlikely to reduce the effectiveness of existing works, structures, natural landforms or other measures which serve to mitigate the effects of natural hazard events, and*
  - Is unlikely to cause a significant increase in the scale or intensity of natural hazard events.*
- GNS Science's regional scale information suggests there are no known active faults in the vicinity of these designations. Please note that as part of 2015-25 Horizons Long Term Plan, GNS Science is currently engaged to provide Active Fault Mapping and Fault Avoidance for Manawatu District. In June 2019 GNS Science and Horizons staff met with relevant MDC staff to outline the process. A draft report should be available in September 2019.
  - Horizons acknowledges that MDC commissioned Opus to complete liquefaction studies. As outlined in section 4.5 the area has low vulnerability to liquefaction and liquefaction-induced ground damage and the risk of liquefaction is assess as low for both sides of the Makino Stream. The report recommends that no residential structures be built within 10-metres of the Makino Stream and this is supported by Horizons as an esplanade strip on both sides is essential for maintaining the stream, creating a green corridor of planning and for future recreational enhancements.
  - In 2018 MDC commissioned Opus to complete 0.5% Annual Exceedance Probability (AEP) stormwater modelling for this area. Please note that the Opus 0.5% AEP modelling on page 6 of the report (Feilding Stormwater Modelling) is the best information on flooding for this area. Horizons modelling does not take into consideration the most up to date information



such as MDC's infrastructure upgrades and recent landform changes. Section 4.5 states that future road design will be undertaken to manage overland flow paths so that no effects of ponding on other upstream or downstream properties result.

11. In regards to effective stormwater management (stormwater quantity and quality), please refer to Horizons Submission on MDC's Proposed Plan Change 51 and 64 attached (refer to the discussion on page 2 and 3). The creation of new roads will mean an increase to the impermeable area and hence an increased rate of run-off from the area during rainfall events. It is not clear from the application where this water will ultimately be discharged. Currently the Makino Stream flows at full capacity through Feilding during events in excess of a 10% AEP (10 year) flood. This means that the Makino stream does not have the capacity to convey any additional discharge from new developments through Feilding. The application references a GHD report that considers stormwater but has not been provided as part of the application. The details from this report would be part of the necessary resource consent application, but it would need to show that any increase in stormwater runoff can be effectively managed without increasing discharge to the Makino Stream.

Horizons have an interest in the management of stormwater and floodwater flow paths. There will be more involvement from Horizons during the resource consenting process.

#### **Horizons One Plan and Future Consenting Requirements**

12. The application does not mention that MDC will seek resource consents from Horizons Regulatory Team; however it is assumed this will be the case at a later stage. Confirmation of the final consenting requirements will need to be undertaken once detailed design of the project has been completed. An updated report and assessments of the effects will be required for that phase of the project. Once further design details are confirmed any resource consent requirements can be dealt with through Horizons Regulatory Team. For information on consents please contact the Regulatory Team on Freephone 0508-800-800 or email [consents.enquiries@horizons.govt.nz](mailto:consents.enquiries@horizons.govt.nz) alternatively visit our website: <http://www.horizons.govt.nz/managing-natural-resources/apply-for-consents>.

The Makino Stream at this site has specific values for Trout Spawning, Domestic Food Supply, Flood Control and Drainage, as identified in Schedule B of the One Plan. There are tributaries of the Makino Stream at this site which are valued for Domestic Food Supply. Please refer to the One Plan about the 10-metre set back rules for Schedule B values (One Plan Rules 17-14 and 17-5). This area is valued for it Life-Supporting Capacity (Lowland Mixed), therefore refer to One Plan Table 17-2 for information about general conditions which apply to all water bodies and their beds.

13. A resource consent will be required from Horizons for proposed bridges and possibly for proposed culverts. Please refer to One Plan Rules 17-10 (culverts) and 17-11 (Other structures including bridges, fords and other access structures) for more information. Once details have been provided





of the proposed structures, our consents team we will be able to confirm whether a resource consent is required from Horizons.

14. Indigenous biodiversity (terrestrial and aquatic/freshwater ecology) is not specifically considered for this NOR. The further loss of indigenous biodiversity, or lack of enhancement through urban development is an issue that would need to be addressed to be consistent with the provisions of the One Plan (Issue 6.1, Policy 6-3 and 6-4). Avoidance of important areas of indigenous vegetation near the stream and, reduction of effects on waterways, will assist in reduction of the level of adverse effects to both terrestrial and freshwater ecosystem. The appropriateness and technical merit of any proposed remedies and mitigations for biodiversity effects will be assessed separately by Horizons' Science Team as part of the formal resource consenting process once detailed design plans have been prepared showing the confirmed location and area of disturbance. It is anticipated that there will also be more involvement from the Horizons' Science team during the consenting process in regards to aquatic/freshwater biodiversity, water allocation, and water quality.

In regards to terrestrial ecology, as noted in section 2.1 of the application the proposed designation is largely located over flat rural land with little vegetation in terms of trees and shrubs. Horizons Environmental Scientist Ecology has confirmed that there are no records of any biodiversity sites within the Growth Precinct 4 Structure Plan footprint, or directly adjacent.

15. Part B of the application states that during the construction phase a certain amount of earthworks will be required. Horizons One Plan Rule 13-1 permits up to 2,500m<sup>2</sup> of land disturbance per property per 12 month period, subject to compliance with conditions. These conditions include ensuring that erosion and sediment control methods are installed prior to and maintained during the land disturbance activity and ensuring that the works do not occur on land within 5 metres of the bed of a river that is permanently flowing, an ephemeral waterway within an active bed width greater than 1 metre, or a lake. Land with a pre-existing slope of 20 degrees or more is classified under the One Plan as "hill country erosion management area." The One Plan permits up to 100m<sup>2</sup> of land disturbance per property per 12 month period in hill country erosion management areas, subject to compliance with conditions.

#### Transport Priorities

16. Horizons Transport team generally supports the NOR and it is aligned to the Regional Land Transport Plan 2015-2025 (2018 Review) (RLTP).
17. The RLTP recognises improving connectivity as a strategic priority. Horizons Transport support the inclusion of a shared pathway recognising the importance of enabling walking and cycling as a transport mode. This contributes (in part) to the following provisions from the RLTP (2018 Review):
  - **Objective 4 A:** *reliable multi-modal transport system with less modal conflict, including walking and cycling, that mitigates potential environmental effects and improves environmental outcomes;* and
  - **Strategic priority 5.4:** *an integrated walking and cycling network.*



18. Horizons Transport Team would like to emphasise the value of enabling public transport networks to be developed in Growth Precinct 4 and Feilding North area. Provision of public transport in this area will contribute to providing a multi-modal system and provides transport choice to those residing in the area. Horizons in collaboration with MDC, are undertaking a mid-term review of the current Feilding public transport service. This review will consider urban growth in Feilding, including in Growth Precinct 4 and investigate any possible public transport demand in this area. With this in mind, we ask that development of the roading network in this area be designed in such a way that enables development of the public transport infrastructure so that growth of the network is not restricted by inadequate road layout or design. Horizons Transport are keen to continue to work with officers and provide guidance on the infrastructure needs of a public transport network.
19. Furthermore, Horizons note the findings of the traffic impact assessment in the NOR, specifically that no intersections require immediate improvements but will in time as the site becomes fully developed. We wish to draw attention to Objective 3 of the RLTP which seeks to provide a safe land transport system increasingly free of death and serious injury and Policy 1.2 which lists a number of measures to ensure continuous improvement in regional road safety. These provisions are relevant to the NOR. It is important that road safety, including the safety of pedestrians and cyclists is assessed when determining the appropriate time and design of intersection upgrades as the development of Growth Precinct 4 and the Feilding north area progresses.
20. For further information on the matters raised in relation to the Transport Priorities section of this submission, please contact the Transport team ([transport@horizons.govt.nz](mailto:transport@horizons.govt.nz)) or call 0508 800 800 and ask to speak to the Transport Manager, Phillip Hindrup.

#### **Closing Comment – Decision Sought**

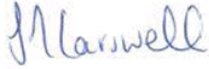
Horizons does not seek any specific changes to this NOR application, however encourages stormwater runoff to be effectively managed without increasing discharge to the Makino Stream as well as consideration given to water quality and indigenous biodiversity especially near and within the Makino Stream. MDC will need to continue to consult with Horizons during the detailed design preparation to ensure the project has alignment with Horizons One Plan and the Regional Land Transport Plan. Any necessary resource consents will need to be obtained from Horizons prior to the construction of the new roads and bridges.

Horizons wishes to be heard in support of this submission. If others make a similar submission we will consider presenting a joint case with them at the hearing.



If the panel would like to discuss or clarify any aspect of this submission please contact Sarah Carswell (email: [sarah.carswell@horizons.govt.nz](mailto:sarah.carswell@horizons.govt.nz) or DDI: (06) 9522 908).

Yours sincerely

A handwritten signature in blue ink that reads "S. Carswell".

Sarah Carswell  
**COORDINATOR DISTRICT ADVICE**

**Attached:** Horizons' submission on MDC's Proposed Plan Change 51 & 64

31 May 2019



Private Bag 11025  
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Palmerston North 4442

File ref: RAI 04 02  
2019/02074

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Brent Limmer  
General Manager – Community and Strategy  
Manawatu District Council  
60 Stafford Street  
FEILDING

Dear Brent

**HORIZONS REGIONAL COUNCIL SUBMISSION: MDC PROPOSED PLAN CHANGE 51 & 64**

Thank you for the opportunity to respond to the proposed plan changes for Manawatu District Council's Proposed Plan Changes 51 & 64.

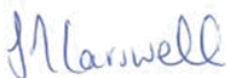
At Horizons Regional Council (Horizons) we believe our region is a great place to live, work and play. As a regional council, our responsibilities include managing the region's natural resources, flood control, monitoring air and water quality, pest control, facilitating economic growth, leading regional land transport planning and coordinating our region's response to natural disasters.

In terms of environmental planning, our integrated planning document the One Plan sets out four keystone environmental issues for our region – surface water quality degradation, increasing water demand, unsustainable hill country land use and threatened indigenous biodiversity.

Regionally, the Accelerate25 programme identifies a number of opportunities and key enablers to help realise our Region's economic potential. The action plan sets out a path to grow our regional prosperity between now and 2025. An expected outcome of the Accelerate25 programme is to see managed urban growth and increased economic activity on our region.

In relation to the proposed plan change proposals 51 & 64, our key areas of focus are land use change, improving water quality, stormwater management, natural hazard planning, biodiversity, integrated transport and responding to cultural needs within our region. These areas are addressed in brief on the following pages.

Yours sincerely



Sarah Carswell  
**COORDINATOR DISTRICT ADVICE**

Kairanga

Marton

Palmerston North

Taihape

Taumarunui

Wanganui

Woodville

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## SUBMISSION OF HORIZONS REGIONAL COUNCIL

### MANAWATU PROPOSED DISTRICT PLAN CHANGE 51

This submission considers the relationship between Horizons' One Plan<sup>1</sup> and the need for the District Plan to give effect to the regional policy statement components and not be inconsistent with regional plan provisions, as set out in section 75 of the Resource Management Act 1991 (RMA).

This submission also considers the contributions the proposed district plan changes will make to the Regional Land Transport Plan's strategic priorities.

Horizons does not consider it would gain an advantage in trade competition through this submission.

Where not otherwise specified, Horizons generally supports the Proposed Plan Change or any further, alternative or consequential relief; as these proposals are considered consistent with the issues, objectives and policies of the One Plan, and/or matters for the territorial authority.

### CHAPTER 8: SUBDIVISION

**Support** Objectives 1(a), 1(d), 1(f) or any such wording of a similar effect; as these are considered consistent with the issues, objectives and policies of the One Plan, and/or matters for the territorial authority.

**Support** Policies 1.2-1.5 or any such wording of a similar effect; as these are considered consistent with the issues, objectives and policies of the One Plan, and/or matters for the territorial authority.

**Support in part** Objectives 1(b), 1(c), 1(e), 1(g) and 1(h)  
Policies 1.1, 3.3, 3.4, 3.5, 3.7, 3.8  
Rules g(viii)(ix)(xi)(xiv)(xv)

Taken together, these objectives do not adequately address the provisions in the One Plan that relate to infrastructure, particularly stormwater management. Issue 3-3 identifies strategic integration of infrastructure with land use, and links with water quality (Issue 5.1) and natural hazards (Issue 9.1).

Effective stormwater management, delivered through a combination of robust regulation and guidance in the District Plan provisions and careful operational planning during subdivision activities, development and construction is necessary for any future urban growth within the identified precinct area.

The stormwater quantity and quality objectives of the One Plan are not met when considering the sensitivity and high in-stream values of the receiving environment. The proposal to incorporate a single large pond and its location do not appear to adequately address the stormwater discharge from Growth Precinct 4. There is

<sup>1</sup> Manawātū-Whanganui combined regional policy statement (RPS) and regional plan





also potential to exacerbate stormwater-related flood hazards for the Feilding township.

Horizons has undertaken significant investment in works to support effective management and protect Feilding CBD from inundation. This work is planned to continue as part of our ongoing programme of work. However it should not be relied upon as an effective mitigation to the stormwater risks faced by increased urban development in Growth Precinct 4.

It should be noted that the modifications to the Reid Line Floodway north of Feilding address both limitations with the current configuration and ensuring that the flood protection standard is commensurate with the level of operating risk.

Horizons support the inclusion of rule performance standards identifying the location of natural watercourses and overland flow path and how these will be managed or enhanced from the perspective of effective natural hazard management.

Horizons notes that the overland flow path information you propose to include in the district plan as an appendix risks becoming out-dated given the potential for changes to ground levels. We understand that the intent of the provisions is primarily to ensure thorough consideration of this matter early in a consenting process and in the creation of Comprehensive Development Plans.

*Relief sought*

In previous discussions with MDC staff, Horizons highlighted the requirements that would need to be met the account for future urban growth, particularly where there would be further pressure on the Makino/Mangakino Stream, taking into account the existing stormwater discharges from Feilding.

This included incorporation of contemporary stormwater management principles and adoption of best practise (based on examples from across New Zealand). Horizons refer you to Rule 14-18 in the One Plan for the stormwater conditions that must be met for permitted activities.

Relief sought includes:

- a. changes to the objectives, policies and rules to give effect to effective stormwater management arising from Growth Precinct 4.
- b. retention of the wording relating to objective 1(h) in relation to natural hazards, except where changes are needed to address the stormwater issues as outlined (any such wording of a similar effect).

**Support in part**      Objective 2  
Policies 2.1-2.7

Horizons is generally comfortable with the wording proposed, or any such wording of a similar effect, however there are additions that could be considered for this objective and policy suite where they are not otherwise addressed in the plan.





Indigenous biodiversity is not considered specifically within this Proposed Plan Change, and the further loss of indigenous biodiversity, or lack of enhancement through urban development is an issue that would need to be addressed to be consistent with the provisions of the One Plan (Issue 6.1, Policy 6-3 and 6-4).

The One Plan also has a Chapter on Te Ao Maori. While not strictly within our remit, it is noted that the proposed subdivision makes no mention of Papakainga Housing. It should however be noted that the One Plan also acknowledges Hapu and Iwi interest in indigenous biodiversity, and resource management issues generally.

Relief sought:

- a. changes to the objective and policies to include integration of indigenous biodiversity, particularly preventing further loss, and enhancement of indigenous biodiversity within Growth Precinct 4.
- b. Consider the incorporation of policies that address the aspirations of Iwi and Hapu within the Rohe.

**Support** Objective 3  
Rule f

Horizons support the inclusion of performance standards requiring minimum floor levels to mitigate the effects of a 0.5% annual exceedance probability (AEP) flood event within Chapter 8, and therefore support the proposed wording or any such wording of a similar effect; as these are considered consistent with the issues, objectives and policies of the One Plan.

**Support in part** Objective 4  
Policies 4.1-4.5

Horizons support the objectives and policies in so far as they provide for effective infrastructure and growth planning, provided that they account for the stormwater management issues as addressed above.

**Support in part** Rules (chapter 8)

Horizons generally support the rules in Chapter 8, and the activity cascade, except where changes are needed to give effect to the issues raised in this submission.

#### CHAPTER 15: RESIDENTIAL ZONE

**Support** Objectives 1, 3 and 4 or any such wording of a similar effect; as these are considered consistent with the issues, objectives and policies of the One Plan, and/or matters for the territorial authority.

**Support in part** Objective 2



Horizons generally supports the proposed changes to strengthen the District Plan's provisions relating to natural hazards. New policies and amendments to rules, to enable more comprehensive consideration and control of subdivision and residential development where there are risks of flood hazards, give effect to One Plan Policy 9-4(a) and (c) in particular.

Ensuring buildings and structures are located and designed to manage the risk of natural hazards, rules about providing appropriate permeable surfaces and providing information about flooding, overland flows and liquefaction within the Growth Precinct gives effect to One Plan Policy 9-1(a)(i), with regard to our councils' joint responsibility for raising public awareness of the risk of natural hazards.

Horizons acknowledges that MDC commissioned liquefaction studies and that the proposed growth area generally has low vulnerability to liquefaction and liquefaction-induced ground damage.

Horizons supports the inclusion of the rule performance standards on subdivisions and residential development providing a building platform and land free from hazard risks while also achieving a permeable surface for all lots.

Horizons seeks the same relief as set out above in relation to stormwater management, natural hazards, indigenous biodiversity and Te Ao Maori in relation to these issues being effectively managed in residential development.

#### **Appendix 8.1 Precinct 4 Structure Plan**

##### **Support in part**

While the rezoning of this rural area for residential activities to plan for urban growth is well understood, this does result in the loss of versatile soils for rural production. It should be noted that there is a limited amount of class II soils available in the region, and their loss is an issue identified in the One Plan (Issue 3-4).

##### **TRANSPORT**

Horizons Transport Team generally supports the Proposed Plan changes, particularly:

- That the changes provide for development of multi-modal transport via shared pathways, walkways and cycleways which is consistent with the requirements of the Regional Land Transport Plan.
- That there is a strong theme in the consultation to date requesting adequate public transport services be provided in Growth Precinct 4. With that in mind we wish to advise that Horizons, in collaboration with MDC are undertaking a mid-term review of the Feilding Around Town / Feilding to Palmerston North bus service as the contract is in the middle of its nine year term. The review will consider urban growth in Feilding, specifically Growth Precinct 4, and assess any future public transport demand and requirements in these areas.



Given the possibility of future public transport services in this area, we request that MDC ensure that road and footpath design / layout is adequate to enable public transport infrastructure to be developed so as not to stifle growth of the network. We refer to Policy 5.1.7 of the Regional Land Transport Plan which states "Promote the increased use of public transport by planning and providing for public transport routes and facilities in residential subdivisions and major new facilities (territorial authorities, NZ Transport Agency)" The brackets indicate who is responsible for this. It is important that the changes to the District Plan provide for the development of such infrastructure as part of the subdivision chapter. We therefore request that MDC consider adding specific reference to possible future public transport networks and infrastructure under the Objectives and Policies of the subdivision chapter.

Horizons Transport Team look forward to continuing to work with MDC as the mid-term review progresses to ensure development of this area is well understood and considered as part of the review.

#### **MANAWATU PROPOSED DISTRICT PLAN CHANGE 64**

Horizons have reviewed the proposals and generally support the proposed changes. We consider that the proposals are not inconsistent with the One Plan.

#### **Hearings**

Horizons reserves the right to be heard in support of the submission on proposed plan change 51, but at this stage does not request to be heard. Horizons does not wish to be heard in support of proposed plan change 64.

#### **Contact for submission queries**

Please do not hesitate to contact the Coordinator District Advice, Sarah Carswell if you would like to discuss or clarify any aspect of this submission.

Email: [sarah.carswell@horizons.govt.nz](mailto:sarah.carswell@horizons.govt.nz)

28 June 2019

Michael Duindam  
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File ref: RAI 04 03  
2019  
SJC



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By email only: [michael.duindam@pncc.govt.nz](mailto:michael.duindam@pncc.govt.nz)

Dear Michael,

#### **PALMERSTON NORTH CITY COUNCIL PROPOSED PLAN CHANGE B: NAPIER ROAD**

Thank you for your request for Horizons Regional Council's comments on the Palmerston North City Council Proposed Plan Change B for Napier Road.

The oxbow site was visited on 29 November 2017 by Manas Chakraborty (Senior Research Associate, Science & Innovation, Horizons), Jon Bell (Manager Investigations and Design, Horizons) and myself. The site visit was with Lynette and Vaughan Cruden (291 Napier Road), and Ben Currie (Leafland, 1 Robert's Line).

Although this visit was about 18 months ago, Elizabeth Daly (Environmental Scientist Ecology, Horizons) has advised this information is still relevant and the oxbow habitat remains classified as threatened as per Schedule F. She also noted that Horizons has no knowledge of any recent dredging and there is no Horizons resource consent for this activity.

Jon Bell (Manager of Investigations and Design, Horizons) has advised that the Horizons flood level from 2017 itself has not changed. The LiDAR may have updated the ground levels but the flood water surface will be the same as outlined in the discussion below which was initially advised in 2017.

Please see Horizons comments below in regards to the Oxbow Habitat and Flooding.

#### **Oxbow Habitat**

In terms of geological formation of this habitat, we confirm that Napier Road Oxbow is an 'oxbow lake', perhaps of the old Manawatu River channel.

In terms of native versus exotic dominance, the margin of this oxbow habitat is dominated by willow with a few native species (which are mostly planted) such as Tarata, Harakeke (flax), Carex Sedge and Coprosma. The oxbow lake margin is highly modified as a result of land use development. Most of the riparian vegetation is restricted to the northern bank of the oxbow, while the southern bank is devoid of any riparian cover in the Cruden's property, as the lake margin is mowed right up to the water-edge.

By comparing historical aerial photos (2005, 2010 and 2016) it seems the lake has gone through several land development modifications and the riparian vegetation (mainly willow)

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along the southern bank of the lake on Cruden's property has been cleared between 2005 and 2010.

As discussed Horizons completed a site visit in November 2017. The water level in the lake was shallow during our site visit and extensive algal proliferation and macrophyte growth were noticed in the western segment of the oxbow. Mr Vaughan Cruden mentioned that the lake has an average depth of more than a metre. According to both landowners (Lynette and Vaughan and Cruden, and Ben Currie) the oxbow lake provides habitat to eels (most probably shortfin eels) and several wader birds. During the site visit we saw one shortfin eel on Cruden's side of the oxbow lake. Mrs Lynette Cruden advised that there have been sightings of blue herons and shags in the past along the lake margin (perhaps in search of eels). This has also been verified by some historical photos shared by Mrs Lynette Cruden.

The western segment of the oxbow is connected to the eastern segment via a culvert which also provides access to the other side of the oxbow lake in the Cruden's property. Mr Vaughan Cruden advised that the western part of the lake was dredged about 15 years ago, while the eastern part was dredged about 2 years ago (years stated in November 2017). The eastern segment seems to have less water clarity with more silt deposition but no algal proliferation. Macrophyte and algal proliferation in the western segment could be attributed to the accumulation of nutrients as a result of surface runoff from surrounding landscape during wet conditions and stagnation of this nutrient laden water on Cruden's side of the oxbow lake during summer. As well as minimal riparian cover, open waterbody with high exposure to sunlight, and the long spell of high temperatures might have resulted into this algal proliferation in the western part of the oxbow. The Cruden's outlined during the site visit that this is not the usual picture of the lake.

In summary, this waterbody even if highly modified with limited native character remaining, has a moderate to light life supporting capacity value, and is identified to be an oxbow lake which is a "threatened" habitat according to Schedule F of the One Plan. This means One Plan Rules regarding discharges of contaminants (Chapter 14) and vegetation clearance (Chapter 13) along the lake margin will be applicable for this site. While One Plan rules will protect this habitat through regulatory process (i.e., by imposing consent conditions), the site does not have enough high priority score to be considered as one of the Top 100 wetland sites (One Plan non-regulatory method for biodiversity enhancement by working together with the landowners) in the Region.

#### **Flooding**

Horizons has considered all information available and believes that the advice that Lisa Thomas provided to the Crudens in a letter (August, 2015) still stands as correct. In that letter it stated that "Horizons stands by its finished floor level recommendations for the subdivision. Horizons recommends that any proposed habitable buildings have a finished floor level of at least 37.8m relative to Wellington Vertical Datum, 1953."

This level comes from our calculated 1 in 200 year (0.5% Annual Exceedance Probability) flood level of 37.3 (Wellington Vertical Datum, 1953) at the site with an additional freeboard allowance of 500mm. This is because whilst there are stopbanks along the Manawatu River in this area, they are only designed to provide protection from a 100 year return flood event.





Horizons One Plan Policy 9-2 generally discourages new habitable buildings or extensions to existing habitable buildings in areas that are likely to be inundated during a 0.5% Annual Exceedance Probability (1 in 200 year) flood event. Where the flood hazard cannot be avoided, Horizons recommends that the risk be mitigated. Flood mitigation includes having a finished floor level that includes reasonable freeboard (500mm as per New Zealand Standard 4404:2010 – Land Development and Subdivision Infrastructure) above the 1 in 200 year flood surface and ensuring that there is safe access to and from the property during a flood event. This freeboard requirement is to account for factors which cannot be included in the model, such as waves and debris effects. The finished floor level needs to be above the original ground level prior to any land disturbance works.

Horizons can provide information on the level of inundation and recommended freeboard as per NZS 4404:2010 and our One Plan Policy 9-2, however it is Palmerston North City Council as the Building Consent Authority that makes the decision on appropriate freeboard and finished floor levels. It is also Palmerston North City Council's decision about how this recommendation is applied, whether this is by building consent or by subdivision consent conditions.

The 2015 flooding came from overflows from Stoney Creek and local stormwater. We understand that these stormwater issues have been addressed by Palmerston North City Council.

Please note that Horizons does not believe that State Highway 3 provides flood protection to this site and the surrounding area.

#### **Stopbank**

Horizons were previously advised that part of this potential plan change would be a proposed road over the stopbank at the western end of the oxbow. Horizons Manager of Investigations and Design has advised that there are no initial concerns about this plan however he confirmed that resource consent is required. One Plan Rule 17-15 requires that resource consent be obtained from Horizons for a range of activities occurring on or near a stopbank. The need for a consent is due to the potential for such activities to adversely affect the function of the drainage scheme.

As per your recent discussion with Paul Joseph (Horizons Scheme Engineer, Central) - Horizons considers a 3m esplanade strip on both sides of the stopbank toe as essential for accessing the stopbank for maintenance and future proofing of the stopbank.

Horizons encourages PNCC to consider sufficient set back from the stopbank to allow access for maintenance, future upgrades, indigenous biodiversity and amenity/recreational values etc.

As discussed with the River Management team, Horizons has no preferences in regards to the vesting of the land or the use of preference standards etc.

Should anyone wish to carry out any activities (including any new access-ways) within 8 metres of the stopbank toe, they will need to first contact Central Area Scheme Engineer, Paul Joseph, on Freephone 0508 800 800 to confirm any resource consent requirements or conditions of work.





For information on resource consents please contact our Consents Team on [consents.enquiries@horizons.govt.nz](mailto:consents.enquiries@horizons.govt.nz) or call our Horizons Duty Planner on Freephone 0508 800 800.

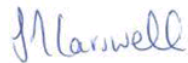
**Summary**

Horizons is generally in support of the potential plan change. Once the proposed plan change is notified, Horizons will take the opportunity to provide a formal submission.

Once a Traffic Impact Assessment is completed, please request an additional comment from Horizons in regards to public transport and connectivity.

We welcome the opportunity to continue to work with you and Palmerston North City Council to discuss the comments provided in our letter.

Yours sincerely



Sarah Carswell  
COORDINATOR DISTRICT ADVICE



Report No.	19-176
Information Only - No Decision Required	

## NATURAL RESOURCES & PARTNERSHIPS PROGRESS REPORT

### 1. PURPOSE

- 1.1. The purpose of this item is update members of Council's Environment Committee on the progress made in the Natural Resources & Partnership Group's activity over the period 1 July to 30 September 2019. An overview of all activity is provided in the Natural Resources & Partnerships Operational Plan 2019-20 available on the Hub.

### 2. RECOMMENDATION

That the Committee recommends that Council:

- a. receives the information contained in Report No. 19-176.

### 3. FINANCIAL IMPACT

- 3.1. There is no financial impact associated with recommendations in this paper.

### 4. COMMUNITY ENGAGEMENT

- 4.1. This is a public item and therefore Council may deem this sufficient to inform the public.

### 5. SUMMARY AND HIGHLIGHTS

- 5.1. The Natural Resources & Partnerships Group activity includes the non-regulatory and science programmes across the land and water management, biosecurity, biodiversity and environmental reporting activities of the Long Term Plan. The group also delivers regulatory functions for biosecurity and supports Horizons' regulatory programmes.
- 5.2. The Operational Plan for the 2019/20 year was approved by Council at the Strategy and Policy meeting in September 2019 and is available at the following link. <http://www.horizons.govt.nz/HRC/media/Media/Agenda-Reports/Strategy-Policy-Committee-2019-10-09/19138%20Annex%20A%20Natural%20Resources%20%20Partnerships%20Operational%20Plan%20201920.pdf>
- 5.3. The activity reporting for the period is provided in the five annexes that update on the activities of:
- Freshwater & Partnerships;
  - Biosecurity Animals;
  - Biosecurity Plants;
  - Biodiversity; and
  - Science & Innovation
- 5.4. The Land Management activity, which is also a part of the group reports to the Catchment Operations Committee.
- 5.5. The Freshwater & Partnerships Team have continued the implementation of the Freshwater Improvement Fund projects completing annual reporting and a range of fencing and planting projects over the winter. Currently demand for this activity is high, with

allocation levels reaching a level where some new work, particularly riparian planting, will be scheduled for the next financial year. Work in relation to the Lake Horowhenua Accord has included the completion of a Maori Appellate court process that has dismissed an injunction on establishing roading infrastructure for the weed harvesting activity. Further a contract for a drainage and sediment control programme for the Arawhata Sub-catchment has been initiated (reported in the Science and Innovation report). A further progress report for the Future Proofing Vegetable Production Sustainable Farming Fund project has been received. Further information on the Freshwater and Partnerships Activity is provided in Annex A.

- 5.6. The Biosecurity Animals programme has had a solid start to the year and is on track to deliver on the Annual Plan targets that include over 57,000 ha of new area coming into the programme and maintaining possum populations below 10 percent residual trap catch (RTC). Monitoring of the possum programme is underway with 16 of 56 Possum Control Operations (PCOs) to be monitored completed. The rook management programme is underway with the majority of the programme to be delivered in October/November. The amenity pest programme has completed 269 enquiries with all of these being responded to within the target timeframe of two working days. Further information on this activity is provided in Annex B.
- 5.7. The Biosecurity Plants programme has continued to undertake pest plant control across a range of species and complete a range of preparation work for the upcoming summer season. Work has continued on implementing the Regional Pest Management Plan with some internal review of the current activity on each species in relation to the desired outcome in the Plan. An annual report on the biocontrol programme has been reported to the Environment Committee in August 2019. Further activity has included working with Crown agencies and Councils around Regional Pest Management Plan obligations. Further information on this activity is provided in Annex C.
- 5.8. The Biodiversity programme continues to implement the work plan following the review of the priority habitats programme. A total of 76 sites were visited and assessed to inform the prioritisation of sites within the region. A total of 29 Biodiversity Partnership projects have been committed to, for a target of 12. A key project for the biodiversity programme this year is a review of the Biodiversity Partnerships programme and this is expected to get underway early in 2020 via a workshop with Councillors. Work at Tōtara Reserve Regional Park has focused on readying the site for the camping season to start at Labour Weekend. Work around fencing the septic tank area has progressed, albeit with some delays due to a contractor damaging the septic tank. A meeting of the Tōtara Reserve Advisory Group was held with a focus on developing a strategic plan and prioritising projects for the capital upgrades at the site this year. Further information on this activity is provided in Annex D.
- 5.9. The Science & Innovation programme has completed a range of monitoring and research over the reporting period. This includes preparing Council agenda items on the National Pesticides Survey and the contamination by PFAS at various sites in the region for the Strategy and Policy Committee. An update of the regions water quality information has been provided and released through the LAWA website ([www.lawa.org.nz](http://www.lawa.org.nz)) during the reporting period. Summaries of State of Environment information for catchments of the region (Freshwater Management Units) were released as a part of the Environment Committee agenda in August 2019. Further activity across the Science programme has included worked on drinking water supplies for towns in the region that have more than 500 people and a report on this is programmed for the Strategy & Policy Committee in December 2019. A report on climate change implications for the Manawatū-Whanganui Region has been completed and results presented to the August 2019 Environment Committee. Further information on this activity is provided in Annex E.

**6. SIGNIFICANCE**

- 6.1. This is not a significant decision according to the Council's Policy on Significance and Engagement.

Logan Brown

**FRESHWATER & PARTNERSHIPS MANAGER**

Rod Smillie

**BIODIVERSITY, BIOSECURITY & PARTNERSHIPS MANAGER**

Abby Matthews

**SCIENCE & INNOVATION MANAGER**

Jon Roygard

**GROUP MANAGER NATURAL RESOURCES & PARTNERSHIPS**

**ANNEXES**

- A Freshwater & Partnerships progress report
- B Biosecurity Animals progress report
- C Biosecurity Plants progress report
- D Biodiversity progress report
- E Science & Innovation progress report







## FRESHWATER & PARTNERSHIPS

### 1 ACTIVITY OVERVIEW

- 1.1.1 Horizons' Freshwater & Partnerships Team works closely with other Horizons teams and people external to the organisation, to implement water quality and aquatic habitat improvement works.
- 1.1.2 The team draw on the scientific monitoring work carried out by Horizons and other agencies to prioritise and focus implementation efforts. The programme actively seeks funding from other sources, allowing the acceleration of works. Activities include riparian fencing and planting for water quality improvement and fish habitat enhancement, the identification and enhancement of whitebait spawning habitat and fish passage improvement, sewage treatment plant upgrades, work with horticulture growers and lake weed harvesting.
- 1.1.3 The Freshwater and Partnerships Activity is presented in six sections:
- The Regional Freshwater programme
  - The Manawatu Accord/ Manawatu **Freshwater Improvement Fund (FIF)** project;
  - The Whangaehu Catchment FIF project
  - The Lake Waipu (Ratana) FIF project; and
  - The Lake Horowhenua Accord & FIF project; and
  - Freshwater improvement work with horticulture growers.

### 2 ANNUAL PLAN TARGETS

- 2.1.1 The annual plan targets are aggregated in the Table 1 below shown individually in the sections below. Overall the programme has achieved some targets already and is on track to meet all of its targets. Some aspects of the programme are oversubscribed this year and work is being allocated into next year. A map of the work allocated this year is provided in Map 1.

Table 1: Freshwater & Partnerships programme progress on the 2019-20 Annual Plan targets. Note the Annual Report targets are not reported on here, these were provided as a part of Environment Committee reporting in August 2019<sup>1,2</sup>

	Riparian fencing (km's)				Riparian planting			
	Target	Complete	Allocated	% complete	Target	Complete	Allocated	% complete
Regional	12	2.984	14.001	25%	20,000	9,405	22,034	47%
Manawatū	50	13.524	59.244	27%	40,000	47,470	92,916	119%
Whangaehu	17	0	9.426	0%	3,333	0	8,515	0%
Total <sup>3</sup>	79	16.508	82.671	21%	63,333	56,875	123,465	90%

	Fish passes				Community projects			
	Target	Complete	Allocated	% complete	Target	Complete	Allocated	% complete
Regional	1	0	1	0%	1	1	2	100%
Manawatū	4	0	1	25%	9	0	14	0%
Whangaehu	2	0	0	0%	4	0	7	0%
Total <sup>3</sup>	7	0	2	0%	14	1	23	7%



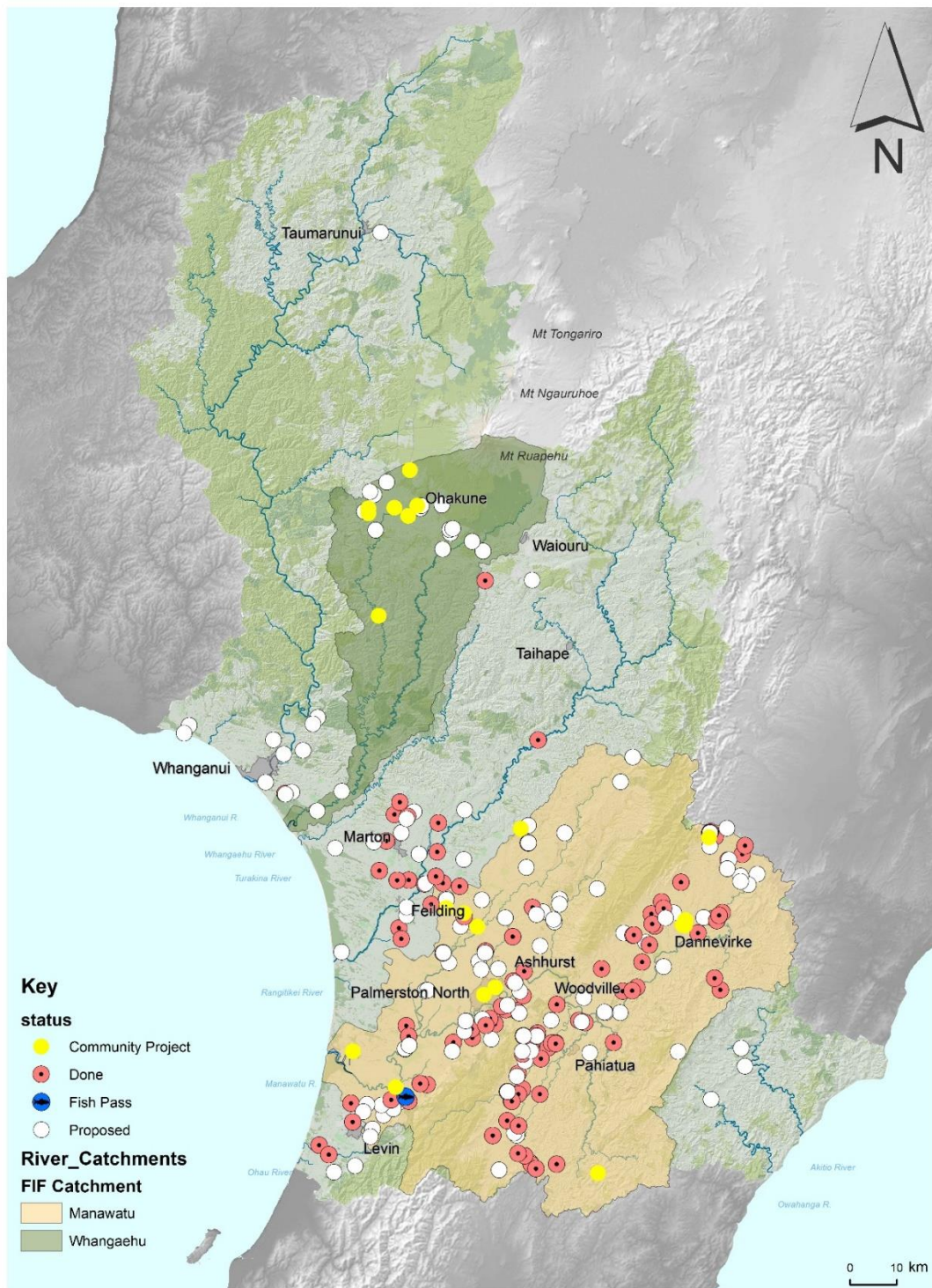
Photo 1 Riparian and fencing in the Rangitikei catchment during the 2019 planting season

<sup>1</sup> <http://www.horizons.govt.nz/HRC/media/Media/Agenda-Reports/Environment-Committee-2019-14-08/19118%20Natural%20Resources%20%20Partnerships%20Report.pdf>

<sup>2</sup> <http://www.horizons.govt.nz/HRC/media/Media/Agenda-Reports/Environment-Committee-2019-14-08/19118%20Annex%20A%20Freshwater%20Activity.pdf>

<sup>3</sup> Note the totals in these target tables represent and overall total, achieving these totals does not necessarily mean all targets have been met, as it is the individual targets that are in the Annual Plan.





**Freshwater Programme October 2019**

Map prepared by L Ferguson, NRP Group on 7 Oct 2019

Map 1 Location of the Freshwater Grants allocated and completed in 2019-20, including the Regional, Manawatū and Whangaehu programmes. Each point on the map represents one fencing, planting, fish pass or community project.

## 3 REGIONAL FRESHWATER PROGRAMME

### 3.1 Programme Overview

3.1.1 This programme focuses on the protection and enhancement of waterways across the Region, excluding the Manawatū and Whangaehu FIF projects. The main component of the Regional Freshwater Programme is supporting stock exclusion from waterways via Freshwater Grants, advice and education, riparian enhancement and planting where desirable, aquatic habitat enhancement, and supporting industry and community-led initiatives.

### 3.2 Annual Plan Targets

3.2.1 A summary of progress against the Annual Plan targets is provided in Table 3.

Table 3 Progress reporting for Regional Freshwater programme Annual Plan targets for 2019-20.

	Target	Allocated	% allocated	Completed	% completed	Status
Stream fencing	12 km's	14,001	117%	2,984	25%	On-track
Riparian planting	20,000	22,034	111%	9,405	47%	On-track
Fish passes	1	2	200%	0%	0%	On-track
Community projects	1	1	100%	1	100%	Complete

### 3.3 Activity Update

3.3.1 The current level of interest in stream fencing and riparian planting is above the annual budget and the programme is currently allocating the water quality and quantity reserves (as approved via a resolution of Council). By December these reserves will likely be fully allocated and any new work signed up will be allocated to the 2020-21 financial year (starting 1<sup>st</sup> July 2020).

3.3.2 Horizons Freshwater and River Management teams held a meeting with the Akitio Community to discuss the potential removal of the two significant fish barriers in the Akitio catchment. As a follow up further information will be sought on how far further inland the salt water wedge will travel as a result of the removal of weir and also how much sediment is currently behind the weirs.

3.3.3 Staff attended the Moawhango catchment group meeting held at Aorangi Station which visited the Aorangi Stream. Staff from Massey University, Wellington Fish and Game, and Landcare Trust were also present. The group also looked at some of the works that had been completed with co-funding through Horizons Sustainable Land Use Initiative (SLUI) programme.

## 4 MANAWATU RIVER ACCORD/FIF PROJECT

### 4.1 Activity Overview

- 4.1.1 The Manawatū River Leaders' Accord Action Plan includes an array of activities related to improving water quality, to achieve the goals of the Accord. This activity funds works to improve water quality in the Manawatū Catchment as part of the Accord, including excluding stock from streams, riparian planting, improving fish passages and supporting community projects.
- 4.1.2 During this financial year and the following four years the targeted rate is to be used as Horizons' contribution to the Manawatu Catchment Freshwater Improvement Fund project that is managed by Horizons Freshwater and Partnerships Team.

### 4.2 Annual Plan Targets

- 4.2.1 A summary of progress against the Annual Plan targets is provided in Table 2.

Table 2 Progress reporting for Manawatū Freshwater Improvement Fund Annual Plan targets. The totals for completed work are as at 2 October 2019.

	Target	Allocated	% allocated	Completed	% completed	Status
Stream fencing	50km's	59,244	118%	13,524	27%	On-track
Riparian planting	40,000	92,916	232%	47,470	119%	Target achieved
Fish passes	4	1	25%	0	0%	Work in progress
Community projects	9	14	156%	0	0%	On-track
Annual report	1	1	100%	1	100%	Target achieved

### 4.3 Activity Update

#### Allocation levels

- 4.3.1 During the reporting period stream fencing and riparian planting flyers were delivered via rural post throughout the Manawatū Catchment to encourage landowners to get in touch with a Freshwater advisor if they are interested in stream fencing and riparian planting. Another round of advertising was planned for October 2019 however, with the current level of interest in the programme in the Manawatū Catchment this has been cancelled for this financial year.
- 4.3.2 During the reporting period orders/grants for riparian planting in the Manawatu Catchment have been closed off for the 2020 planting season. The level of interest and demand has exceeded the staff capacity to be able to get any more plants in the ground for the next

planting season. This cut off only applies for new enquiries received after the 1<sup>st</sup> October. This is likely to be applied to the rest of the riparian programme in the next month and any new planting jobs will need to be accommodated into winter 2021.

### Stream Fencing and the Essential Freshwater programme

- 4.3.3 With the recent government announcements there has been an increase in enquiries around stream fencing. Although the recent announcements are only proposals at this stage, the programme has adopted an approach where any streams that will be subject to the proposed guidelines (greater than a metre wide and within the mapped area), the average five metre buffer requirement will be applied with an aim to future proofing the work.
- 4.3.4 The online map provided as part of the proposal provides important guidance to those areas that will be affected for those streams that are **wider** than a metre. There are still multiple streams and waterways that fall within the mapped area that will fall outside of the proposed regulations and continuing to work in these areas will result in water quality benefits.

### Community Projects

- 4.3.5 Applications for the second round of community led projects closed on the 9th August with 20 applications received seeking a total of \$392,000 from a fund of \$100,000. The FIF project Governance Group selected eleven new projects to be funded and three are continuing into their second year. The total funding awarded is \$100,700. The new successful projects awarded funding are:
- Source 2 Sea - Plastic Pollution (Phase II);
  - Oroua Catchment Care Group – Windows to the Oroua (Phase II);
  - Source Manawatu River Road enhancement & access;
  - Save Our River Trust – giant weeping flax planting along Foxton Loop;
  - Source of KIWITEA – Gully retirement & planting;
  - Fallow Ave – Wapiti Ave – walkway & gully planting;
  - Mangaone West Landcare group – weed control;
  - Te Taiao Ukaipo – Taumata 2 – reinforce kaitiakitanga values at two sites within the catchment;
  - Huia Range School - Umutaoroa Ngarehe;
  - Te Keo Wetland – wetland enhancement project; and
  - Te Roopu Taiao o Ngati Whakatere - Te Maire Wetland Restoration.



## 5 WHANGAEHU FIF PROJECT

### 5.1 Activity Overview

5.1.1 This programme focuses on the delivery of the Ngā Wai Ora o Te Whangaehu Freshwater Improvement Fund project, which focuses on the protection and enhancement of waterways within the Whangaehu Catchment. The main components of the programme are supporting stock exclusion from waterways, riparian enhancement and planting where desirable, aquatic habitat enhancement and supporting industry and community-led initiatives. The following report provides the annual summary to Council on the Ngā Wai Ora o te Whangaehu Awa Freshwater Improvement Fund project as required by a Long Term Plan target.

### 5.2 Annual Plan Targets

5.2.1 A summary of progress against the Annual Plan targets is provided in Table 4.

Table 4 Progress reporting for Whangaehu Freshwater Improvement Fund Annual Plan targets.

	Target	Allocated	% allocated	Completed	% completed	Status
Stream fencing	17 km's	9.426	55%	0	0%	Work in progress
Riparian planting	3,333	8,515		0	0%	On-track
Fish passes	2	0	0%	0	0%	Work in progress
Community projects	4	7	175%	0	0%	On-track
Annual report	1	1	100%	1	100%	Target achieved

### 5.3 Activity Update

5.3.1 During the reporting period 1,141 stream fencing and riparian planting flyers were delivered via rural post throughout the Whangaehu catchment to encourage landowners to get in touch with a Freshwater Advisor if they are interested in stream fencing and riparian planting. Another round of advertising for stream fencing is being undertaken in October 2019 however, the reference to riparian planting has been removed given the current level of interest in the riparian planting programme in the catchment.

5.3.2 The Community Grants project was opened to applications on the 24<sup>th</sup> June 2019. Applications closed on the 9<sup>th</sup> August 2019 with eight applications being received seeking \$103,000 with \$43,000 being able to be allocated. The Governance Group decision making panel met on the 22<sup>nd</sup> August 2019 to discuss the applications and agreed to fund six applications. The six successful projects are:

- Horopito Ratepayers Residents and Ratepayers Association – predator control along the Makotuku Stream;
- Moana Ellis and Makarunui Whanau and Winiata Campsite Trust - Restoration and protection of Taonui stream and tuna reserve at Makaranui;
- Mo Te Katoa Marae - Nga Manakitanga o te Makotuku, further riparian planting and fence construction on the Makotuku River;
- Ohakune School – Ohakune Primary School Miro Street stream restoration and development project;
- Raetihi Promotions Charitable Trust – continuation of Makotuku Walkway and educational signage;and
- Ruapehu College - Makaronui Monitoring and Restoration Education Programme

## 6 LAKE HOROWHENUA ACCORD AND FIF PROJECT

### 6.1 Activity Overview

6.1.1 The Lake Horowhenua Accord is a partnership between the Lake Horowhenua Trust, Horowhenua Lake Domain Board, Horowhenua District Council, Horizons Regional Council and the Department of Conservation to address water quality issues in Lake Horowhenua.

6.1.2 The Freshwater Improvement Fund project is led by the Horowhenua II part Reservation Trust (the Lake Horowhenua Trust). The project is in three parts comprising stormwater upgrades, cultural monitoring and groundwater research. Horizons' involvement in the project is sub-project related to groundwater research. The sub-project seeks to develop a better understanding of the water balance of Lake Horowhenua and the groundwater quality entering the lake to inform decisions around water allocation and water quality management.

### 6.2 Annual Plan Targets

6.2.1 A summary of progress against the Annual Plan targets is provided in Table 5. An annual report was provided to Council regarding lake Horowhenua in September 2018<sup>4</sup> and further updates have been provided to subsequent Environment Committee meetings.

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<http://www.horizons.govt.nz/HRC/media/Media/Agenda-Reports/Regional-Council-Meeting-2018-25-09/18157%20Lake%20Horowhenua%20Update.pdf>; the appendices to this report can be downloaded at the following link <http://www.horizons.govt.nz/calendar/regional-council-meeting-2018-25-09.aspx>

Table 5 Progress reporting for the Lake Horowhenua Accord Annual Plan Targets.

Annual plan target	Year to date	Target	% Complete	Status
Annual report to Council on lake restoration activity including the Freshwater Improvement Fund project for Lake Horowhenua.	0	1	100%	0

## 6.3 Activity Update

- 6.3.1 The Freshwater Improvement Fund project was intended to start on the 1<sup>st</sup> July 2018. The project is currently on-hold with the Ministry for the Environment awaiting the decisions of the Courts on the Lake Trust elections. Horizons has initiated the groundwater research independently of the Freshwater Improvement Fund project using Horizons co-funding component. This has included assessing the information needs for groundwater modelling and undertaking some field data collection including installation of two new flow sites on inflowing streams the Patiki and the Mangaroa (northern tributary).
- 6.3.2 NIWA have completed further analysis as a part of the legacy sediment report that was part of the Te Mana o Te Wai fund project. An updated reported was produced during the reporting period and a further update is on track to be completed in November.

## 7 FRESHWATER IMPROVEMENT WORK WITH THE HORTICULTURAL SECTOR

### 7.1 Activity Overview

- 7.1.1 Building on previous work with the Tararua Growers Association as a part of the Freshwater Clean-Up Fund project, Horizons established new funding of \$70,000 per year for work with the horticulture sector to reduce nutrient and sediment loss from horticulture farms. This funding is being used in part to contribute to a **Sustainable Farming Fund** (SFF) project Future-Proofing vegetable production.
- 7.1.2 The balance of the funding will be prioritised to implementation of work to reduce nutrient and sediment losses from horticultural farms, including establishment of sediment traps etc, similar to the way freshwater grants are paid for fencing and planting of waterways. This funding may be utilised to design the proposed interventions. The following report provides the annual summary to Council on the work with the horticulture sector through the Freshwater programme as required by an Annual Plan target.

## 7.2 Annual Plan Targets

7.2.1 A summary of progress against the Annual Plan targets is provided in Table 6.

Table 6 Annual Plan performance measures for Freshwater Improvement Work with the horticulture sector.

Annual plan target	Year to date	Target	% Complete	Status
Annual report on work with the horticulture sector through the freshwater and partnerships programme to improve water quality.	0	1	0%	On track

## 7.3 Activity Update

### Future-proofing vegetable production

7.3.1 This project<sup>5</sup> is mainly funded through the Sustainable Farming Fund with a number of other co-funders including Horizons. The project is not specific to the Lake Horowhenua Catchment, although a lot of the ground work and trials are to occur within the catchment where the relationships have already been established through other work programmes such as the Clean-Up Fund. The intent is that once these projects have been trialled in the Lake Horowhenua Catchment they can be moved out into other parts of the Region. This project has three main deliverables:

- Guidelines for Novel Nitrogen Recapture Techniques;
- Updated Good Nutrient Management Practices; and
- Common Pool Resource Management which is about getting actual change for the better happening on farms.

7.3.2 During the reporting period the first quarterly report for year two from LandWise was submitted to MBIE (as administrators of the SFF), a copy of this report was also provided to HRC, a brief summary is:

- Further monitoring has been established in collaboration with Horizons. This monitoring has been undertaken throughout the Arawhata Stream network to try and identify nutrient “hot spots” to help identify spots where bioreactor/s could be installed in the catchment;
- Work is continuing in the project “Community Management of Common Pool Resources” with much discussion occurring outside of the project;
- Workshops were held covering soil sampling, soil test results and fertiliser in Levin and Gisborne on the 16<sup>th</sup> and 17<sup>th</sup> of July 2019; and

<sup>5</sup> <http://www.landwise.org.nz/projects/future-proofing-vegetable-production/>

- Work has continued on the calibration of fertiliser application equipment and a range of grower trails underway focusing on matching fertiliser usage with crop demand for nutrient.

## 8 LAKE WAIPU FIF PROJECT

### 8.1 Activity Overview

8.1.1 The Lake Waipu Freshwater Improvement Fund project specifically seeks to remove the discharge into the lake from the Rātana Wastewater Treatment Plant. This is to be led by Rangitikei District Council (RDC) as the consent holder and Horizons' project relates to monitoring the effect of the removal of discharge from the lake and to understand the lake's internal processes. The aim is to develop a restoration plan that includes addressing the legacy issue resulting from the current discharge. The following report provides the annual summary to Council on the Lake Waipu Freshwater Improvement Fund project as required by an Annual Plan target.

### 8.2 Annual Plan Targets

8.2.1 A summary of progress against the Annual Plan targets is provided in Table 7.

Table 7 Annual Plan performance measures for Freshwater Improvement Fund for Lake Waipu.

Annual plan target	Year to date	Target	% Complete	Status
Annual report to Council on the Waipu Catchment Freshwater Improvement Fund project	1	1	100%	Target achieved

### 8.3 Activity Update

8.3.1 This project officially commenced on the 1<sup>st</sup> July 2019. A draft of a sub-contract between Rangitikei District Council (RDC) and Horizons has been provided to RDC for feedback.

8.3.2 Horizons Catchment Data team has installed a continuous monitoring buoy on the lake and is collecting data on temperature, dissolved oxygen, pH, conductivity, and turbidity at 15 minute intervals and is being telemetered back to the Horizons office.

8.3.3 RDC are currently looking at potential discharge locations to land in close proximity to the Waste Water Treatment Plant. This may involve the purchase of land, or a long term lease of land.

8.3.4 During the reporting Horizons has been scoping the feasibility of undertaken a kakahi (freshwater mussel) survey within Lake Waipu with NIWA. Lake Waipu is known to contain a population of adult kakahi but it is not known if there is any active recruitment of juveniles in the lake and therefore whether the population is sustainable. We are currently aiming to hold a working group meeting prior to the Christmas period.

Logan Brown  
FRESHWATER & PARTNERSHIPS MANAGER

Jon Roygard  
GROUP MANAGER NATURAL RESOURCES AND PARTNERSHIPS





# BIOSECURITY ANIMALS

## 1 ACTIVITY OVERVIEW

1.1.1 The Biosecurity Animals Activity delivers work across programmes to protect both production and biodiversity values, these include:

- The Possum Control Programme;
- The Rook control Programme; and
- The Amenity Pests programme

1.1.2 The Biosecurity Animals activity links with a range of national and regional policies and strategies. Biosecurity Act 1993, National Policy Direction 2015 and Regional Pest Management Plan 2017-2037.

## 2 ANNUAL PLAN TARGETS

2.1.1 A summary of the Annual Plan targets and progress to date is provided in Table 1 below.

Table 1: Progress reporting for the Biosecurity Animals Annual Plan targets for 2019-20

Performance measure/ contract target	Target	Progress
Possum densities are maintained at/below 10% residual trap catch (RTC) in all existing/new possum control operations. This is to enhance production, biodiversity, disease protection, and amenity values.	<10% RTC	On track, averaging 2.4% RTC to date this year.
Additional ha included in [the Possum] control programme	57,441 ha	On track. 10,460 ha completed, 16% of total new area planned this year.
All known rookeries are treated annually to reduce crop losses and damage.	1	On track. Surveillance underway.
Provide an urban/peri-urban animal pest management service to assist ratepayers with specialist advice and equipment. All enquiries responded to within two working days.	1	On track. 269 enquiries have been dealt with in this period (July to September). All enquiries have been dealt with within two working days.

## 3 POSSUM CONTROL PROGRAMME

### 3.1 Programme overview

- 3.1.1 The Manawatū-Whanganui Region possum control programme aims to maintain the possum population below a target of 10% **Residual Trap Catch** (RTC) within the area of the programme, consistent with the Regional Pest Management Plan targets. The possum programme started in 2006 covering 70,000 ha, and has grown every year to include more land. Horizons has initiated control in some areas and in some areas Horizons has taken on new areas where OSPRI have initiated possum control for the control and eradication of bovine TB. Horizons has and continues to absorbing the areas into its possum control programme following OSPRI ceasing control of an area. The Horizons programme is delivered by a combination of council staff (approx. 65%), and external contractors (approx. 35%).
- 3.1.2 In 2019-20 the voluntary possum control programme currently spans a total area of 1,568,248 ha (approximately 70% of the region). The total possum control area continues to grow annually as Horizons takes over possum control where OSPRI achieves freedom from Bovine TB in areas they have previously controlled and these cease further pest control in these areas. Within the area of the programme in 2019-20:
- Landowners have opted out of 79,174 ha (5%) of the programme;
  - 66,718 ha of area not previously control by Horizons (ex- OSPRI) is being added to the programme (4.3% of the total area). Note this includes 9,277 ha carried forward from last year;
  - 865,655 ha is scheduled for maintenance control i.e. has previously had control by Horizons and will receive control (bait station fills) this year (55.2% of the total area);
  - 556,701 ha (35.5%) of the programme area is being deferred from control due to low possum abundance as informed by the monitoring programme and associated PosSim model that informs programme management.
- 3.1.3 The possum control programme as a whole is made up of a total of 153 Possum Control Operations (PCOs). Within each year the monitoring programme measures possum abundance in 25% of the PCOs to inform decision making around areas for control and over a four year period each of the PCOs are monitored at least once. The growing area of the programme also increases the monitoring programme ensure each PCO is monitored at least once every four years. This year out of a possible 153 PCOs, 99 are being worked, with 54 being deferred due to low possum abundance. Of the 99 PCOs being worked, 64 are being completed by Horizons staff, and 35 by external contractors.

- 3.1.4 The team are being enabled to take a more thorough approach this year including further consolidating bait station infrastructure, analysing each of the PCOs as they are treated to assess if further bait stations are required. The team are also seeking landowners who have previously “opted-out” of the voluntary programme to “opt-in” to provide a more complete coverage of the region. If a significant number of “opt-ins” are received the total number of PCOs completed over the year may reduce. A further change this year is enabling the team to identify and action “second fills” of the bait stations where areas of high possum abundance are encountered in areas of the PCOs receiving treatment.
- 3.1.5 Landcare Research have been engaged to provide advice regarding the thresholds of possum abundance linked with the size and type of habitat that could trigger Good Neighbour Rules in the Horizons RPMP 2017-2037. This will provide some guidelines that will be able to be used when assessing adjoining landowners with higher possum abundance to their neighbour, and the level which will trigger a regulatory response. This advice is due to be received in April 2020.

## 3.2 Activity update

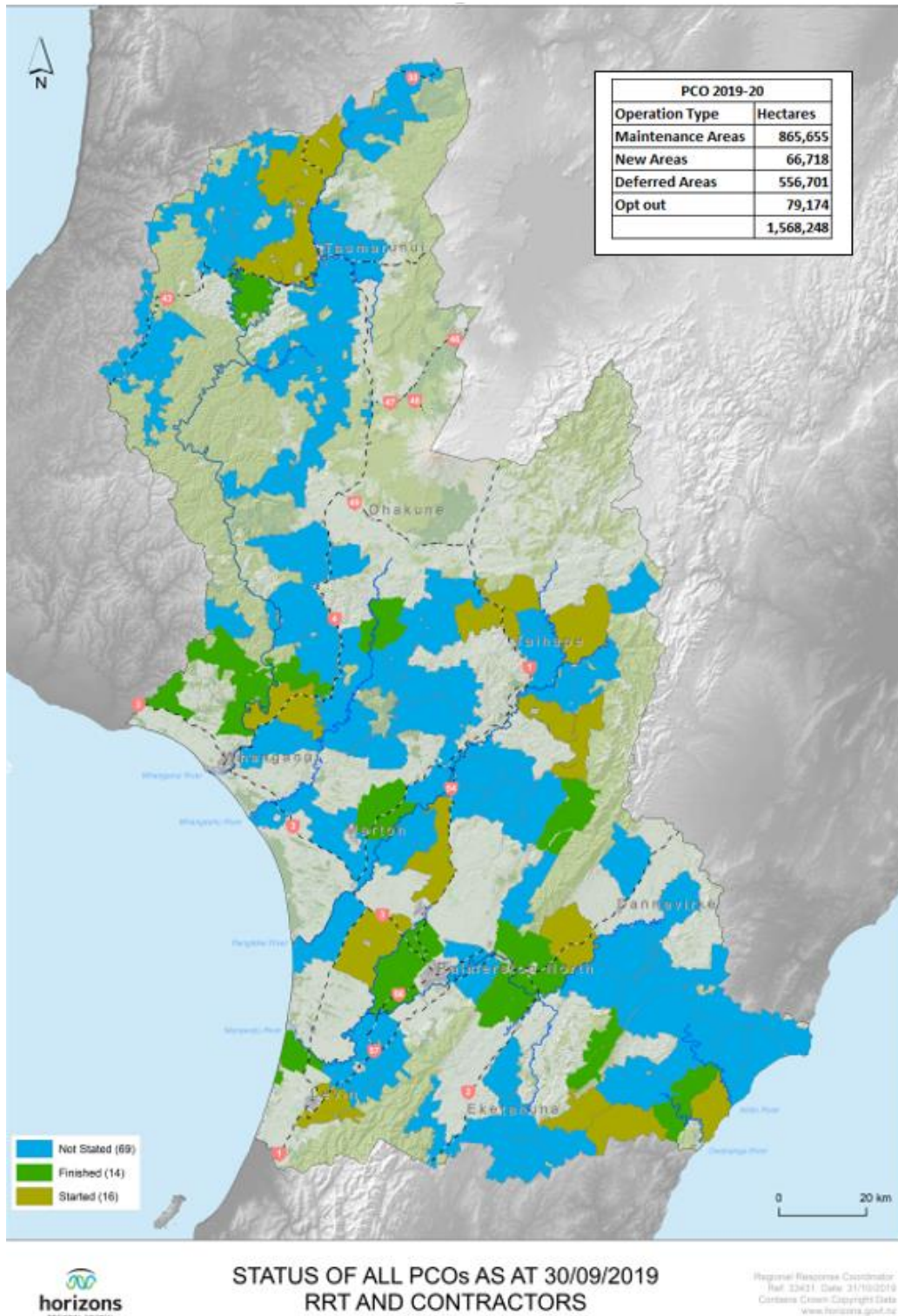
### Possum Control

- 3.2.1 A good start to this year’s programme has seen 14 of the 99 PCOs (14%) completed (Table 2, Map 1). With lambing concluded in most areas, access to all of the planned PCOs has significantly increased and this will enable a number of the PCO’s that have been started to be completed. Improving weather and ground conditions should assist this programme move along as expected toward achieving its milestones. Horizons staff have met with the Department of Conservation staff to discuss further alignment of the two agencies possum control programmes.

Table 2 Progress reporting for the Possum Control Programme against Operational Plan targets.

Measure	Progress to Date	This Period	Target	% Completed
<b>Regional Response Team</b>				
PCOs completed	12	12	64	19%
New Hectares completed	10,460	10,460	43,765*	24%
<b>External Contractors</b>				
PCOs completed	2	2	35	6%
New Hectares completed	0	0	22,953	0%
<b>Total PCO Programme</b>				
PCOs completed	14	14	99	14%
New Hectares completed	10,460	10,460	66,718*	16%

\*Includes 9,277 ha of work carried over from last year.



Map 1: Status of current Possum Control Operations as delivered to 30 October 2019.



### Possum Monitoring

- 3.2.2 The possum monitoring programme aims to monitor all of the PCOs over a four year period to provide an index of possum abundance. All of the new areas of control receive pre and post control monitoring to establish if they actually do require control, and if they are controlled the post result helps determine a measure of population reduction from the control. This measure of reduction helps refine a possum population model (PosSim) that is used to guide the selection of low possum population PCO's for deferral.
- 3.2.3 The monitoring programme puts out 25 lines of 10 waxtags (Photo 1) per PCO and the number of bite marks gives an index of the possum abundance. The monitoring lines are randomly selected to remove bias and provide a robust estimation. The monitoring is predominately done by an independent contractor who is not involved in any of the control work. Some of the internal team do complete monitoring of the possum control work completed by external contractors.



Photo 1: Waxtag monitoring device as set in the field, the green square is luminous to attract possum attention at night.

- 3.2.4 The monitoring of possum control for effectiveness is well underway with 16 of 56 PCOs (29%) completed. The total monitoring operations includes 40 PCOs for maintenance control, 12 pre and post operations for new areas coming into the programme, and 4 operations that were carried over from last year. Lambing and docking have slowed progress. The monitoring programme remains on track to meet delivery milestones for the year. Currently the monitoring to date has returned an index of 2.4% RTC.

- 3.2.5 The new areas which are no longer going to receive OSPRI control are pre-control monitored to estimate possum abundance, if the index is below 2% RTC we defer control due to low population numbers. If they are deferred they will be treated in the following year. If they are above the 2% threshold new bait stations are deployed where required, and baiting will occur. If there is possum abundance above 15% we will bait twice in the year. Post operational monitoring is also undertaken and this provides a measure of population reduction which we use to help refine our possum population modelling tool, PosSim.

## **4 ROOK CONTROL PROGRAMME**

### **4.1 Programme overview**

- 4.1.1 Rooks are an eradication species in the Horizons RPMP 2017-37 and every year we survey the region for active rookeries and the engage a contractor to aerially poison the nests which will control both chicks and adult rooks.

### **4.2 Activity update**

- 4.2.1 The rook control programme has started for the year with staff undertaking surveillance of birds to establish rookery locations that can be treated during the nesting season. This surveillance information is used to create a treatment plan for control of rooks during October/November. Once rookeries have been located the nests are treated with a contact toxin, generally by an operator slung from a helicopter. An update of the results of the rook control programme will be provided at the next Environment Committee in February 2020 following the nest control programme.

## **5 AMENITY PEST PROGRAMME**

### **5.1 Programme overview**

- 5.1.1 The amenity pest programme provides a pest animal advisory service for ratepayers who have pest animal issues and ask for assistance. Horizons provides advice and in some cases we loan equipment for limited control to be undertaken.

### **5.2 Activity update**

- 5.2.1 The amenity pest programme is well engaged with enquiries from the public (269) on how to deal with a wide suite of pest issues. These enquiries are responded to within two working days



of them being lodged and usually involve pests such as possums, rabbits, mustelids, rats, magpies, and ants etc. most enquiries are responded to with advice on controlling the pest and sometimes traps and devices are loaned for the control of the problem animal or bird.

## 6 REGIONAL PEST MANAGEMENT PLAN (RPMP)

### 6.1 Programme overview

6.1.1 As part of the Operational Plan for 2019-20 a project was included to investigate monitoring for wallabies in the region to enable early detection of this exclusion pest (as identified in Horizons Regional Pest Management Plan 2017 to 2037).

6.1.2 Wallabies (Photo 2) are not present in the region, unless by permission of Horizons and subject to strict conditions. Wallabies are in neighboring regions and are considered a significant pest. Over the year the team will be investigating how Horizons can effectively, proactively survey for incursions, and develop response plans should an incursion occur. The results of this work will be reported to Council.

### 6.2 Activity update

6.2.1 A wallaby sighting was reported to Horizons in early September, 10 km north of Taumarunui. An urgent surveillance operation was undertaken with thermal night vision survey of the site and surrounding area, followed with a survey using a dog trained to locate wallaby. No sign of a wallaby was found. Local landowners were informed and asked to keep an eye out for any wallabies or sign of their presence, and report to Council if any sightings or sign are encountered. Another search in February/March is programmed as a follow up.



Photo 2: Dama wallaby, an exclusion pest in Horizons Regional Pest Management Plan.

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## BIOSECURITY PLANTS

### 1 ACTIVITY OVERVIEW

1.1.1 The biosecurity plants programme seeks to safeguard the regional economy and environment from the damage caused by harmful pest plants, and prevent the transformation of productive land and the region's natural biodiversity by invasive plants through delivering the following four programmes:

- Incursion response - Responding to 'new to the region' incursions and assisting in transitioning to long-term management if appropriate;
- Regional Pest Management Plan implementation - Implementing pest plant management programmes described in Horizons' Regional Pest Management Plan (2017);
- The Biological control programme - Undertaking biological control agent programmes including supporting community led projects, distribution and monitoring of agent populations across a wide range of pest plant species; and
- Advice, promotion and awareness - Providing advice and information to the public about best practice pest plant control and behaviour to prevent the spread of pest plants

1.1.2 The pest plant management activity links with a range of national and regional policies and strategies as further outlined in the Natural Resources and Partnerships Group Operational Plan.

### 2 ANNUAL PLAN TARGETS

2.1.1 A summary of the Annual Plan targets and progress to date is provided in Table 1 below. Progress reporting is limited at this time of year as many of the programmes are primarily delivered during the summer period.

Table 1: Progress reporting for Biosecurity Plants Annual Plan targets for 2019-20.

Performance Measures for Levels of Service	2019-20	Progress to Date
Any exclusion category pest plants that are found in the region are promptly managed. Where exclusion category pest plants are found in the region, an initial response plan will be completed within 2 weeks and then enacted (if not enacted before 2 weeks).	Number of response plans required. Percentage where a response plan has been produced within 2 weeks (target 100%) Number of response plans enacted with their specified timeframes (target 100%)	None required
Number of managed sites at zero-levels increases for pest plants identified for eradication in the Regional Pest Management Plan.	Overall % of managed sites at zero-levels increases by 10%	75% at start of the year <sup>6</sup> .
Number of managed sites at zero-levels increases for pest plants identified as progressive containment - mapped in the Regional Pest Management Plan.	Overall % of managed sites at zero-levels increases by 10%	78% at start of the year
Financially support the national bio-control agent development programme and report annually to Council on this programme.	Financial support provided and annual report to Council	Biocontrol programme underway with harvesting of green thistle beetle, and planning for OMB gall mite release
Monitoring of some released biological agents will be completed to assess establishment and host damage (using the national protocol).	20 assessment plots will be monitored	0
Pest plant enquiries received are responded to within 3 working days.	95% of enquiries will be responded to within 3 working days	100% of enquiries to date have been responded to within three working days

## 3 INCURSION RESPONSE

### 3.1 Programme overview

3.1.1 The Incursion Response programme aims to provide immediate and effective assistance for all national or regional biosecurity incursions and any transitions to long-term management. This is a function detailed by a Memorandum of Understanding between Ministry for Primary Industries and Regional Councils.

### 3.2 Activity Update

3.2.1 Horizons are maintaining a watch on the rolled over pea weevil controlled area in the southern part of the Tararua. Further the team are contributing to the national velvetleaf management programme and planning for surveillance and best practice paddock management by engaging with the affected farmers.

<sup>6</sup> The Annual Report to Environment Committee is available at: <http://www.horizons.govt.nz/HRC/media/Media/Agenda-Reports/Environment-Committee-2019-14-08/19118%20Annex%20C%20Biosecurity%20Activity%20Plants.pdf>

## 4 REGIONAL PEST PLAN IMPLEMENTATION

### 4.1 Programme overview

4.1.1 The Biosecurity Plants activity is strongly linked to the delivery of Horizons Regional Pest Management Plan 2017-37 which located at the following link<sup>7</sup>. The activity reporting is arranged in sections as per the Regional Pest Management Plan groupings for pest management programmes as outlined in Table 2 below. More information on these groupings is located on page 25 of the Regional Pest Management Plan.

Table 2: Activity Summary for Biosecurity Plants.

Aim	Programme	Key Deliverables	YTD Progress
Preventing establishment	Exclusion Programme	Keep unwanted pest plants that are not present out of the region.	On-going surveillance and follow up of reports of plants from the public.
Eradicating	Eradication Programme	Controlling and reducing the prevalence and extent of Eradication species.	On-going surveillance and follow up of reports of plants from the public.
Rolling back	Progressive Containment Programme	To contain and reduce the geographic distribution of the pest to an area over time.	Surveillance and planning of control operations. Boneseed and darwin's barberry programmes underway.
Maintaining low densities	Sustained Control Programme	Ongoing control and to reduce its impact and spread to other properties.	Inspections for production plants and the odd boundary complaint have seen staff well occupied.
Protecting value in places	Site Led Pest Programme	Protecting values in places	We awaiting advice from Niwa regarding the spraying of Hornwort in Lake Namunamu

### 4.2 Activity Update

#### Preventing establishment - Exclusion programme

4.2.1 For those pests that are in New Zealand but not in our region, our goal is to prevent establishment. We aim to detect these pests before they become widely established in the region and facilitate a quick response through appropriate funding that will enable the control or management of these species on rateable land. There are eleven species in this category – an example is Chilean needle grass.

4.2.2 Staff have recently refined an inspection register to include seasonality and most likely locations and pathways where searching and/or assessment is best placed. This register is to provide a

<sup>7</sup> <http://www.horizons.govt.nz/HRC/media/Media/Pests/2017-2037-Regional-Pest-Management-Plan.pdf>

history of where has been searched, when and how, to assist with refining the process we undertake to keep new and unwanted pests out of our region.

### Eradicating – Eradication Programme

- 4.2.3 High-risk species which should be totally removed from the region are managed via the Eradication programme. There are 18 species in this category and at the start of the year our information reported 75% of the 1,610 sites were at zero levels.
- 4.2.4 Staff recently assessed the Eradication species programme against the Regional Pest Management Plan goals. Using the 2018/19 dataset for the programme (within the WEEDS2.0 software) and actual costs, scored were generated for each species around potential for success. The analysis used the known extent of distribution, the infestation footprint, the current/future costs as well as the challenge each target provides with species specific traits.
- 4.2.5 The internal assessment above revealed that approximately 60% of the species are on-track for eradication within the timeframe of the RPMP. The other species were diminished with most known sites at zero-levels; however factors such as other organisations involved with management, detection difficulties, staff resourcing and funding mean that the length of time until success may be long or suppression rather than eradication would be more likely. Staff will further document this analysis to identify ways to improve the likelihood of eradication, the assessments and options will be presented to Council for consideration.
- 4.2.6 Over the reporting period work was carried on Blue Passion Flower (Photo 1).



Photo 1 Blue passion flower heavily laden with seed pods smothering a coprosma in industrial area of Whanganui. This tree was stem treated and will be monitored for the next 5 years for seedlings. (R.Sicely).



### Rolling back - Progressive Containment Programme

- 4.2.7 Where population levels or difficulty and expense of control prevent achievement of a region-wide zero-density objective, high-threat pest plant species will be managed under a Progressive Containment objective. For each species managed this way, an active management zone is defined within which the pest plant species will be controlled wherever it is found, as per the Eradication designation
- 4.2.8 The progressive containment programme is split into the species that are mapped (e.g. old mans beard) and the species that are un-mapped e.g. gorse).

#### Progressive Containment - Mapped Species

- 4.2.9 There are 11 progressive containment species that fall into the mapped category (old mans beard is an example). At the start of the year the data showed 78% of 4,369 sites were at zero levels in the actively managed zones for these species.
- 4.2.10 The operational plan includes a task to review the management of old man's beard which has received additional funding for control (\$91,000) via the Annual Plan this year. This species remains the most expensive within the overall pest plant programme at present and there is considerable focus on biological control (see below). The review is currently being scoped.
- 4.2.11 Species worked against in this period were banana passionfruit, Darwin's barberry (Photo 2), and *Pinus contorta*. Effort was focused on planning, engaging contractors, and starting control as the growing season gets underway.



Photo 2: Darwins country, Waimiha; Flowers aid detection when growing through Spanish heath (D.Alker).

Progressive Containment - Unmapped species

- 4.2.12 There are 15 progressive containment species that fall into the unmapped category (gorse is an example). These species are generally widespread but some parts of the region are clear of them and it is desirable to keep them clear. This programme does not have a strong information base to report on progress against these weeds. Horizons involvement in these weeds is primarily through regulation via the good neighbour rules or clear land rules of the plan and through non-regulatory advice or in some cases biological control. For occupiers of large land areas, farmers and organisations, we have the ability to allow responsibility to be acknowledged and actions planned via Approved Management Plans. The intent of these plans is to meet the objective of rules and contribute to the outcomes of the Regional Pest Management Plan by eradicating or reducing the spread of pests from the place(s) occupied or managed by the plan maker.
- 4.2.13 Species we dealt with during this reporting period included blackberry and gorse. A small number of good neighbour complaints (Table 3) were received this period, predominantly regarding weeds between neighbouring properties and roadside weeds.

Table 3: Summary of Good Neighbour Rule activity for the period July to October 2019.

Description	Report period numbers	2019-20 totals
Boundary complaints received and actioned outside of compliance	4	4
Required to Clear (RTCs) issued	0	
Notice of Direction (NODs) issued	0	
Notices resolved in this period	0	

- 4.2.14 Progress is being made with engagement with the local councils and the Crown around Pest Management Plan obligations. Ten out of eleven councils and Crown agencies have been met with. Agreement reached around pest programmes with six of the seven Councils. Discussions with Rangitikei District Council are continuing with and aim to agreeing on an acceptable level of pest control and reporting as is required under the Horizons RPMP 2017-37. The Crown entities (DOC, Kiwirail, LINZ, NZTA) are engaged and at various stages of reaching an agreement, and Council will receive regular updates of progress.
- 4.2.15 Aquatic pest plants are also a part of the progressive containment – unmapped grouping of the Regional Pest Management Plan. Aquatic pest plants are grouped together on the basis they are

aquatic pests managed the same way for the same objectives. Eelgrass, egeria, hornwort, lagarosiphon, and reed sweetgrass are aquatic pest plants included in the Progressive Containment section of the RPMP 2017-37. Their distributions are not mapped with any certainty at present. The aim is to progressively contain or reduce the number of sites across the region affected by them to prevent further spread and reduce adverse effects on the environment.

4.2.16 The operational plan has set a task for reviewing aquatic weed management in the region with a view to providing a framework for targeting the limited resources available for the management of aquatic weeds.

4.2.17 Lake Namunamu is one specific site that is identified for aquatic weed control this year following a recent incursion of hornwort. Staff are waiting for advice from NIWA through an Envirolink funded assessment regarding the likelihood of success of a hornwort control operation that could be undertaken in Lake Namunamu. If herbicide intervention is considered feasible, staff will cost a multi-year programme of surveillance, control, surveillance, and re-treatment, and present an options paper to Council for consideration.

## 5 BIOLOGICAL CONTROL

### 5.1 Programme overview

5.1.1 Many entrenched pest plants in the region are now the target of our Biological Control programme, which aims to assist the development of insects and diseases to control a wide range of pest plants and to release, distribute and monitor those within the region.

### 5.2 Activity Update

5.2.1 An Annual Report<sup>8</sup> on the biological control activity was provided to Environment Committee during the reporting period (August 2019).

5.2.2 Staff are preparing for green thistle beetle agent distribution and anticipate many more releases of beetles than last year as numbers have increased and nursery sites are showing signs of population growth. We currently have around 80 farmers on our waiting list.

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<sup>8</sup> The Annual Report to Environment Committee is available at: <http://www.horizons.govt.nz/HRC/media/Media/Agenda-Reports/Environment-Committee-2019-14-08/19118%20Annex%20C%20Biosecurity%20Activity%20Plants.pdf>. Section 2.9 (Pages 11-15) overviews the biological control activity.

- 5.2.3 The first introduction of the old mans beard gall mite to the Taihape area is being planned for mid summer. This will be the first release in New Zealand of this agent. We have identified locations with suitable habitat; old mans beard and areas of native clematis to aid monitoring of off-target impact. We are engaging with local iwi about introducing these new organisms to their rohe, and look forward to increasing their involvement with the programme.

## 6 ADVICE, PROMOTION AND AWARENESS

### 6.1 Programme overview

- 6.1.1 The aim of the Awareness programme is to alert the community to the issues, threats and solutions of weed management to effect region-wide best practice pest plant management. This includes responding to Pest Plant enquiries from the community and undertaking collaborative projects.
- 6.1.2 Collaborative projects undertaken by Horizons staff and external stakeholders provides a team approach to managing weeds in some challenging environments. Working with others and providing advice and leadership has delivered some excellent results that without this interaction would not have eventuated.

### 6.2 Activity Update

- 6.2.1 The pest plant team received 21 enquires this period with the main topics being:

- Production - blackberry (4)
- Zero-Density - old man's beard and banana passionfruit (6)
- Non-Pest Plan - ivy (2)
- Others - (9)

All enquiries were dealt with within the three working days required.

- 6.2.2 A summary of activity across a range of collaborative project with stakeholder groups is provided below (Table 4).

Table 4: Collaborative Pest Plant Control Projects.

Project	Key Deliverables	YTD Progress	Horizons Role
Wilding Conifer – Central North Island Regional Steering Group (RSG) – Fund holder and Chair	Work with partners and other stakeholders re: <ul style="list-style-type: none"> <li>Planning for management unit activity and reporting</li> <li>Managing the budget</li> <li>Annual meeting scheduled</li> </ul>	Ministry of Primary Industries - Horizons contract signed, partners' variations signed. Work across the programme area. No health and safety issues. Manage a fund of \$371K.	Contracted to Government as the agency for managing central government funding for this activity in the broader area. Lead agency in planning and coordinating activities.
Waimarino-Tongariro National Park Darwin's barberry control programme	Coordinated control across public and private land to increase the protection of previously cleared areas.	Programme underway	Organiser of the control programmes.
Rangitikei Horsetail Group	Support group activity with population releases and monitoring.	Application to Sustainable Farming and Futures Fund for one year extension lodged. Required for multiplication of recently imported second tranche of English weevils.	Provide leadership and access to weevils and advice
Desert Road Invasive Legume Control Group	<ul style="list-style-type: none"> <li>Relationship between parties maintained.</li> <li>Memorandum of Understanding maintained and out-worked.</li> <li>Coordinated action in priority areas is undertaken against the target species.</li> </ul>	Meeting set for end of October, no monitoring flights planned till 2020.	Coordinate meetings and collaborative activities.
Freshwater Pest Partnership Programme and Check, Clean, Dry (CCD) advocacy programme.	Representing Horizons at national forum to champion behaviour change and freshwater protection. Attendance at high-risk events and strong advocacy with the main users of waterways in our headwater areas.	<ul style="list-style-type: none"> <li>Advocacy work starting on 1 October at Lake Otamangakau.</li> </ul>	Provide and manage the programme in the greater region.

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# BIODIVERSITY

## 1 ACTIVITY OVERVIEW

1.1.1 The non-regulatory biodiversity programme seeks to enhance biodiversity and engage the community in biodiversity enhancement. The biodiversity activity is presented in three sections:

- The Priority Sites programme;
- The Biodiversity Partnerships programme; and
- Tōtara Reserve Regional Park Management.

## 2 ANNUAL PLAN TARGETS

2.1.1 A summary of the Annual Plan targets and progress to date is provided in Table 1 below.

Table 1 Progress reporting for the Biodiversity Activity Annual Plan targets for 2019-20.

Long Term Plan Target	Target	Allocated	Completed	% of target completed
<b>Protect/enhance priority habitat remnants</b>				
Additional top 100 wetlands actively managed	4	0	0	0%
Additional top 200 bush remnants actively managed	7	0	0	0%
<b>Support community involvement in biodiversity protection</b>				
Support existing community-based biodiversity improvement projects	12	29	0	0%
<b>Tōtara Reserve Regional Park</b>				
Annual report on the management of Tōtara Reserve Regional Park for biodiversity and recreational values, including managing the camping facility.	1	1	1	100%

### 3 PRIORITY SITES PROGRAMME

#### 3.1 Programme overview

- 3.1.1 The Priority Sites programme was initiated to deliver on a One Plan method to have 100 of the region’s priority wetlands and 200 of its best bush remnants under active management. Over time the timeframe for this to be achieved has been moved to 2028-29. At the end of the 2018-19 year, the programme reported 69 priority wetlands and 145 priority bush remnants to be under active management. The Priority Sites programme underwent a review in 2017-18 and this has introduced some changes to the way sites are assessed and managed; much of this reporting period has been dedicated to work to implement that system. The Annual Plan targets and year-to-date progress on these are provided in Table 2 below.
- 3.1.2 The review of the priority sites programme has introduced changes to the way sites are assessed and managed. These changes include the introduction of a new classification of the level of management sites are receiving. This adds more detail to the previous reporting on sites being actively managed (or not). The management level rating (see Box 1 on the following page) incorporates assessments of the level of knowledge of the biodiversity at a site through a Rapid Ecological Assessment (REA) and if Horizons has completed some restoration work at the site, which was previously the mechanism the programme used to indicate if a site was actively managed or not. The programme review also introduced the requirement for site management plans, these plans and frequency of visits are key factors for achieving management level 3. The level of priority works in the site management plan being implemented are also part of the management level index with level four being where all priority works are being completed. Level 5 and 6 reflect sites receiving a greater level of management. Please note the management level index framework is continuing to be refined as we gain more experience in implementing it.

Table 2 Progress reporting for the priority sites programme Annual Plan targets for 2019-20.

Long-term Plan Target	Target	Allocated	Completed	% of target completed
<b>Protect/enhance priority habitat remnants</b>				
<b>Additional top 100 wetlands actively managed</b>	4	0	0	0%
<b>Additional top 200 bush remnants actively managed</b>	7	0	0	0%

#### BOX 1: MANAGEMENT LEVEL DESCRIPTIONS

To achieve consistency in reporting over the coming 18 months the site list has been reconciled and the number of sites at each management level will be reported. Draft management levels have been outlined below.

**Management Level Zero:** Sites that we know exist but we have not visited yet. Will not be reported.

**Management Level 0.5:** A holding level for sites that have received a contribution toward management from HRC but have not yet received a Rapid Ecological Assessment (REA) or the REA has expired (i.e. is greater than 10 years old). Many of these sites existed in the Whanganui and Ruapehu districts. The Biodiversity team has visited most of the sites previously listed at this level and completed REA's, moving these sites to a level 2.

**Management Level One:** Sites at management level 1 will have been assessed using the REA process. Sites will be included in the HRC inventory including GIS layer. This management level is valid for 10 years at which point a new REA must be completed or the site returns to the 0.5 level. Sites that were a level 1 and are returned to a level 0.5 will still exist in the HRC inventory and GIS layer but the level reflects the dated (and possibly now incorrect) data that we have on that site.

**Management Level Two:** Sites at management level 2 will fulfil the requirements on level one and have had a previous contribution to their management from HRC. This contribution may have been a one-off such as fencing or other management contribution that no longer occurs. This would include sites that were previously managed but support has been withdrawn for any reason. These sites will have brief site summaries which detail why management is not continuing (for historical sites this will only be possible where this information is available).

**Management Level Three:** Sites at management level 3 will fulfil the requirements of level 1 and have site visits to assess works required at least biannually. These sites will have a site summary and management plan. Identified works required will be prioritised. Some work may be deferred if appropriate. Landowners will be supported and encouraged to contribute to the management of these sites.

**Management Level Four:** Sites at management level 4 will fulfil the requirements of level 3 and have all high priority works carried out as required. Landowners will be supported and encouraged to contribute to the management of these sites. Tōtara Reserve is an example of a site at this management level.

**Management Level Five:** Sites at management level 5 will fulfil the requirements of level 4 management and have true management partnerships established. Alternatively they may be managed by landowner, iwi or community group with only surveillance and advice from HRC. Manawatū Gorge and Cape Turnagain are examples of sites at this management level.

**Management Level Six:** Sites at management level 6 will meet at least management level 4 and be receiving control for all animal pests. Bushy Park is the only site that meets the criteria for this level.

## 3.2 Activity Update

### General

- 3.2.1 Table 3 below provides a summary of the status for management level index for all sites on the managed list. The current assessment identifies that 10 sites are at Management Level 4 i.e. have been assessed and have all priority works carried out as required.

Table 3 Priority Sites Management Level Index

Management Level	Bush sites	Wetland sites	All sites
6	1	0	1
5	1	2	3
4	7	3	10
3	36	12	48
2	100	52	152
<b>Sub-total for Level 2+</b>	<b>145</b>	<b>69</b>	<b>214</b>
1	286	58	344
0.5	4	6	10
<b>Total</b>	<b>435</b>	<b>133</b>	<b>568</b>

- 3.2.2 A further component of the review of the priority sites programme was the review of the priority sites in the region for the programme to target for inclusion in the programme. This is overviewed in the Natural Resources and Partnerships Groups Operational Plan<sup>9</sup>. The review completed an assessment through Zonation software, after which ground truthing is required to confirm the biodiversity status of the site. During July, August and September the Biodiversity Team visited 76 sites that the Zonation model had flagged as potentially important. Ground truthing is necessary as models are only as accurate as the data used to create them; discrepancies in any of the GIS layers can lead to errors. Of the 76 sites visited, 21 were found to be significantly inconsistent with the Zonation results and were noted as such. REAs were completed for the other 55 sites and have been added to the table above at Management Level 1.

<sup>9</sup> <http://www.horizons.govt.nz/calendar/strategy-policy-committee-2019-10-09.aspx>

## 4 BIODIVERSITY PARTNERSHIPS

### 4.1 Programme Overview

4.1.1 Community engagement projects are arranged in three groups of projects within the Biodiversity Partnerships programme: Biodiversity Collaborations, Community Biodiversity projects and Community Grants. The Annual Plan targets and year-to-date progress on these are provided in Table 4 below.

Table 4 Progress reporting for the Biodiversity Partnerships programme for 2019-20.

Annual Plan Target	Target	Allocated	Completed	% complete
<b>Support community involvement in biodiversity protection</b>				
Support existing community-based biodiversity improvement projects	12	29	0	0%

4.1.2 The 29 projects approved in 2019-20 are made up of seven Biodiversity Collaborations, 13 Community Biodiversity projects and nine Community Grant projects as shown in Table 5. Further information on these projects is provided in the NRP group Operational Plan (pages 59 to 65).

Table 5: Projects within the Biodiversity Partnerships programme for 2019-20.

Biodiversity Collaborations	Community Biodiversity Projects	Community Grant Projects
1. Kia Wharite	8. Te Potae o Ararua Predator control	21. Bulls River Users Group.
2. Rangitikei Environment Group (REG)	9. Massey Hill	22. Castle cliff Coast Care and Progress Castle Cliff Inc.
3. Weedbusters Palmerston North	10. Turitea reserve	23. Dannevirke High School
4. Tawata Mainland Island	11. Bushy Park	24. Hunterville Consolidated School
5. Waitarere Beach Community project	12. Kahuterawa Stream Biodiversity Restoration	25. Nga Tawa Diocesan School
6. Pukaha Mount Bruce	13. Foxton River Loop	26. Ohau school
7. Te Apiti Manawatu Gorge	14. Manawatu Estuary	27. Puddleducks Montessori preschool
	15. Awahuri Forest	28. Tahape Area School
	16. Ahimate Reserve	29. Westmere Lake Volunteers
	17. Gate Pa Bush Restoration	
	18. Ohau Beach Walkway	
	19. Cape Turnagain	
	20. Genesis Moawhango River Restoration	

## 4.2 Activity Update

### General

- 4.2.1 Many of the Biodiversity Partnerships projects do not get underway until later in the financial year. This report provides some brief updates and a fuller report will be provided in February.

### Te Āpiti Manawatū Gorge

- 4.2.2 A Te Apiti Manawatu Gorge Governance Group meeting was held on 15 August 2019. The meeting included discussion of:

- the Groups Terms of Reference and membership;
- updates on the work programmes within the area as a part of the project;
- the new Gorge road including an update by NZTA;
- biodiversity enhancement options including species translocation options and associated pest control options;
- the Tourism Opportunities project led by CEDA via a Provincial Growth Fund project;
- the Te Apiti Manawatu Gorge book; and
- potential for new mountain biking opportunities (lead by the Manawatu Mountain Bike Club).

- 4.2.3 The biodiversity work on the ground in the Te Apiti area during the reporting period included monitoring for rat levels being completed by DOC (analysis of results underway). Possum control works are planned for October and will receive four treatments for the year across part of the project area. The weed control contract has been signed and work will begin late October or early November targeting Old Man's Beard and Japanese Honeysuckle.

### Awahuri Forest – Kitchener Park

- 4.2.4 The last of the information kiosks to be constructed (Photo 1) as part of the Tu Te Manawa project has been erected in the Park by Ngati Kauwhata and named Te Ngau O Tapa Te Whata. The installation of this kiosk was supported by the Te Mana O Te Wai project in the Manawatu Catchment that is a part of the work of the Manawatu River Leaders Accord. Over 1000 eco-sourced native plants have been planted in the Awahuri Forest – Kitchener Park during the reporting period (Photo 2).

### Biodiversity Collaboration Projects Review

- 4.2.5 A review of the biodiversity partnerships projects has been scheduled for this financial year within the work programme of the Natural Resources and Partnerships Operational Plan 2019-20. A workshop with Councillors to initiate this work is to be scheduled early in the new year.





Photo 1: The information kiosk at Awahuri Forest - Kitchener Park



Photo 2: New planting in a gap at Awahuri Forest - Kitchener Park.

## 5 TŌTARA RESERVE REGIONAL PARK MANAGEMENT

### 5.1 Programme Overview

5.1.1 Tōtara Reserve Regional Park is focused on providing visitors with enjoyable biodiversity and recreational experiences. The work includes plant and animal pest control, flood protection, walking tracks and campground maintenance.

5.1.2 The Annual Plan target and year-to-date progress against this are reported in Table 6 below.

Table 6 Progress update for the Regional Park Annual Plan target.

LTP Performance Measure	Target	Completed	% of target completed
Annual report on the management of Tōtara Reserve Regional Park for biodiversity and recreational values, including managing the camping facility.	1	1 <sup>10</sup>	100%

### 5.2 Activity Update

5.2.1 The Tōtara Reserve Advisory Group met in September. The agenda included discussion of the development of a Strategic Plan for the park and priorities for Capex spending on various improvements to the park facilities.

5.2.2 Following the June 2018 flood event a major priority for the work programme was upgrading flood protection. Work progressed at the Kahikatea Campground with a new flood wall being installed and significant planting undertaken to improve river bank stability (Photo 3). The riverbed has also been altered to reduce the risk of the campsite flooding.

5.2.3 Fencing of the sewage treatment plant and the installation of a safe inspection access way is currently underway. During this project a contractor caused accidental damage to the sewage plant. Remedial works are underway to repair the damaged tank. While the damage was significant, functionality of the plant has been able to safely be maintained, providing service to the campground and Camp Rangī Woods.

5.2.4 A tender process is underway for the 3-year campground maintenance contract. The contract for the next three years is expected to be in place during November.

5.2.5 Various improvements have been undertaken in readiness for the camping season, which began on Labour Weekend. The interior of the Kahikatea Campground ablution block has been painted

<sup>10</sup> The Annual report on Totara reserve was reported to Environment Committee in August 2019 and is available at the following link. <http://www.horizons.govt.nz/HRC/media/Media/Agenda-Reports/Environment-Committee-2019-14-08/19118%20Annex%20D%20Biodiversity%20Activity.pdf>

white to improve light levels, speed humps have been upgraded at the Kereru Campground and a fire pit has been installed opposite the Kereru Campground ablution block (Photo 4).



Photo 3: New flood protection wall upstream of Kahikatea campground.



Photo 4: The new fire pit at Tōtara Reserve Regional Park.

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## SCIENCE & INNOVATION

### 1 ACTIVITY OVERVIEW

Horizons' Science and Innovation Team works in partnership with other teams across the NRP Group and wider organization to inform decision-making and support Horizons' natural resource management functions.

The team's main activities include co-ordinating a range of environmental monitoring and research programmes covering air, land and water. This involves collecting, analysing and reporting on data and information collected by Horizons and others. This information helps prioritise and focus the implementation efforts of the wider NRP Group, and supports policy and plan development and implementation. The teams work also informs other functions such as river management and emergency management.

Research is carried out in-house and in partnership with government, industry and independent researchers. Key projects currently underway include the five-year Smarter Targeting of Erosion Control programme, led by Manaaki Whenua, and the development of a National Water Model, led by NIWA. Horizons is also one of a few Councils eligible for external funding through the Ministry of Business, Employment and Innovation's Envirolink scheme, which enables us to receive science advice relating to environmental management. The team currently has a number of Envirolink-funded projects underway:

Other key activities, recently introduced through Horizons' Long-term Plan 2018-28 include research into the effects of climate change and drinking water security. The team also works closely with Horizons Communications team to share data and information via Horizons' and Land, Air, Water Aotearoa (LAWA) websites, as well as provide annual State of Environment reporting, a summer swim spot campaign, and public information around topics such as air quality.

The August 2019 Environment Committee report provides an annual summary of the 2018-19 Science and Innovation work programme, as well as outlining science activities for the 2019-20 year in the NRP Operational Plan. This October 2019 report provides a summary of progress to date for the 2019-20 year (from 1 July 2019 to 31 October 2019).

## 1.1 Activity Update

### Water Allocation

- 1.1.1 The regional water allocation framework, introduced via Horizons' One Plan, established limits for surface water allocation in a number of Water Management Zones (WMZs). Some of these zones became over-allocated when these limits were set and staff have been working with water users since that time to reduce water use in over-allocated zones.
- 1.1.2 An updated map of surface water allocation has recently been released (Map 1). Over the past five years the number of over-allocated water management zones (WMZ) has reduced from 15 in 2014 (Map 2) to just eight WMZs in 2019. The most recent change is the Lower Tamaki which recently reduced from 111% to 95% of the catchment allocation limit. This is the result of Horizons staff working with a consent holder to move a water take from the over-allocated Tamaki River to the Manawatū River (Mana\_2a).
- 1.1.3 While water use in many WMZs has come within One Plan limits, the Middle Moawhango (Rang-2d) recently became over-allocated. In this case, this was the result of recent riparian fencing preventing stock access to surface water, requiring land-owners to seek resource consent. Stock drinking water is considered an essential use, and it is possible that this may result in other WMZs becoming over-allocated as future riparian fencing reduces stock access to drinking water sources.

### Swim Spot Monitoring

- 1.1.4 Monitoring of over 80 popular swim spots around the region gets underway from 3 November 2019. The programme is delivered in collaboration with MidCentral District Public Health Service and local Territorial Authorities, with staff recently meeting to kick start the season. Recruitment for swim spot monitoring staff is now complete and planning for the swim spot public campaign, delivered with Horizons Communications team, is also underway. Monitoring results are reported weekly, as they become available, via both Horizons' and the LAWA websites.

### National Pesticides Survey and PFAS

- 1.1.5 Horizons contributed to the 2018 National Pesticide Survey, a four-yearly survey that Horizons has participated in since the early 1990's. A summary report of the national survey results, commissioned by the regional sector and delivered by ESR was recently released publically.
- 1.1.6 For the 2018 survey, Horizons staff sampled a total of 20 groundwater bores (referred to in the report as wells), slightly less than the previous survey (23) to enable the analysis of a broader



range of variables while remaining within the approved budget. This additional analysis included glyphosate (Roundup) and emerging organic contaminants – the first time these potential contaminants were analysed as part of this survey.

- 1.1.7 Results showed low-level detections, below health guidelines, of pesticides in 68 (24.4%) of the 279 wells surveyed nationally, and two (10%) of the 20 surveyed regionally. Just one well (0.7%) of the 139 tested nationally, returned a low-level detection of glyphosate. The well was located in the Otago Region and was thought to be the result of poor well-head security. Extremely low levels (parts per trillion) of organic contaminants were detected in (70%) of wells tested nationally, and six out of eight (75%) wells tested in the Horizons' Region.
- 1.1.8 All affected bore owners in the Horizons Region were contacted by staff to notify them of the results. All detections in the Horizons Region were well below drinking water maximum acceptable values (MAVs) and/or World Health Organisation (WHO) guideline values, where these apply however, the results do highlight the ability for a range of contaminants to make their way into groundwater systems and identify a need for ongoing monitoring and research. Consideration of these contaminants will be made in the up-and-coming review of Horizons' monitoring network, and further discussion with the regional sector Groundwater Forum around ongoing national monitoring is also planned.
- 1.1.9 A report on the results of the Bulls PFAS (per- and polyfluoralkyl substances) study is now complete. A copy of the report will be available to Council via the hub, to accompany a presentation to Council at the 12 November Strategy and Policy Committee meeting.

### One Plan Changes and Policy Support

- 1.1.10 Horizons' Science and Innovation team are currently working with the Policy team to provide technical support for plan change and policy implementation/review processes. A workshop with technical experts was held in late October to report on progress to date, and scope the work programme for the reporting year. This includes four key work-streams: (1) Completing a recent analysis and reporting on water quality state, trends, loads and drivers; (2) Providing technical support for Horizons' Plan Change 2 process; (3) Developing a plan for science support for implementation of the National Policy Statement for Freshwater Management (NPS-FM); and (4) A review of Horizons' monitoring network.

### Land and Fluvial Activity

- 1.1.11 Fluvial surveys to be carried out this year include the first survey of the Whangaehu catchment and completion of the Eastern Ruahine catchments.

- 1.1.12 Work to complete a sedimentation and drainage implementation plan for the Arawhata catchment has been contracted to Tonkin + Taylor and will begin within the next few weeks. This project aims to develop a set of recommended mitigation options that both maintain (or enhance) the current drainage network and reduce sediment loss from farmland in the catchment. This work is funded through the Lake Horowhenua Restoration rate and will draw on expertise and advice from the River Management Southern team as well as the Freshwater team and Environmental Data.
- 1.1.13 Horizons continues to support several other projects focused on the Arawhata catchment. The Sustainable Farming Fund project Future Proofing Vegetables, which focuses on improving on farm practices to reduce nitrogen loss will continue this year; a Massey University PhD student Fernando Avendano will be completing his research study on quantifying nitrogen loss from different vegetable crops; and the Foundation for Arable Research will continue their ongoing fluxmeter trails to measure nitrogen and phosphorus loss across the country, with sites in the Arawhata and Ohakune.
- 1.1.14 In recent years Horizons has invested in furthering our understanding of river geomorphology and sedimentation in the Lower Manawatū and Oroua Rivers. Research to date has explored the linkages between hill country erosion, climate change, water quality and flood protection and we are ready to explore which sedimentation mitigation tools will be most suitable for these rivers and their wider catchments. An internal staff workshop exploring sedimentation issues and potential solutions for the Lower Manawatū was held on Thursday 19 September 2019. Staff from across the organisation contributed ideas and knowledge to help inform the development of a sedimentation strategy.

### **Biodiversity and Biosecurity Activity**

- 1.1.15 The team is continuing to provide support to the Biodiversity Team for planning, data entry and data management of the ground-truthed priority biodiversity sites.
- 1.1.16 Work to identify opportunities for alignment with other NRP teams to increase protection at high value biodiversity sites is underway. The science and biosecurity pest animals team have been working collaboratively to identify high value biodiversity sites that may benefit from additional possum control. Work on this project is continuing.
- 1.1.17 Management Prescriptions are a key focus of this year's biodiversity programme, enabling staff to determine the level of ongoing investment required at a number of high value biodiversity sites. The process involves a) identifying ecological integrity targets, b) identifying the pressures required to be management, and c) developing management prescriptions and indicative cost

information to reduce pressure to required levels. Initial workshops to develop management prescriptions are scheduled for early November.

- 1.1.18 This year is the third and final year for Tōtara Reserve Bird Monitoring. This work is contracted externally, with field work in early December and analysis of three years of monitoring data and a final report due in the early new year.

### **Air Quality Monitoring**

- 1.1.19 Air quality monitoring equipment at Horizons' designated airsheds, Taihape and Taumarunui is urgently in need of replacement. Staff have continued to maintain these sites with replacement sensors and servicing however, these sites are not at the stage where ongoing failures are compromising the integrity of the data and requiring additional cost to maintain. Our recommendation is to replace the existing units with equipment that will cover both PM<sub>10</sub> and PM<sub>2.5</sub> to enable us to maintain our long-term monitoring record and bring the sites into line with the proposed National Environmental Standard for Air Quality. Staff are currently investigating options and pricing for this.

### **Drinking Water**

- 1.1.20 Ensuring the security of drinking water supplies requires collaboration between territorial authorities, water suppliers, public health offices and Horizons. A new work programme initiated during 2017-18 seeks to ensure that all parties are aware of any risk associated with each supply, that their roles and responsibilities are understood, and that there is adequate flow of information to ensure each agency is meeting its requirements. Source protection zones for council-operated drinking water supplies serving over 500 people in the region have now been delineated. A final summary report is now available and staff are scoping the next phase of this work programme. A report on this work will be provided to Horizons' Strategy and Policy Committee in December 2019.

### **Climate Change**

- 1.1.21 A report commissioned by Horizons and delivered by NIWA 'Climate change implications for the Manawatū- Whanganui Region' was completed in June 2019. Results were discussed in the August 2019 Environment Committee report, and a copy of the full report will be made available to the public via Horizons' website.
- 1.1.22 The procurement process is underway to contract a regional greenhouse gas (GHG) inventory to improve our understanding of the contributions different activities in our region make to greenhouse gas emissions. Quantifying the region's emissions and their sources will help

identify opportunities and risks at a district scale, and help determine Horizons role in the mitigation aspect of climate change in the region. Assuming a successful procurement process, this work is expected to get underway prior to Christmas.

- 1.1.23 At a Council level, an internal cross-organisational team are working on a draft set of objectives and policies for Horizons' Climate Change Strategy, and have been working alongside Territorial Local Authorities to produce an action plan for the region.

#### **LAWA**

- 1.1.24 LAWA is a regional council-driven initiative to present data and information about New Zealand's environment and natural resources to the public. Horizons provides science support for the continued evolution of the website, in addition to data required for annual updates. Further information can be found at [www.lawa.org.nz](http://www.lawa.org.nz). On World Rivers Day (22 September 2019) Horizons, along with the rest of the regional sector, published the most recent water quality data which now enables trend analysis for 5, 10 and 15 year periods. This data complements real-time water quantity and air quality data, as well as land cover and the popular 'Can I Swim Here' module that provides communities with access to the most up-to-date monitoring data for popular river, lake and beach recreation sites across Aotearoa.

#### **Science Communication**

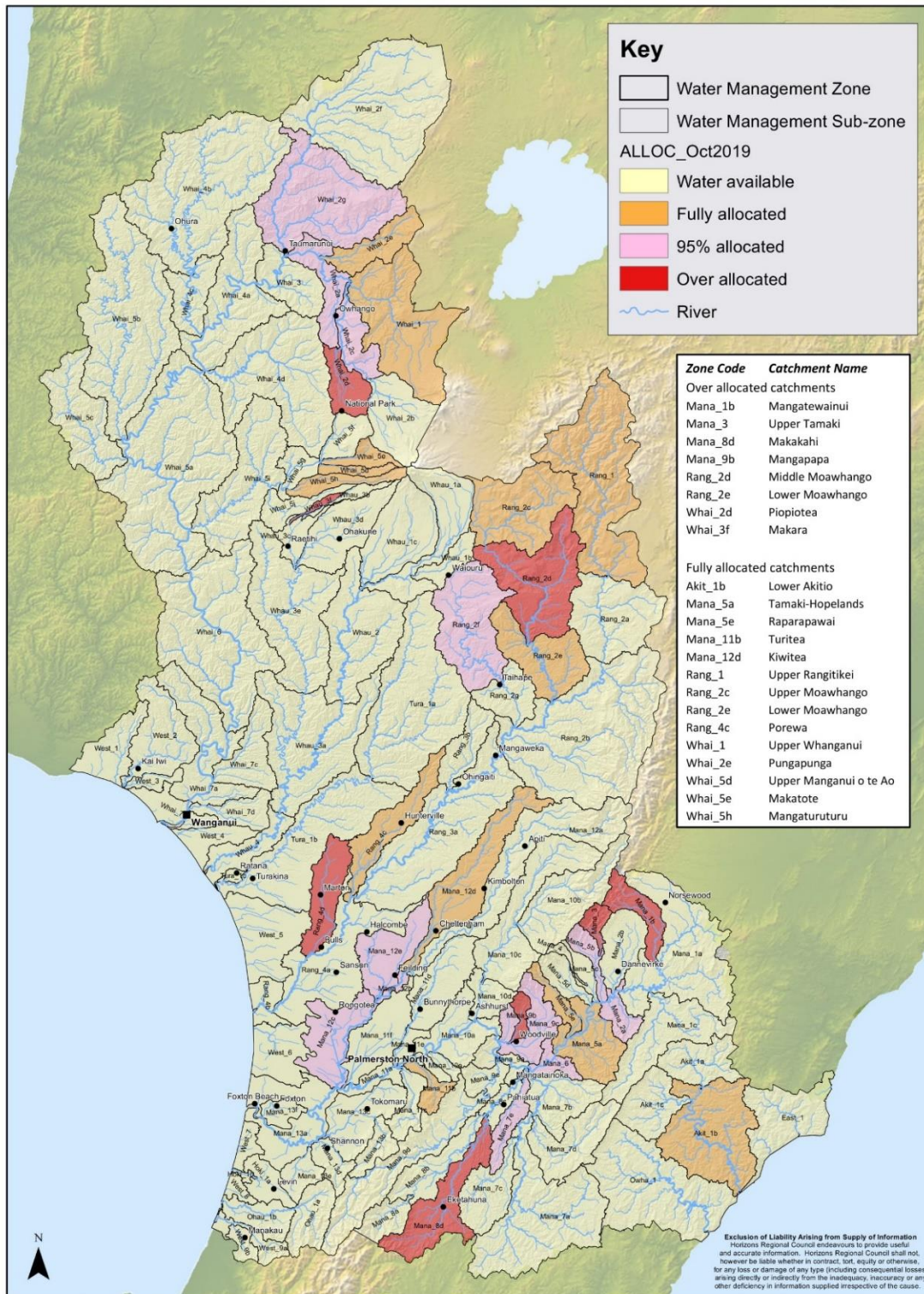
- 1.1.25 An action plan for science communication is currently in development. This document complements Horizons' Science Communication Strategy, which outlines a core set of principles for the communication of science and research. The objective of the strategy is to maximise science uptake, and ensure up-to-date and relevant science information is effectively communicated to Horizons staff, councilors, iwi, the public, external agencies, and any other parties interested in aspects of natural resource management. The action plan sets out key science communication activities for the reporting year to help prioritise resourcing and identify new opportunities.
- 1.1.26 Staff recently hosted Manawatu Science and Technology Fair Horizons' special prize winners at an internship day at Totara Reserve on Monday 21 October (Photo 1 and Photo 2). This is an annual activity where we are able to share our knowledge and provide young scientists with an opportunity experience environmental monitoring in action.

## 1.2 Annual Plan Targets

Table 1 Progress reporting for Science and Innovation Long-term Plan targets for 2019-20.

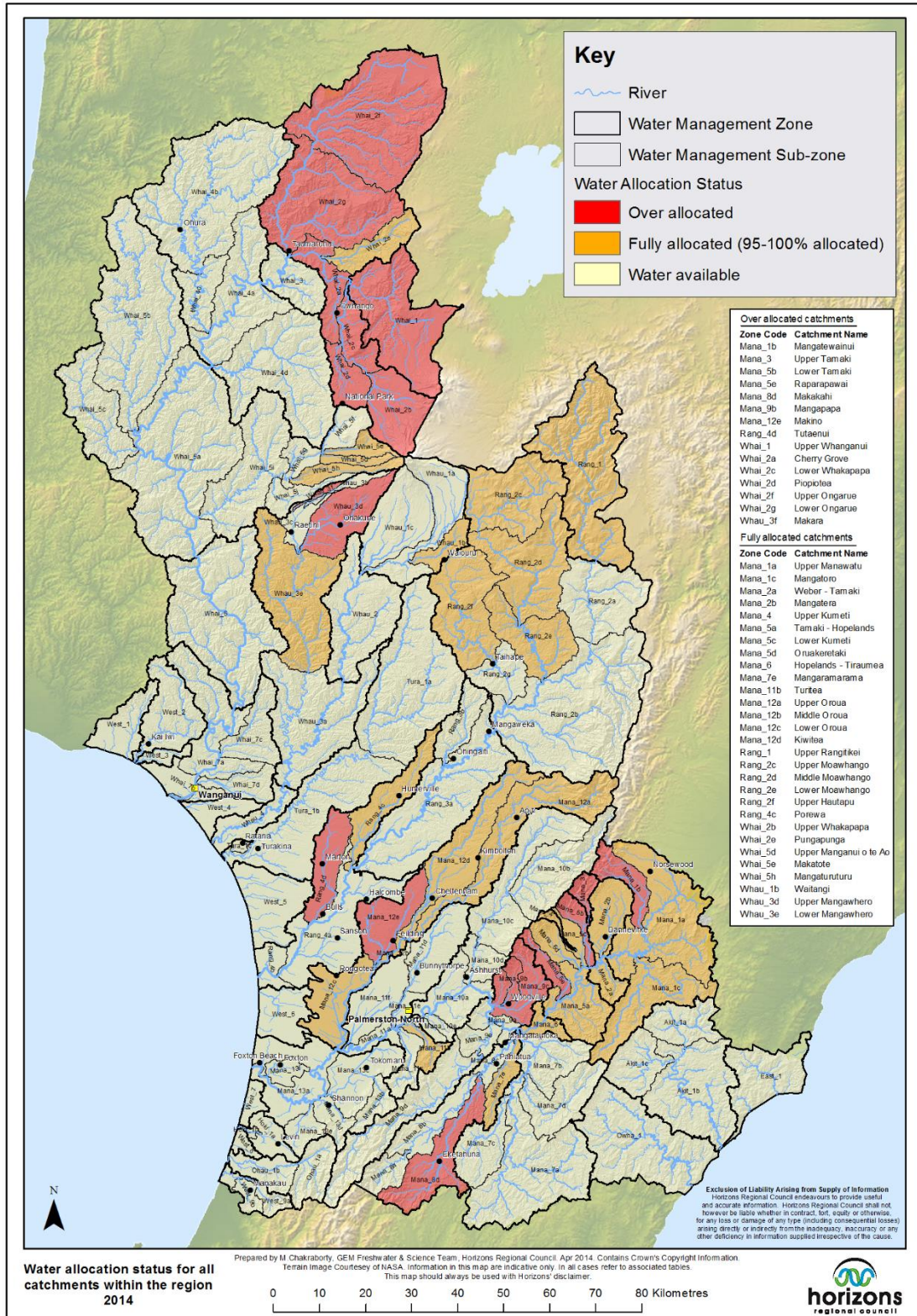
Performance Measures for Levels of Service	Target 2018-19	Progress Update
<b>Water Quantity and Quality Activity</b>		
Water quantity and water quality information is made available to the public via LAWA (www.lawa.org.nz) and Horizons' websites.	Data provided to LAWA as required	Data is available on the LAWA website. The latest water quality data was published on the website on World Rivers Day – 22 September 2019.
Annual report on water quantity and quality monitoring and research activity.	1	An annual report on water quantity and quality activity will be produced and presented to Council in June 2020.
<b>Land Management Activity</b>		
Annual report on the land and fluvial monitoring and research activity.	1	An annual report on land and fluvial activity will be developed and presented to Council in June 2020.
Annual report on biodiversity monitoring and research activity.	1	An annual report on biodiversity research activity will be developed and presented to Council in June 2019
<b>Environmental Reporting and Air Quality Monitoring Activity</b>		
Provide an annual summary report on the state of the environment.	1	Annual State of Environment – Catchment Summary reports were completed for each <b>Freshwater Management Unit</b> (FMU) in September 2019.
Develop and implement a science communication strategy.	Report progress to Council annually	A strategy for science communication was developed mid-2019 and an action plan is currently in development.
Complete drinking water supply research with a focus on Council-operated drinking water supplies and complete an annual report on this to Council.	1	Staff are currently scoping a programme for drinking water research for 2019-20.  An annual progress report to Council has been scheduled for Horizons' Strategy and Policy Committee in December 2019.
Investigate one aspect of climate change impact in the Region and report on this to Council.	1	Procurement for climate change research for 2019-20 (regional greenhouse gas inventory) is currently underway.
Air quality is monitored in Taihape and Taumarunui and reporting is made available to the public via LAWA and the annual State of Environment report.	Completed	Monitoring is ongoing and data is made available to the public via the Horizons and LAWA websites.  Horizons' ability to accurately report on air quality at Taihape and Taumarunui is now compromised with equipment due for replacement.
Undertake an annual public education air quality campaign.	1	The next public campaign is scheduled for December 2019





Map 1 Surface water allocation map for the Horizons Region, October 2019.





Map 2 Surface water allocation map for the Horizons Region, September 2014.





Photo 1 and Photo 2 Staff hosting Manawatu Science and Technology Fair Horizons' special prize winners at an internship day at Totara Reserve on Monday 21 October.

## 1.3 Activity Summary

Project	Key Deliverables	YTD Progress
<b>Water Quality and Quantity Activity</b>		
<b>Monitoring Programmes</b>	Carry out core monitoring of water quality, quantity, ecosystem health.	Monitoring is progressing to schedule. Minor changes to the monitoring programme have occurred as a result of the recent landslide in the Whangaehu catchment. Swim spot monitoring gets underway from Sunday 3 November 2019.
	Undertake a review of our water monitoring network.	A project proposal and work plan for this review is now being developed, with input from a cross-organisational group including Emergency Management, River Management, Environmental Data and Science.
<b>Catchment Characterisation</b>	Improve our understanding and better characterise the region's catchments.	NIWA's 5-year water national water model project continues. Two PhD studies are currently progressing, exploring the fate and transport of nutrients in the sub-surface environment.
<b>One Plan and Policy Support</b>	Provide science support to One Plan review programme and 'Our Freshwater Future'.	Staff are supporting policy through the provision of technical advice, including PC2. A key deliverable is the development of a science programme to support future plan changes and implementation of regional and national policy.
<b>Lakes Research</b>	Continue to advance lake research that prioritises and informs monitoring and implementation programmes to improve the water quality and ecological condition of the region's lakes.	A groundwater investigation in the Lake Horowhenua catchment is progressing, with the recent installation of flow monitoring in major inflows and additional groundwater monitoring. Annual Lake SPI monitoring is scheduled for early December with related reporting due at the end of financial year. The national MBIE-funded Lakes 380 programme continues, for which 22 lakes in the region have been selected for sediment core analysis. The project aims to uncover the environmental history of 380 lakes in New Zealand.
<b>Coastal and Estuarine Environments</b>	Continue to advance our understanding of the region's coast and estuaries.	Estuary habitat monitoring is contracted and scheduled for this coming summer. Key deliverables include the second year of fine scale monitoring for the Whanganui Estuary, sediment monitoring in the Whangaehu Estuary, and monitoring at the Ohau and Waikawa Estuaries. An Envirolink-funded project investigating the use of an ocean glider to collect in situ measurements of physical ocean properties to inform future monitoring of river plumes from high rainfall events is now underway.
<b>Land Management Activity</b>		
<b>Gravel use monitoring and reporting</b>	Track annual gravel use and allocation to support consent decision making and flood scheme management.	First quarter gravel levies have been processed.
<b>Fluvial surveys</b>	Complete fluvial surveys of the	Surveys are planned and due to be

Project	Key Deliverables	YTD Progress
	Whangaehu and Eastern Ruahine Catchments.	undertaken during summer 2019-20.
<b>Sediment source and transport research</b>	Advance and report on sedimentation transport investigations.	The development of a sedimentation and drainage plan for the Arawhata catchment is now contracted to Tonkin + Taylor, and scheduled to get underway in coming weeks.
<b>Wastewater management</b>	Assist with the implementation of the One Plan regarding on-site wastewater performance.	Staff continue to provide support through consent technical assessments and working with Territorial Authorities to ensure systems are installed in-line with One Plan requirements.
<b>Nutrient management research</b>	Support research into the fate, transport and management of nutrients in the region.	A range of nutrient management investigations are underway, including three Sustainable Farming Fund projects 'Future Proofing of Vegetable Production', 'Innovative Drainage Management Technologies', and 'Taratua Plantain Project'. Other work underway includes investigations of nutrient loss from horticulture and arable farming, and a pilot study investigating nutrient loss from intensive winter grazing.
<b>Biodiversity and Biosecurity Activity</b>		
<b>NRP support</b>	Identify opportunities for alignment with other NRP teams e.g. biosecurity animals and land teams.	Opportunities identified with biosecurity animals team, initial information provided. This workstream will continue to be refined. Opportunities for alignment with land team are being pursued.
<b>Priority site management</b>	Support the biodiversity team to complete assessments at 100 putative <sup>11</sup> priority biodiversity sites.	This work is ongoing.
	Continue to refine the activity monitoring for priority biodiversity sites.	A process for this has been developed. Biodiversity staff need to be trained in its use.
	Develop management prescriptions for 10 high priority sites.	The first workshops for this project are scheduled for early November.
<b>Tōtara Reserve</b>	Complete the third year of bird monitoring programme in Tōtara Reserve, and report on findings.	Bird monitoring at Tōtara Reserve is scheduled to be undertaken during summer 2019-20.
<b>Environmental Reporting and Air Quality Monitoring</b>		
<b>Air quality</b>	Deliver the core monitoring programme for air quality and undertake an annual public education campaign around air quality.	Monitoring is ongoing and data is made available to the public via the Horizons and LAWA websites, noting that there are ongoing issues with the current infrastructure, as discussed earlier in the report. An annual public education campaign is due to get underway during summer 2019-20.
<b>Climate change</b>	Investigate one aspect of climate change and report to Council.	Procurement of technical services to develop a regional greenhouse gas inventory is currently underway. This work is expected to be delivered within the reporting year.
<b>Drinking water</b>	Continue to work with city and district councils to improve management of public drinking water supplies.	A presentation of outputs from the 2018-19 drinking water programme will be presented to Horizons Strategy and Policy committee

<sup>11</sup> Putative sites are those which have been inferred from a model although, for the majority of these, no direct evidence of their status is available.



Project	Key Deliverables	YTD Progress
		on 12 November 2019. Scoping of the 2019-20 programme is now underway.
State of Environment report	Provide an annual report on the <b>State of the Environment</b> (SoE) via catchment summaries	Annual State of Environment – Catchment Summary reports were completed for each <b>Freshwater Management Unit</b> (FMU) in September 2019. Planning for 2020 SoE catchment summary reporting will get underway during early-mid 2020.
LAWA	Ensure environmental data is made available to the public via the LAWA website.	Data is available on the LAWA website. The latest water quality data was published on the website on World Rivers Day – 22 September 2019. Proposed future modules include groundwater quality, which is currently in development.
Science communication	Implement Horizons’ science communication strategy	An action plan to complement the science communication strategy is currently being developed. The action plan will set out key science communication activities for the reporting year, to help prioritise resourcing and identify new opportunities. Public information and RMA advice continue to be provided as necessary. Community engagement has included judging and awarding students at the Manawatū Science and Technology Fair, presenting on SoE report at Awapuni Library, and eel trapping with Mount Biggs School.





Report No.	19-177
Decision Required	

## REGULATORY MANAGEMENT REPORT - JULY TO SEPTEMBER 2019

### 1. PURPOSE

- 1.1. This report updates Members on regulatory activity, for the period July 2019 to September 2019 and summarises regulatory activities associated with the municipal **Wastewater Treatment Plant (WWTP)** programme.

### 2. RECOMMENDATION

That the Committee recommends that Council:

- a. receives the information contained in Report No. 19-177 and Annexes.

### 3. FINANCIAL IMPACT

- 3.1. As with previous years, we are still anticipating that there will be significant costs associated with processing large and complex applications, which may in turn be subject to appeal. Also, on-going investigations and prosecutions within the compliance monitoring programme, are likely to have an impact on both expenditure and revenue within this programme. Regular updates will be provided to the Audit and Risk Committee throughout the year.

### 4. COMMUNITY ENGAGEMENT

- 4.1. This is a public item and therefore Council may deem this sufficient to inform the public.

### 5. SIGNIFICANT BUSINESS RISK IMPACT

- 5.1. There is no significant business risk associated with this item.

### 6. OVERVIEW

- 6.1. Regulatory activity continues to be busy. Since 1 July 2019 Horizons has processed and made decisions on 288 applications. As at 1 July 2019 there were 179 applications in the system for processing.

- 6.2. In relation to the major applications, the following provides a summary of their current status:

#### 6.2.1. Department of Conservation

- i. The **Department of Conservation (DOC)** is progressing the Whakapapa **Wastewater Treatment Plant (WWTP)** application. DOC has now moved to plan for the relocation of the wastewater treatment plant out of the Tongariro National Park to a less sensitive (both culturally and environmentally) receiving environment. This is a positive move and one Horizons has advocated. A move outside the park will take 2-4 years to go through consenting and construction. In the meantime Horizons is requiring investment into the existing plant to improve as far as possible its environmental improvement.

Horizons has previously expressed its concern about timeframes to DOC (see **Annex A**).

- ii. Required improvements to the existing plant may well be wrapped up in an enforcement order overseen by the Environment Court in order to provide enough assurance that progress will be made.

#### 6.2.2. Tararua District Council

- i. Re-consenting of Pahiatua and Eketahuna wastewater treatment plant remains the subject of a mediation process. These respective processes are confidential to the parties involved.
- ii. Submissions closed for the Woodville WWTP on 19 April 2019, with seven submissions being received, of which six were in opposition. Tararua District Council are now consulting directly with those submitters who have opposed the application. At this stage we are anticipating a hearing in the first quarter of 2020.

#### 6.2.3. Horowhenua District Council

- i. The Tokomaru WWTP is now onto its second iteration of draft conditions. **Horowhenua District Council (HDC)** are now working with submitters on these conditions.
- ii. The application seeking to renew the Tokomaru water supply abstraction was notified, with two submissions being received. Conditions are to be drafted and circulated by the end of October.
- iii. The application seeking to discharge stormwater into Koputaroa Stream catchment has been notified in accordance with section 95 of the **Resource Management Act 1991 (RMA)**, with the submission period closing on 29 October 2019.
- iv. The applications for Levin WWTP discharges (commonly known as 'The Pot') have been notified and at the close of submissions 17 submissions had been received. Most are in opposition to the proposal. A hearing commenced on 30 October 2019 and has been adjourned until February / March 2020 to allow for further engagement between the applicant and submitters and further consideration of proposed conditions..
- v. There has been no change since the last report in relation to the application seeking to discharge stormwater from the Levin Township into Lake Horowhenua. Further information has been requested and HDC has asked for time to engage with the relevant parties. Given the values of Lake Horowhenua, this is not expected to be a simple process.
- vi. HDC is preparing a consent application seeking to discharge stormwater from the Foxton Township to the Manawatū River.

#### 6.2.4. Ruapehu District Council

- i. **Ruapehu District Council (RDC)** has lodged a consent application in relation to the National Park WWTP. RDC are currently consulting with the Wai Group in relation to the proposed activity and is considering growth implications on the existing consent. RDC is proposing to re-submit a revised set of conditions for consideration.
- ii. The Raetihi Water Supply application is progressing with conditions currently being drafted. Once these are agreed the application can proceed to be granted.

#### 6.2.5. Manawatu District Council

- i. As previously reported, the **Manawatu District Council (MDC)** have a number of WWTP whose discharges are currently authorised under the existing use rights of the RMA, including the Sanson, Cheltenham, Halcombe, Awahuri and Kimbolton WWTP. The applications relating to these WWTP have being placed on hold as MDC

progresses its centralisation project, which is aiming to have discharges from these and other WWTP centralised into the Feilding WWTP. MDC is currently preparing the required applications to either authorise new activities and/or amend the current consent associated with the Feilding WWTP to enable this centralisation process to occur.

#### 6.2.6. Te Ahu a Turanga

- i. The Manawatu Gorge replacement project “Te Ahu a Turanga” is progressing. A decision on the **Notice of Requirement (NOR)** has been made and subsequently appealed by the three parties, including the Department of Conservation. This matter is still before the Environment Court.
- ii. Horizons staff have continued to meet with **New Zealand Transport Authority (NZTA)** in relation to the pending regional consenting process. At this stage NZTA are anticipating lodging the main resource consents with Horizons in December 2019.
- iii. To date, Horizons has processed one ‘enabling’ consent application in relation to geotechnical investigations in the Manawatu River. Another enabling consent application was lodged in July, in relation to the construction of an access road into the main alignment. NZTA have advised that further enabling consent applications are likely to be lodged prior to December 2019. These applications will relate to the abstraction of water and construction of water reservoirs, geotechnical testing, construction of an access road on the eastern side of the project, and works associated with the establishment and operation of a quarry site.
- iv. As previously reported, officers have considered the regulatory demands that such a major civil construction project will have on its business. These lie in three main areas: the large numbers of consent variations that need to be managed and processed following the main consenting process; large volumes of management reports and compliance inspections required to enable works to occur or follow up on consent conditions; and a significant administration process to manage large volumes of data and information.
- v. Over the reporting period, discussions with NZTA have continued on how the **Special Projects Team (the Team)** of at least four **Full Time Equivalent (FTE)** staff will be funded.

#### 6.2.7. Mercury Energy

- i. The primary focus over the reporting period has been on the certification of a number of management plans associated with the project, which has to occur before construction commences. The certification process has been very involved and required significant staff time and input from various internal and external experts. To date, approximately 25 management plans have been certified.
- ii. Whilst outside of the reporting period, it is important to note that during October works commenced in relation to both the construction of the Transmission Lines and the Windfarm itself. Accordingly, Horizons has commenced on-site inspections of the works occurring. It is anticipated that once construction fully commences, the compliance monitoring workload will be the equivalent of one FTE working 2-3 days per week on the project. This is due to the scale and complexity of the project that is characterised by multitude of work areas, some of which are very high risk; the numerous management plans that require assessment and the volume of compliance reporting and documentation that comes with a project of this size.

#### Compliance Monitoring Policy and Enforcement Decision Guidelines

- 6.3. As reported to the previous Council, Horizons has both a Compliance Monitoring Policy and Enforcement Decision Making Guidelines. Both documents provide high level guidance as to how Horizons undertakes its compliance monitoring functions and decision

making considerations in relation to enforcement matters. Copies of these documents are attached as **Annexes B and C**, particularly to assist new councillors.

## 7. COMPLIANCE PROGRAMME

- 7.1. The intention of this section is to focus on one key part of the regulatory business and provide an overview of the compliance programme for the reporting period. The focus for this report is to provide a summary of the municipal wastewater treatment plant programme
- 7.1.1. There are 46 municipal WWTPs in the region that are consented. Nineteen of these are currently operating under the existing use provisions of the RMA, whilst the remainder are operating under current resource consents. There are two WWTP consents that are due to expire between now and 2021. As previously reported, those WWTP operating under existing use provisions are still required to comply with their resource consents. Those consents subject to existing use and where they are in the consent process is summarized in **Annex D**.
- 7.1.2. The WWTP programme is categorised, based on a number of factors that include; the potential environmental risk the site poses, its compliance history, nature of the receiving environment and the complexity and public interest of the consent. Under the present programme there are 11, 19, and 16 category 1, 2 and 3 sites, respectively.
- 7.1.3. Horizons has an active risk based compliance programme in relation to WWTP that consists of undertaking site inspections, assessing data provided by consent holders and assessing and undertaking annual audit reports of C1 and C2 sites. It is important to note that data and annual reports assessments can take some time, as the information provided by consent holders can be long, complex and require significant analysis.
- 7.1.4. Since this programme was last reported to Council in December 2018, Horizons has undertaken 32 assessments of WWTP. Of the assessments completed since December 2018, five WWTP have been graded as fully compliant, one is Comply At Risk, three are Low Risk Non – Compliant, three are Moderate Non–Compliant and 20 are Significantly Non – Compliant with their respective resource consents. A copy of the Horizons compliance assessment guidelines are attached as **Annex E**.
- 7.1.5. Of the 20 significant non-compliant WWTP
- Rangitikei DC has five WWTP which are currently significant non-compliant. The issues relating to volume exceedances at Taihape and Hunterville WWTP are being addressed via the consent renewal/variation process; however, in some cases such as Bulls WWTP and Marton enforcement action may now be required;
  - Manawatū DC has been issued an infringement notice for failure to comply with **Soluble Inorganic Nitrogen (SIN)** concentrations in its discharge, and has been issued Abatement Notices in relation to failing to comply with conditions of consent for the Sanson and Kimbolton WWTP. MDC have advised issues at the Halcombe WWTP have now been resolved.
  - Regarding the three significantly non-complying WWTP information has been requested of Ruapehu DC on what steps are being taken and when to ensure compliance. This information is currently being assessed. Enforcement action is still a distinct possibility as a result of these non-compliances and if future non-compliances occur.
  - Three Tararua DC WWTP are currently going through consent renewals with Woodville Pahiatua and Eketahuna WWTP being well through their consenting process. Enforcement action will be considered in relation to significant non-compliances with other WWTP.

- The Tokomaru WWTP significant non-compliance has been noted; however, given the re-consenting process is entering into its final stages, enforcement action is not being considered at this stage.
  - Regarding the DOC Whakapapa WWTP, an Abatement Notice was issued seeking the DOC to cease the unauthorised discharge from the WWTP. Subsequently, DOC raised concerns with the practicalities of complying this timeframe and it was agreed to cancel the notice pursuant to section 325 of the RMA. Nonetheless, DOC prepared an options report for improving the performance of the existing WWTP to ensure the environmental effects of the discharge are adequately avoided and/or mitigated. Horizons will be meeting with DOC staff in early November to discuss this report; however, one likely outcome is that Horizons will seek an Enforcement Order that effectively provides an enforceable pathway and timeframe by which issues at the WWTP have to be rectified.
- 7.1.6. Currently 12 WWTP are being assessed and 17 are due for assessment before the end of the financial year
- 7.1.7. Notwithstanding the above, **Annex D** summarises the current compliance status of the WWTP in the programme and where a significant non-compliance has been identified, what action has been taken. It is important to note, the compliance status of a number of WWTP is based on assessments done previously and that a number of these sites are now being assessed. Therefore, the compliance grading for some of the WWTP may change in the next couple of months.
- 7.1.8. Where a significant non-compliance occurs, Horizons will consider what enforcement action is appropriate. This action can be in the form of punitive and/or directive action. The former being the in form of formal warnings, infringement notices and ultimately laying criminal charges in the district court, whilst the latter can be in the form of abatement notices or enforcement orders (including interim enforcement orders). The typical factors which are taken into consideration in determining what action is appropriate are detailed in Horizons Enforcement Decision Making Guidelines that are annexed to this report, but include the degree of adverse effects on the environment, the conduct of the person(s) involved (including their compliance history) and the significance of the offending to the community.
- 7.1.9. As noted above a number of WWTP are currently subject to a consent renewal process. Where a WWTP is subject to this process and there is a significant non-compliance against the operative consent, consideration of enforcement action will, in addition to the matters detailed in paragraph 7.1.7, also be balanced against how far through the re-consenting process the WWTP is.
- 7.1.10. In relation to Significant Non-Compliances the following enforcement action has been taken:
- In relation After continued failures to provide the required Water Balance report for the Kimbolten WWTP MDC was issued with an Abatement Notice requiring it to provide the report;
  - Due to significant exceedances of key discharge parameters for the Sanson WWTP, MDC were issued an Abatement Notice requiring it to cease the unauthorised discharge; and
  - Due to continued failure to comply with the Soluble Inorganic Nitrogen concentrations at the discharge point from the Feilding WWTP MDC were issued with an Infringement Notice.



## 8. COMPLIANCE PROGRAMME SUMMARY

- 8.1. During the reporting period there were 110 compliance monitoring assessments. Of these, 54 Comply Full, 18 Comply At-Risk, 14 Low Risk Non-Compliance, nine Moderate Non-Compliance and 15 Significant Non-compliance gradings were issued. Overall this equates to a 66% compliance rate across the entire programme for the reporting period.
- 8.2. Below is a breakdown of the non-compliances by consent area, for the reporting period:  
**Industry:** Seven Low risk non-compliance, three moderate non-compliance and eight significant non-compliances, respectively; and  
**Rural:** Seven low risk non-compliance, six moderate non-compliance and seven significant non-compliances, respectively.
- 8.3. The number of scheduled compliance assessments completed is slightly behind what is anticipated. However, at this stage, we are on track to meet our annual plan targets.
- 8.4. As noted above there are number of significant compliance assessments currently underway as annual reports are being reviewed and reported on for Category 1 and 2 WWTP. Undertaking these annual reviews involves reviewing and assessing large volumes of information and preparing detailed compliance reports
- 8.5. Horizons currently has three prosecutions before the District Court. There are also three significant investigations underway. Table 1 provides a summary of the prosecutions currently before the Court.

**Table 1. Summary of Court proceedings**

Defendant	Summary
Huka View Dairies and Derek Berendt	Charges laid and before the Court.
LA Landscapes, Patrick Damien Toyne, Central Demolition Limited and Ian Butcher	Charges laid and before the Court.
John Turkington Limited and Gordon John Turkington	Charges laid and before the Court.

## 9. INCIDENTS

- 9.1. Over the reporting period, a total of 255 complaints were received, compared to 244 for the same period last year. For this reporting period, the majority of these complaints (131) related to discharges to air. The remainder of the complaints related to discharges to land (68) and water (55).
- 9.2. All complaints are categorised and responded to accordingly. A response can include an immediate or planned inspection, a phone call, or being referred to another agency such as a Territorial Authority or Civil Aviation

## 10. REGULATORY ACTION

- 10.1. During the reporting period, 26 abatement and nine infringement notices were issued. Table 2 below provides a summary of the formal regulatory action taken during the reporting period.

**Table 2. Regulatory action taken during reporting period.**

Issued to	Regulatory Action Taken	District	Date AN Issued	Section of Act Contravened	Details
ALLAN, Michelle Christine	Abatement Notice	Palmerston North	29-Jul-19	15(2A) & 22(2)(a)	Cease discharging offensive smoke beyond the property boundary.
D.L.R. Farms Limited	Abatement Notice	Rangitikei	4-Jul-19	14(2)(a)	Verify flow meter
Pacific Farms Development Limited	Abatement Notice	Palmerston North	18-Jul-19	9(2)	Cease all unauthorised land disturbance and the discharge of sediment to surface water
Hifarm Holdings	Abatement Notice	Palmerston North	23-Sep-19	15(1)(b)	Cease the discharge of refuse into a water way
Hifarm Holdings	Abatement Notice	Palmerston North	23-Sep-19	15(1)(b)	Remove general refuse from water way
NZL Forest Group	Abatement Notice	Tararua	24-Jul-19	9(2)	Stabilise forestry slash in accordance with NES-PF.
John Turkington Limited	Abatement Notice	Manawatu	1-Aug-19	9(2) & 15(1)(b)	Remove forestry slash
Rangitikei District Council	Abatement Notice	Rangitikei	31-Aug-19	15(1)(a) and (b)	Cease discharge of untreated wastewater to surface water
D.L.R. Farms Limited	Abatement Notice	Rangitikei	6-Aug-19	15(1)(b)	Cease discharge of effluent to surface water
John Turkington Limited	Abatement Notice	Manawatu	1-Aug-19	9(2) & 15(1)(b)	Stabilise forestry related earthworks.
John Turkington Limited	Abatement Notice	Manawatu	1-Aug-19	9(2) & 15(1)(b)	Cease using machinery in waterway.
D.L.R. Farms Limited	Abatement Notice	Rangitikei	6-Aug-19	15(1)(b)	Cease discharge from effluent pond.
Daniel Capper (Agrityres Limited)	Abatement Notice	Manawatu	15-Aug-19	15(2A)	Cease burning of prohibited materials
Te Ngaio Co Ltd	Abatement Notice	Horowhenua	20-Aug-19	15(1)(b)	Cease the discharge of effluent to land
BROWNE, BI & VL	Abatement Notice	Palmerston North	6-Aug-19	15(2A)	Cease the burning of prohibited items and dumping in property drain.
BROWNE, BI & VL	Abatement Notice	Palmerston North	6-Aug-19	15(2A)	Remove the remnants of the burning prohibited items.
Manawatu District Council	Abatement Notice	Manawatu	18-Sep-19	15(1)(b)	Cease the discharge of contaminants to surface water.
Rewa Valley Limited	Abatement Notice	Rangitikei	6-Sep-19	15(1)(b)	Install effluent pond
Philip John Hayward	Abatement Notice	Whanganui	19-Aug-19	15 (2)	Cease the discharge of smoke and burning prohibited items
Murray John Spiers	Abatement Notice	Horowhenua	27-Jul-19	15(2A)	Clean up non cleanfill material and dispose to an authorised facility.
Stephen Parlane	Abatement Notice	Palmerston North	2-Sep-19	15(2A)	Cease the discharge of smoke and burning prohibited items

Vaughn Dennison	Abatement Notice	Manawatu	13-Sep-19	15(2A)	Cease burning of prohibited materials
Vaughn Dennison	Abatement Notice	Manawatu	13-Sep-19	15(2A)	To undertake clean-up of burnt prohibited materials
Kintail Properties Limited	Abatement Notice	Horowhenua	10-Sep-19	9(2) & 15(1)(b)	Cease unauthorised earthworks
Kintail Properties Limited	Abatement Notice	Horowhenua	10-Sep-19	9(2) & 15(1)(b)	Undertake stabilisation of unauthorised earthworks
Charlie Greenwood	Abatement Notice	Palmerston North	17-Sep-19	15(2A)	Cease burning offensive smoke beyond the boundary
Te Ngaio Co Ltd	Infringement notice	Horowhenua	1-Aug-19	15(1)(b)	Discharge of contaminant to land
Philip John Hayward	Infringement notice	Whanganui	10-Aug-19	15(2A)	Burning Prohibited items
Stephen Merose Parlane	Infringement notice	Palmerston North	31-Aug-19	15(2A)	Burning Prohibited items
Vaughn Robert Dennison	Infringement notice	Palmerston North	2-Sep-19	15(2A)	Burning of Prohibited Items
Charlie Greenwood	Infringement notice	Palmerston North	10-Sep-19	15(2A)	Objectionable odour and smoke
DLR Farms Ltd	Infringement notice	Rangitikei	28-Aug-19	15(1)(b)	Discharge of contaminant to land where it may enter water
Caroua Farms limited	Infringement notice	Manawatu	13-Sep-19	15(1)(b)	Discharge of contaminant to land where it may enter water
AK Buckman	Infringement notice	Manawatu	18-Sep-19	14(2)(a)	Removal of flow meter from water take
Warren & Janice Haworth	Infringement notice	Manawatu	26-Sep-19	15(1)(b)	Discharge of contaminants to land where it may enter water

## 11. SIGNIFICANCE

11.1. This is not a significant decision according to the Council's Policy on Significance and Engagement.

Greg Bevin  
**REGULATORY MANAGER**

Nic Peet  
**GROUP MANAGER STRATEGY & REGULATION**

### ANNEXES

- A Whakapapa WWTP Request for Update
- B Compliance Monitoring Policy
- C Horizons Enforcement Guidelines
- D Wastewater Reporting as of 30 September 2019
- E Compliance Assessment Guideline for Individual Consents



26 September 2019

ERM< 04 03  
APP-2011014564.02 JM:LB

Department of Conservation  
Via email: [tmoore@doc.govt.nz](mailto:tmoore@doc.govt.nz)

Dear Tamzin,

**DEPARTMENT OF CONSERVATION – WHAKAPAPA WASTEWATER TREATMENT PLANT – REQUEST FOR AN UPDATE**

The Department of Conservation's ("DOC") application for resource consents associated with the Whakapapa Wastewater Treatment has been on 'hold' following the notification of the consents. Through this process it is understood DOC have been considering some of issues raised by submitters along with considering the location of the proposed discharge.

It is understood that DOC are looking to relocate the discharge area outside of the Tongariro National Park and is in the process of considering two sites. While it is good to see progress is being made and there is an ongoing dialogue with the submitters, there has been a significant delay in progressing the consent application. Until the re-consenting of the discharge is progressed the site continues to operate under the existing consent.

A compliance assessment has been undertaken for the site and the discharge. This assessment shows the site is unable to comply with the conditions and requirements of the consent. From the compliance assessment the existing discharge is having a significant effect on the Stream.

Given the location and extent of non-compliances with the existing consent, there needs to be progress on resolving the consent. While I appreciate it takes time to discuss the various options with submitters and iwi there needs to be progress made towards finalizing the preferred option.

To this end, I would appreciate an updated timetable with key dates and steps outlining the following: a finalised decision on which site will be used outside of the park and details of when a new consent will be lodged with Council.

As part of the new consent (irrespective of discharge areas), consideration will need to be given to Te Awa Tupua (Whanganui River Claims Settlement) Act 2017. Please ensure that the consent application gives consideration to the values identified within Te Awa Tupua. This may mean that in addition to talking to local iwi the final proposal



should be discussed with Nga Tangata Tiaki and the office of Te Pou Tupua to seek their views prior to the consent being lodged.

If you have any questions, please feel free to contact Jasmine:  
[jasmine.mitchell@horizons.govt.nz](mailto:jasmine.mitchell@horizons.govt.nz).

Kind regards



Nic Peet  
**GROUP MANAGER, STRATEGY AND REGULATION**





**AUTHOR:**  
Greg Bevin  
Regulatory Manager

**FRONT COVER PHOTO:**  
Effluent pond with pump

<b>CONTACT:</b>	24 hr freephone 0508 800 800		help@horizons.govt.nz		www.horizons.govt.nz
<b>SERVICE CENTRES:</b>	Kairanga Cnr Rongotea and Kairanga-Bunnythorpe Roads Palmerston North  Marton 19-21 Hammond Street  Taumarunui 34 Maata Street	<b>REGIONAL HOUSES:</b>	Palmerston North 11-15 Victoria Avenue  Whanganui 181 Guyton Street	<b>DEPOTS:</b>	Taihape Torere Road Ohotu  Woodville 116 Vogel Street
<b>POSTAL ADDRESS:</b>	Horizons Regional Council, Private Bag 11025, Manawatū Mail Centre, Palmerston North 4442				F 06 9522 929

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## 1 Purpose

This policy sets out Horizons Regional Council's (Horizons) approach to monitoring compliance of activities that occur under the Resource Management Act 1991 (RMA) and how it will monitor compliance to achieve environmental outcomes that are consistent with the purpose of the RMA<sup>1</sup>. To this end regard has also been given to the Ministry for the Environment Best Practice Guidelines for Compliance Monitoring and Enforcement<sup>2</sup>.

### PURPOSE OF THE RMA

(1) The purpose of this Act is to promote the sustainable management of natural and physical resources.

(2) In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—

(a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and

(b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and

(c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.

As an effective regulator Horizons' role and responsibility is to monitor activities occurring within the region that are regulated under its regional plan, national environmental standards, resource consents and regulations, to ensure activities are being undertaken in manner that is compliant with these documents and thereby achieving the environmental outcomes expected by the regional community.

<sup>1</sup> This policy should also be read in conjunction with the document titled Horizons Enforcement Guidelines, dated November 2014.

<sup>2</sup> Ministry for the Environment 2018, Best Practice Guidelines for Compliance Monitoring and Enforcement under the Resource Management Act 1991.



## 2 Principles of compliance monitoring

Horizons has a statutory duty to monitor compliance with the documents mentioned above and to ensure the provisions of both the RMA and its plans are enforced.<sup>3</sup> Monitoring and taking appropriate enforcement action ensures the RMA's underlying purpose of sustainable management is achieved.

Horizons will take a graduated approach to compliance which ensures that responsible and compliant resource users are acknowledged while those who are not are in the first instance made aware of their obligations or, where necessary, held accountable for their breach. Figure 1 illustrates this approach.

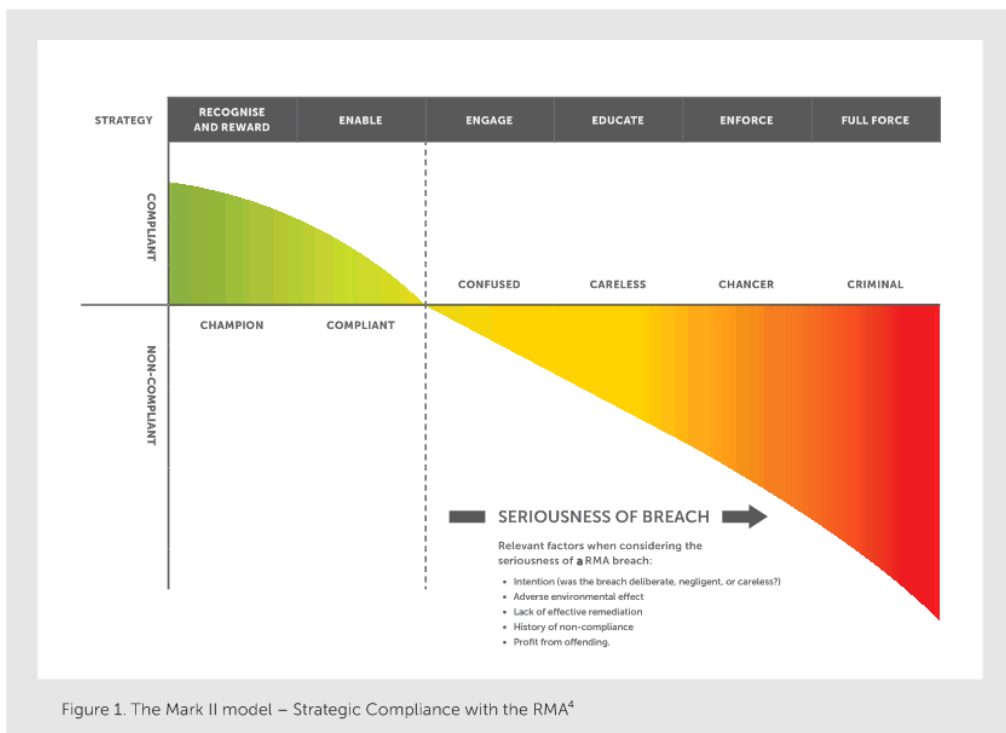


Figure 1. The Mark II model – Strategic Compliance with the RMA<sup>4</sup>

To this end when meeting its statutory obligations of compliance monitoring, Horizons will adhere to the following principles<sup>5</sup>:

- 1. Transparent:** Being clear to the regulated community about the standards and requirements for compliance to be achieved. To this end, information will be made available to the general public about industry environmental performance and actions taken by Horizons to address non-compliance.
- 2. Consistent:** What we do and how we do it will be consistent with the relevant legislation and within Horizons legislative authority. To ensure public confidence in its compliance programmes it is important our approach to compliance and decisions are made consistently regardless of the person, organisation or activity under consideration.

<sup>3</sup> Sections 35 and 84 of the RMA.

<sup>4</sup> Compliance and Enforcement Special Interest Group, Regional Strategic Compliance Framework 2019-2024.

<sup>5</sup> These principles are based on those detailed in document titled Regional Sector Strategic Compliance Framework 2019-2024 and the document titled Horizons Regional Council, Enforcement Guideline, dated November 2014.



3. **Fair, reasonable and proportionate:** Regulatory intervention is a natural outcome of undertaking compliance monitoring. Equality before the law and the regulated community is fundamental to the credibility of any compliance monitoring system. To this end all persons will be impartially and fairly treated by Horizons using the same process, regardless of the type and nature of resource use.
4. **Evidence based and informed decision making:** Evidence and fact will be used to inform Horizons compliance programme and associated compliance decisions.
5. **Collaborative:** Where appropriate, Horizons will work with other regulators, stake holders and industry groups to ensure the best compliance outcomes are achieved for the region.
6. **Lawful, ethical and accountable:** In fulfilling its functions, Horizons will act lawfully and impartially, and will document and take responsibility for the regulatory decisions and actions taken.
7. **Targeted:** Horizons will focus on the most important issues and activities taking into account our finite resources and key risk factors. Focus, will also be on those poor performers and non-compliant activities that pose the greatest risk to the environment.
8. **Responsive and effective:** Where non-compliance is identified Horizons will respond in an effective and timely manner to ensure impacts to the environment are appropriately remedied or mitigated.

## 2.1 RISK BASED MONITORING

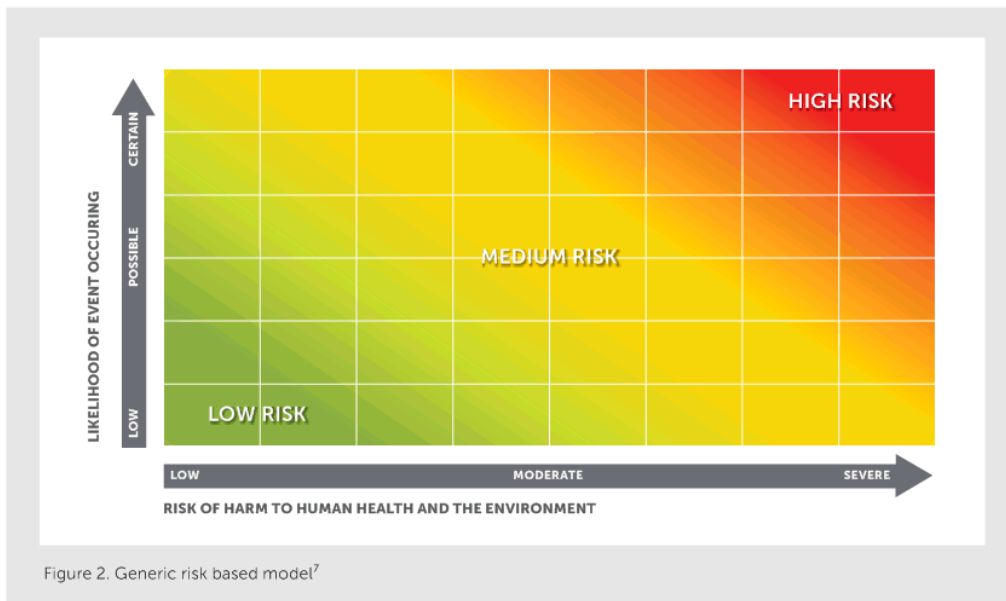
*"The regulator resources are inevitably scarce, so effectively implementing a regulatory regime will require the regulator to prioritise its effort. How the regulator prioritises its effort will also be crucial to the success of the regime of meeting its intended outcomes"<sup>6</sup>*

Horizons, like other regional councils, face challenges associated with increases in land intensification, the implementation of new and/or improved infrastructure (road construction, storm water management and wastewater treatment), and the implementation of new rules, regulations and national environmental standards.

As Horizons has a finite resource in relation to compliance monitoring, there is a need to utilise this resource in a strategic and risk based manner to ensure we can achieve the best possible outcomes for our community.

<sup>6</sup> New Zealand Productivity Commission  
– Regulatory institutions and practices, June 2014, pg 5.





In determining risk associated with monitoring consented activities Horizons takes into consideration the following factors:

- Actual and potential effects<sup>8</sup>;
- Nature and scale;
- Compliance history;
- Public profile or interest, including tangata whenua expectations; and
- Complexity of resource consent(s).

Consideration of these factors will determine whether the activity is high, medium or low risk, which in turn will determine the frequency by which an activity is monitored, with higher risk activities being subjected to more intensive monitoring than lower risk activities. This ensures Horizons finite resources are directed to those activities that pose a greater risk to the environment.

## 2.2 IWI IN COMPLIANCE

Horizons has a number of legislative and other obligations to Māori under the RMA and various Treaty Settlements with iwi in its region.

Horizons approach to compliance monitoring and enforcement recognises the unique relationship that Māori have with the environment and the specific functions that iwi have under the RMA in relation to the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga<sup>9</sup>, kaitiakitanga<sup>10</sup> and the ethic of stewardship<sup>11</sup>.

In this regard, when designing compliance programmes, the importance of particular activities to iwi are considered. For instance, where activities have been

subject to a resource consent process that has had a high level of iwi interest this will be a factor considered in determining the overall risk profile of the activity.

In addition to this, where serious issues of non-compliance occur within a particular rohe, iwi will be informed of the non-compliance, and without compromising the integrity of any investigation, Horizons will endeavour to keep iwi informed of progress in the investigation. Horizons will also seek to obtain Cultural Impact Statements (CIA) from iwi regarding non-compliances subject to comprehensive investigations.

<sup>7</sup> Compliance and Enforcement Special Interest Group, Regional Strategic Compliance Framework 2019-2024.

<sup>8</sup> This includes assessing the toxicity of any discharge, value of the receiving environment and any actual or potential adverse effects.

<sup>9</sup> Section 6(e), RMA 1991. <sup>10</sup> Section 7(a), RMA 1991. <sup>11</sup> Section (7)(aa), RMA 1991.



## 3 Compliance monitoring of activities

The following details the main activities that make up compliance monitoring under the RMA. These include, undertaking proactive site inspections of consented activities, reviewing information such as annual reports, management plans and environmental data supplied by a consent holder, responding to environmental complaints from members of the public and dealing with non-compliances identified.

### 3.1 SITE VISITS

Site visits are effectively visiting regulated activities on a proactive basis to assess compliance with conditions of a resource consent, rules in a plan, national environmental standards or regulations. Typically, the site visit will focus on the conditions that can be assessed during the site visit. These can include conditions that control matters such as ponding of effluent on the land surface, irrigation of wastewater within allowed buffer distances, odour beyond the property boundary, installation and operation of environmental controls and visually assessing in river conditions where appropriate. Effectively the site visit provides a 'snap shot' in time of how an operation is complying with any of these documents.

### 3.2 REVIEWING INFORMATION FROM CONSENT HOLDERS

It is now common that consent holders are required to provide information as part of their resource consents. Depending on the size and scale of the operation and the complexity of the resource consent the amount of information that is to be provided can vary greatly. For example a small stock water take in an under allocated catchment may be required to provide annual records of the volume of water taken, whilst a large industrial operation may require the provision and assessment of numerous site management plans (e.g. Odour Management Plans, Discharge to Land Management Plans, Erosion and Sediment Control Plans) and also the provision of information either on an automatic basis (such as discharge volumes) and either quarterly and/or annual monitoring reports. All this information has to be assessed to determine whether the consent holder is complying with its resource consent.



### 3.3 PROACTIVE MEASURES

Where appropriate Horizons will work with industry to assist in improving both capability and capacity to improve compliance. This may include facilitation of workshops, such as those focused on erosion and sediment control. However, it is important to note these endeavours in no way compromises Horizons role as a regulator and ultimately it is the resource users responsibility to ensure they have the requisite capability and capacity to comply.

### 3.4 COMPLAINTS

Complaints are received from the general public in relation to environmental matters. These complaints are important as Horizons cannot be in all places at once, and complainants often act as another source of information.

Complaints are categorised based on risk and in determining its response Horizons takes into consideration the factors noted in section 2.2 above.

### 3.5 INVESTIGATIONS AND DEALING WITH NON-COMPLIANCE

Where non-compliance is identified, Horizons will respond in a manner that is proportionate to the overall circumstances of the non-compliance.

Where a failure to comply has occurred, Horizons will investigate. The aims of any investigation include:

- Determining whether there has been a failure to comply with a resource consent, rule in the regional plan, national environmental standard or regulation;
- Determining the nature and scale of any effect the failure to comply has had on the environment;
- Collecting admissible evidence that, if required, can be used in criminal prosecutions;
- Promoting both specific and general deterrence;
- Achieving an appropriate outcome within a reasonable timeframe; and
- Giving the public confidence in the integrity of the compliance monitoring and regulatory system.

In the event non-compliance is identified, Horizons will either commence a minor or comprehensive investigation. The former generally relates to low level non-compliances, whilst the latter is where the non-compliance is serious and evidence is collected that is likely to end up before the courts. In addition to the factors detailed above, Horizons will, in determining whether the investigation is minor or comprehensive, consider the culpability of the person(s) involved, the duration of the non-compliance and any financial benefit obtained through delaying or avoiding non-compliance. These and other matters are detailed in the Horizons Enforcement Guidelines.





## 4 Cost recovery

Horizons will seek to recover the costs associated with its compliance monitoring obligations. This is provided for under section 36(1) (c) and (cc) of the RMA.

How Horizons recovers its costs are detailed in its Annual Plan each year. In setting its cost recovery model Horizons is conscious that costs associated with monitoring should fall onto those resource users who are subject to monitoring, as opposed to the general ratepayer.

In the event that non-compliance is identified, Horizons will seek to recover all its actual and reasonable costs. This approach is consistent with the polluter pays principle.







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## Who within Horizons will make decisions on compliance monitoring

In order to have a compliance monitoring programme, which ensures impartiality, fairness and consistency it is essential that decisions relating to compliance are made objectively and are free from political or public pressure<sup>12</sup>. In order to ensure the independence and integrity of its compliance monitoring programme and decision making process, Horizons has delegated decisions to specific positions, with the delegation for prosecution lying with the Chief Executive or Group Manager Strategy and Regulation.

Publicly elected representatives are not involved in such decisions and acknowledge the importance that they are not perceived to be involved in influencing Horizons' compliance programme and associated decision making functions.

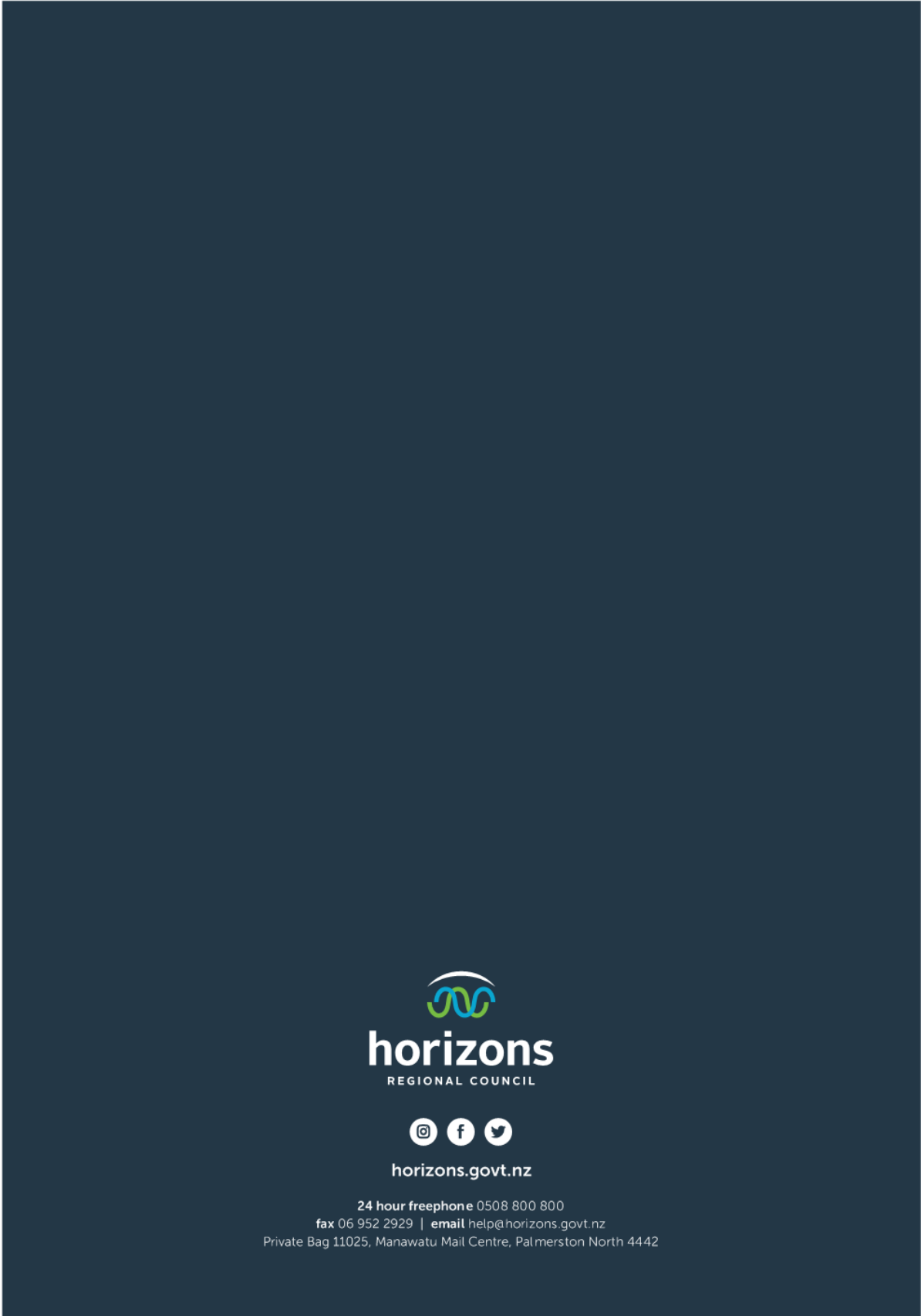
For this reason members of the community who are subject to compliance monitoring and/or investigation should direct any queries they have to Horizons officers, who will then respond. Publicly elected representatives will direct any enquiries made to them by constituents in relation to specific compliance matters to Horizons officers for a response.

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## Review

Compliance Monitoring and Enforcement (CME) is a dynamic and challenging environment. To this end, this policy will be reviewed, as a minimum, once every 3 years to take into account any changes associated with CME best practice development.

<sup>12</sup> This approach is consistent with the principles relating to enforcement decision making that are detailed in the Solicitor General Prosecution Guidelines, dated 2013, which states "... the independence of the prosecutor refers to the freedom from undue or improper pressure from any source, political or otherwise..."



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HORIZONS REGIONAL COUNCIL  
ENFORCEMENT GUIDELINE



November 2014

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#### INTRODUCTION – WHY IS ENFORCEMENT OF THE RMA SO IMPORTANT TO OUR COMMUNITY?

The Resource Management Act 1991 (the “RMA” or “the Act”) is designed to promote the sustainable management of natural and physical resources.<sup>1</sup>

In order to achieve its purpose the Act provides for the development and implementation of regional plans and resource consents.

Horizons has a statutory duty to monitor compliance with consents it has issued, and to ensure that the provisions of both the RMA and its plans are enforced.<sup>2</sup> Such enforcement ensures that the RMA’s underlying purpose of environmental sustainability is achieved.

As a prosecuting authority, Horizons is also subject to a number of important legal obligations. Those obligations are for the benefit of the community and are to ensure enforcement decisions of Council are:

- Consistent;
- Transparent;
- Impartial; and
- Certain.

Generally for environmental enforcement to encourage compliance individuals and organisations must believe that:

- There is a high probability of being caught;
- The response to non-compliance will be swift, certain and fair; and
- The punishment will be severe enough to outweigh the benefits of non-compliance.<sup>3</sup>

In general regulated communities can be divided into three categories: (1) those who will not comply unless they are forced to; (2) those who might comply if presented with incentives, knowledge or capacity to do so; and (3) those who will co-operate and comply in all circumstances.<sup>4</sup>

A regulator which fails to hold the non-compliant to account does a disservice to the majority of resource users who co-operate and comply in all circumstances. It also acts as a disincentive for those who would otherwise comply because it fosters a “why bother” mentality.

Horizons is committed to achieving the environmental outcomes required by the RMA through an effective regulatory function. In order for that regulatory function to be effective resource users need to understand their obligations and to be held to them.

<sup>1</sup> Section 5 RMA.

<sup>2</sup> Sections 35 and 84 of the RMA.

<sup>3</sup> International Network for Environmental Compliance and Enforcement. April 2009. Principles of Environmental Compliance and Enforcement Handbook.

<sup>4</sup> Ibid.

Horizons will take a graduated approach to compliance which ensures that responsible and compliant resource users are acknowledged and supported, while those who are not are in the first instance made aware of their obligations or, where necessary, held accountable for their breach.

The Courts have also recognised that enforcement processes under the RMA seek not only to punish offenders but also achieve important economic and educational goals.<sup>5</sup> Economic considerations are important because polluters force the true cost of their activity onto the rest of the community by causing harm to the environment. One aim of prosecutions under the RMA is to encourage polluters to internalise the costs of their activity by imposing financial costs or penalties for non-compliance.<sup>6</sup>

#### WHAT IS THE PURPOSE OF THIS ENFORCEMENT GUIDELINE?

The purpose of this guideline is to:

- Provide guidance to Horizons in respect of the discharge of its obligations as an enforcement agency under the RMA.
- Provide the community with an understanding of how Horizons approaches enforcement of the environmental legislation it administers, including the exercise of its discretion to prosecute.
- Explain how Horizons makes a decision on the form of enforcement action it will take, and set-out the factors Horizons considers when making that decision.
- Explain the importance of the independence of the enforcement functions of Horizons, and the need to ensure that they are both free and seen to be free from any form of inappropriate influence.
- Encourage a culture of compliance with the RMA, national environmental standards, regulations, plans and consents issued under the Act.

#### PRINCIPLES INFORMING GOOD ENFORCEMENT DECISIONS

In preparing these guidelines, and considering enforcement actions, Horizons will be guided by 5 key principles:

##### *Proportionality*

The response taken by Horizons in relation to detected breaches of the Act, plans, or resource consents will be proportionate to the seriousness of the misconduct.

The seriousness of the misconduct can be assessed by reference to factors beyond the significance of any adverse environmental effects caused by the activity. For instance, the environmental compliance history of a party may be an important factor relevant to a consideration of a proportionate response.

<sup>5</sup> *Thurston v Manawatu-Wanganui Regional Council*, High Court Wellington, 27/8/10, Miller J, at [44].

<sup>6</sup> *Ibid.*

### *Fairness and Impartiality<sup>7</sup>*

Equality before the law is a fundamental aspect of any credible enforcement system and gives greater public confidence in enforcement decisions.

All persons will be impartially and fairly treated by Horizons using the same process of enforcement regardless of the type and nature of resource use in issue.

### *Transparency*

An aspect of impartiality and equality of treatment is the need for transparency in decision-making. This guideline is an essential part of ensuring transparency and public confidence in the integrity of Horizons' enforcement decisions.

### *Consistency*

In maintaining public confidence in Horizons' enforcement decisions it is important that those decisions are made consistently regardless of the person, organisation, or activity under consideration.

### *Timely resolution*

Horizons will endeavour to exercise its discretion in a clear and timely manner that gives effect to the purpose and principles of the RMA while avoiding unnecessary costs for the ratepayer.

## **WHO WITHIN HORIZONS WILL MAKE ENFORCEMENT DECISIONS?**

In order to have an enforcement system which ensures impartiality and fairness it is essential that enforcement decisions are made objectively and free from political or public pressure. In order to ensure the independence and integrity of its enforcement decision making process, Horizons has delegated these decisions to specific positions, with the delegation for prosecution lying with the Chief Executive (CE).

Publicly elected representatives are not involved in such decisions and acknowledge the importance that they are not perceived to be involved in the discharge of Horizons' enforcement functions.

For this reason members of the community who are subject to investigation or compliance monitoring should direct any queries they have to council officers, who will then respond. Publicly elected representatives will direct any enquiries made to them by constituents in relation to specific enforcement and compliance matters to Horizons officers for a response.

<sup>7</sup> The Crown Law Office has promulgated prosecution guidelines for the conduct of indictable trials for indictable offences. Those guidelines note, at section 4, the following in relation to the need for independence of decision-making when exercising prosecutorial discretion:

*"The universally central tenet of a prosecution system under the rule of law in a democratic society is the independence of the prosecutor from persons or agencies that are not properly part of the prosecution decision-making process.*

*In practice in New Zealand the independence of the prosecutor refers to freedom from political or public pressure. All government agencies should ensure whenever it is reasonably practical to do so, that the initial prosecution decision is made by legal officers independently from other branches of the agency and acting in accordance with the [Prosecution Guidelines]."*

#### **COST RECOVERY**

Horizons will fulfil its enforcement duties in an efficient and cost effective way. This means that Horizons must make decisions allocating finite financial resources to the areas of highest priority or where they will have the greatest impact.

In order to ensure environmental compliance is not, nevertheless, compromised through a lack of funds, Horizons will recover as far as possible the costs associated with enforcement from those who fail to comply with their environmental obligations.

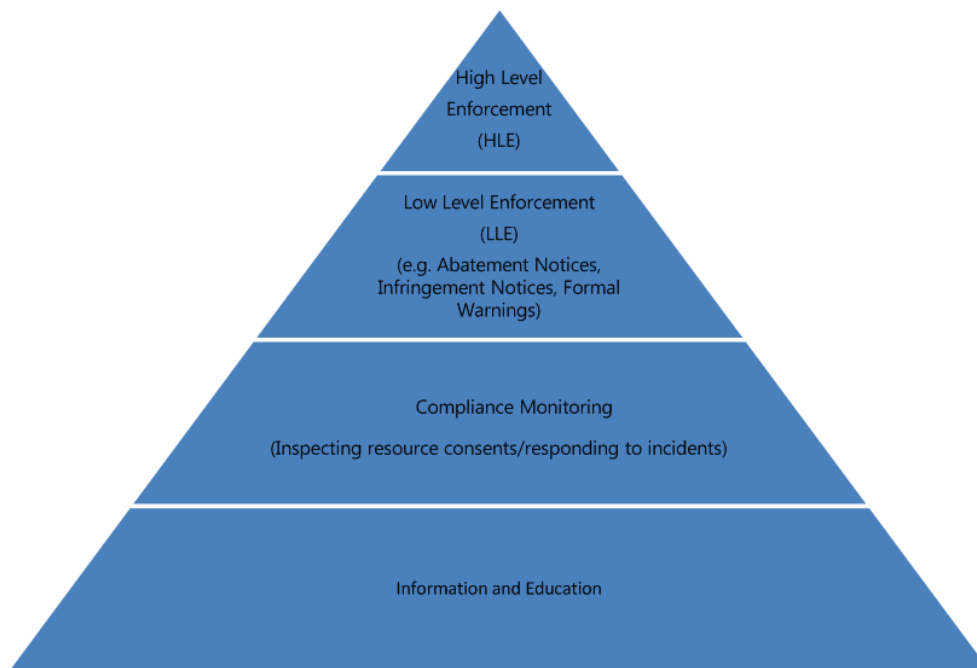
#### **COUNCIL APPROACH TO ENFORCEMENT DECISIONS**

Horizons expects all resource users to be aware of their obligations and to comply with them. Horizons will make compliance easy by providing information and education about environmental obligations to resource users.

As a result of the diversity of circumstances affecting each enforcement decision it is necessary to have flexibility and discretion in relation to enforcement decisions.

That said, the requirements of fairness and impartiality, consistency, transparency and proportionality require decisions to be made within a decision making framework which is publically known and in keeping with best practice.

Horizons have a number of tools available to it to achieve environmental compliance. Those enforcement tools range from the provision of information and education to those undertaking regulated activities, right through to the laying of criminal charges before a court. Diagrammatically the hierarchy of enforcement tools can be represented as follows



#### *Information and education*

The provision of information and education is likely to be the best option where there has been a high degree of voluntary compliance, a good previous environmental track record, and the adverse effects of the misconduct fall toward the lower end of the scale. Voluntary compliance is more likely to be achieved when people understand what it is they need to comply with.

#### *Compliance monitoring*

Here Horizons will proactively monitor resource consents and respond to incidents in order to determine compliance and detect non-compliance. Compliance monitoring can contain a component of advice and education, but there will be a real possibility that monitoring will be escalated to more serious enforcement action if non-complying activities are not rectified promptly.



*Low level enforcement (LLE)*

This lower level enforcement action encompasses formal warnings, and infringement and abatement notices.

*High level enforcement (HLE)*

High level enforcement consists of criminal prosecutions, enforcement orders and interim enforcement orders. These are generally used for the most serious types of offending or where there is a poor record of environmental compliance. They are therefore the most infrequently used measures.

While in many cases it will be appropriate for Horizons to commence with information and education provision or compliance monitoring before reverting to low or high level enforcement, there will be cases where, by virtue of the impact on the environment or other relevant criteria, resorting to low or high level of enforcement as a first response is appropriate. Once again the considerations set out in this guideline will help inform Horizons' decisions in relation to which form of enforcement procedure will be appropriate in the circumstances.

**ENFORCEMENT OPTIONS**

*Compliance monitoring reports and advisory letters*

Compliance monitoring reports and/or advisory letters provide detailed feedback on compliance with the terms of a resource consent and rules in the regional plan.

Compliance monitoring reports and advisory letters can be viewed as a written notice requiring certain actions to be taken to achieve compliance with the RMA or to protect the environment. Failure to act in accordance with a compliance monitoring report may result in an escalation of the enforcement response.

*Formal Warning*

A formal written warning is a notice to an alleged offender stating an offence has been committed. Such a warning may be given when:

- A minor or technical breach has occurred;
- The environmental damage or impacts are minimal;
- The matter is one which can quickly and simply be put right;
- There appears to be no risk of on-going or repeat noncompliance.

*Infringement notices*

Where a resource consent or a rule in a regional plan, or a national environmental standard or other regulations has been breached, Horizons can issue an infringement notice.

An infringement notice is a written notice of an alleged offence under the RMA. An infringement notice requires the payment of a fee amount fixed by regulations, or a request to have the matter heard in Court. Payment of the fine does not lead to the recording of a criminal conviction.

#### *Abatement notice*

An abatement notice is a formal written notice that the RMA specifies can be issued only by a warranted enforcement officer, requiring certain actions to be taken or to cease within a specified time where there is or is likely to be a contravention of the RMA and/or a breach of a plan or resource consent.

#### *Enforcement order*

An enforcement order is an order made by the Environment Court that may require certain actions to be taken or ceased, or money to be paid, within a specified time.

An enforcement order is similar to an injunction, and does not result in a conviction or a criminal record.

#### *Prosecution*

Horizons has the power to lay a charge (a charging document) before the District Court for offences under the RMA and to prosecute such charges thereafter. Offences under the RMA are considered criminal matters, which may result in persons having criminal convictions.

#### **WHAT FACTORS WILL HORIZONS CONSIDER WHEN DECIDING THE FORM OF ENFORCEMENT ACTION TO TAKE?**

When deciding whether to take enforcement action, and if so of what kind, there are a number of criteria which need to be considered in every case. These are:

- The seriousness, imminence and likely permanence of adverse environmental effects, including, consideration of such factors including:
  - The magnitude of adverse effects;
  - The nature of the receiving environment;
  - Whether the effects are permanent or are of long duration; and
  - The risk of further potential follow-on adverse effects.
- Past and present conduct of the resource user, including consideration of:
  - Whether the event was deliberate or accidental;
  - The environmental compliance history of the alleged offending;

- Whether the incident could have been readily avoided;
- The apparent commitment of the resource user to ensure compliance (both past and present);
- Any documented warnings or requests made to the resource user;
- Any steps to remediate or mitigate the adverse environmental effects; or
- Demonstrated remorse.
- Significance of the alleged offending to the community, including consideration of:
  - The prevalence of the form of offence;
  - The need for deterrence;
  - The general presumption that where there is evidence of an offence a prosecution will follow;
  - The value of sensitivity of the area of natural resources affected;
  - Any profit or other benefit derived as a result of the alleged offending
  - The degree of general and specific deterrence called for;<sup>8</sup>
  - Any relevant special circumstances, such as the intervention of an extreme weather event or other events outside the control or reasonable contemplation of the resource user;
  - Adverse effects on other members of the community and/or resource users (victim impact); and
  - Considerations of fairness and balance.
- The failure or ineffectiveness of previous compliance promotion measures, including:
  - Implications for ensuring that the purpose of the RMA is achieved; and
  - The cost-effectiveness of the approach in terms of anticipated environmental outcomes.

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<sup>8</sup> General deterrence is the deterrent to resource users other than the alleged offender. A personal deterrent is a future deterrence personal to the offender.

#### FURTHER CONSIDERATIONS RELEVANT TO HIGH LEVEL ENFORCEMENT

High level enforcement such as prosecutions and applications to the Environment Court for enforcement orders will only be commenced where Horizons is satisfied that the evidence which can be adduced in court is sufficient to provide a reasonable prospect of success (an evidential sufficiency test).

This consideration is important because commencing a prosecution is a significant action and may have long lasting implications for a defendant. In addition the commencement of proceedings may involve a significant cost and Horizons will satisfy itself that the commitment of financial resources to such steps is a prudent use of rate payer moneys prior to commencing high level enforcement action.

Four factors will be considered before commencing a prosecution:

- First, whether the evidential sufficiency test is met;
- Whether a prosecution is considered to be in the public interest;<sup>9</sup>
- Whether the environmental effects of the breach are such as to warrant court action; and
- The culpability of the offender.

Before commencing a prosecution Horizons will seek legal advice on the matters listed above.

#### ALTERNATIVE ENVIRONMENTAL RESOLUTION (RESTORATIVE JUSTICE)

Once charges have been laid an alleged offender is able to approach Horizons with information relevant to a possible defence or to negotiate the withdrawal of some charges on a without prejudice basis. These discussions normally occur between the defendants and Horizon's legal representatives.

Such discussions are not appropriate before a prosecution has been commenced or while Horizons is completing any investigation or considering whether to take enforcement action.

Restorative justice is an alternative process where an offender can make good the harm they have caused having accepted culpability or guilt. This process occurs within the Court system and has the following general requirements:

- The person(s) enter guilty pleas at the appropriate time and accepts responsibility;
- There is genuine remorse for what has happened and a will to put things right;
- The extent of the environmental harm caused is low and/or readily remedied;

<sup>9</sup> As defined in the Crown Law Office's *Prosecution Guidelines*, July 2014.

- Same or similar offending has not occurred in the past (i.e. the person(s) concerned does not have previous warnings, abatement notices, convictions or the like).

It is important to note the restorative justice process is not a 'soft option' in that the outcomes of this process are likely to be more demanding than what the court may have imposed by way of sentence.

In considering whether to enter into a Restorative Justice process Council will adopt a 'high threshold' in assessing whether the above criteria has been satisfied. While this may not necessarily exclude more serious offending, it is likely to exclude deliberate or repeat offending where remorse remains questionable despite guilty pleas.

Appendix 1 sets out the restorative justice process ("RJP") and requirements which Horizons will follow.

#### COMMUNICATION

Where appropriate Horizons will ensure appropriate communications occur with all relevant parties as part of an investigation or as a response to a non-compliance. This is to ensure people are aware of their responsibilities and Horizons' potential responses. To this end Horizons will follow an enforcement communication protocol. This entails:

- Where possible Horizons will provide interim updates and/or advice about an investigation into a contravention of the RMA. This will occur after Horizons has sought legal advice and considered the matters detailed below.
- Horizons will advise alleged offenders of the outcome of any enforcement decision.

When communicating to the public through the media in relation to enforcement action there are five key principles Horizons will adhere to:

- Avoiding prejudice to fair trial interests;
- Supporting the administration of justice and the integrity of the criminal justice system;
- Respecting the principle of open justice;
- Recognising the public interest in receiving accurate information about the criminal justice system and criminal prosecutions; and
- Treating victims of crime with courtesy and compassion, and respecting their dignity and privacy.<sup>10</sup>

Whilst a matter is being investigated comments are rarely appropriate and if comment is made it will be limited to providing an explanation as to the general

<sup>10</sup> Crown Law, *Media Protocols for Prosecutors*, issued January 2010.



issues raised and not address a particular case or its circumstances.<sup>11</sup> As noted above prior to making any comment legal advice will be sought.

Once charges have been laid Horizons has a specific obligation to avoid prejudicing a fair trial or hearing. To this end comment can be made regarding:

- The general nature of the charges;
- Once the defendant has appeared in Court the name, age and residence (town or city or region only) of the defendant (subject to name suppression or other rules);
- Date and location of next Court appearance;
- Guidance on the type of hearing (e.g. remand, committal, plea, pre-trial hearing etc);
- Information about what happened procedurally with the case (e.g. whether the case has been discontinued, or the charges reduced); and
- Names of the prosecution and defence representatives/counselors that appeared in Court.<sup>12</sup>

In general Horizons **will not** make comment on the following matters before a conviction:

- Any previous convictions of the accused whether directly or indirectly unless these have being ruled admissible and referred to in open Court;
- Personal information, address or telephone numbers of witnesses and victims unless there is express consent and in some cases, defendants
- Personal opinions in relation to a particular case, especially about the outcome of a hearing, an individual's guilt or innocence or a sentencing outcome; and
- Comment on any judicial decision other than to summarise or explain the effect of the decision.<sup>13</sup>

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<sup>11</sup> Ibid page 3.

<sup>12</sup> Ibid.

<sup>13</sup> Ibid.

#### APPENDIX 1 – RESTORATIVE JUSTICE PROCESS (RJP)

The RJP will be initiated following the decision to prosecute and the issue of court summons. The delegation to initiate this process lies with the Chief Executive Officer.

Once this occurs Horizons may approach the defendant(s) and invite them to participate in a RJP. An offer to participate in a RJP may be made at the time of the service of the summons. The offer will be in the form of a written letter.

Any acceptance to participate in a RJP must be in writing to Council. The acceptance offer must include an intimated guilty plea.

Horizons will consider a RJP having considered the following matters where the following circumstances exist:

- The defendant(s) admit their guilt and accept responsibility for the offending;
- The environmental effects of the offending are minor and/or easily remedied;
- The culpability of the defendant(s) is low (e.g. offending was due to an accident);
- The offending is a one-off, with the defendant concerned having no previous warnings, non-compliances or enforcement action in relation to the same or similar conduct;
- The defendant(s) show genuine remorse for the offending;
- There is a strong desire by the defendant(s) to put things right;
- There is no financially adverse impact on Horizons and its cost recovery guideline; and
- The existence of any other factors which Horizons considers relevant (for instance, if ill health or age was a factor which contributed to the offence).

Where Horizons decides to undertake a RJP process this will require the defendant to enter into a written Restorative Justice Agreement (RJA). This agreement may require the defendant(s) to:]

- Contribute money to an appropriate environmental and/or research project that relates to the natural resource affected by the offending.
- Agree to undertake, at their cost, investigations to determine the environmental effects of the offending and possible remediation/mitigation required;
- Undertake, at their cost, remedial/mitigation works to the satisfaction of council;

- Accept an amended compliance monitoring regime (e.g. 3-4 inspection per year, with certain inspections being non-notified) until such time as full compliance is consistently achieved;
- Provide Horizons with environmental management plans and/or procedures detailing how they will achieve compliance on an ongoing basis. These plans/procedures will have to approved by Horizons;
- Undertake infrastructural up-grades to ensure compliance is achieved; and
- Publicly acknowledging their wrong doing and remorse.

A RJP can be initially proposed by either Horizons or a defendant. Whether a RJP is appropriate will nevertheless be determined by Horizons at its sole discretion and after it has carefully considered the above factors. Horizons may also seek legal advice.

A RJA is to be formalised between the defendant (or their legal representative) and the Group Manager, Strategy and Regulation.

Where the defendant(s) has met all the terms of the RJA, Horizons will advise the Court accordingly. However, it is important to note the decision as to the final penalty ultimately lies with the Court. In the event a defendant(s) fails to meet the terms of a RJA, Horizons may at its sole discretion cancel the RJA and pursue more formal enforcement action, including a continuation of a prosecution. This ensures the RJP is only available to those defendants who genuinely accept responsibility for their offending by strictly meeting the terms of the RJA.

Wastewater Reporting as of 30 September 2019 (note \* = not included in this years programme; yellow highlighted are due assessment before end of financial year; ^=needs follow up)

Rangitikei District Council	Category	Operating under existing use rights	Stage in the consent renewal process	Current compliance status	Date of recent Assessment	Description of non-compliance	Action	Under assessment	Timeframe for Assessment Completion
Taihape	2			Significant Non Comply	15/07/19	Discharge Volume exceedance	MDC preparing application to either seek a variation to existing consent or seek a new consent		
Marion	1	Y	Application currently subject to section 37 time extension. RDC is considering option to centralise discharge into the Bulls WWTP	Significant non comply	2/05/19	Failing to meet discharge quality standards and monitoring requirements and no notification of non compliance	Request for information on how the non-compliances are being rectified and a timeframe detailing when full compliance will be achieved was requested by 31 July 2019. RDC have failed to provide this information and a further request has been made. Information is to be provided by 11 November. Enforcement action is now being considered.		November 2019
Hunterville	2		Application currently being considered.	Significant non comply	28/08/19	Discharge volume exceedance,	Variation application being processed.		
Bulls	2	Y	Application currently subject to section 92 hold. RDC is considering option to centralise discharges from Marion and Ohakea into the Bulls WWTP	Significant non Comply	2/05/2019	Exceeding daily volume, missing parameters required to be monitored	Explanation requested as to why the failures in monitoring as detailed above have occurred and how the Rangitikei District Council proposes to address discharge volume and water quality exceedances identified to Horizons Regional Council by 31 July 2019. RDC have failed to provide this information and a further request has been made. Information is to be provided by 11 November. Enforcement action is now being considered.		November 2019
Ratana	2	Y	Application currently subject to section 92 hold. RDC are now looking at alternate disposal options as land identified for land disposal is no longer available.	Significant non Comply	18/06/19	Discharge Volume exceedance	Requested explanation as to why the discharge has been consistently exceeding the maximum daily volume up until 7 September 2018 and why the discharge has not fluctuated since this date by 1 July 2019. RDC have failed to provide this information and a further request has been made. Information is to be provided by 11 November. Enforcement action is now being considered.		November 2019

Item 9

Mangaweka*	3			Low Risk Non – Comply	1/02/2019	Maintenance information and site inspection information has not been provided.	Information request, complied with		
Koitiata^	3			Significant non Comply	13/06/19	Ongoing non-compliance with providing Revegetation and weed control plan and Operation and maintenance / monitoring plan.	Plans requested by 1/07/19. RDC have failed to provide this information and a further request has been made. Information is to be provided by 11 November. Enforcement action is now being considered.		November 2019
Duddings Lake*	3			Comply	4/04/18	NA	NA		
<b>Horowhenua District Council</b>	<b>Category</b>	<b>Operating under existing use rights</b>	<b>Stage in the consent renewal process</b>	<b>Current compliance status</b>	<b>Date of recent Assessment</b>	<b>Description of non-compliance</b>	<b>Action</b>	<b>Under assessment</b>	<b>Timeframe for Assessment Completion</b>
Shannon	2			Moderate non compliance	19/09/18	Records/data not provided Minor exceedances of some results Missing signage	Information to be provided 31/10/19		
Waitarere*	3			Comply – At risk	29/05/18	Minor ponding in irrigation area	No further action required		
Levin Pot	2	Y	Currently before hearing panel for decision	Comply	6/09/19	Not applicable	NA	Y	November 2019
Levin WWTP	1			Comply	6/09/19	Not Applicable	NA	Y	November 2019
Foxton	2			Significant Non-Comply	24/10/2019	Discharge volume	This compliance grading relates to the old consent and information contained in the HDC annual report for the period July 2018 to July 2019. The old consent was replaced in February 2019. The new consent is due for assessment this financial year.	y	
Tokomaru^	3	Y	Conditions being drafted and circulated for consideration	Significant Non Comply	28/05/2018	Discharge Volume	Currently going through consent renewal process. No further action required.		
Foxton Beach	3			Low Risk Non Comply	8/11/18	Dissolved oxygen monitoring non-compliance not notified	DO monitoring now in place	y	8 October 2019
<b>Palmerston North</b>	<b>Category</b>	<b>Operating under existing use rights</b>	<b>Stage in the consent renewal process</b>	<b>Current compliance status</b>	<b>Date of recent Assessment</b>	<b>Description of non-compliance</b>	<b>Action</b>	<b>Under assessment</b>	<b>Timeframe for Assessment Completion</b>
Palmerston North	1			Comply	15/06/2018	Not applicable	NA	Y	8/11/2019

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Whanganui District Council (JC)	Category	Operating under existing use rights	Stage in the consent renewal process	Current compliance status	Date of recent Assessment	Description of non-compliance	Action	Under assessment	Timeframe for Assessment Completion
Mary Bank*	3			Comply at risk	16/04/19	Discharge volumes not being accurately assessed	WDC are installing meters to rectify this		
Mowhanau	2			Moderate Non-Compliance	20/08/19	Sampling frequency incorrect. Flow meter calibration certificate required.	WDC have adjusted their sampling frequency for coming summer and the flow meter calibration is due 15/11/2019.		
Whanganui District Council	1			Comply Full	16/04/19	NA	NA	y	November 2019
Manawatu District Council (DH)	Category	Operating under existing use rights	Stage in the consent renewal process	Current compliance status	Date of recent Assessment	Description of non-compliance	Action	Under assessment	Timeframe for Assessment Completion
Feilding	1			Significant non Comply	13/02/19	Failure to provide management plans within timeframes, limit breaches for SIN, annual report late and work being undertaken prior to ESCP being approved.	Infringement issued for SIN breaches and MDC have provided outstanding management plans. Some plans have been technically certified whilst others are in the certification process.	y	November 2019
Himatangi Beach*	3			Comply	6/04/2018	NA	NA		
Halcombe	2	Y	Subject to section 37 time extension. MDC are currently preparing an application that will seek to centralise discharges from this plant into the Feilding WWTP.	Significant Non comply	3/05/19	Daily discharge volume exceeded to land regularly exceeded.	At the time of issuing the SNC report the problems with the system had been rectified to ensure discharge volumes would no longer be exceeded. No further action required at this stage.		
Cheltenham	3	Y	Subject to section 37 time extension. MDC are currently preparing an application that will seek to centralise discharges from this plant into the Feilding WWTP.	Significant Non comply	6/11/18	SNC with discharge volumes / not supplying inflow data / groundwater sampling not completed	Going through consent renewal application process. Due to staff turnover this SNC was not followed up and will be followed-up in November 2019.		November 2019

Rongotea^	3	y	Subject to section 37 time extension. MDC are currently preparing an application that will seek to centralise discharges from this plant into the Feilding WWTP.	Significant Non Comply	24/08/18	Inadequate reporting and breached water quality parameters in the 12 month period there were exceedances for specified limits of ammoniacal nitrogen, DRP and E. coli concentrations.	Due to staff turnover this SNC was not followed up and will be followed-up in November 2019.		November 2019
Sanson^	3	y	Subject to section 92 hold. MDC are currently preparing an application that will seek to centralise discharges from this plant into the Feilding WWTP.	Significant Non Comply	30/06/19	Major exceedances of NH4 and <i>E.coli</i>	SNC report, Abatement Notice issued to cease the unauthorised discharge to surface water. Report also requested by the 18/10/19 as to how this site will be managed better moving forward. MDC have now re-commissioned their discharge land system to address this issue.		
Kimbolton	3	y	Subject to section 92 hold. MDC are currently preparing an application that will seek to centralise discharges from this plant into the Feilding WWTP.	Significant Non Comply	2/05/19	Exceedances of NH4 and DRP + water budget outstanding.	Abatement Notice served requiring water budget to be provided. This budget has now been provided. Regarding NH4 and DRP non-compliances recent sampling shows concentrations are within consented limits. Future non-compliances may result in enforcement action being considered.		
Awahuri*	3			Moderate Non Comply	6/11/18	2 results outside discharge standard / NC with monitoring conditions / reporting timeframes	Consent holder advised of non-compliances		
<b>Ruapehu District (DH)</b>	<b>Category</b>	<b>Operating under existing use rights</b>	<b>Stage in the consent renewal process</b>	<b>Current compliance status</b>	<b>Date of recent Assessment</b>	<b>Description of non-compliance</b>	<b>Action</b>	<b>Under assessment</b>	<b>Timeframe for Assessment Completion</b>

Taumarunui (Hikumutu)	2			Non Comply	30/10/17	Suspended solid and E.coli exceedances in effluent	Consent holder has been advised of non-compliances. The reason for an absence of inspections is both Horizons and RDC were under the impression that the new consent was under appeal; however, earlier in 2019 the new Consents Monitoring Officer discovered this was not the case and RDC have had 6.5 months under the actual conditions and have provided an annual report. RDC are now operating under the correct consent.	Y	December 2019
National Park	2	y	Subject to section 37 timeframe extension. RDC currently reviewing impact of growth implications on load on draft conditions	Significant Non Comply	27/05/19	Discharge volumes exceeded and monitoring requirements have not been met.	SNC report and an explanation has been requested. This has yet to be received and RDC have been told to provide this. Final follow up on 8/11/19. Enforcement action may be taken.		November 2019
Rangataua	3	Y	Subject to section 92 request	Comply	31/05/18	Comply	NA		
Pipiriki*	4			Comply	2/06/17	Comply	NA		
Raetihi	2	Y	Subject to section 37 timeframe extension as RuaDC wait outcome of TIF application	Significant Non Comply	15/05/19	exceedance of volumes, failure to carryout DO monitoring	SNC report and an explanation has been requested. This has yet to be received and RDC have been told to provide this. Final follow up on 8/11/19. Enforcement action may be taken.		November 2019
Ohakune	2	Y	Subject to section 37 timeframe extension as RuaDC wait outcome of TIF application	Significant Non Comply	17/03/19	Effluent suspended solid exceedances	SNC report and an explanation has been requested. This has yet to be received and RDC have been told to provide this. Enforcement action may taken.		November 2019
Ruatiti*	4			Comply	31/05/17	Not applicable	NA		
<b>Tararua District Council (GB)</b>	<b>Category</b>	<b>Operating under existing use rights</b>	<b>Stage in the consent renewal process</b>	<b>Current compliance status</b>	<b>Date of recent Assessment</b>	<b>Description of non-compliance</b>	<b>Action</b>	<b>Under assessment</b>	<b>Timeframe for Assessment Completion</b>
Pahiatua	2	Y	Subject to Environment Court appeal	Significant Non Comply	15/07/19	Discharge volume exceedances	Being addressed via consenting process. Hearing decision appealed. No further action at this stage.	y	November 2019

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Eketāhuna	2	Y	Subject to Environment Court Appeal	Significant Non Comply	7/05/19	Upgrades did not occur due to prioritisation of the upgrades at Dannevirke, Woodville, Norsewood and Pahiatua WWTPs.	Being addressed via consenting process. Hearing decision has been appealed. No further action at this stage	y	November 2019
Woodville	2	Y	Subject to section 92 request. TDC are commencing process to investigation impacts on groundwater	Significant Non Comply	15/12/18	Effluent parameters E.coli, DRP exceeded	Being addressed through consent renewal application process. No further action at this stage.	y	November 2019
Norsewood^	3	Y	Subject to section 92 request.	Non Comply	11/01/18	A number of monitoring conditions have not been complied with and the installation of the clarifier and Tephra filters and pond level alarm weren't completed within the required timeframes	No further action.		
Pongaroa^	3			Significant Non Comply	3/05/2019	installation of infrastructure at the treatment plant, specifically the U.V. disinfection unit and the installation of "Aqua-Mats	To be followed up with TDC by 11/11/2019		
Ormondville*	3			Moderate non comply	13/05/19	Seepage plan + water quality	Seepage plan actioned by TDC.		
Dannevirke	1			Significant Non Comply	15/07/19	DRP exceedance; no community meeting minutes; no monitoring of DO	Explanations provided, DO monitoring now occurring and with the tephra plant now being in place an improvement in DRP in the effluent should occur this summer. Community meeting set for December 2019.		
Site	Category	Operating under existing use rights	Stage in the consent renewal process	Current compliance status	Date of recent assessment	Description of non-compliance	Action	Under assessment	Timeframe for completion
Whakapapa	1	Y	Subject to section 37 extension as DOC work towards long term solution	Significant Non Comply	15/08/19	Volume exceedances, irrigation area insufficient	Abatement Notice has been issued but withdrawn due to DOC concerns with timeframes. Parties to meet in early November to discuss options which are likely to result in enforcement action being taken.		

NZDF Ohakea WWTP	2	Y	Subject to section 37 timeframe extension pending NZDF and RDC agreement over centralisation into the Bulls WWTP	Low Risk Non Comply	18/01/19	Overdue calibration certificate	Calibration certificate provided		
Whanganui Prison	2	Y	Subject to section 92 request. Corrections are looking at options to centralise discharge to Whanganui WWTP	Significant Non Comply	14/10/19	Volume exceedances and discharging outside area under emergency provisions of RMA	Consent variation has been applied for and is currently on hold	y	November 2019
NZDF Waiouru	2			Low Risk Non Comply	27/05/19	Missing signage on SH49 bridge	Signage reinstalled		
Hato Paora College	4	Y	Subject to section 37 time extension. It is part of the MDC centralisation project.	Comply	18/09/2018	Insufficient monitoring	Monitoring now occurring		





**Table 1. Compliance Assessment Guideline for Individual Consents**

Site Compliance Grade	Examples
Comply - Full	Complying with all conditions of consent;
Comply – At Risk	At Risk grading identified against key condition(s) of one or more of consents for the site.
Low Risk Non-Compliance	Compliance with most of the relevant consent conditions. Non-compliance carries a low risk of adverse environmental effects or is technical in nature (e.g. failure to submit a monitoring report).
Moderate Non-Compliance	Non-compliance with one or more of the relevant consent conditions, where there are some environmental consequences and/or there is a moderate risk of adverse environmental effects.
Significant Non-Compliance	Non-compliance with one or more of the relevant consent conditions, where there are significant environmental consequences and/or a high risk of adverse environmental effects.
Not assessed	Monitoring has not been undertaken of this consent during the reporting period.

Table 2. Compliance Assessment Guideline for Individual Conditions

Condition Compliance Grade	Examples (not exhaustive)
Comply - Full	Conditions of consent are fully complied with.
Comply – At Risk	Compliant at time of inspection but management / system deficiencies indicate there is a real risk of a non-compliance occurring (e.g. insufficient effluent storage, poor irrigator performance). Sampling out of sequence or late due to circumstances outside of consent holders control (e.g. flow related sampling).
Low Risk Non-Compliance	One-off failure to comply with a condition of consent (e.g. One off minor exceedance in key parameter in sampling. Intent of condition met however data and / or report provided late. First up failure to provide management plan or environmental information (e.g. water quality information) within required timeframes.
Moderate Non - Compliance	Four minor exceedances of key parameters for one year's worth of sampling / data. Repeat failure to provide a report or monitoring data. Repeat Failure to undertaken sampling. Failure to install water meter. Cow numbers being exceeded for dairy shed effluent consent.
Significant Non-Compliance	Water quality results indicate there is a potential for or an actual effect which is more than minor that is not authorised by the resource consent. Unauthorised discharge of wastewater / effluent into water or onto land where it may enter water, excessive ponding of effluent on the land surface. Repeated failure to provide a report/monitoring data/ management plans/install water metering equipment etc. Repeated failure to undertake sampling. Repeated failure to comply with authorised discharge or water take volumes.
Not Applicable	Applies to conditions that are no longer applicable. Generally relates to historic conditions that may require provision of a management plan, which has been provided and consent requires no further action.
Not Assessed	Monitoring not undertaken of consent condition.

