AGENDA

REGULATORY AND ENVIRONMENT COMMITTEE

COUNCIL CHAMBER
MEMORIAL AVENUE
KAikoHE

THURSDAY 14 JULY 2016

COMMENCING AT 11:00 AM

Committee Membership
Chairperson
Ann Court
His Worship the Mayor John Carter

Councillors
John Vujcich
Willow-Jean Prime
David Collard
# Agenda

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<th>Item</th>
<th>Description</th>
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<tr>
<td><strong>1.0</strong></td>
<td><strong>APOLOGIES AND DECLARATIONS OF INTEREST</strong>&lt;br&gt;Members need to stand aside from decision-making when a conflict arises between their role as a Member of the Committee and any private or other external interest they might have. This note is provided as a reminder to Members to review the matters on the agenda and assess and identify where they may have a pecuniary or other conflict of interest, or where there may be a perception of a conflict of interest.&lt;br&gt;&lt;br&gt;If a Member feels they do have a conflict of interest, they should publicly declare that at the start of the meeting or of the relevant item of business and refrain from participating in the discussion or voting on that item. If a Member thinks they may have a conflict of interest, they can seek advice from the Chief Executive Officer (Acting) or the Team Leader Governance Support (preferably before the meeting).&lt;br&gt;&lt;br&gt;It is noted that while Members can seek advice the final decision as to whether a conflict exists rests with the Member.</td>
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<tr>
<td><strong>2.0</strong></td>
<td><strong>DEPUTATION</strong>&lt;br&gt;11:10 am Peter Hendl - Kerikeri Growth</td>
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<tr>
<td><strong>3.0</strong></td>
<td><strong>CONFIRMATION OF PREVIOUS MINUTES</strong>&lt;br&gt;Document number A1737079</td>
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<td><strong>4.0</strong></td>
<td><strong>STRATEGIC PLANNING AND POLICY GROUP</strong>&lt;br&gt;4.1 Proposed National Policy Statement on Urban Development Capacity&lt;br&gt;Document number A1733948</td>
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<tr>
<td><strong>5.0</strong></td>
<td><strong>INFRASTRUCTURE AND ASSET MANAGEMENT GROUP</strong>&lt;br&gt;5.1 Adoption of Controls Under the Solid Waste Bylaw 2016&lt;br&gt;Document number A1734077</td>
</tr>
<tr>
<td><strong>6.0</strong></td>
<td><strong>DISTRICT SERVICES GROUP</strong>&lt;br&gt;6.1 Dog Control Act 1996 - Annual Report&lt;br&gt;Document number A1727954</td>
</tr>
<tr>
<td><strong>7.0</strong></td>
<td><strong>CORPORATE SERVICES GROUP</strong>&lt;br&gt;7.1 Committee Information Reports&lt;br&gt;Document number A1737080</td>
</tr>
<tr>
<td><strong>8.0</strong></td>
<td><strong>CHAIRPERSON’S REPORT</strong>&lt;br&gt;Document number A1743266</td>
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<tr>
<td><strong>9.0</strong></td>
<td><strong>CLOSE OF MEETING</strong></td>
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Item: 3.0

MEETING:  REGULATORY AND ENVIRONMENT COMMITTEE
14 JULY 2016

Name of item:  CONFIRMATION OF PREVIOUS MINUTES
Author:  Aisha Huriwai - Meetings Administrator
Date of report:  27 June 2016
Document number:  A1737079

Executive Summary
The minutes are attached to allow the Committee to confirm that the minutes are a true and correct record of the previous meeting.

Recommendation
THAT the minutes of the meeting of the Regulatory and Environment Committee held 02 June 2016 be confirmed as a true and correct record.

1)  Background
Local Government Act 2002 Schedule 7 Section 28A states that a local authority must keep minutes of its proceedings. The minutes of these proceedings duly entered and authenticated as prescribed by a local authority are prima facie evidence of those meetings.

2)  Discussion and options
The minutes of the meeting are attached.

Far North District Council Standing Orders Section 3.17.3 states that no discussion shall arise on the substance of the minutes in any succeeding meeting, except as to their correctness.

3)  Financial implications and budgetary provision
There are no financial implications or the need for budgetary provision.

4)  Reason for the recommendation
The reason for the recommendation is to confirm the minutes are a true and correct record of the previous meeting.

Manager: Caroline Wilson - Manager District Administration Services
Attachment 1: Regulatory and Environment Committee Minutes - 02 June 2016 - Document number A1729786
Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
   a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
   b) Assess the options in terms of their advantages and disadvantages; and
   c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.

2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

<table>
<thead>
<tr>
<th>Relationship with existing policies and Community outcomes.</th>
<th>Not applicable.</th>
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<tbody>
<tr>
<td>Possible implications for the relationship of Māori and their culture and traditions with their ancestral land, water, site, waahi tapu, valued flora and fauna, and other taonga.</td>
<td>None</td>
</tr>
<tr>
<td>Views or preferences of persons likely to be affected by, or to have an interest in the matter, including persons with disabilities, children and older persons.</td>
<td>Yes</td>
</tr>
<tr>
<td>Does the issue, proposal, decision or other matter have a high degree of significance or engagement as determined under the Council's Policy #2124?</td>
<td>No</td>
</tr>
<tr>
<td>If the matter has a Community rather than a District wide relevance has the Community Board's views been sought?</td>
<td>Not applicable.</td>
</tr>
<tr>
<td>Financial Implications and Budgetary Provision.</td>
<td>There are no financial implications or the need for budgetary provision arising from this report. The Chief Financial Officer has not reviewed this report.</td>
</tr>
<tr>
<td>Chief Financial Officer review.</td>
<td></td>
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Document number A1737079
MINUTES OF THE MEETING OF THE REGULATORY AND ENVIRONMENT COMMITTEE
HELD IN THE COUNCIL CHAMBER, MEMORIAL AVENUE, KAIKOHE ON THURSDAY
02 JUNE 2016 COMMENCING AT 11:00 AM

PRESENT
Ann Court Chairperson
John Carter His Worship the Mayor
Councillors
John Vujcich
Willow-Jean Prime
David Collard

IN ATTENDANCE
Sally Macauley Councillor (from 12:40 pm)

STAFF PRESENT
Colin Dale Chief Executive Officer (Acting)
Dean Myburgh General Manager - District Services Group
Kathryn Ross General Manager - Strategic Planning and Policy Group
Lynley Newport Manager - Resource Consents
Greg Wilson Manager - District Planning
Sarah Trinder Policy Planner
Neil Miller Policy Advisor (until 12:20 pm)
Colin Patterson Communications Officer
Aisha Hurwai Meetings Administrator

1.0 APOLOGIES AND DECLARATIONS OF INTEREST
There were no apologies or declarations of interest.

2.0 PRESENTATION
Northland Regional Council Natural Hazards Advisor - Toby Kay made a presentation to the Committee.

3.0 CONFIRMATION OF PREVIOUS MINUTES
Agenda item 2.0, document number A1722488, pages 1-10 refers.

Reason for the resolution
To confirm the minutes of the previous Regulatory and Environment Committee meeting as a true and correct record.

Resolved Court/Collard

THAT the minutes of the meeting of the Regulatory and Environment Committee held on 21 April 2016 be confirmed as a true and correct record.

Carried

4.0 DISTRICT SERVICES GROUP

Agenda item 3.1, document number A1718124, pages 11-41 refers.

Reason for the resolution
The bylaw was due for a ten year review (as required under the Local Government Act 2002 section 159). A Dog Control Bylaw 2016 is the most appropriate way of managing the problem of dogs and public safety. A dog policy is requires under section 10 of the Dog Control Act 1996 and must be reviewed when a dog bylaw is reviewed. Substantial changes have been proposed both to improve dog control and to promote dog welfare.
Resolved

THAT the report entitled “Proposed Draft Dog Control Bylaw 2016 and Dog Policy 2016” dated 08 May be noted.

Carried

Resolved

THAT the Regulatory and Environment Committee make the following recommendation to Council:

THAT Council determines that a Dog Control Bylaw is the most appropriate way of addressing the problem;

AND THAT the Community Boards be consulted on the proposed Draft Dog Control Bylaw 2016;

AND THAT the Community Boards be consulted on the proposed Draft Dog Policy 2016.

Carried

5.0 INFRASTRUCTURE AND ASSET MANAGEMENT GROUP

5.1. Proposed Pou Herenga Tai - Twin Coast Cycle Trail Bylaw

Agenda item 4.1, document number A1694924, pages 43-58 refers.

Reason for the resolution

A bylaw is the most appropriate way of managing the Cycle Trail. The proposed Draft Bylaw allows for a consistent regulatory approach across the trail.

Resolved

THAT the report entitled “Proposed Pou Herenga Tai - Twin Coast Cycle Trail Bylaw” dated 05 May 2016 be noted.

Resolved

THAT the Regulatory and Environment Committee makes the following recommendations to Council:

THAT Council determines that a Cycle Trail Bylaw is the most appropriate way of addressing the problem;

AND THAT Council consults on the proposed Draft Pou Herenga Tai - Twin Coast Cycle Trail Bylaw 2016;

AND THAT a consultation plan be developed to address the consultation process.

Carried

6.0 CORPORATE SERVICES GROUP

6.1. Committee Information Reports

Agenda item 5.1, document number A1722489, pages 59-126 refers.

Reason for the resolution

To provide the Regulatory and Environment Committee with a list of information only reports as part of the agenda as provided for in the Council resolution of 12 March 2015 thereby allowing matters arising from these reports to be discussed at the meeting if required.
Resolved Court/Vujcich

THAT the following reports and documents entitled and dated:

a) “Monthly Reporting - Building, Resource Consents and Compliance to April 2016” 12 May 2016
b) “District Plan Update” 02 May 2016
c) “Northland Regional Council Coastal Hazard Map Update” 06 May 2016
be noted.

Carried

7.0 **TABLED REPORT**

Document number A1727781 refers.

<table>
<thead>
<tr>
<th>Reason for the resolution</th>
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<tbody>
<tr>
<td>To accept a submission tabled at the meeting for discussion as a minor item not on the agenda in accordance with Standing Order 3.7.6 and Section 46(7a) of the Local Government Official Information and Meetings Act.</td>
</tr>
</tbody>
</table>

Resolved Court/Collard

THAT the “Submission to Whangarei District Plan - Plan Change 94B Papakainga” dated 27 May 2016 be noted.

Carried

8.0 **CHAIRPERSON’S REPORT**

Agenda item 6.0 refers.

<table>
<thead>
<tr>
<th>Reason for the resolution</th>
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<tbody>
<tr>
<td>Under standing order 3.7.4 the Chairperson, by report, has the right to direct the attention of the committee to any matter or subject within the role of the local authority or committee respectively. The Chairperson provided a verbal report.</td>
</tr>
</tbody>
</table>

Resolved Court/Collard

THAT the Chairperson’s verbal report be noted.

Carried

9.0 **CLOSE OF MEETING**

The meeting closed at 1:00 pm.

__________________________
Chairperson

/ / /
Executive Summary

The purpose of the report is to present to the Regulatory and Environment Committee (R&EC) and seek endorsement of a draft submission on the Proposed National Policy Statement on Urban Development Capacity (NPS-UDC) developed by the Ministry for the Environment (MfE).

The NPS-UDC was initially discussed by this Committee at its 10 March 2016 meeting alongside a number of other resource management reform papers including the Resource Legislation Bill. Council submitted during the early development of the NPS-UDC to provide a district/rural-provincial voice and story in what was viewed as a largely city and major urban area focussed arena.

The MfE released on 02 June 2016 a detailed draft of the NPS-UDC including the relevant objectives and policies that will apply. A submission to the Proposed NPS-UDC has been prepared by the District Plan Team and is attached to this item for discussion and the endorsement of the Committee. Submissions close at 5.00 pm on the 15 July 2016 and therefore will need to be lodged prior to the July Council meeting.

Recommendation

THAT the Regulatory and Environment Committee makes the following recommendation to Council:

THAT Council retrospectively endorses the submission to the Ministry for the Environment (MfE) on the Proposed National Policy Statement for Urban Development Capacity.

1) Background

In August 2015, the Minister for the Environment signaled the Government’s priorities for national direction under the Resource Management Act 1991 (RMA) in “A Way Forward for National Direction”. One of the priority areas was the development of a National Policy Statement on Urban Development (NPS-UDC) to support productive and well-functioning urban areas that provided adequate opportunities to develop land for business and housing.

An NPS discussion paper sought feedback on 19 key questions; however not all had relevance to the Far North District Council. This initial submission included feedback relating to:

- Population growth/decline in our District and the associated planning challenges and affordability concerns
- Affordability of infrastructure provision and maintenance and renewal.
The R&EC discussed and endorsed this submission at its 10 March 2016 meeting alongside a number of related resource management reform papers. Following on from this initial discussion document and consultation, a proposed National Policy Statement has been developed by the MfE and released for consultation on 02 June 2016. A copy of the Consultation Document is provided as Attachment 1. A summary document that sets out the proposed policy framework over two pages is provided as Attachment 2. A draft submission is provided as Attachment 3.

2) Discussion and options

The proposed NPS-UDC seeks to make the RMA more effective and efficient in providing for housing and business growth. It complements the recent Resource Management Amendment Bill currently before Parliament which obliges Councils to provide enough development capacity\(^1\) to meet forecasted demand.

**Key elements of the NPS-UDC**

The major elements include:

- A greater connection between planning decisions and economics; taking into account price signals, commercial feasibility, and sufficient competition in supply will become required legal considerations in land use planning decisions;
- Requiring short (3 years), medium (10 years) and long-term (30 years) policies to manage growth with regular reviews to ensure that plans are up to date and relevant;
- Rebalancing national and local interests in terms of housing affordability and local regulatory levers affecting land supply. A sufficient land supply for housing and business growth will require greater weighting as a matter of national importance;
- A policy framework that would apply to all Councils and more detailed policies that apply to specific urban areas that satisfy specified criteria in terms of scale and rates of growth.

**Implementation of the National Policy Statement on Urban Development Capacity**

The implementation of the NPS-UDC is tied to the differing growth pressures of towns and cities across New Zealand. There are specific policy requirements for all local authorities as well as more detailed requirements for those ‘medium-growth’ and ‘high-growth’\(^2\) areas.

The Far North District is subject to all of the Objectives of the NPS-UDC and three associated Policies (refer to Table 1 to see the relevant policy framework for the FNDC).

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\(^1\) Definitions are found in the attached Consultation Document for NPS-UDC (P8-10).

\(^2\) See Attachment 3 - Summary of the Proposed NPS-UDC.
Table 1. Implications for the District and District Plan Review

There are a number of potential implications discussed in the evaluation table below. This evaluation is focused on the policy framework that would apply to the Far North District. Under the Statistics NZ categorisation of urban areas, the Far North District contains minor urban areas and would not be subject to the additional high and medium urban growth policies.

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Policies</th>
<th>Implications</th>
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<tbody>
<tr>
<td>OA1: To support effective and efficient urban areas that enable people and</td>
<td>PA1: By decision-makers: • Providing for an urban form that maximises</td>
<td>The objectives and policies of the NPS can be incorporated into the District Plan through the review</td>
</tr>
<tr>
<td>communities to provide for their social, economic and cultural wellbeing.</td>
<td>the potential for social and economic exchange within the urban area.</td>
<td>process currently underway, particularly the review of the Urban Environment (Residential, Commercial</td>
</tr>
<tr>
<td>OA2: To provide sufficient residential and business development capacity to</td>
<td>• Providing for the efficient use of resources, having particular regard</td>
<td>and Industrial Zones).</td>
</tr>
<tr>
<td>enable urban areas to meet residential and business demand.</td>
<td>to scarce urban land and infrastructure.</td>
<td>The District Plan team has, and will continue to, undertake and commission studies relating to land</td>
</tr>
<tr>
<td>OA3: To enable ongoing development and change in urban areas.</td>
<td>• Enabling the competitive operation of land and development markets.</td>
<td>demand/supply issues. A recent example of this includes the Latent Residential Capacity Study for</td>
</tr>
<tr>
<td>OB1: To ensure plans and regional policy statements are based on a robust,</td>
<td>PA2: By local authorities providing at all times sufficient residential</td>
<td>Kerikeri created to inform the development of the Kerikeri Wastewater Scheme. Further residential</td>
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<td>accurate and frequently-updated evidence base.</td>
<td>and business development capacity for the short, medium and long terms.</td>
<td>capacity studies are envisaged for other urban areas. Other examples include the commissioning of</td>
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<td>OC1: To promote coordination within and between local authorities and</td>
<td>PA3: When considering the effects of urban development, decision-makers</td>
<td>models and tools to forecast the amount of industrial and commercial land required into the future.</td>
</tr>
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<td>infrastructure providers in urban areas, consistent planning decisions,</td>
<td>must: • Recognise and provide for the contribution that urban development</td>
<td>These studies and tools will help us to better understand and provide for ‘sufficient residential and</td>
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<td>integrated land use and infrastructure planning, and responsive planning</td>
<td>will make to the ability for people and communities and future generations</td>
<td>business development capacity for the short, medium and long term’.</td>
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<td>processes.</td>
<td>to provide for their social, economic and cultural wellbeing.</td>
<td>Council staff are already engaged in workstreams that align with the objectives and policies of the</td>
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<td>OD1: To ensure that planning decisions enable urban development in the</td>
<td>• Provide sufficient development capacity, whilst maximising the positive</td>
<td>NPS and even some aspects of the Housing and Business Assessments as a matter of course. While Council</td>
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<td>short, medium and long-terms.</td>
<td>effects of development, and minimising the adverse effects of development.</td>
<td>will be not obliged to carry out a range of requirements that those medium and high growth local</td>
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<td>OD2: To ensure that in the short and medium terms local authorities adapt</td>
<td>• Have particular regard to the positive effects of urban development at</td>
<td>authorities must do, it may be useful to undertake similar studies, in growth areas of the District, to</td>
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<tr>
<td>and respond to market activity.</td>
<td>a national, regional and district scale, as well as its local effects.</td>
<td>better inform our planning (resource management, infrastructure, and financial) processes. Similarly,</td>
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<td>there is merit in undertaking those requirements to give effect to regional council imperatives such as</td>
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<td>compact regional form and enhanced management of high value soil areas in close proximity to urban</td>
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<td>townships. There is also value in better understanding the economic forces in our District and how these</td>
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<td>impact the supply/demand of land for business and housing.</td>
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</table>

Document number A1733948
Examples of the requirements that high and medium growth areas must undertake include:

- A 1 in 3 year ‘Housing Assessment’ that estimates the demand for dwellings, including different housing typologies for different population groups, locations and price points, and land supply to meet the demand in the short, medium and long term; and
- A ‘Business Land Assessment’ that estimate the demand for different types and locations of floor area for local business sectors and the associated land supply to meet the demand in the short, medium and long term.

In carrying out these assessment matters such as the following examples need to be taken into consideration:

- Demographic changes including population growth and household size projections
- Future changes in the sectoral composition of the local economy and this impact on residential and business land demand
- The effects of zoning, objectives, policies and rules on development opportunities
- The actual and likely availability of infrastructure
- The current physical and commercial feasibility of development capacity
- Housing affordability, including the ratio of house price to income and the relative costs of renting
- The increase in house prices and rent
- Vacancy rates for business land
- The ratio of the value of land between rural and urban zoned land.

The Far North District is not considered as a ‘medium’ or ‘high’ growth area and therefore is not subject to some of the NPS’ more demanding requirements. Given our district’s uneven growth and to ensure we develop a District Plan that caters for urban development capacity, staff consider that many of these higher requirements should be also considered albeit voluntarily and already has work underway that meets some of these requirements. The use of demographic analysis tools such as “Profile.ID”\(^3\) and the associated demographic and economic data and forecasts provide tools for this evidence based analysis.

Integrated planning, between Council departments and external agencies, is also one of a number of requirements of the Northland Regional Policy Statement 2012. We are growing evidence base available to Council to achieve this integrated planning, particularly in the land use and infrastructure space where growth projections, zoning, infrastructure deployment and affordability can be considered together using consistent figures. Specific projects will also grow the evidence base such as the Kerikeri Wastewater Scheme project and further integration is foreseen with projects in Council’s 30 year Infrastructure Strategy.

As part of the proposed NPS-UDC, the Government is also proposing a package of non-statutory guidance to help council’s implementation of the various objectives and policies. While this is not set in stone it suggests including information on:

- Best practice methodologies for assessing demand and development capacity as well as specified monitoring indicators
- Understanding development feasibility, monitoring and price signals
- Cooperation with other factors such as local authorities and infrastructure providers
- Assessing market failures and justification for intervention

\(^3\) See [http://profile.idnz.co.nz/far-north](http://profile.idnz.co.nz/far-north)
Managing the requirements of the NPS-UDC with other national directives and those matters listed in section 6 and 7 of the RMA.

Submission on the NPS-UDC

Submissions close at 5.00 pm, 15 July 2016, one day after the Regulatory and Environment Committee meets. A copy of the draft submission on the proposed NPS-UDC is attached for committee endorsement (Attachment 3).

In accordance with usual practice we have provided the context of our District, general comments, followed by specific submission points and answers to questions posed.

The overall thrust of the draft submission is that FNDC generally supports the Proposed NPS-UDC. The submission identifies the following key points:

1. The big issue for the District is the affordable deployment and maintenance of infrastructure. Maintaining service levels and funding maintenance and replacement of infrastructure assets across the district with a declining and aging rating base is extremely difficult. Providing capacity for any particular growth areas need to be balanced against the spread of maintenance pressures and affordability issues for the District.

2. The NPS-UDC requires plans to provide sufficient capacity to meet long term demand, including the total number of dwellings and the amount of business space needed. ‘Long term’ is defined in the NPS-UDC to mean “within the next thirty years.” This is at odds with the time scale of district plans, which are a ten year document.

   FNDC does not consider it necessary to consider the provision for infrastructure to meet development capacity in the ‘long term’ and recommend that development capacity should be tethered to the projected growth in the district for the life of the District Plan. There may be scope for non-statutory spatial or structure plans that represent an attempt to forecast out to the suggested long term horizon without the expenditure and commitment associated with urban zone changes and infrastructure deployment.

3. The definition of ‘business land’ in the Interpretation section of the NPS-UDC would be clear if it were not for the ambiguity created by the words “but not limited to”. It would appear that that the list of activities in this definition encapsulates an appropriate spectrum of what ‘business land’ should incorporate. What other examples of ‘business land’ may be considered aside form those listed? We suggest that this term be clarified in more detail.

The District Plan team will endeavour to include any associated feedback the Committee has on the draft submission. No extensions to the timeframe are available for this consultation, however, the MfE has advised that any supplementary information provided after the closing date may be considered. Should Council identify additional information a supplementary item can be prepared by the District Plan team and submitted to the MfE.

Next Steps

Once the submission period has closed and submission considered, MfE will prepare a summary of submission report alongside recommendations to the Minister to the Environment for consideration. The development of an NPS and the associated approval process does not need to go through the full parliamentary process and is instead approved by the Governor-General in Council, on the recommendation of the
Minister. It is envisaged that if the Minister approves of all of the recommendations that the NPS will take effect by the end of 2016.

3) Financial implications and budgetary provision

There may be financial implications for Council should the current direction of the proposed NPS proceed without significant amendment. Elements of the Proposed NPS may influence strategic directions, particularly in our urban environment, which could affect the review of the District Plan. The plan review is at a stage where a finalised NPS and associated changes as a part of this round of consultation can be assessed in further detail. Implications can be updated to the Committee, and any further financial burden as part of such changes can be advised.

4) Reason for the recommendation

The report has been prepared to inform the Regulatory and Environment Committee on the draft NPS-UDC and the associated submission prepared by Council staff.

General Manager: Kathryn Ross - General Manager Strategic Planning and Policy Group


Attachment 2: Summary of Proposed National Policy Statement - Urban Development Capacity - Document number A1734072


Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
   a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
   b) Assess the options in terms of their advantages and disadvantages; and
   c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.

2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.
| Relationship with existing policies and Community outcomes. | The proposed NPS-UDC can be associated by way of the District Plan review. |
| Possible implications for the relationship of Māori and their culture and traditions with their ancestral land, water, site, waahi tapu, valued flora and fauna, and other taonga. | The proposed NPS-UDC will need to be incorporated through the District Plan review. As part of this process, potential implications for tangata whenua can be better assessed and managed. |
| Views or preferences of persons likely to be affected by, or to have an interest in the matter, including persons with disabilities, children and older persons. | The consultation process associated with the NPS-UDC is public. Council staff has proposed a draft submission to reflect concerns from a local authority perspectives. Other perspectives can be taken into account by way of submissions to the MfE. |
| Does the issue, proposal, decision or other matter have a high degree of significance or engagement as determined under the Council's Policy #2124? | Reform of planning legislation forms part of an ongoing plan change process and part of an integrated planning process. Normal opportunities for engagement therefore apply. |
| If the matter has a Community rather than a District wide relevance has the Community Board's views been sought? | The matter is relevant for the urban areas of the District. The timeframes for submission does not align well with Community Board schedules and therefore their view has not been incorporated at this stage. Notwithstanding, their views will be sought when it comes time to incorporate a finalised NPS into the District Plan. |
| Financial Implications and Budgetary Provision. | Provision has been made in the District Plan budget for plan changes to give effect to higher order policy instruments such as the NPS-UDC. |
| Chief Financial Officer review. | The Chief Financial Officer has reviewed this report |
New Zealand Government

Proposed National Policy Statement on Urban Development Capacity
CONSULTATION DOCUMENT
This report may be cited as:


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Manatū Mō Te Taiao
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This document is available on the Ministry for the Environment’s website:
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Message from the Minister

This new national direction on urban development is required to make the Resource Management Act work better for housing and business growth. It complements an amendment Bill currently before Parliament that puts specific new legal requirements on councils to provide enough development capacity to meet demand.

Three critical issues are addressed in this policy.

Firstly, it connects planning decisions with economics. This is crucial, given the greatest increase in house prices over the past two decades has been in the cost of sections rather than the built house. Price signals, commercial feasibility and ensuring sufficient competition in supply will become required legal considerations in land use planning decisions.

Secondly, this policy requires more responsive planning. Auckland is currently stuck in rules developed more than 20 years ago. This new policy will require short, medium and long-term policies to manage growth and regular reviews for ensuring plans are up-to-date and relevant.

Thirdly, this policy rebalances the national and local interests. A major problem in the current framework is that housing affordability is a national issue but the key regulatory levers to address supply rest with councils whose consideration is very locally focused. This policy requires councils and the Environment Court to put greater weight on the national importance of sufficient land supply for housing and business growth.

This policy is carefully nuanced to the different growth pressures across New Zealand’s towns and cities. There are requirements for all urban areas in this policy but these become greater in medium-growth areas and are most demanding in high-growth areas.

This new approach to issues of urban development is heavily influenced by the comprehensive work by the Productivity Commission with its 2015 report on land supply and its influence on housing affordability.

This new urban policy statement is part of the Government’s broader reforms to strengthen national direction under the Resource Management Act. We are progressing more national policies, standards and regulations than any previous government on key issues like water, coastal management, telecommunications, forestry, pest control and now urban development.

This proposed national policy statement is a powerful tool to make our urban environments work better in supporting growth of housing and employment. We welcome your feedback so we can get it right.

Hon Dr Nick Smith
Minister for the Environment
Minister for Building and Housing
Proposed National Policy Statement on Urban Development Capacity 2016

Preamble

New Zealand is one of the most urbanised countries in the world, with 73 percent of us living in cities of at least 30,000 people.

Cities are characterised by their intensity, the access they provide to things that people value, their scale, and often by high rates of population and economic growth. These have both positive and negative impacts: successful cities maximise the positives and minimise the negatives. Successful cities provide people with access to a choice of homes and opportunities to earn income, and attractive built and natural environments. They have good quality physical and social infrastructure and open space. They use resources efficiently, and they minimise their environmental footprint. They make the most of their ability to connect to other parts of the world. Such cities attract people and investment, and are therefore constantly changing, dynamic places that make a significant contribution to national economic performance.

Local authorities play an important role in shaping the success of our cities by planning for growth and change, and providing critical infrastructure. Ideally, urban planning should enable people and communities to provide for their social, economic and cultural wellbeing through development, while managing its effects. This is a challenging role, because cities are complex places; they develop as a result of numerous individual decisions, and this often involves conflict between diverse preferences.

This National Policy Statement provides direction to decision-makers under the RMA on urban planning. It has a particular focus on ensuring that planning enables development through providing sufficient development capacity for housing and businesses.

The National Policy Statement aims to help reduce regulatory barriers to the supply of housing, and reduce the cost of housing relative to income. High house prices drive wealth inequality, increase the fiscal burden of housing-related welfare, and pose a risk to the national economy.

It is also important that planning provides good accessibility between housing and businesses, and the social infrastructure necessary in a successful city.

An overarching theme running through this National Policy Statement is that planning decisions must actively enable growth and development in urban areas, and accommodate that in such a way as to maximise wellbeing now and in the future.

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1 According to Statistics New Zealand’s most recent estimates.
The National Policy Statement requires plans to provide sufficient development capacity to meet long term demand. This includes both the total number of dwellings and the amount of business space needed, and the range of demands for different sizes, types and locations.

Another key theme running through the National Policy Statement is for planning to better understand the property market and enable it to provide for the community’s needs. While taking account of all factors that affect well-being, planning should respond to demand, enable what is commercially feasible, and promote competitive land and development markets. The National Policy Statement requires planning to place a greater emphasis on monitoring what is happening on the ground, and responding to that.

This National Policy Statement requires development capacity provided in plans to be serviced or likely to be serviced with infrastructure. This will necessitate better integration and coordination between land use and infrastructure planning and will require local authorities, infrastructure providers and central government to work co-operatively.

This National Policy Statement also places a strong emphasis on planning coherently across urban housing and labour markets, which will require coordinated planning between local authorities that share jurisdiction over Main Urban Areas.

The National Policy Statement targets different policies to different local authorities, as per the table below.

<table>
<thead>
<tr>
<th>Objectives that apply</th>
<th>All local authorities</th>
<th>Local authorities that have a Medium Growth Urban Area within their jurisdiction</th>
<th>Local authorities that have a High Growth Urban Area within their jurisdiction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policies that apply</td>
<td>PA1 – PA3</td>
<td>PA1 – PA3</td>
<td>PA1 – PA3</td>
</tr>
<tr>
<td></td>
<td>PB1 – PB5</td>
<td>PC1 – PC3</td>
<td>PB1 – PB5</td>
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<td></td>
<td></td>
<td>PD1 – PD4</td>
<td>PC1 – PC3</td>
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<td>PD1 – PD4</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>PD5 – PD9</td>
</tr>
</tbody>
</table>
1 Title

This national policy statement is the National Policy Statement on Urban Development Capacity 2016.

2 Commencement

This national policy statement comes into force on the 28th day after the date on which it is notified in the New Zealand Gazette.

3 Interpretation

In this national policy statement, unless the context otherwise requires, –


Business land means land that is zoned for productive economic activities in urban areas, including but not limited to the following:

- industrial
- commercial
- retail
- business and business parks
- mixed use and centres, to the extent that it is available for productive economic activities.

but does not include residential dwellings that are also used for a productive economic activity such as home occupations.

Decision-maker means all persons exercising functions and powers under the Act.

Demand means:

In relation to residential development, the demand for residential dwellings within an urban area in the short, medium and long-terms, having particular regard to:

a) the total number of dwellings required to meet projected household growth;

b) demand for different types of dwellings;

c) the demand for different locations within the urban area; and

d) the demand for different price points.
recognising that people will trade off (b), (c) and (d) to meet their own needs and preferences.

In relation to business land, the demand for floor area in the short, medium and long-terms, having particular regard to:

a) the quantum of floor area to meet forecast growth in different sectors;

b) the demands of both land extensive and intensive activities; and

c) the demand for different locations within the urban area.

**Development capacity** means in relation to residential and business land, the capacity of land for urban development to meet demand, taking into account the following factors:

- the zoning, objectives, policies, rules and overlays that apply to the land; and

- the provision of adequate infrastructure, existing or likely to exist, to support the development of the land, having regard to—

  - the relevant proposed and operative regional policy statements, regional plans and district plans; and

  - any relevant management plans and strategies prepared under other Acts.

**Feasible** means the commercial viability of development, taking into account the current likely costs, revenue and yield of developing.

**High-Growth Urban Area** means:

- Any Main Urban Area that, according to the most recent Statistics New Zealand growth projections set out in Appendix A2, is projected to experience population growth of more than 10% over the medium-term; or

- Any Secondary Urban Area that at any point in the year has a combined resident and visitor population of over 30,000, and according to the most recent Statistics New Zealand growth projections set out in Appendix A2, is projected to experience population growth of more than 10% over the medium-term.

**Infrastructure** means network infrastructure for water supply, wastewater, stormwater, transport, and passenger transport services.

**Local authority** has the same meaning as in section 2 of the Resource Management Act 1991.

**Long-term** means within the next thirty years.

**Main Urban Area** means as defined by Statistics New Zealand set out in Appendix A1.
Medium-Growth Urban Area means:

- Any Main Urban Area that, according to the most recent Statistics New Zealand growth projections set out in Appendix A2, is projected to experience population growth of between 5% and 10% over the medium-term; or

- Any Secondary Urban Area that at any point in the year has a combined resident and visitor population of over 30,000, and according to the most recent Statistics New Zealand growth projections set out in Appendix A2, is projected to experience population growth of between 5% and 10% over the medium-term.

Medium-term means within the next ten years.

Plan means an operative or proposed regional plan or a district plan.

Planning decisions means any decision on a regional policy statement, regional or district plan, or plan change.


Short-term means within the next three years.

Sufficient means the provision of enough development capacity to meet residential and business demand, plus, to take account of the likelihood that not all capacity will be developed, an additional margin of at least:

- 20% over and above projected short and medium-term residential and business demand; and

- 15% over and above projected long-term residential and business demand.

The total capacity should reflect the demands for different types and locations.

Urban area means an area with urban characteristics and a moderate to high concentration of population, irrespective of local authority boundaries.

Urban form means the overall pattern of development within an urban area, and the relationship of its constituent parts to each other.

4 National significance

This National Policy Statement is about the national significance of the contribution that urban areas make to the social, economic and cultural wellbeing of people and communities, and the need to enable urban development and change in order to provide for this.
5 Objectives

The following objectives apply to all local authorities.

**Objective Group A – Outcomes for decision-making**

OA1: To support effective and efficient urban areas that enable people and communities to provide for their social, economic and cultural wellbeing.

OA2: To provide sufficient residential and business development capacity to enable urban areas to meet residential and business demand.

OA3: To enable ongoing development and change in urban areas.

**Objective Group B – Evidence and monitoring to support decision-making**

OB1: To ensure plans and regional policy statements are based on a robust, accurate and frequently-updated evidence base.

**Objective Group C – Coordinated evidence and decision-making**

OC1: To promote coordination within and between local authorities and infrastructure providers in urban areas, consistent planning decisions, integrated land use and infrastructure planning, and responsive planning processes.

**Objective Group D – Responsive planning**

OD1: To ensure that planning decisions enable urban development in the short, medium and long-terms.

OD2: To ensure that in the short and medium terms local authorities adapt and respond to market activity.
6 Policies

Outcomes for decision-making

Policies PA1 to PA3 apply to all local authorities.

PA1: By decision-makers:

- Providing for an urban form that maximises the potential for social and economic exchange within the urban area.
- Providing for the efficient use of resources, having particular regard to scarce urban land and infrastructure.
- Enabling the competitive operation of land and development markets.

PA2: By local authorities providing at all times sufficient residential and business development capacity for the short, medium and long terms.

PA3: When considering the effects of urban development, decision-makers must:

- Recognise and provide for the contribution that urban development will make to the ability for people and communities and future generations to provide for their social, economic and cultural wellbeing.
- Provide sufficient development capacity, whilst maximising the positive effects of development, and minimising the adverse effects of development.
- Have particular regard to the positive effects of urban development at a national, regional and district scale, as well as its local effects.

Evidence and monitoring to support decision-making

Policies PB1 to PB5 and PC1 to PC3 apply to all local authorities that have part, or all, of either a Medium Growth Urban Area or High Growth Urban Area within their jurisdiction.

PB1: Local authorities must, by the end of 2018, or within 12 months of becoming a Medium or High Growth Urban Area, and thereafter on at least a three-yearly basis, carry out:

- A Housing Assessment that estimates the demand for dwellings, including the demand of different groups in the population for different types of dwellings, locations and price points, and the supply of development capacity to meet that demand, in the short, medium and long-terms; and
- A Business Land Assessment that estimates the demand for the different types and locations of floor area for the local business sectors, and the supply of development capacity to meet that demand, in the short, medium and long-terms.

Local authorities must have regard to the benefits of publishing the assessments under policy PB1.
PB2: In carrying out the assessments required under policy PB1, local authorities must have particular regard to:

- Demographic change, including population growth and household size projections, using the most recent Statistics New Zealand growth projections set out in Appendix A2.
- Future changes in the sectoral composition of the local economy and the impacts that this might have on residential and business demand.
- Information on the market’s response to planning obtained through monitoring under PB5.

PB3: In carrying out the assessments required under policy PB1, local authorities must estimate the sufficiency of development capacity provided by its plans and proposed and operative regional policy statements, having particular regard to:

- The cumulative effect of all zoning, objectives, policies, rules and overlays in plans, and the effect this will have on opportunities for development being taken up.
- The actual and likely availability of infrastructure.
- The current physical and commercial feasibility of development capacity.
- The likelihood of opportunities for development being taken up.

and must estimate the additional development capacity needed if any of these factors indicate that the supply of development capacity is not likely to meet demand in the short, medium or long-term.

PB4: In carrying out the assessments required under policy PB1, local authorities must consult with infrastructure providers, community and social housing providers, the property development sector and any other stakeholders as they see fit.

PB5: To ensure that local authorities are well-informed about the market’s response to planning, local authorities must monitor a range of indicators on a quarterly basis, or as frequently as possible, including:

- The relative affordability of housing, including the ratio of house price to income and the relative cost to rent;
- The increase in house prices and rents;
- The number of resource and building consents granted relative to the growth in population;
- Vacancy rates for business land;
- The ratio of the value of land between rural and urban zoned land; and
- The ratio of the value of improvements to the value of land within the urban area.
Local authorities must have regard to the benefits of publishing the results of its monitoring under policy PB5.

**Co-ordinated evidence and decision-making**

PC1: When developing plans and regional policy statements to implement this National Policy Statement, local authorities must consult with other local authorities, local infrastructure providers and central government infrastructure providers that share jurisdiction over a Medium Growth Urban Area or a High Growth Urban Area.

PC2: The relevant local authorities and infrastructure providers will work together to agree on data and projections used in the development of the assessments required under policy PB1.

PC3: The relevant local authorities and infrastructure providers will work together to, as far as possible, ensure coordinated land use planning and infrastructure provision, including expected levels of service for infrastructure.

**Responsive planning**

Policies PD1 to PD4 apply to all local authorities that have part, or all, of either a Medium Growth Urban Area or High Growth Urban Area within their jurisdiction.

PD1: When the evidence base or monitoring obtained in accordance with policies PB1 to PB5 indicates that development capacity is not sufficient in any of the short, medium or long terms, local authorities must respond by providing further development capacity in accordance with policies PD2 and PD3 as soon as possible.

PD2: A local authority must consider all options available to it under the Act to enable sufficient development capacity to meet residential and business demand, including but not limited to:

- Changes to plans and regional policy statements, including changes to:
  - Objectives, policies and rules, zoning and the application of those in both existing urban and undeveloped areas;
  - Activity status;
  - Provisions about the notification of applications for resource consent;
  - Existing overlays, or the introduction of overlays which enable development; and
  - Make them simpler to interpret.
- Consenting processes that are customer-focused and coordinated within the local authority; and
- In granting consent, the conditions of consent imposed.
PD3: Local authorities must consider the following responses:

- In the short term, further enable development through customer-focused consenting processes and, where appropriate, amending the relevant plans.
- In the medium term, amending the relevant plans and policy statements to provide more development capacity.
- In the long term, providing a broad indication of the location, timing and sequencing of development capacity in order to demonstrate that it will be sufficient.

PD4: In giving effect to policy PD1 with respect to residential development capacity local authorities should have particular regard to enabling capacity:

- In the locations that the Housing Assessment, required under policy PB1, indicates are of highest demand; and
- That is feasible.

such that it maximises the contribution to meeting demand for residential development.

Local authorities that have a Medium Growth or High Growth Urban Area within their jurisdiction should not restrict their responses to meeting demand to only the area that lies within the Medium Growth Urban Area or High Growth Urban Area.

Policies PD5 to PD9 apply to all local authorities that have part, or all, of a High Growth Urban Area within their jurisdiction.

Regional councils must have amended their proposed and operative regional policy statement to give effect to policies PD5 to PD6 by:

- The end of 2018; or
- Earlier if the Housing Assessment required under policy PB1 shows development capacity is insufficient to meet demand; or
- Within 12 months of becoming a High Growth Urban Area.

Regional councils must amend their proposed and operative regional policy statements to give effect to policies PD5 to PD6 in accordance with section 55(2A) of the Act without using the process in Schedule 1 of the Act.

PD5: Regional councils must set minimum targets for the supply of sufficient residential development capacity that must be achieved, in accordance with its Housing Assessment, and incorporate these into the relevant regional policy statement.

These minimum targets must specify:

- The total number of dwellings; and
- Different types of dwellings.
To take account of the likelihood that not all capacity will be developed, it must require an additional margin of at least:

- 20% over and above projected short and medium-term demand; and
- 15% over and above projected long-term demand.

**PD6:** A regional council’s minimum targets set under policy PD5 must be set for the medium and long terms, and must be reviewed every three years. When a regional council’s Housing Assessment required under policy PB1 shows that the minimum targets set in the regional policy statement are insufficient to meet demand, regional councils must revise those minimum targets in accordance with policy PD5 and incorporate those targets into its regional policy statement in accordance with section 55(2A) of the Act without using the process in Schedule 1 of the Act.

Local authorities shall give effect to policies PD7 to PD9 within the following timeframes:

- By the end of 2018; or
- Within 12 months of becoming a High Growth Urban Area.

**PD7:** Local authorities must provide a future land release and intensification strategy alongside the relevant plans and regional policy statements to demonstrate that there will be sufficient development capacity in the medium and long terms, and that minimum targets will be met.

**PD8:** The future land release and intensification strategy must:

- Identify the location, timing and sequencing of future development capacity over the long term; and
- Provide a process for flexible implementation.

**PD9:** In developing this strategy, local authorities must:

- Be informed by the Housing Assessment and Business Land Assessment required under policy PB1;
- Take into account the views of infrastructure providers, land owners, the property development sector and any other stakeholders as they see fit; and
- Have particular regard to policy PA1.
## Appendix – Statistical Information

### A1: Statistics New Zealand: Classification of Urban Areas

<table>
<thead>
<tr>
<th>Main Urban Areas</th>
<th>Secondary Urban Areas</th>
</tr>
</thead>
<tbody>
<tr>
<td>Whangarei</td>
<td>Pukekohe</td>
</tr>
<tr>
<td>Northern Auckland Zone</td>
<td>Tokoroa</td>
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<tr>
<td>Western Auckland Zone</td>
<td>Taupo</td>
</tr>
<tr>
<td>Central Auckland Zone</td>
<td>Whakatane</td>
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<tr>
<td>Southern Auckland Zone</td>
<td>Hawera</td>
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<tr>
<td>Hamilton Zone</td>
<td>Feilding</td>
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<tr>
<td>Cambridge Zone</td>
<td>Levin</td>
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<tr>
<td>Te Awamutu Zone</td>
<td>Masterton</td>
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<tr>
<td>Tauranga</td>
<td>Greymouth</td>
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<tr>
<td>Rotorua</td>
<td>Ashburton</td>
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<tr>
<td>Gisborne</td>
<td>Timaru</td>
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<tr>
<td>Napier Zone</td>
<td>Oamaru</td>
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<tr>
<td>Hastings Zone</td>
<td>Rangiora</td>
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<tr>
<td>New Plymouth</td>
<td>Queenstown</td>
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<tr>
<td>Whanganui</td>
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<tr>
<td>Palmerston North</td>
<td></td>
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<tr>
<td>Upper Hutt Zone</td>
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<tr>
<td>Lower Hutt Zone</td>
<td></td>
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<tr>
<td>Porirua Zone</td>
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<tr>
<td>Wellington Zone</td>
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<tr>
<td>Nelson</td>
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<tr>
<td>Christchurch</td>
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<tr>
<td>Dunedin</td>
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<tr>
<td>Invercargill</td>
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<tr>
<td>Kapiti</td>
<td></td>
</tr>
<tr>
<td>Blenheim</td>
<td></td>
</tr>
</tbody>
</table>

**Source:** Statistics New Zealand (sourced May 2016)

*Classification of Urban Areas*
### A2: Statistics New Zealand: Projected Total Population by Urban Area

<table>
<thead>
<tr>
<th>Urban Area</th>
<th>Year at 30 June</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2013</td>
</tr>
<tr>
<td>Whangarei</td>
<td>53,600</td>
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<tr>
<td>Northern Auckland Zone</td>
<td>288,000</td>
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<tr>
<td>Western Auckland Zone</td>
<td>217,100</td>
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<tr>
<td>Central Auckland Zone</td>
<td>450,900</td>
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<tr>
<td>Southern Auckland Zone</td>
<td>425,800</td>
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<tr>
<td>Hamilton Zone</td>
<td>180,600</td>
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<tr>
<td>Cambridge Zone</td>
<td>18,400</td>
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<tr>
<td>Te Awamutu Zone</td>
<td>15,850</td>
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<tr>
<td>Tauranga</td>
<td>125,700</td>
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<td>Rotorua</td>
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<td>Napier Zone</td>
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<td>Hastings Zone</td>
<td>67,000</td>
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<td>New Plymouth</td>
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<td>Nelson</td>
<td>63,300</td>
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<td>Christchurch</td>
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<td>Dunedin</td>
<td>115,100</td>
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<td>Invercargill</td>
<td>49,300</td>
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<tr>
<td>Kapiti</td>
<td>40,700</td>
</tr>
<tr>
<td>Blenheim</td>
<td>30,100</td>
</tr>
</tbody>
</table>

Source: Statistics New Zealand (sourced May 2016)

*Projected Total Population at 30 June 2018-2043 (2013-base)*

_______________________

Clerk of the Executive Council
Explanatory note

This note is not part of this national policy statement, but is intended to indicate its general effect.

This national policy statement comes into force 28 days after the date of its notification in the New Zealand Gazette. It provides that ensuring sufficient development capacity is a matter of national significance under the Resource Management Act 1991 and prescribes objectives and policies to guide the making of resource management decisions.
Introduction to consultation

The Minister for the Environment has released a proposed National Policy Statement (NPS) on Urban Development Capacity (the proposed NPS) for public consultation.

The proposed NPS is a priority for the Government. The particular scope relates to the provision of development capacity in local authority plans to address both housing and business needs. This document explains:

- why we have developed the proposed NPS
- our objectives, policies and key themes
- how to give your feedback on the proposal.

Submissions close at 5.00pm on Friday 15 July 2016.

Understanding urban environments

New Zealand urbanisation is among the highest in the world. Over 72 per cent of our population live in areas with a population of 30,000 or more people.\(^2\) Our outstanding natural environment and rural economy are internationally recognised. However, day to day most New Zealanders rely on the choices and opportunities our cities provide – including access to goods, services, housing, employment and recreation. The challenges of rapid growth are not unique to New Zealand cities. But New Zealand’s future success and prosperity will depend on the quality of both our rural and urban environments. Each comes with different opportunities and challenges, particularly when it comes to managing natural and physical resources sustainably.

Urban areas are in a state of constant change. The density and constant growth and development of cities can have positive and negative impacts. People are drawn to urban areas for their employment opportunities, the prospect of higher income, a choice of housing, their community, shopping and cultural facilities, and the social interactions on offer. Some businesses need to be close to large populations and the markets they create for goods and services. Smart businesses use close proximity to labour markets, other businesses, and to education and research facilities to improve productivity and innovation. Urban areas also offer greater efficiency when it comes to providing services, allowing them to cater to greater numbers located in a relatively small area.

If done well, urban growth and development support the success of the city, bringing in new people and skills, offering increased choices and opportunities, and supporting investment into

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\(^2\) As noted in *A Way Forward for National Direction*, which sets out the Government’s priorities for national direction under the Resource Management Act 1991.

\(^3\) Development capacity means the capacity of land to support development of different types. It explicitly refers to the capacity for intensification as well as expansion, ie, the capacity to develop ‘up’ as well as ‘out’. It varies with the physical characteristics of the land, the infrastructure and the constraints that regulations impose on land use.

\(^4\) Statistics New Zealand defines these areas as ‘Main Urban Areas’ (contiguous settlements of 30,000 people or more).
the infrastructure and services needed for a resilient future. However, without good planning, cities can become victims of their own success, burdened by rising traffic congestion and house prices and poor quality environments. Managing competition for resources such as land needed for housing or businesses can mean making hard decisions about how, when and where opportunities for growth will be provided.

Local government planning in urban areas

Local authorities play a vital role in the success of urban areas, shaping urban development by determining how land will be used through land-use planning\(^5\) under the Resource Management Act 1991 (RMA). Local authorities also plan for and provide necessary infrastructure such as public transport, local roads, water, parks and public spaces.

The main purpose of the RMA is to promote the sustainable management of natural and physical resources, to enable people and communities to provide for their current and future social, economic and cultural well-being. When resources are under pressure in growing urban areas, this is extremely challenging.

Urban areas are complex, bringing together people with diverse lifestyles and backgrounds. Local authorities must balance often competing or conflicting interests on behalf of their community. Their plans and planning decisions will inevitably involve choices that advantage some people and disadvantage others.

When making decisions, local authorities must consider the needs of the whole community and the impact planning decisions will have for future generations. This can be difficult when planning processes often favour those who are most vocal and able to make their views known to decision-makers, and when the future and wider costs and benefits of individual planning decisions are hard to quantify. This can lead to decisions that protect current, local interests at the expense of broader outcomes and future generations. For instance, plans that do not supply enough development opportunities to build sufficient housing to meet demand contribute to increasing house prices. While this may benefit current home owners it effectively locks out future generations from home ownership as well as those currently saving to buy their first homes.

Decision-makers for urban areas need to better understand that constraints on development to protect and manage precious natural and physical resources, such as heritage, landscapes and amenity values, come at a cost. While these attributes play an inherent role in making our urban spaces distinctive and special, planning decisions that do not adequately balance their use and protection against the need to provide opportunities for the city to adapt and change can deny significant parts of the current and future community access to housing and employment.

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\(^5\) Land-use planning uses policies and rules to control what type of development can take place, such as zoning for industrial use or residential housing. It puts in place height and density limits and controls the levels of noise allowed at different times in order to manage the effects from different activities.
Government reform

The Government is working on a range of options to improve urban planning, including its response to the Productivity Commission’s recent inquiry, Using Land for Housing⁶ and the Better Local Services reforms.

Of particular relevance is the Resource Legislation Amendment Bill (the Bill), which proposes an amendment to sections 30 and 31 of the RMA that will create a new function for regional and territorial authorities to provide enough development capacity to meet demand. The proposed NPS will support this new function if it becomes law; however, it could stand alone if required. The definition of development capacity in the Bill will be aligned with the proposed definition in the NPS, once consultation on the proposal has been completed.

The proposed NPS will complement these initiatives and focuses on helping local authorities to allow development in areas experiencing growth.

Providing for housing needs

In many of our growing urban areas, the supply of housing has not kept up with demand. This has contributed to high and rapidly increasing house prices as well as housing affordability challenges and overcrowding. Families have had to make compromises about the size, quality and location of their homes.

The Government is concerned about the national impact of this because:

- shortages of housing affect people on lower incomes the most. Overcrowding contributes to social and health problems and a lack of housing choices close to employment makes it difficult for people to move to new jobs, increasing congestion and travel costs. It can also polarise communities, increasing the difference in income levels between areas
- greater demand is placed on the welfare system to meet housing needs. Government spending on housing assistance is estimated to be over $2 billion for 2015/16
- high house prices reduce how much New Zealanders have to invest elsewhere, such as in the production of exports
- unstable house prices are a risk to the national economy, with New Zealand’s housing stock worth eight times the share market.

Many things, including global financial trends, are contributing to the current state of the housing market. Government is running a comprehensive work programme aimed to make housing more affordable for all New Zealanders. The proposed NPS focuses on reducing the barriers to increasing housing supply, enabling a quicker and more fit-for-purpose response to housing demand.

Barriers to increasing the supply of houses

Local authorities can influence housing supply through resource management plans. These set development capacity through the use of zones and development controls. For example, they set how many and what type of homes can be built – and where. Planning both enables and limits the amount of homes that may eventually be built on a site. Taken across a whole plan,

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⁶ This looked at other issues in the planning and development system, including the supply of infrastructure.
these limitations can mean there is not enough development capacity to provide for housing demand, so housing capacity for new developments becomes scarce and prices rise.

Zoning and development controls need to provide certainty to communities about what can and cannot be developed, and confidence that what does get developed will not lead to poor environmental outcomes. These controls also need to allow the development of enough housing and employment to meet the needs of the community in the long term as well as current demand. The challenge is greatest in redeveloping already established (brownfield) areas. But it is important to do so, to make efficient use of resources and to provide for people’s needs.

This means that decision-makers need to understand the demand for housing and jobs, and the impact that zoning and development controls will have on people’s ability to meet that demand.

Providing for business needs

Under the proposed NPS, councils are required to provide sufficient development capacity for businesses in urban areas. This means business land zoned for productive uses including retail, consumer and business services, manufacturing, transport and storage and utilities. Local authorities use different zones for these types of activities, depending on their effects (such as noise, traffic movements, odour and discharges to air or water).

People need access to homes and jobs; however, this need is constantly changing. Local authority planning should provide enough development capacity for both employment and housing close to each other, in ways that make efficient use of land and services, with as few conflicts as possible. When the planning system struggles to facilitate spatial change associated with ongoing economic development, it may constrain productivity growth.

There is less information about the demand for and supply of development capacity for business than there is about housing. Research for the proposed NPS suggests that:

- different types of businesses have different land and space requirements. For example, manufacturers and wholesalers often need large plots of land buffered from other activities, while business services are often found in high-rise office buildings in city centres and retail and consumer services often choose locations near residential areas
- in cities, employment and production growth tends to be in services rather than traditional manufacturing.

In general, the property market for business land does not appear to have the same extent of problems as the housing market. In most areas and for most types of business, the land available appears to be broadly sufficient and prices do not seem to increase as rapidly as they do with housing. In some urban areas there is even a possibility of oversupply of some kinds of business land. This can lead to underfunded infrastructure and struggling town centres.

Despite plans providing in total enough development capacity for businesses, for some sectors the development capacity provided is not aligned with business needs for type or location. This appears to be an issue for the users of land zoned for industrial use. This includes manufacturers, transport and logistics operators, and utility providers. The effects of these activities often make them incompatible with other uses (for example, noise, odour and traffic movements). These operations are also often capital intensive and difficult or costly to move.
Older industrial businesses in areas developing with newer businesses and housing often experience reverse sensitivity. This is where they face the costs of addressing complaints about their effects from new, more sensitive land users. Some industrial businesses that would be expensive to move should arguably be protected from this, while others should be encouraged to move to make way for higher value users. However, zoned and serviced land is not always available in suitable locations to move to.

The topic of reverse sensitivity is very complex. The focus of the proposed NPS is to further enable development capacity, and addressing reverse sensitivity would require significantly more analysis than has been possible.

**Constraints on providing sufficient development capacity for business and housing needs**

In developing the proposed NPS, the following have been identified as contributing to an insufficient supply of development capacity for housing and business needs.

- The planning system is slow to identify and respond to changes in demand (especially unexpected demands like the recent high net migration). This is because it takes a large amount of time and money to make plan changes or to get resource consent decisions on developments that the public must be consulted on. Once consents are gained, developers spend considerable time and money dealing with different parts of councils and other groups to make their projects happen.

- Planning decisions respond to groups in the community that are most vocal and well-resourced in consultation processes. As a result, decisions tend to be biased towards protecting current, local interests at the expense of wider outcomes and future generations.

- Local authorities do not often have all the information they need, especially about the impact their planning will have on housing markets and on business land needs. For example, the impact that zoning decisions and development controls have on the type of development that will occur (or not) in particular locations is not assessed against what the market can reasonably provide.

- Often land-use planning and infrastructure planning are not well integrated. This creates uncertainty about whether zoned areas will have the necessary services. There is also often some misalignment in the planning decisions between neighbouring local authorities that impact on a single urban market.
Structure of the proposed National Policy Statement

The proposed NPS contains several requirements to ensure that councils provide, in their urban planning decisions, sufficient development capacity for residential and business development to meet demand.

The proposed NPS is made up of requirements across four key elements. These provide objectives and policies to address the problems identified above. The four elements are:

- the outcomes of decision-making
- the evidence to support decisions
- coordinated evidence base and decision-making
- enabling responsive planning.

The proposed NPS is made up of a tiered set of requirements targeted to different urban areas. The tiered structure of the proposed NPS is designed to target policies to those places facing the greatest growth challenges while minimising the costs of meeting national direction in places where this is not necessary.

The tiered approach is applied in the proposed NPS as follows.

1. The objectives and high-level policies apply to all local authorities when they are making decisions on urban planning.

2. Additional policies apply to medium and high growth urban areas. Medium growth urban areas are defined as local authorities with jurisdiction over all or part of a Main Urban Area\(^7\) or a Secondary Urban Area with a combined resident and visitor population of 30,000 or more, which is projected to experience population growth of 5–10 per cent over 10 years. Currently, this definition includes the urban areas of New Plymouth, Palmerston North, Wellington, Nelson and Kapiti.

3. Further policies which apply only to high growth urban areas. High growth urban areas are defined as local authorities with jurisdiction over all or part of a Main Urban Area or a Secondary Urban Area with a combined resident and visitor population of 30,000 or more, which is projected to experience population growth of over 10 per cent in the next 10 years. Currently, this definition picks up the five urban areas of Auckland, Tauranga, Hamilton, Christchurch and Queenstown.

Table 1 illustrates the Main Urban Areas and relevant local authorities captured by medium and high growth urban areas.

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\(^7\) Defined by Statistics New Zealand as a contiguous population over 30,000 people.
### Table 1: High and medium growth urban areas

<table>
<thead>
<tr>
<th>Main Urban Area</th>
<th>Projected population growth 2013–23 (%)</th>
<th>Relevant council</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>High growth</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Auckland*</td>
<td>18.1</td>
<td>Auckland Council</td>
</tr>
<tr>
<td>Tauranga</td>
<td>15.1</td>
<td>Tauranga City, Western Bay of Plenty District, Bay of Plenty Regional Council</td>
</tr>
<tr>
<td>Hamilton*</td>
<td>14.8</td>
<td>Hamilton City, Waipa District, Waikato District, Waikato Regional Council</td>
</tr>
<tr>
<td>Queenstown**</td>
<td>14.0</td>
<td>Queenstown Lakes District, Otago Regional Council</td>
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<tr>
<td>Christchurch</td>
<td>11.1</td>
<td>Christchurch City, Waimakariri District, Selwyn District, Environment Canterbury</td>
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<td><strong>Medium growth</strong></td>
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<td></td>
</tr>
<tr>
<td>New Plymouth</td>
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<td>New Plymouth District, Taranaki Regional Council</td>
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<tr>
<td>Nelson</td>
<td>8.5</td>
<td>Nelson City, Tasman District</td>
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<tr>
<td>Kapiti</td>
<td>6.9</td>
<td>Kapiti District, Greater Wellington Regional Council</td>
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<tr>
<td>Palmerston North</td>
<td>6.7</td>
<td>Palmerston North City, Manawatu District, Horizons Regional Council</td>
</tr>
<tr>
<td>Wellington*</td>
<td>6.4</td>
<td>Wellington City, Porirua City, Lower Hutt City, Upper Hutt City, Greater Wellington Regional Council</td>
</tr>
<tr>
<td><strong>Other Main Urban Areas</strong></td>
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<td></td>
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<tr>
<td>Napier/Hastings*</td>
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<td>Napier City, Hastings District, Hawke’s Bay Regional Council</td>
</tr>
<tr>
<td>Blenheim</td>
<td>4.7</td>
<td>Marlborough</td>
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<td>Whangarei</td>
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<td>Whangarei District, Northland Regional Council</td>
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<tr>
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<td>Gisborne District</td>
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<tr>
<td>Whanganui</td>
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<td>Whanganui District, Horizons Regional Council</td>
</tr>
</tbody>
</table>

* The Main Urban Areas for Auckland, Hamilton, Wellington and Napier/Hastings are made up of many smaller areas joined together.

** Queenstown is a Secondary Urban Area, but its combined resident and annual visitor population exceeds 30,000 people.
Implementation

Councils would apply the objectives and policies that relate to frequent monitoring as soon as the proposed NPS became operative (scheduled for October this year).

A number of policies on developing a more comprehensive evidence base and setting minimum targets for development capacity must be implemented within three years of the proposed NPS becoming operative. Both may trigger additional plan changes to enable further development capacity.

To support the proposed NPS, the Government intends to put in place an implementation programme that will include the development of guidance and likely training and monitoring.

Key question:
- What do you think of the proposal to target policies to different areas?
Key themes throughout the proposed NPS

1  Enabling growth and development while managing the effects

A key component of successful urban areas is urban planning that enables growth and development. Urban development has both positive and negative effects; however, current planning decisions appear to focus more on the negative effects of development rather than the positive contribution development can make. For example, if a development is turned down because of specific local effects (i.e., traffic effects), the wider community may miss out on additional homes, additional local services or opportunities for employment. Furthermore, there is still a need for the development. This growth must then be accommodated elsewhere, in an area that may or may not be better able to manage the effects.

Objective OA3 and Policy PA3 in the proposed NPS address these issues, directing local authorities to:

- enable ongoing development and change
- recognise the contribution that urban development will make to the ability of people, communities and future generations to provide for their social, economic and cultural well-being
- have particular regard to the positive effects of urban development at district, regional and national scale, as well as its local effects.

Local effects remain important, but should be considered in the context of other impacts.

Key questions:

- Would these policies result in better decision-making under the Resource Management Act 1991 for urban development?
- What impact would the policy to recognise the positive impacts of development have?

2  Meeting a range of demands

Under the proposed NPS, demand includes not only the total quantity of demand for homes and floor area but also different types, locations and price points. Successful urban areas need to provide choice for a diverse range of residents and businesses.

All urban areas are experiencing changing demographics, which impact on demand both now and in the future. For housing needs, these include an ageing population, changes to family structure and cultural diversification. For business needs, sectoral changes in the economy also impact on demand for business space.

Policies PB1–PB4 require local authorities to carry out housing and business assessments every three years to estimate the demand for housing and business floor areas. These
assessments will improve the information used to make decisions and are directly linked to policies PD1–PD4, which require councils to plan for further development if the assessment identifies a shortage.

The Housing Assessment must estimate the demand for housing in the short, medium and long term. It includes demand for different types of dwellings (such as terraced houses, apartments or stand-alone houses) at different locations and at different price points, recognising that people trade off type, location and price. By providing a range of housing choices in various places, people and families are able to stay within their communities throughout different life stages. Currently, these choices are not often available.

The Business Land Assessment must estimate the demand for different types and locations of floor area for local business sectors. When estimating demand, local authorities must also consider if the types of local businesses are changing and the impact this may have on demand.

Both assessments must estimate the sufficiency of development capacity provided by operative plans and policy statements by considering the:

- cumulative effect that all zoning, objectives, policies, rules and overlays in plans will have on the opportunities for development to be taken up
- the actual and likely availability of infrastructure
- current physical and commercial feasibility of development capacity (discussed in the next section)
- likelihood of development happening (recognising that not all land owners will be motivated to develop)
- information gathered in monitoring price signals.

If the assessments show there is not enough development capacity to meet the estimated demand, the council must estimate the extra capacity needed.

For high growth urban areas, policies PD5 and PD6 direct regional councils to set minimum targets for housing in their regional policy statement. The minimum targets should reflect the overall quantity of demand for homes and the break down by type as identified in the Housing Assessment. This must then be given effect to in local authority plans so that the market is enabled to provide for the full range of housing needs identified.

### Key questions:

- What could the Government do to help local authorities carry out the assessments?
- Is three years an appropriate timeframe to update the assessments?
- Is there anything else that would contribute to better understanding the supply and demand of development capacity?

### 3 Understanding and enabling the market

A key theme in the proposed NPS is the need for local authorities to better understand the market and the impact planning has on how competitively the market operates.
**Enabling a competitive market**

The proposed NPS requires local authorities in PA1 to “seek to enable land and development markets to operate competitively”. Planning has a tangible effect on the competitiveness of land and development markets. The way that local authorities plan can promote or restrict competition. For example, the time it takes for land to be re-zoned to allow for growth, the cumulative effect of development controls, what effects are weighted in decision-making and how local authorities work with infrastructure providers to facilitate more supply can all promote or restrict competition. Greater competition between developers and land owners keeps prices down; increased opportunities for development mean a greater number of suppliers will compete to meet demand. This will help to reduce speculation.

Policies PB1 and PB3 in the proposed NPS require local authorities to estimate whether they provide sufficient development capacity to meet demand in their plans, especially regarding:

- the *commercial feasibility* of development capacity
- the likelihood of opportunities for development being taken up.

If either of these factors indicates that capacity is not sufficient to meet demand, local authorities must then estimate any additional capacity needed. Policy PD4 requires local authorities, when responding to any shortfalls in the supply of residential development capacity, to have particular regard to enabling capacity in the locations that the Housing Assessment indicates are of highest demand, and that is commercially feasible.

**Commercial feasibility**

Not all plan-enabled capacity is suitable for development. Figure 1 illustrates the relationship between plan-enabled capacity, feasible capacity and what is actually developed.

**Figure 1: Plan-enabled and feasible development capacity**
If the plan-enabled development capacity is such that, in the current market conditions it is unlikely to be developed, the development market will not operate efficiently. This will ultimately impact how many homes will be built.

The interaction between plan-enabled capacity, feasible capacity and what is actually developed is complex. A variety of things can affect the ‘feasibility’ of a development. For example, the return on investment for a four-storey apartment development on the outskirts of an urban area may not be enough that a developer would take the risk to build due to a lack of demand or uncertain returns. However, it is more likely to be commercially feasible for the same four-storey apartment to be developed in an area where there is higher amenity and more demand for homes. For example, in an attractive area like a city centre or surrounding suburbs where there is better access to public transport, recreational activities and employment centres.

Additionally, while it may be commercially feasible for a developer to build a four-storey apartment block in an attractive area, this is not necessarily the optimal development in terms of providing for housing needs. Apartments in the four-storey apartment block may sell for $1,000,000 each, but if the development controls allowed the developer to build an eight-storey apartment block in the same location, these apartments may sell for significantly less.

There are many ways councils could assess the commercial feasibility of development capacity that is fit for purpose. The Government intends to provide guidance for local authorities on options for assessing the feasibility of plan-enabled capacity.

**Likelihood of opportunities for development being taken up**

Land owners may not have an incentive to develop their land, even if development is commercially feasible. Reasons for this vary. For example, if a small number of land owners own a significant proportion of land planned for development, one land owner may not choose to sell their land for development, which could severely restrict development capacity. This could mean a less than ideal outcome for consumers of housing or business land.

The proposed NPS addresses this with the definition of ‘sufficient’. This requires local authorities to provide a margin of development capacity over and above projected demand to address the likelihood of development opportunities being taken up and to promote the competitiveness of the market. The margins set in the definition are the minimum, so local authorities will need to identify if greater margins are needed. The minimums have been set at 20 per cent above the short and medium term projected demand, and 15 per cent above the long term projected demand.

For a variety of reasons, the likelihood of development opportunities being taken up in brownfield areas is less than greenfield areas. While the additional margins have been set in the proposed NPS across both types of development, it may be appropriate to specify different additional margins for brownfield and greenfield development.

**Monitoring: price signals, market activity and how to respond**

One focus of the proposed NPS is to get a better understanding of how planning is enabling the market to meet the needs of people and communities. To help achieve this, policy PB5 requires councils to monitor a range of indicators, including:

- price signals and affordability indicators
- the number of resource and building consents granted relative to the growth in population
• vacancy rates for business land.

**Price signals and affordability indicators**

The Government sees price signals as a key indicator of the competitiveness of the market, where the greatest demand is and whether development is commercially feasible, among other things. Affordability indicators will provide information on how much income is used up on housing costs. The proposed NPS requires local authorities in a high growth urban area or medium growth urban area to monitor the following indicators listed below.

The Government is seeking feedback on the feasibility and utility of these indicators, as well as any others that may reveal more information about how well planning is enabling the market to meet the needs of the community. Specific indicators to monitor included in the proposed NPS are:

- the relative affordability of housing, including the ratio of house price to income and the relative cost to rent. Such ratios could include the Demographia Housing Affordability Median Multiple and the Massey University Home Affordability Index. These ratios illustrate trends in affordability
- the increase in house prices and rents. This provides information about long term trends in house prices
- differences in land prices at the rural–urban boundary. This ratio is likely to be increased by limits to development within the urban area. Big or increasing differences show more development capacity is needed
- the ratio of improvement value to land value at suburb level. Higher land prices should, all else being equal and over the long term, encourage more intense (and therefore higher value) development of land. However, improvement values tend to change incrementally, and therefore short-run changes in this measure are likely to be due to high land price inflation within the urbanised area. It may provide some useful signals on suburbs where redevelopment is not keeping pace with increasing land prices.

Price signals and affordability indicators will provide useful information. The challenge will be in interpreting them and using the information to inform a meaningful and pragmatic planning response. The Government intends to do further work on other price signals, including how to interpret them.

**Market activity**

Monitoring the number of resource and building consents granted should provide an indication of the level of development activity. Monitoring this in an ongoing way will be particularly important as it provides an indication of developing trends, including whether the supply of dwellings is starting to diverge from the number of households being formed. Building consents give a more accurate picture than resource consents of whether development will actually occur, because applying for a building consent requires a level of investment by the developer and not all resource consents are acted on.

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8 As highlighted by the Productivity Commission in its report *Using Land for Housing.*
Many local authorities will already be collecting data on resource and building consents. One aim of the proposed NPS is to bring this data together with other information in a systematic way to inform practical planning responses to growth pressures.

Key questions:

- What else would help local authorities and the Government better understand how planning interacts with the market?
- Should there be more direction in the proposed NPS on how to assess the commercial feasibility of plan-enabled development capacity?
- Are the margins of development capacity over and above projected demand set at an appropriate level?
- Should there be a different margin for brownfield and greenfield development capacity?
- Would the proposed monitoring give a complete picture of how responsive the planning system is? What other things could you see value in monitoring?
- What challenges do you see in interpreting price signals?

4 Implications for infrastructure

The timely and adequate provision of infrastructure is critical for development. Decisions about infrastructure investment are made through long-term plans prepared under the Local Government Act 2002 and Land Transport Management Act 2003. As a tool under the RMA, the proposed NPS cannot directly affect these decisions or direct infrastructure providers. However, the definition of development capacity in the proposed NPS includes the provision of infrastructure that already exists or is likely to exist which supports the development of the land.

This means that, under the objectives and policies of the proposed NPS, development capacity must have an indication that land will be or will likely be supported by infrastructure. This is to encourage better coordination between infrastructure providers and local authorities planning for growth. To support this, the timeframes in the proposed NPS are three, 10 and 30 years to align with Local Government Act planning processes.

In policies PC1–PC3, the proposed NPS also requires local authorities and infrastructure providers to work together to agree on data and population projections used in the development of the housing and business land assessments, and then to work together to as (as far as possible) ensure coordinated land use planning and infrastructure provision, including expected levels of service for infrastructure.

Key questions:

- Would the proposed policies contribute to better coordination between land-use planning and infrastructure provision?
- What else would assist with better coordination?
5 Roles and relationships between councils

All of the B, C and D policies in the proposed NPS apply to medium and high growth urban areas. These definitions are used because they represent single urban housing and labour markets of a significant size. Because urban areas are based on markets, they do not necessarily align well with local authority boundaries. Many of the urban areas cross several territorial authority boundaries as well as the relevant regional council.

For example, the jurisdictions of Christchurch City Council, Waimakariri District, Selwyn District and Environment Canterbury are included in the Christchurch Main Urban Area. Figure 2 illustrates the boundaries of the three territorial authorities against this main urban area.

Figure 2: Councils and the Christchurch Main Urban Area
Coordination between the different local authorities is necessary to efficiently plan for growth across an urban area. Policies PC1–PC3 encourage local authorities within a medium or high growth urban area to use a common evidence base and, as much as possible, agree on how growth will be accommodated while still recognising their individual decision-making authority. Many areas already have formal or informal agreements for working with each other (including triennial agreements or non-statutory urban growth strategies). The proposed NPS aims to support and encourage this type of planning.

*Regional and territorial local authorities*

The minimum housing targets that are required under policies PD5 and PD6 must be set in the relevant regional policy statement, because it has effect over all of the planning documents within a single urban market and plays a coordinating role across those councils. However, the Government expects that the regional council and relevant territorial local authorities will work together closely to determine these targets.

**Key questions:**
- What are your views on setting minimum targets in the regional policy statement?
- Are policies in the proposed NPS clear enough on how local authorities within medium and high growth urban areas should work together?
Implementation programme

The Government proposes a package of non-statutory guidance to help councils implement the proposed NPS. This could include information on:

- best practice methodologies for assessing demand and development capacity
- best practice methodologies for specified monitoring indicators and other indicators that may provide useful information
- understanding the market, including assessing development feasibility, monitoring and interpreting price signals
- how local authorities can work with other actors, including local authorities and infrastructure providers
- assessing market failures and making the case for planning regulations (including cost–benefit analysis)
- how to balance the proposed NPS with other national direction (for example, the National Policy Statement for Freshwater Management and the New Zealand Coastal Policy Statement), or specific matters listed in sections 6 and 7 of the RMA.

**Key question:**

- Which of the suggested guidance information would be most useful for local authorities?

The Government is also asking for your feedback on other ways it could support the successful implementation of the proposed NPS. This could include:

- facilitating sharing of best practice between local authorities
- providing training or other ways to increase local government capability
- monitoring and reporting on the implementation of the proposed NPS
- providing local authorities with access to technical models.

**Key questions:**

- Would it be good to involve practitioners in the development of the guidance material? For example, one model could be a technical expert group made up of New Zealand practitioners (including local authorities, infrastructure providers and developers) with some international input.
- Apart from supplying guidance, how could the Government help local authorities to apply the NPS?
Consultation process

How to make a submission

The Government welcomes your feedback on this consultation document. The questions asked throughout this document are a guide only and all comments are welcome. You do not have to answer all the questions.

To make sure your point of view is clearly understood, you should explain your rationale and provide supporting evidence where appropriate.

There are two ways you can make a submission:

- use our online submission tool, available at [www.mfe.govt.nz/more/consultations](http://www.mfe.govt.nz/more/consultations)
- type your own submission preferably using a Microsoft Word document (2003 or later version).

If you are emailing your submission, send it to npsurbandevelopment@mfe.govt.nz.

If you are posting your submission, send it to NPS Urban Development Capacity, Ministry for the Environment, PO Box 106483, Auckland City 1143, and include: the title of the consultation – NPS Urban Development Capacity, your name or organisation name, postal address, telephone number and email address.

**Submissions close at 5.00 pm on Friday 15 July 2016.**

Contact for queries

Please direct any queries to:

Email: npsurbandevelopment@mfe.govt.nz

Postal: NPS Urban Development, Ministry for the Environment, PO Box 106483, Auckland City 1143

Publishing and releasing submissions

All or part of any written submission (including names of submitters) may be published on the Ministry for the Environment’s website, [www.mfe.govt.nz](http://www.mfe.govt.nz). Unless you clearly specify otherwise in your submission, the Ministry will consider that you have agreed to have your submission and your name posted on its website.

Contents of submissions may be released to the public under the Official Information Act 1982 if requested. Please let us know if you do not want some or all of your submission released, stating which part(s) you consider should be withheld and the reason(s) for withholding the information.

Under the Privacy Act 1993, people have access to information held by agencies about them. Any personal information you send to the Ministry with your submission will only be used in relation to matters covered by this document. In your submission, please indicate if you prefer we do not include your name in the published summary of submissions.
What happens next?

Once submissions have been considered, the Ministry will prepare a summary of submissions report including recommendations for the Minister to consider. The Minister will then decide whether to approve the proposed NPS. If so, it is likely to take effect by the end of 2016.
### Summary of the proposed National Policy Statement on Urban Development Capacity

<table>
<thead>
<tr>
<th>Outcomes of decision-making</th>
<th>Evidence to support decisions</th>
<th>Coordinated evidence base and decision-making</th>
<th>Responsive planning</th>
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<td><strong>Objectives</strong></td>
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<td>OA1. Effective and efficient urban areas that provide for social, economic, cultural and environmental well-being.</td>
<td>OB1. Plans and regional policy statements are based on robust, accurate and frequently updated evidence.</td>
<td>OC1. Coordination within and between local authorities and infrastructure providers in urban areas, consistent planning decisions, integrated land-use and infrastructure planning and responsive planning processes.</td>
<td>O01. Planning decisions enable urban development in the short, medium and long term.</td>
</tr>
<tr>
<td>OA2. Sufficient residential and business development capacity to enable urban development that meets demand.</td>
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<tr>
<td>OA3. Ongoing development and change is enabled.</td>
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<tr>
<td><strong>Policies</strong></td>
<td></td>
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<tr>
<td>PA1. In implementing objectives A1–A3, decision-makers must: pursue an urban form that seeks to maximise the potential for social and economic exchange; provide for efficient use of resources including urban land and infrastructure; seek to enable land and development markets to operate competitively.</td>
<td>PB1–PB3. Local authorities, on at least a three-yearly basis, must carry out: - a housing assessment that estimates the demand for dwellings, including for different types of dwellings, locations and price points. - a business land assessment that estimates demand for different types and locations of floor area for local business sectors. Both assessments must also estimate the supply of development capacity to meet demand in the short, medium and long term, and identify any insufficiency in development capacity.</td>
<td>PC1. Local authorities must consult other local authorities and infrastructure providers that share jurisdiction over a medium or high growth urban area, when developing plans and policy statements.</td>
<td>PD1. When the evidence base or monitoring indicates development capacity is not sufficient in the short, medium or long term, local authorities must respond by further enabling development in accordance with PD2 and PD3.</td>
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<tr>
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<tr>
<td>PA2. Local authorities must at all times provide sufficient development capacity for the short, medium and long term.</td>
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<tr>
<td>PA3. When considering effects of urban development decision-makers must: recognise and provide for the contribution urban development will make in enabling people, communities and future generations to provide for their social, economic, cultural and environmental well-being; provide sufficient development capacity while maximising the positive effects of development and minimising adverse effects of development; have particular regard to the positive effects of urban development at a national, regional and district scale, as well as local effects.</td>
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</tbody>
</table>

### Key (and see over)

**Objectives and policies apply to all local authorities**

**Apply to local authorities with medium and high-growth urban areas within their jurisdiction**

**Apply only to local authorities with high-growth urban areas within their jurisdiction**

### Definitions

**Development Capacity:** In relation to residential and business land, means the capacity of land for urban development to meet demand, taking into account the following factors:

- the zoning, objectives, policies, rules and overlays that apply to the land;
- the provision of adequate infrastructure, existing or likely to exist, to support the development of the land, having regard to:
  - the relevant proposed and operative RPS, regional plans and district plans;
  - any relevant management plans and strategies prepared under other Acts.

**Sufficient:** The provision of enough development capacity to meet demand, plus to take account of the likelihood that not all capacity will be developed, an additional margin of at least:

- 20% over and above projected short and medium term demand
- 15% over and above projected long term demand

Total capacity should reflect demands for different types property in different locations.

**Long, medium and short term:** Within 30 years, 10 years and 3 years.
Areas that the NPS-UDC applies to: Medium and High Growth Urban Areas and other areas

<table>
<thead>
<tr>
<th>Urban Area</th>
<th>Projected population growth 2013 - 2023</th>
<th>Relevant Local Authorities</th>
<th>Relevant parts of the NPS-UDC</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>High Growth Urban Area</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Auckland</td>
<td>18.1%</td>
<td>Auckland Council</td>
<td></td>
</tr>
<tr>
<td>Tauranga</td>
<td>15.1%</td>
<td>Tauranga City, Western Bay of Plenty District, Bay of Plenty Regional Council</td>
<td></td>
</tr>
<tr>
<td>Hamilton</td>
<td>14.8%</td>
<td>Hamilton City, Waipa District, Waikato District, Waikato Regional Council</td>
<td></td>
</tr>
<tr>
<td>Queenstown</td>
<td>14.0%</td>
<td>Queenstown-Lakes District, Otago Regional Council</td>
<td></td>
</tr>
<tr>
<td>Christchurch</td>
<td>11.1%</td>
<td>Christchurch City, Waimakariri District, Selwyn District, Environment Canterbury</td>
<td></td>
</tr>
<tr>
<td><strong>Medium Growth Urban Area</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>New Plymouth</td>
<td>9.3%</td>
<td>New Plymouth District, Taranaki Regional Council</td>
<td></td>
</tr>
<tr>
<td>Nelson</td>
<td>8.5%</td>
<td>Nelson City, Tasman District</td>
<td></td>
</tr>
<tr>
<td>Kapiti</td>
<td>6.9%</td>
<td>Kapiti District, Greater Wellington Regional Council</td>
<td></td>
</tr>
<tr>
<td>Palmerston North</td>
<td>6.7%</td>
<td>Palmerston North City, Manawatu District, Horizons Regional Council</td>
<td></td>
</tr>
<tr>
<td>Wellington</td>
<td>6.4%</td>
<td>Wellington City, Porirua City, Lower Hutt City, Upper Hutt City, Greater Wellington Regional Council</td>
<td></td>
</tr>
<tr>
<td><strong>Other Main Urban Areas</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Napier/Hastings</td>
<td>4.9%</td>
<td>Napier City, Hastings District, Hawke’s Bay Region Council</td>
<td></td>
</tr>
<tr>
<td>Blenheim</td>
<td>4.7%</td>
<td>Marlborough District</td>
<td></td>
</tr>
<tr>
<td>Whangarei</td>
<td>4.5%</td>
<td>Whangarei District, Northland Region</td>
<td></td>
</tr>
<tr>
<td>Gisborne</td>
<td>4.3%</td>
<td>Gisborne District</td>
<td></td>
</tr>
<tr>
<td>Invercargill</td>
<td>3.7%</td>
<td>Invercargill City, Southland Regional Council</td>
<td></td>
</tr>
<tr>
<td>Dunedin</td>
<td>3.6%</td>
<td>Dunedin City, Otago Regional Council</td>
<td></td>
</tr>
<tr>
<td>Rotorua</td>
<td>0.7%</td>
<td>Rotorua District, Bay of Plenty Regional Council</td>
<td></td>
</tr>
<tr>
<td>Whanganui</td>
<td>-1.5%</td>
<td>Whanganui District, Horizons Regional Council</td>
<td></td>
</tr>
<tr>
<td>Rest of New Zealand</td>
<td></td>
<td>Rest of New Zealand’s local authorities</td>
<td></td>
</tr>
</tbody>
</table>

"High Growth Urban Area" is defined as either:
- A Main Urban Area with population growth over the next ten years of over 10%, according to Statistics NZ medium projections.
- A Secondary Urban Area with a combined usually resident population and visitor population of over 30,000 people at any time during the year, with population growth over the next ten years of over 10%, according to Statistics NZ medium projections.

"Medium Growth Urban Area" is defined as either:
- A Main Urban Area with population growth over the next ten years of between 5% and 10% under Statistics NZ medium projections, according to Statistics NZ medium projections.
- A Secondary Urban Area with a combined usually resident population and visitor population of over 30,000 people at any time during the year, with population growth over the next ten years of between 5% and 10%, according to Statistics NZ medium projections.

Main and Secondary Urban Areas are Statistics New Zealand definitions that identify concentrated urban settlements without the distortions of administrative boundaries. A Main Urban area has a contiguous population of more than 30,000 people. A Secondary Urban Area has a contiguous population of between 10,000 and 30,000 people.

Document number A1734072
Dear Sir or Madam,

FAR NORTH DISTRICT COUNCIL SUBMISSION ON THE PROPOSED NATIONAL POLICY STATEMENT ON URBAN DEVELOPMENT CAPACITY – CONSULTATION DOCUMENT

Our District

The Far North District has the third largest land area of any territorial authority in the North Island and the 12th highest population of all district and unitary authorities. The population is dispersed throughout the District’s expansive rural and coastal areas, with almost half of the Far North population being Māori. We have an aging population, our district has a median age of 43.3 which is 5.3 years higher than the national median, 27 percent are low income households and unemployment is at 11.5 percent, which is 4.4 percent higher than the national median1.

The scale, geography, climate, percentage of conservation and Māori land, small rating base and dispersed settlements combine to create a particular set of challenges for delivering efficient and effective services to Far North communities. Council’s application of resources and efforts in achieving sound resource management outcomes must be carefully balanced against the challenges of having a predominantly rural based district. These stresses are different to those experienced by local authorities servicing relatively urbanised districts.

Despite being a predominantly rural district, the Council recognises the importance and function of our urban settlements and their contribution to housing, commerce, and industry.

General Comment

Far North District Council (FNDC) welcomes the opportunity to provide further feedback in the form of a submission on the Ministry for the Environment’s (the Ministry’s) ‘Proposed National Policy Statement on Urban Development Capacity – Consultation Document’ (NPS-UDC). FNDC generally supports the focus of the NPS-UDC which looks to ensure that planning enables development through providing sufficient development capacity for housing and businesses.

As identified in our previous feedback on this topic in February 2016 we have urban areas in the District facing growth pressures and others facing population decline.

The Big Issue for Development in the Far North District - Infrastructure

Maintaining service levels and funding maintenance and replacement of infrastructure assets across the district with a declining and aging rating base is extremely difficult. We already face affordability issues in the Far North, particularly for small communities connected to small water and wastewater treatment systems and there are increasing demands for services and infrastructure ahead.

1 Profile ID statistics - http://profile.idnz.co.nz/far-north/highlights?WebID=10
By way of example the township of Kerikeri is currently facing positive growth pressure, but does not have infrastructure in place to service that growth in its urban area. Kerikeri’s population demographic shows trends which indicate an aging population between the census years 2006 to 2013. There has been an increase of ‘empty nesters and retirees’ (aged 60 to 69) of 207 persons, and ‘seniors’ (aged 70 to 84) of 270 persons. There has been a decrease of ‘parents and homebuilders’ (aged 35 to 49) of 195 persons. While there is a new sewage scheme planned for the Kerikeri Township, servicing of the debt through a targeted rate will be difficult for a largely aging population when their income will likely be the pension. This is despite the median value of housing on Kerikeri rising in May this year to $595,000, up from $420,000 in May 2015.

We have established that Kerikeri Township currently has enough residential capacity within its exiting residential zone to accommodate growth for approximately the next 30 years. However, this residential land cannot be realised until such time that reticulated sewage can be supplied. Our current wastewater scheme for Kerikeri is at capacity and no further connections are available, even within the existing residential zoned land in and around the town centre. FNDC will deliver an upgraded wastewater scheme by the end of 2017, at a total cost of around $22M which will expand the existing network to include all of the land in the Kerikeri Township zoned in an urban capacity.

In addition we will need to invest around $20M in a water supply scheme upgrade in Kerikeri within about 10 years. A significant portion of the above investment relates to the provision of the reticulation itself. It is vital that we retain the ability to provide for urban zoned land (in a manner that maximises the affordability of the services) to efficiently support compact urban development.

Conversely we have towns like Moerewa which is in population decline and already has an infrastructure deficit. Moerewa does not have a sewerage scheme and in large rain events has systemic failure of its private wastewater septic tanks. As at the 2013 census, less than 60 percent of Moerewa’s population is in full time employment. This coupled with other demographic statistics such as household income makes it very difficult to deliver new – first world – infrastructure at a cost the community can afford.

In addition, towns with a small rating base are already struggling with significant rate increases due to the costs associated with changing resource consent requirements. For example, the communities of Opononi/Omapere and Rawene/Omanaia are both serviced by water and wastewater schemes. The rates for these communities are more than 9% of the median household income. In other words, the affordability of these schemes is already questionable; the benchmark should be that rates are between 0% - 5% of the median household income. Both of the aforementioned schemes require significant investment in new infrastructure within the next 2-5 years. That investment is going to result in substantial rates increases for those communities.

These scenarios highlight the issues we face in the Far North. Due to a small rating base, numerous small townships and significant levels of deprivation, we have difficulties providing affordable infrastructure that supports community needs and growth. Many of our infrastructure projects already heavily rely on funding or grants from national agencies such as the Ministry of Health. With that funding no longer available these projects face significant issues around affordability, which will ultimately affect our ability to deliver them, especially for water and wastewater capital infrastructure which we currently use a targeted rate for.

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2 Profile ID statistics - http://profile.idnz.co.nz/far-north/service-age-groups?WebID=190
3 FNDC currently uses targeted rates for water & sewerage capital works
We previously asked that the NPS-UDC address the following:

1. Include requirements for councils to provide sufficient capacity for urban development including housing, industry, commerce, and recreation.

2. Provide guidance on consistent and usable methods for determining the demand and supply of land for future land uses in urban areas.

3. Provide guidance on how to manage a declining population base in urban areas.

4. Provide guidance on the relationship between urban population growth and the efficient use of natural and physical resources, in particular the affordability of infrastructure provision, maintenance and renewal.

Points 2, 3 and 4 have not been addressed in the current version of the NPS-UDC.

**Submission Points**

1. We again request that the NPS-UDC provides the guidance identified in FNDC’s previous feedback identified above.

2. A comment is made by the Minister in the beginning of the document referencing section prices being the reason for the “greatest increase in house prices over the past two decades”. This comment is made in a generalist capacity and is not the case in the majority of urban areas in the Far North. For the most part it is the ever increasing cost of construction that is contributing to the increase in house prices. We submit that complementary work needs to be undertaken here to reduce these construction costs to ensure that house prices do not continue to increase in places like the Far North.

3. The NPS-UDC through Policy PA2 requires plans to provide sufficient development capacity to meet short, medium and long term demand. ‘Long term’ is defined in the NPS-UDC to mean “within the next thirty years.” This is at odds with the time scale of district plans, which are a ten year document stipulated by the requirement under section 79(1)6 of the Resource Management Act 1991 (RMA).

In this context, we submit that a ‘long term’ timeframe is less dynamic as any release of land for urban development in the District Plan should be understood over the life of the plan, at which point a review will be undertaken and development capacity reassessed for the next ten year period. By requiring the provision for thirty years worth of development capacity there is the potential to over supply and over invest, in terms of infrastructure, in areas that may never be developed. This point is accentuated in the Far North where the rating base to pay for such infrastructure is very limited.

Similarly Long Term Plans, like district plans, are ten year documents. These are the blueprint for Councils spending over that time frame. The financial forecasting and provision of all infrastructure (development capacity or maintenance of existing infrastructure) can only be contemplated for the life of the Long Term Plan, which is ten years.

FNDC has already developed an infrastructure strategy which seeks to forecast infrastructure projects out to a 30 year horizon. It is important to recognise that this infrastructure strategy contemplates the upgrade and maintenance of existing

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6 RMA, section 79(1): A local authority must commence a review of a provision of any of the following documents it has, if the provision has not been a subject of a proposed policy statement or plan, a review, or a change by the local authority during the previous 10 years…(c) a district plan.
infrastructure as well as planning new infrastructure works. Council considers this critical as infrastructure provision accounts for 54% of its operating expenditure and 88% of its capital expenditure. Our three waters infrastructure alone is worth a total of 350M, and costs $12M to operate. These services benefit only 50% of the Districts population. The large geographical area, the number of towns and settlements, the remoteness of some communities and the instability of soils supporting roading, coupled with frequent storm events, gives challenges that most other councils in New Zealand do not face. These challenges make provision of infrastructure more costly, and at times, affect the delivery of services.

Considering the context above, FNDC does not consider it necessary to consider the provision for infrastructure to meet development capacity in the ‘long term’ and recommend that development capacity should be tethered to the projected growth in the district for the life of the District Plan. There may be scope for non-statutory spatial or structure plans that represent an attempt to forecast out to the suggested long term horizon without the expenditure and commitment associated with urban zone changes and infrastructure deployment. To remain dynamic such a document would need to be reassessed or updated to reflect District Plan and Long Term Plan reviews and timeframes.

4. The definition of ‘business land’ in the Interpretation section of the NPS-UDC would be clear if it were not for the ambiguity created by the words “but not limited to”. It would appear that that the list of activities in this definition encapsulates an appropriate spectrum of what ‘business land’ should incorporate. What other examples of ‘business land’ may be considered aside form those listed? We suggest that this term be clarified in more detail.

Response to Key Questions

The Consultation Document includes a range of key questions that the Ministry is seeking further feedback on. Not all key questions are relevant to FNDC as most of the requirements do not apply. As a result we have only provided answers to questions that directly affect us, and we have an interest in. These questions are addressed below.

Implementation

What do you think of the proposal to target policies to different areas?

The concept of linking particular policies and associated requirements with different areas subject to varying growth pressures has merit. However, as a matter of course even those Councils that are not subject to all of the proposed policies will inevitably undertake similar assessments that are required of those identified medium and high growth areas, regardless of growth pressures. For example, as part of FNDC District Plan review we have needed to undertake residential capacity, industrial and commercial demand analysis to better understand the demand and location for future land zoning and future infrastructure deployment. Notwithstanding our current growth context, these assessments have been invaluable.

Enabling Growth and Development While Managing the Effects

Would these policies result in better decision-making under the Resource Management Act 1991 for urban development?

What these policies are attempting to do is place an emphasis on urban development over and above other effects on the environment. While there is merit in identifying the positive effects of urban development the overall purpose of sustainable management must still be achieve the obligation to avoid, remedy, or mitigate any
adverse effects of activities on the environment. Using the example given in the consultation document regarding traffic effects, if urban development cannot ‘avoid, remedy or mitigate’ the adverse effects of traffic then it is not fulfilling the purpose of the RMA. The test is not to apply additional weight to positive effects of urban development in the RMA, as such the policy will have little impact.

**Understanding and Enabling the Market**

*Should there be more direction in the proposed NPS on how to assess the commercial feasibility of plan-enabled development capacity?*

While the Far North District is not obliged to carry out Policy PB1, we have an interest in better understanding commercial feasibility of plan enabled development capacity, particularly as we embark on a consolidated review of our District Plan. This would help us understand the imposition that our current and proposed policy framework and zoning has or will have on development choices and investment decisions. This broader understanding of commercial feasibility is also important as there are other matters not directly related to resource management that we believe also impact development and investment decisions such as rating, land valuations and charging policies such as development and financial contributions.

**Implementation Programme**

*Which of the suggested guidance information would be most useful for local authorities?*

We routinely recommend guidance and information on how Government foresees NES and NPS implementation prepared at the same time as the NES or NPS. The package proposed therefore is a positive step particularly given the potential specialist inputs required to give effect to the objectives and policies i.e demographic and economic analysis. All aspects of the proposed implementation package will be useful for local authorities, but in our context we see particular merit in those best practice methodologies for assessing demand and development capacity, monitoring indicators, and better understanding and assessing development feasibility and price signals as signalled in our previous feedback on the NPS-UDC and reiterated earlier in this document.

**Conclusion**

We appreciate your consideration of this submission. If you require any further information please do not hesitate to contact me on our freephone number 0800 920 029 or on 09 401 5200 (if using a cellphone).

Yours sincerely,

Colin Dale

*Chief Executive Officer (Acting)*

**SUBMITTER DETAILS:**

NPS Urban Development Capacity  
Far North District Council  
Private Bag 752 Memorial Drive  
Kaikohe 0440  
0800 920 029 or 09 4015200  
kathryn.ross@fndc.govt.nz
Executive Summary

The purpose of the report is to adopt new Controls for waste containers and waste separation under the provisions of the Solid Waste Bylaw 2016. The revised Bylaw Controls are recommended for adoption with amendments having been made to take account of the feedback from the most affected industry parties.

Recommendation

THAT the Regulatory and Environment Committee makes the following recommendation to Council:

THAT Council adopt the Solid Waste Bylaw 2016 Controls, as amended.

1) Background

On 05 May 2016 Council adopted the Solid Waste Bylaw 2016. Two sets of Controls were proposed. Control 1 relates to Waste Containers and Control 2 relates to Waste Separation. At that time, Council decided to undertake further consultation with the most affected industry parties on the Controls proposed to be enacted under the provisions of the new Bylaw.

Further consultation has taken place with representatives of industry organisations, including meetings and correspondence. Council has met with Waste Management NZ Ltd and Northland Waste and received detailed written feedback. In addition Council has corresponded with Federated Farmers and CBEC (Community Business and Environment Centre).

The proposed final proposed versions of the Controls are included as Attachment 1 and 3. Changes to the proposed Controls from those initially proposed to Council on 19 November 2015 prior to public consultation are highlighted in Attachment 2 and 4. The changes reflect the feedback received from public consultation.

2) Discussion and options

Significant changes proposed and the reasons are summarised in the table below:

<table>
<thead>
<tr>
<th>Change</th>
<th>Reason</th>
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<tbody>
<tr>
<td>Control 1 8(3), 9(3) modified to change the permitted period to deposit waste on the kerbside from “between 7 pm the day before collection and 7 am on the morning of collection” to “between 12 noon the day before collection and 7 am.”</td>
<td>The Control aims to prevent waste from being left out for an extended period. Waste collectors’ raised concerns that holiday makers might want to return home earlier than 7 pm so would be prohibited from putting out their waste before they left.</td>
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</tbody>
</table>
**Control 19(5)** “commercial waste must be placed for collection in a public place in a commercial area up to one hour before the start of collection and must be removed within one hour after collection” modified by adding the phrase “that council deems a nuisance.”

The Control aims to prevent commercial premises from blocking access routes and footpaths with waste containers.

Waste collectors asked for this entire clause to be removed as it could be impractical for many businesses.

The Control modified so that this clause only applies in areas where Council finds a nuisance is created. For example, by businesses storing waste containers permanently on the kerbside.

**Additional Clause - Control 1 10(3)** requires waste collectors to remove any illegal dumping (in non compliant or non pre-paid bags) at approved collection points within 4 days rather than before 8.30am as in the original clause.

Costs to be shared between Council and waste collector.

The Control aims to prevent waste accumulating at collection points.

Rubbish in non prepaid bags and bags dropped off late or early will be removed in response to complaints and investigated to identify who dumped them.

Waste collectors wanted a 7 day time frame. This would mean that waste could accumulate at collection points all week.

Waste collectors wanted Council to pay full costs of cleaning up kerbside collection points. Council will pay landfill costs and the operators the collection costs.

Waste collectors could cooperate with each other to minimise their costs and/or on charge costs to customers.

**Control 1 10(4)** modified to require collectors to remove late/early pre-paid bags in public places within 4 days rather than before 8.30am the following day as in the original clause.

The Control aims to prevent householders storing rubbish at public collection points rather than on their own property.

Control modified in response to collectors’ request to avoid what would effectively a daily on-call service.

Waste collectors wanted a 7 day time frame. Council officers advise that on collection day the contractor would be unable to distinguish and discourage early or late bags.

Waste collectors could cooperate with each other to minimise their costs and/or on charge costs to customers.

**Control 1 10(7)** modified by clarifying that Council can only collect and charge waste collectors for nuisance containers that belong to, or are provided by, that particular company.

The Control aims to prevent public nuisance, including risks to public health.

Control modified in response to collectors’ concerns they could be charged for any nuisance waste rather than only waste in bags or containers they owned/or provided.

Council officers advise that they do not have
<table>
<thead>
<tr>
<th>Control 1 Attachment 1A(2). The requirement to place an educational sticker on the inside of bin lids has been modified by adding “at time of issue.”</th>
<th>The Control aims to inform the public about what waste can be put out for collection and what can be recycled. Control modified in response to collectors’ concern that constantly maintaining legible stickers would be expensive. Waste collectors preferred to give written information. Council officers advise that a sticker on the bin provides more permanent information in the most appropriate place.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Control 1 Attachment 1B(2) which requires bags to have educational material has been modified to remove the requirement to print collection days and locations on bags.</td>
<td>The permitted times for bag placement (12 noon to 7am) will be printed on bags to reduce likelihood of bags being put out to late or too early for collection. Modified in response to waste collectors’ concerns that routes and collection dates change. To keep bag information current would mean a high cost for printing plate set up and a long lead time to source bags from overseas.</td>
</tr>
<tr>
<td>Control 2 removing the terms domestic and bag from the clauses and the title.</td>
<td>The Control aims to minimise waste. The limit for recyclable material is limited to 20%. The words domestic waste and bag have been removed from the Control altogether. The separation of waste at point of disposal applies to all waste, domestic or commercial. The Control applies if the waste is in a trailer or a container of any kind, including a bag. Note that the separation can take place at a waste disposal site if it had not occurred previously. This change is a result of the feedback from the Community Business and Environment Centre.</td>
</tr>
<tr>
<td>Control 2 6 (1),6(2), 9(1) and 9(2.) The total proportion of recyclable or food waste in a domestic waste bag may not exceed twenty per cent by volume of waste in that bag or a percentage specified in Council’s Waste Management &amp; Minimisation Plan.</td>
<td>The words “or a percentage specified in Council’s Waste Management &amp; Minimisation Plan” have been removed. If changes are made to the Waste Minimisation Plan that impact upon waste collection, then related changes must be made to the Bylaw Controls. Bylaw Controls can be changed by Council resolution.</td>
</tr>
</tbody>
</table>
Not all changes requested by affected industry parties have been recommended. The reasons are summarised in the table below:

| Control 1 7(2) states that bags must meet the standards specified in Attachments 1A to 1C. | Waste collectors asked for these standards to be provided by Council. A large number of industry standards are listed in the Bylaw Controls which must be made available for viewing the Council's offices in Kaikohe. Standards New Zealand (part of the Ministry of Business, Innovation and Employment) requires Council to purchase these standards and that they are not copied or loaned to the public. The issue arises that local industry representatives may not have looked at these standards in detail. However, they are used by many other Councils in New Zealand, as well as internationally. The Control states either to the appropriate standard or “be approved by council” so council can give flexibility if the standards aren’t appropriate. |
| Control 1 8(3), 9(6), (7) states that “collections… must take place between 7am - 7pm on any day but Sunday”. | Waste collectors asked that “in exceptional circumstances” they can apply for an additional hour. Council officers advise that this was overly complicated. Council can apply discretion around late collections due to exceptional circumstances. |
| Control 10(5) states that the waste collector must not initially collect non-compliant bags and containers, but must sticker them explaining why they were not collected and asking the owner to remove the container. If the owner doesn’t remove them within 2 days, the waste collector must pick them up within a further 2 days. | The Control enables Council officers to approach and educate recidivist offenders on why their waste is non-compliant. Waste collectors see this as hard to enforce. They note that they would only notice extreme cases and that they can’t open every bag. Council officers advise that they wouldn’t expect waste collectors to open bags. This clause aims to allow collectors to refuse to collect containers that are blatantly or evidently not being used for their intended purpose. |
| Definition of the term “nuisance” | Waste collectors have requested that this term be defined. Further information has been provided to collectors. The meaning of the term is well-established in law such that it is used but not defined in relation to the purpose of bylaws in the Local Government Act 2002 (although some definition is given in the Health Act 1956). |
The LGA 2002 section 157 states:

(2) A local authority must—

(b) make its bylaws available for public inspection, without fee, at reasonable hours at the office of the authority.

This includes the Controls made under the Solid Waste Bylaw 2016 and the industry standards listed in the Controls.

The Controls should be reviewed annually by officers. One of the advantages of an annual review of Controls would take into account technological advances in the waste management industry. For example, material that is not currently recyclable may become recyclable in the future. The Bylaw requires that to amend the Controls be by resolution of Council as below:

6 (1) Any control specified by Council under clauses 14, 20 and 22:

   (a) must, after consultation pursuant to the Local Government Act 2002, be made by a Council resolution that is publicly notified.

The Bylaw is not the only means by which Council can impact upon or potentially place restrictions upon waste operators in the Far North district. Waste operators are licensed annually by Council and Council sets terms and conditions to those licenses. A Bylaw Control is a more transparent way of setting standards than the terms and conditions of a license.

Option 1 is to recommend the adoption of the Controls to have a fully operational Bylaw in place by 01 August 2016. The advantage is that the substantive Bylaw is currently operational without the matching Controls in place. There is no noted disadvantage as Controls would then become operational under delegated authority. That means that the Controls can be reviewed and changed by Council resolution without a full public consultation process (such as the Special Consultative Procedure under the Local Government Act 2002). This option allows Council to be responsive in the light of experience and to adapt Controls to suit circumstances.

Option 2 is not to adopt the Controls. There is no noted advantage to this option. The disadvantage is that if the Controls are not adopted by the end of this term of Council, then there would have to be a new set of hearings under the new Council. That is because hearings were held on 14 April 2016 and the legal determination of a matter where there is a right to a hearing ought to be made by those who have actually heard the matter. This option would mean that parts of the Bylaw are hard or impossible to enforce in the interim.

Option 1 is recommended by staff to adopt a full and complete Solid Waste Bylaw 2016.

The Bylaw should be reviewed by June 2026, including all Controls, as it is a replacement Bylaw and not a newly made Bylaw.

3) Financial implications and budgetary provision

There is no financial implication to adopting new Bylaw Controls other than the cost of purchasing the standards.

There may be financial implications if the Council did not adopt the Solid Waste Bylaw Controls by October 2016 as there would be the costs associated to any subsequent public consultation under the Special Consultative Procedure.
4) **Reason for the recommendation**

The purpose of the Solid Waste Bylaw 2016 is to manage the problem of waste in the Far North District efficiently and effectively. The proposed Controls give effect to the provisions of the Bylaw which came into effect on 01 June 2016.

Manager: Jacqui Robson - General Manager Infrastructure and Asset Management Group

Attachment 1: Proposed Draft Control 1 - Containers - Document number A1729155

Attachment 2: Proposed Draft Control 1 - Containers Tracked Changes Version - Document number A1729156

Attachment 3: Proposed Draft Control 2 - Waste Separation - Document number A1729157

Attachment 4: Proposed Draft Control 2 - Waste Separation Tracked Changes Version - Document number A1734035
Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
   a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
   b) Assess the options in terms of their advantages and disadvantages; and
   c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.

2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

<table>
<thead>
<tr>
<th></th>
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</tr>
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<tbody>
<tr>
<td>Possible implications for the relationship of Māori and their culture and traditions with their ancestral land, water, site, waahi tapu, valued flora and fauna, and other taonga.</td>
<td>None identified in the Bylaw Controls.</td>
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<tr>
<td>Views or preferences of persons likely to be affected by, or to have an interest in the matter, including persons with disabilities, children and older persons.</td>
<td>These have been taken into account through the further consultation with industry organisations.</td>
</tr>
<tr>
<td>Does the issue, proposal, decision or other matter have a high degree of significance or engagement as determined under the Council's Policy #2124?</td>
<td>Yes the proposal was significant so the initial Bylaw consultation was undertaken under the Special Consultative Procedure.</td>
</tr>
<tr>
<td>If the matter has a Community rather than a District wide relevance has the Community Board's views been sought?</td>
<td>Applicable District-wide.</td>
</tr>
<tr>
<td>Financial Implications and Budgetary Provision.</td>
<td>No direct financial implications have been identified in relation to the adoption of the proposed Bylaw Controls. The Chief Financial Officer has reviewed this report.</td>
</tr>
<tr>
<td>Chief Financial Officer review.</td>
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Solid Waste Bylaw 2016

Controls made under the Solid Waste Bylaw 2016 for approved containers for waste collected from a public place

Control 1 Containers

Explanatory note: Clauses 6, 14(2) and 19 of the Solid Waste Bylaw 2016 provide that Council may establish Controls containing detailed provisions by resolution. This Control contains detailed provisions in relation to approved containers that may be placed for collection from a public place.

### REVISION HISTORY

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<tr>
<td>Updated draft</td>
<td>April 2015</td>
<td>Revised draft</td>
</tr>
<tr>
<td>Updated draft (v3)</td>
<td>June 2015</td>
<td>For Council workshop</td>
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<tr>
<td>Revision 5</td>
<td>September 2015</td>
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<tr>
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CONTENTS

Clause Description

1  Title
2  Commencement
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4  Purpose
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6  Commercial, urban and rural waste collection areas
7  Standards for containers
8  Placement and collection of domestic waste in rural and urban waste collection areas
9  Placement and collection of domestic and commercial waste in commercial centres

Part 2 – Responsibilities of waste collectors
10  Responsibilities of waste collectors for commercial and domestic waste collection

Attachment 1A Standards for approved containers: domestic waste bins for collection from public places

Attachment 1B Standards for approved containers: domestic waste bags for collection from public places

Attachment 1C Standards for containers: for the collection from public places of waste other than domestic waste
1 **TITLE**
This control is entitled: *Controls made under the Solid Waste Bylaw 2016 for containers collected from a public place* and may be referred to as the *Containers for Kerbside Collection Control*.

2 **COMMENCEMENT**
This control comes into force on 1 August 2016.

3 **APPLICATION**
This control applies to the Far North District.

4 **PURPOSE**
This control regulates the placement and collection of waste in approved containers from a public place.

5 **INTERPRETATION**
(1) In this control, unless the context otherwise requires-

   **Bylaw** means the Solid Waste Bylaw 2016.

   **Container** means a container approved by Council for the collection of domestic or commercial waste from a public place.

   **Public place** means

   (a) a place that is-

   (i) under the control of Council and/or

   (ii) that is open to or being used by the public, whether or not there is a charge for admission and

   (b) includes:

   (i) a road, whether or not the road is under the control of Council, and

   (ii) any part of the public place.

(2) Unless the context requires another meaning, a term or expression that is defined in the Act or the bylaw used, but not defined, in this control has the meaning given by the Act or bylaw.

(3) Explanatory notes are for information purposes only and do not form part of this control.
PART 1 – DOMESTIC AND COMMERCIAL WASTE

6 COMMERCIAL, URBAN AND RURAL WASTE COLLECTION AREAS

Council may from time to time specify commercial, urban and rural waste collection areas.

7 STANDARDS FOR CONTAINERS

(1) The following weight requirements apply for the collection of domestic and commercial waste from a public place:

<table>
<thead>
<tr>
<th>Type</th>
<th>Capacity</th>
<th>Maximum weight</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bins</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1L – 80L bin</td>
<td></td>
<td>&lt;20kg</td>
</tr>
<tr>
<td>81L – 120L bin</td>
<td></td>
<td>&lt;30kg</td>
</tr>
<tr>
<td>121L – 140L bin</td>
<td></td>
<td>&lt;35kg</td>
</tr>
<tr>
<td>140L – 240L bin</td>
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<td>Bags</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1L - 80L bag</td>
<td></td>
<td>&lt;10 kg</td>
</tr>
</tbody>
</table>

(2) Any container used for the collection of any domestic or commercial waste must meet the relevant minimum standards required by the Council, contained in Attachments 1A to 1C.

8 PLACEMENT AND COLLECTION OF DOMESTIC WASTE IN RURAL AND URBAN WASTE COLLECTION AREAS

(1) A container deposited for collection of domestic waste from a public place must be placed directly adjacent to the premises from which it emanates, as close to the kerbside as possible and without restricting the access to any premises or footpath or due to compliance with the Code of Practice for Temporary Traffic Management (COPPTM) requirements, at a Council approved collection point.

(2) Except with the approval of Council, no container containing domestic waste may be placed for collection or collected from any part of a public place except as provided in subclause (1). Council may, from time-to-time, approved suitable collection points in any areas where there is no kerbside collection service available, as per Clause 11 of Bylaw.

(3) Except with the approval of Council, any container containing domestic waste may only be placed on a public place in a rural or urban waste collection area for collection between 12 noon of the day before collection and 7am on the morning of the collection.

(4) Except on arterial routes and streets approved by Council, the collection of any container containing domestic waste in a rural or urban collection area must take place between 7 am and 7 pm on any day, except Sunday. Council may on application approve the collection of any container containing domestic waste on any arterial route or street in a rural and urban collection area to commence from 6am on any day, except Sunday.

(5) Regardless of whether the waste has been collected, the owner or occupant of the premises from which domestic waste has been set out for collection in a rural or urban collection area must remove the container from the public place by 7am of the day following the scheduled collection day.
9. **Placement and Collection of Domestic and Commercial Waste in Commercial Centre**

(1) A container deposited for collection of domestic or commercial waste from a public place must be placed directly adjacent to the premises from which it emanates, as close to the kerbside as possible and without restricting the access to any premises or footpath or due to COPTTM requirements, at a Council approved collection point.

(2) Except with the approval of Council, no container containing domestic or commercial waste may be placed for collection or collected from any part of a public place except as provided in subclause (1).

**Domestic waste**

(3) Any container containing domestic waste may only be placed on a public place for collection in a commercial waste collection area between 12 noon on the day before collection and 7am on the morning of the collection.

(4) The collection of any container containing domestic waste in a commercial waste collection area must take place between 7am and 7pm on any day, except Sunday.

**Commercial waste normally collected by day**

(5) Any container containing commercial waste that is normally collected by day that Council deems as a nuisance must be placed for collection on a public place in a commercial waste collection area up to one hour before the start of the collection and must be removed within one hour after collection.

(6) Regardless of whether the waste has been collected, the owner or occupant of the premises from which domestic or commercial waste has been set out for collection must remove the container from the public place as soon as reasonably possible after the scheduled collection time.

(7) Council may on application approve the extension of the hours for the placement and collection of any container containing domestic or commercial waste on a specific route or street in a commercial waste collection area or high density commercial collection area.

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10. **Responsibilities of Waste Collectors**

**Responsibilities of Waste Collectors for Commercial and Domestic Waste Collection**

(1) Every waste collector must provide its customers on an ongoing basis with current information on collection deadlines, as well as providing adequate signage information at every collection point approved under 8(2) above, relating to the days of collections and times that waste may be placed at collection points. Waste collectors shall ensure that their customers are adequately notified of the location of all collection points.

(2) The waste collector is responsible for removing any spillage that results from the deposit or collection of waste from approved containers on a public place including at a collection point approved under 8(2) above, before, during or after collection.

(3) The waste collector is responsible for the removal of any illegal dumping at a collection point approved under 8(2) above within 4 days of it being dumped. The waste collector may claim waste disposal costs from Council for the disposal of the illegal dumping based on landfill disposal costs. The collector may investigate and pass on information regarding identity of the illegally dumped rubbish to Council, who may issue an infringement notice to the person identified.

(4) The waste collector is responsible for the collection of waste deposited on a public place in any container provided by the collector regardless of the day or time of deposit. The waste must be removed within 4 days of it being placed. The collector
may pass on information regarding the identity of the person who dumped the rubbish to Council who may issue an infringement notice to the person identified. This includes the deposit on days that the waste collector does not provide a collection service, or on days affected by public holidays, or due to the early or late deposit of waste by the customers for collection.

(5) The waste collector must not initially collect waste or recycling that is not compliant with Control 1 clause 7(1), Control 2 clauses 6(1) and 6(2), Control 2 clauses 8(1) and 8(3). The waste collector must attach a sticker to the bag or container explaining why the bag or container has not been collected and asking the owner to remove the container. If the bag or container is not removed by the owner within 2 days, the waste collector must collect it within a further 2 days. The contractor may pass on information regarding identity of the person who dumped the rubbish to Council, who may issue an infringement notice to the person identified.

(6) Regardless of subclauses (2), (3), (4) and (5) of this clause, if any waste or container causes a nuisance or affects public health and safety, Council may collect the waste or remove the container as soon as practically possible.

(7) Council may recover the costs incurred under subclause (6) above from the waste collector for the removal of waste or any container that belongs to or is provided by that waste collector.
STANDARDS FOR APPROVED CONTAINERS: DOMESTIC WASTE BINS FOR COLLECTION FROM PUBLIC PLACES

Mobile garbage bins (the “bin”) used for the collection of domestic waste from a public place must meet the following requirements:

1. The bin will have the waste collector's name (and logo, if any) printed on the bin in such a manner that the responsible waste collector may easily be identified from a collection vehicle on a roadway when the bin is deposited on a public place for collection. The waste collector may identify the premises on the bin to which the bin has been allocated.

2. Every waste collector must place a durable educational sticker on the inside of the bin lid at time of issue informing the customer of the material that may be collected as refuse, recyclable material or food waste (relevant to whatever the purpose of the specific bin may be) as well as the standard collection times provided by the waste collector.


4. Bins must also either:
   a) meet the latest editions of either of the following standards or their replacements:
      • BS EN 840-1:2012 Mobile waste and recycling containers (2 wheels up to 400 litres);
      • AS 4123: 2008 (Multiple parts): Mobile Waste Containers (Addresses dimensions and design, performance requirements, testing methods, colours, markings and recycled content of a mobile waste container);
      • AS 4123.1:2008 Containers with two wheels and a capacity up to 400 L for lifting devices - Dimensions and design
      • AS 4123.2:2008 Containers with four wheels with a capacity from 500 L to 1200 L with flat lid(s), for trunnion and/or lifting devices - Dimensions and design
      • AS 4123.3:2008 Containers with four wheels with a capacity from 770 L to 1300 L with dome lid(s), for trunnion and/or lifting devices - Dimensions and design
      • AS 4123.4:2008 Containers with four wheels with a capacity from 750 L to 1700 L with flat lid(s), for wide trunnion or B and/or wide comb lifting devices - Dimensions and design
      • AS 4123.5:2008 Performance requirements and test methods
      • AS 4123.6:2008 Health, safety and environment
   or,
   b) be approved in writing by Council.

5. Council shall approve the bins under 4(b) if,
   a) the bins are demonstrated to be ‘fit-for-purpose’, i.e. operationally efficient, durable and are able to securely contain the waste until collection, and it can be ensured that the contents are not trapped when the bin is emptied; and
   b) the bins do not create a risk of injury to any person (including employees of the waste collector) or damage to the public place or anything in the public place.

6. Every bin supplied to a customer will be free from defects that might affect its performance. Bins which have been damaged or which are incomplete or faulty and that are no longer fit for purpose may not be placed in a public place for the collection of waste.
STANDARDS FOR APPROVED CONTAINERS: DOMESTIC WASTE BAGS FOR COLLECTION FROM PUBLIC PLACES

Bags used for the collection of domestic waste from a public place must meet the following requirements:

1. The bag will have the waste collector’s name (and logo, if any) printed on the bag in such a manner that the waste collector responsible may easily be identified from a collection vehicle on a roadway when the bag is deposited on a public place for collection.

2. From December 2016, every waste collector must print legible educational material on the bag informing the customer of the material that may be collected as refuse, recyclable material or food waste (relevant to whatever the purpose of the specific bag may be) as well as the times that waste may be placed at collection points.

3. Bags must either;
   
   (a) meet the latest edition of either of the following standard or their replacements:

   - BS EN 13592: 2003 Specification for disposable plastics refuse sacks made from polyethylene or its replacement, or
   
   - NZS 7603:1979 Specification for refuse bags for local authority collection (low density polyethylene), or

   (b) be approved by Council.

4. Council shall approve the bag under 3(b) if,

   (a) the bag is demonstrated to be ‘fit-for-purpose’ i.e. operationally efficient, durable and able to securely contain the waste until collection; and

   (b) the bag does not create an unreasonable risk of injury to any person (including employees of the waste collector) or damage to the public place or anything in the public place.

5. Bags must be of a standard that does not allow liquid contents to leak in the public place.

6. Every bag supplied to a customer will be free from defects that might affect its performance. Bags which have been damaged or which are incomplete or faulty and that are no longer fit for purpose may not be placed on a public place for the collection of waste.
STANDARDS FOR CONTAINERS: FOR THE COLLECTION FROM PUBLIC PLACES OF WASTE OTHER THAN DOMESTIC WASTE

Bins used for the collection from a public place of waste other than domestic waste must meet the following requirements:

1. The bin will have the waste collector’s name (and logo, if any) printed on the bin in such a manner that the responsible waste collector may easily be identified from a collection vehicle on a roadway when the bin is deposited on a public place for collection. The waste collector may identify the premises on the bin to which the bin has been allocated.

2. Mobile garbage bins must either;
   (a) meet the latest edition of each of the applicable following standards or their replacements:
   - BS EN 840-1:2012 Mobile waste and recycling container (2 wheels up to 400 litres)
   - BS EN 840-2:2012 Mobile waste and recycling containers (4 wheels up to 1300 litres)
   - BS EN 840-3:2012 Mobile waste and recycling containers (4 wheels up to 1300 litres)
   - BS EN 840-4:2012 Mobile waste and recycling containers (4 wheels up to 1700 litres)
   - BS EN 840-5: 2012 Test Methods
   - BS EN 840-6:2012 Mobile waste containers. Safety and health requirements;
   - AS 4123: 2008: Mobile Waste Containers (Addresses dimensions and design, performance requirements, testing methods, colours, markings and recycled content of a mobile waste container);
   or,
   (b) be approved by Council.

3. Council shall approve the mobile garbage bins under 2(b) if,
   (a) the bins are demonstrated to be ‘fit-for-purpose’. i.e. operationally efficient, durable and are able to securely contain the waste until collection, and able to ensure that the contents are not trapped when the bin is emptied; and
   (b) the bins do not create a risk of injury to any person (including employees of the waste collector) or damage to the public place or anything on the public place.

4. Stationary bins must either;
   (a) meet the latest edition of each of the applicable following standards or their replacements:
   - BS EN 13071-1:2008 Stationary waste containers up to 5000 litres, top lifted and bottom emptied. General requirements
   - BS EN 13071-2:2008 Stationary waste containers up to 5000 litres, top lifted and bottom emptied. Additional requirements for underground or partly underground systems
   - BS EN 12574-3:2006 Stationary waste containers. Safety and health requirements
   - BS EN 12574-2:2006 Stationary waste containers. Performance requirements and test methods
   - BS EN 13071-3:2011 Stationary waste containers up to 5000 litres, top lifted and bottom emptied. Recommended lifting connections
• BS EN 13071-1:2008 Stationary waste containers up to 5000 litres, top lifted and bottom emptied. General requirements

• BS EN 13071-2:2008 Stationary waste containers up to 5000 litres, top lifted and bottom emptied. Additional requirements for underground or partly underground systems

• BS EN 12574-1:2006 Stationary waste containers. Containers with a capacity up to 10000 litres with flat or dome lid(s), for trunnion, double trunnion or pocket lifting device.

or,

(b) be approved by Council.

5. Council shall approve the stationary bins under 4(b) if,
   (a) the bins are demonstrated to be ‘fit-for-purpose’, i.e. operationally efficient, durable and are able to securely contain the waste until collection, and able to ensure that the contents are not trapped when the bin is emptied; and
   (b) the bins do not create a risk of injury to any person (including employees of the waste collector) or damage to the public place or anything on the public place.

6. Every bin supplied to a customer will be free from defects that might affect its performance. Bins which have been damaged or which are incomplete or faulty and that are no longer fit for purpose may not be placed in a public place for the collection of waste or diverted material.
Draft Solid Waste Bylaw 2016

Controls made under the Solid Waste Bylaw 2016 for approved containers for waste collected from a public place

Control 1 Containers

Explanatory note: Clauses 6, 14(2) and 2019 of the Solid Waste Bylaw 2016 provides that Council may establish Controls containing detailed provisions by resolution. This Control contains detailed provisions in relation to approved containers that may be placed for collection from a public place.

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1 Title
2 Commencement
3 Application
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Part 1 – Domestic and commercial waste
6 Commercial, urban and rural waste collection areas
7 Standards for containers
8 Placement and collection of domestic waste in rural and urban waste collection areas
9 Placement and collection of domestic and commercial waste in commercial centres

Part 2 – Responsibilities of waste collectors
10 Responsibilities of waste collectors for commercial and domestic waste collection

| Attachment A4-1A Standards for approved containers: domestic waste bins for collection from public places
| Attachment A2-1B Standards for approved containers: domestic waste bags for collection from public places
| Attachment A4-1C Standards for containers: for the collection from public places of waste other than domestic waste
1 **TITLE**

This control is entitled: *Controls made under the Solid Waste Bylaw 2016 for containers collected from a public place* and may be referred to as the *Containers for Kerbside Collection Control*.

2 **COMMENCEMENT**

This control comes into force on 1 July 2016.

3 **APPLICATION**

This control applies to the Far North District.

4 **PURPOSE**

This control regulates the placement and collection of waste in approved containers from a public place.

5 **INTERPRETATION**

(1) In this control, unless the context otherwise requires—


*Bylaw* means the Solid Waste Bylaw 2016.

*Container* means a container approved by Council for the collection of domestic or commercial waste from a public place.

*Public place means*

(a) a place that is—

(i) under the control of Council and/or

(ii) that is open to or being used by the public, whether or not there is a charge for admission and

(b) includes:

(i) a road, whether or not the road is under the control of Council, and

(ii) any part of the public place.

*Public place* in this control does not include school premises, privately owned carparks, privately owned access ways and privately owned roads that are not under the control of the council, any of the council controlled organisations or the NZ Transport Agency.

(2) Unless the context requires another meaning, a term or expression that is defined in the Act or the bylaw used, but not defined, in this control has the meaning given by the Act or bylaw.

(3) Explanatory notes are for information purposes only and do not form part of this control.

(4) The Interpretation Act 1999 applies to this control.

PART 1 – DOMESTIC AND COMMERCIAL WASTE

6 **COMMERCIAL, URBAN AND RURAL WASTE COLLECTION AREAS**

Council may from time to time specify commercial, urban and rural waste collection areas.
7 **STANDARDS FOR CONTAINERS**

(1) The following weight requirements apply for the collection of domestic and commercial waste from a public place:

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</tr>
<tr>
<td>Bags</td>
<td>1L - 80 litre L bag</td>
<td>&lt;10 kg</td>
</tr>
</tbody>
</table>

(2) Any container used for the collection of any domestic or commercial waste must meet the relevant minimum standards required by Council, contained in Attachments A1.1A to A31C.

8 **PLACEMENT AND COLLECTION OF DOMESTIC WASTE IN RURAL AND URBAN WASTE COLLECTION AREAS**

(1) A container deposited for collection of domestic waste from a public place must be placed directly adjacent to the premises from which it emanates, as close to the kerbside as possible and without restricting the access to any premises or footpath or due to COPTTM requirements, at a Council approved collection point.

(2) Except with the approval of Council, no container containing domestic waste may be placed for collection or collected from any part of a public place except as provided in subclause (1). Council may, from time-to-time, approved suitable collection points in any areas where there is no kerbside collection service available, as per Clause 11 of Bylaw.

(3) Except with the approval of Council, any container containing domestic waste may only be placed on a public place in a rural or urban waste collection area for collection between 12 noon of the day before collection and 7 am on the morning of the collection. This control does not apply to waste dropped off at collection points approved under 8(2) above.

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Except on arterial routes and streets approved by Council, the collection of any container containing domestic waste in a rural or urban collection area must take place between 7 am and 7pm on any day, except Sunday. Council may on application approve the collection of any container containing domestic waste on any arterial route or street in a rural and urban collection area to commence from 6am on any day, except Sunday.

(4)

(5) Regardless of whether the waste has been collected, the owner or occupant of the premises from which domestic waste has been set out for collection in a rural or urban collection area must remove the container from the public place by 7am of the day following the scheduled collection day.

**Placement and collection of domestic and commercial waste in commercial centres**

(5) A container deposited for collection of domestic or commercial waste from a public place must be placed directly adjacent to the premises from which it emanates, as close to the kerbside as possible and without restricting the access to any premises or footpath or due to COPTTM requirements, at a Council approved collection point.
Except with the approval of Council, no container containing domestic or commercial waste may be placed for collection or collected from any part of a public place except as provided in subclause (1).

Domestic waste

Any container containing domestic waste may only be placed on a public place for collection in a commercial waste collection area between 7pm-12 noon on the day before collection and 7 am on the morning of the collection.

The collection of any container containing domestic waste in a commercial waste collection area must take place between 7 am and 7 pm on any day, except Sunday.

Commercial waste normally collected by day

Any container containing commercial waste that is normally collected by day that Council deems as a nuisance must be placed for collection on a public place in a commercial waste collection area up to one hour before the start of the collection and must be removed within one hour after collection.

Regardless of whether the waste has been collected, the owner or occupant of the premises from which domestic or commercial waste has been set out for collection must remove the container from the public place as soon as reasonably possible after the scheduled collection time.

Council may on application approve the extension of the hours for the placement and collection of any container containing domestic or commercial waste on a specific route or street in a commercial waste collection area or high density commercial collection area.

PART 2 – RESPONSIBILITIES OF WASTE COLLECTORS

10. RESPONSIBILITIES OF WASTE COLLECTORS FOR COMMERCIAL AND DOMESTIC WASTE COLLECTION

(1) Every waste collector must provide its customers on an ongoing basis with current information on collection times and days of collection, deadlines, as well as providing adequate signage information at every collection point approved under 8(2) above, relating to times the days of collections and times that waste may be placed at the collection points. Waste collectors shall ensure that their customers are adequately notified of the location of all collection points.

(2) The waste collector is responsible for removing any spillage that results from the deposit or collection of waste from approved containers on a public place including at a collection point approved under 8(2) above, before, during or after collection.

(3) The waste collector is responsible for the removal of any illegal dumping at a collection point approved under 8(2) above within 4 days of it being dumped. The waste collector may claim waste disposal costs from Council for the disposal of the illegal dumping based on landfill disposal costs. The collector may investigate and pass on information regarding identity of the illegally dumped rubbish to Council, who may issue an infringement notice to the person identified.

(4) The waste collector is responsible for the collection of waste deposited on a public place in any container provided by the collector regardless of the day or time of deposit. The waste must be removed within 4 days of it being dumped. The collector may pass on information regarding the identity of the person who dumped the rubbish to Council who may issue an infringement notice to the person identified. This includes the deposit on days that the waste collector does not provide a collection service, or on days the council has notified as collection days for services, or on days affected by public holidays, or due to the early or late deposit of waste by the customers for collection.
(5) If waste is not collected or a container is not removed from a public place by the owner or occupant of the premises from which it has been set out for collection, the council may require the waste collector:

(a) whose particulars are on the container, or

(b) who is responsible for that collection service to collect the waste or remove the container before 8.30am on the day following the collection day.

(6) The waste collector must not initially collect waste or recycling that is not compliant with Control 1 clause 7(1), Control 2 clauses 6(1) and (2), Control 2 clauses Regardless of subclauses (2), (3), (4) and (5) of this clause, if any waste or container causes a nuisance or affects public health and safety, Council may collect the waste or remove the container as soon as practically possible.

(7) Council may recover the costs provided for incurred under in subclause 32(1)(b) of the bylaw from the waste collector referred to in subclause (4) for the removal of waste or any container that belongs to or is provided by that waste collector.
STANDARDS FOR APPROVED CONTAINERS: DOMESTIC WASTE BINS FOR COLLECTION FROM PUBLIC PLACES

Mobile garbage bins (the “bin”) used for the collection of domestic waste from a public place must meet the following requirements:

1. The bin will have the waste collector’s name (and logo, if any) printed on the bin in such a manner that the responsible waste collector may easily be identified from a collection vehicle on a roadway when the bin is deposited on a public place for collection. The waste collector may identify the premises on the bin to which the bin has been allocated.

2. Every waste collector must place a legible durable educational sticker on the inside of the bin lid at time of issue informing the customer of the material that may be collected as refuse, recyclable material or food waste (relevant to whatever the purpose of the specific bin may be) as well as the standard collection times and days provided by the waste collector.

3. Bins must meet the latest edition of the following standard or its replacement:

4. Bins must also either:
   a) meet the latest editions of either of the following standards or their replacements:
      • BS EN 840-1:2012 Mobile waste and recycling container (2 wheels up to 400 litres);
      • AS 4123: 2008 (multiple parts): Mobile Waste Containers (Addresses dimensions and design, performance requirements, testing methods, colours, markings and recycled content of a mobile waste container)
      • AS 4123.1:2008 Containers with two wheels and a capacity up to 400 L for lifting devices - Dimensions and design
      • AS 4123.2:2008 Containers with four wheels with a capacity from 500 L to 1200 L with flat lid(s), for trunnion and/or lifting devices - Dimensions and design
      • AS 4123.3:2008 Containers with four wheels with a capacity from 770 L to 1300 L with dome lid(s), for trunnion and/or lifting devices - Dimensions and design
      • AS 4123.4:2008 Containers with four wheels with a capacity from 750 L to 1700 L with flat lid(s), for wide trunnion or BG and/or wide comb lifting devices - Dimensions and design
      • AS 4123.5:2008 Performance requirements and test methods
      • AS 4123.6:2008 Health, safety and environment
   or,
   b) be approved in writing by the council.

6. The Council shall approve the bins under 4(b) if,
   a) the bins are demonstrated to be ‘fit-for-purpose’, ie. operationally efficient, durable and are able to securely contain the waste until collection, and it can be ensured that the contents are not trapped when the bin is emptied; and
   b) the bins do not create a risk of injury to any person (including employees of the waste collector) or damage to the public place or anything ion the public place.

7. Every bin supplied to a customer will be free from defects that might affect its performance. Bins which have been damaged or which are incomplete or faulty and that are no longer fit for purpose may not be placed ion a public place for the collection of waste.
STANDARDS FOR APPROVED CONTAINERS: DOMESTIC WASTE BAGS FOR COLLECTION FROM PUBLIC PLACES

Bags used for the collection of domestic waste from a public place must meet the following requirements:

1. The bag will have the waste collector's name (and logo, if any) printed on the bag in such a manner that the waste collector responsible may easily be identified from a collection vehicle on a roadway when the bag is deposited on a public place for collection.

2. From December 2016, every waste collector must print legible educational material on the bag informing the customer of the material that may be collected as refuse, recyclable material or food waste (relevant to whatever the purpose of the specific bag may be) as well as the times that waste may be placed at collection points. Legible educational material on the bag informing the customer of the material that may be collected as refuse, recyclable material or food waste (relevant to whatever the purpose of the specific bag may be) as well as the standard collection times and days provided by the waste collector. The waste collector must provide information to customers regarding collection days and places via the appropriate media.

3. Bags must either;
   (a) meet the latest edition of either of the following standard or their replacements:
      - BS EN 13592:2007 Specification for disposable plastics refuse sacks made from polyethylene or its replacement, or
      - NZS 7603:1979 Specification for refuse bags for local authority collection (low density polyethylene), or
   (b) be approved by Council.

4. Council shall approve the bag under 3(b) if,
   (a) the bag is demonstrated to be 'fit-for-purpose': i.e. operationally efficient, durable and able to securely contain the waste until collection; and
   (b) the bag does not create an unreasonable risk of injury to any person (including employees of the waste collector) or damage to the public place or anything on the public place.

5. Bags must be of a standard that does not allow liquid content in its contents to leak onto the public place.

6. Every bag supplied to a customer will be free from defects that might affect its performance. Bags which have been damaged or which are incomplete or faulty and that are no longer fit for purpose may not be placed on a public place for the collection of waste.
STANDARDS FOR CONTAINERS: FOR THE COLLECTION FROM PUBLIC PLACES OF WASTE OTHER THAN DOMESTIC WASTE

Bins used for the collection from a public place of waste other than domestic waste must meet the following requirements:

1. The bin will have the waste collector’s name (and logo, if any) printed on the bin in such a manner that the responsible waste collector may easily be identified from a collection vehicle on a roadway when the bin is deposited on a public place for collection. The waste collector may identify the premises on the bin to which the bin has been allocated.

2. Mobile garbage bins must either;
   (a) meet the latest edition of each of the applicable following standards or their replacements:
       • BS EN 840-1:2012 *Mobile waste and recycling container* (2 wheels up to 400 litres)
       • BS EN 840-2:2012 *Mobile waste and recycling containers* (4 wheels up to 1300 litres)
       • BS EN 840-3:2012 *Mobile waste and recycling containers* (4 wheels up to 1300 litres)
       • BS EN 840-4:2012 *Mobile waste and recycling containers* (4 wheels up to 1700 litres)
       • BS EN 840-5: 2012 *Test Methods*
       • AS 4123: 2008: *Mobile Waste Containers* (Addresses dimensions and design, performance requirements, testing methods, colours, markings and recycled content of a mobile waste container);
   or,
   (b) be approved by Council.

3. Council shall approve the mobile garbage bins under 2(b) if,
   (a) the bins are demonstrated to be ‘fit-for-purpose’, i.e. operationally efficient, durable and are able to securely contain the waste until collection, and able to ensure that the contents are not trapped when the bin is emptied; and
   (b) the bins do not create a risk of injury to any person (including employees of the waste collector) or damage to the public place or anything on the public place.

4. Stationary bins must either;
   (a) meet the latest edition of each of the applicable following standards or their replacements:
       • BS EN 13071-1:2008 Stationary waste containers up to 5000 litres, top lifted and bottom emptied. General requirements
       • BS EN 13071-2:2008 Stationary waste containers up to 5000 litres, top lifted and bottom emptied. Additional requirements for underground or partly underground systems
       • BS EN 12574-3:2006 Stationary waste containers. Safety and health requirements
       • BS EN 12574-2:2006 Stationary waste containers. Performance requirements and test methods
- BS EN 13071-3:2011 Stationary waste containers up to 5000 litres, top lifted and bottom emptied. Recommended lifting connections
- BS EN 13071-1:2008 Stationary waste containers up to 5000 litres, top lifted and bottom emptied. General requirements
- BS EN 13071-2:2008 Stationary waste containers up to 5000 litres, top lifted and bottom emptied. Additional requirements for underground or partly underground systems
- BS EN 12574-1:2006 Stationary waste containers. Containers with a capacity up to 10000 litres with flat or dome lid(s), for trunnion, double trunnion or pocket lifting device.

or,

(b) be approved by Council.

5. Council shall approve the stationary bins under 4(b) if,

(a) the bins are demonstrated to be 'fit-for-purpose', i.e. operationally efficient, durable and are able to securely contain the waste until collection, and able to ensure that the contents are not trapped when the bin is emptied; and

(b) the bins do not create a risk of injury to any person (including employees of the waste collector) or damage to the public place or anything on the public place.

6. Every bin supplied to a customer will be free from defects that might affect its performance. Bins which have been damaged or which are incomplete or faulty and that are no longer fit for purpose may not be placed on a public place for the collection of waste or diverted material.
Solid Waste Bylaw 2016

Controls made under the Solid Waste Bylaw 2016 concerning the separation of waste collected from a public place and the disposal of waste at public waste disposal facilities

Control 2 – Waste Separation

Explanatory note: Clauses 6, 14(2) and 20 of the Solid Waste Bylaw provide that Council may establish controls containing detailed provisions by resolution. This control contains detailed provisions in relation to the separation of waste in containers for collection from a public place.

## REVISION HISTORY
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**Attachment 2A Public waste handling facilities**

**Attachment 2B Prohibited wastes**
1  **TITLE**
This control is entitled: *Controls made under the Solid Waste Bylaw 2016 concerning the separation of waste collected from a public place and the disposal of waste at public waste disposal facilities*, and may be referred to as the *Separation of Waste and Waste Disposal Controls*.

2  **COMMENCEMENT**
This control comes into force on 1 August 2016.

3  **APPLICATION**
This control applies to the Far North District.

4  **PURPOSE**
This control regulates the separation of waste collected from a public place.

5  **INTERPRETATION**
(1) In this control, unless the context otherwise requires;

**Bylaw** means the Solid Waste Bylaw 2016.

**Public place** means
(a) a place that is-
(i) under the control of Council and/or
(ii) that is open to or being used by the public, whether or not there is a charge for admission and
(b) includes:
(i) a road, whether or not the road is under the control of Council, and
(ii) any part of the public place.

Unless the context requires another meaning, a term or expression that is defined in the Act or the bylaw used, but not defined, in this control has the meaning given by the Act or bylaw.

**Recycling container** means a container approved by Council for the collection of recyclable material from a public place.

**Refuse container** means a refuse bag or a stationary or mobile garbage bin approved by Council for the collection of refuse from a public place.

(2) Unless the context requires another meaning, a term or expression that is defined in the Act or the bylaw used, but not defined, in this control has the meaning given by the Act or bylaw.

(3) Explanatory notes are for information purposes only and do not form part of this control.

6  **MAXIMUM PERMITTED AMOUNTS OF RECYCLABLE MATERIAL AND FOOD WASTE ALLOWED IN REFUSE CONTAINER**
(1) The total proportion of recyclable material in a refuse container left for collection from a public place must not exceed twenty per cent by volume of waste in that container.

(2) The total proportion of food waste in a refuse container left for collection on a public place must not exceed twenty per cent by volume of waste in that container.
7 CLASSIFICATION AND DISPOSAL OF MATERIALS THAT ARE SUITABLE OR UNSUITABLE FOR RECYCLING

(1) Materials that are classified as being suitable for recycling on Council’s web site should not be deposited in a refuse container left for collection from a public place.

(2) Materials that are classified as being unsuitable for recycling will be any material that is not currently listed as suitable on Council’s web site must not be deposited in a recycling container left for collection from a public place.

(3) Materials that are suitable for recycling that have been separated out of the waste stream must not be recombined with waste and/or disposed of to landfill.

8 PROHIBITION ON GREEN WASTE IN CONTAINERS USED FOR REFUSE AND RECYCLABLE MATERIAL

(1) Subject to the exemption in sub-clauses 8(2) and 8(3), no green waste may be deposited in a refuse container left for collection from a public place.

(2) Pest plants listed on the Northland Regional Council’s web site may be deposited in a refuse container left for collection from a public place.

(3) No green waste may be deposited in a recycling container left for collection from a public place unless the recycling container is specifically dedicated to the collection of green waste.

9 SEPARATION OF WASTE DEPOSITED AT A PUBLIC WASTE HANDLING FACILITY

(1) The total proportion of recyclable material deposited for disposal at a public waste handling facility may not exceed twenty per cent by volume of waste.

(2) The total proportion of food waste deposited for disposal at a public waste handling facility may not exceed twenty per cent by volume of waste.

(3) Subject to the exemption in sub-clause 9(4), no green waste may be placed in a waste container deposited for disposal at a public waste handling facility.

(4) Pest plants listed on the Northland Regional Council web site may be placed in a waste deposited for disposal at a public waste handling facility.

10 DISPOSAL CONTROLS AT PUBLIC WASTE HANDLING FACILITIES

(1) The disposal of waste at any public waste handling facility listed in Attachment 2A shall be subject to such conditions as Council may by resolution publicly notified from time to time decide in respect of:

(a) The hours of opening and closing;

(b) The nature of the waste which may be disposed of therein;

(c) The nature of the waste to be directed to a recycling area;

(d) The charges in respect of any disposal;

(e) The position in any such place, in which waste may be placed; and

(f) Any other matter which Council may consider necessary or desirable to determine by any such resolution.

Council may amend or revoke a resolution made under Clause 10(1) at any time. Council will publicly notify any resolution made under Clause 10(1).

(2) No refuse shall be deposited at any of the public waste handling facilities listed in Attachment 2A to this part of the Bylaw Control without paying the required fee as set by the Council or the Chief Executive or by way of an account with the site contractor.

(3) Any person using a public waste handling facility shall abide by notices and the instructions of an authorised officer or operator of that facility for the placing or disposing of different classes of waste.

(4) No person shall:
(a) Deposit or dispose of any waste, recyclables or organic material at a public waste handling facility or any other waste that is not permitted to be disposed of at that facility;

(b) Deposit or dispose of any particular type of waste, recyclables or organic material at any location within a public waste handling facility which has been marked off and designated for the depositing of disposal of a different type of waste;

(c) Deposit or dispose of any trade refuse or prohibited wastes as listed in Attachment 2B at a public waste handling facility unless authorised to do so by the operator of that facility;

(d) Enter a waste handling facility without authorisation from the operator of that facility;

or,

(e) Move or remove any article, waste or recyclables or organic material found in a public waste handling facility without the permission of the operator of that facility.

On any land or premises set aside by Council for the disposal of refuse, it shall be unlawful for any unauthorised person to enter, loiter or to disturb any deposit of refuse or to remove any article or materials of any kind.

(6) No person shall light any fire upon or near any public waste handling facility without the express permission of the Chief Executive.

Attachment 2A

PUBLIC WASTE HANDLING FACILITIES

List of Public Waste Handling Facilities at which refuse can only be deposited in accordance with the provisions of Bylaw Control Clauses 9 and 10.

Council Refuse Transfer Stations
- Ahipara
- Awanui
- Houhora
- Herekino
- Kaikohe
- Kaitaia
- Kohukohu
- Opononi
- Panguru
- Russell
- Taipa
- Te Kao
- Whangae
- Whatuwhiwhi
- Whitehills

Council Landfill Facilities
- Ahipara
- Russell
PROHIBITED WASTES

Wastes prohibited from being deposited at public waste handling facilities unless deposited into containers designated for the receipt of such wastes:

A. SUBSTANCES HAZARDOUS TO THE ENVIRONMENT

1. Substances with one or more of the following intrinsic properties:
   • An explosive nature
   • Flammability
   • An oxidising mixture
   • Acute or immediate toxicity (including ecotoxicity)
   • Delayed or chronic toxicity (including carcinogenicity, mutagenicity, teratogenicity or ecotoxic effects)
   • Radioactivity
   • Corrosivity
   • Environmental persistence
   • Infectious or pathogenic.

2. Any substance emitting or breaking down to a substance with any of the above properties upon entering the environment.

3. Any substance or group of substances prescribed as hazardous by the Hazardous Substances Regulations (Minimum Degrees of Hazard) 2001.

B. LIQUID WASTES

Bulk liquid waste of any kind or emulsions in liquid.

C. ODOUROUS WASTE

Highly odorous wastes.

D. OTHER WASTES

• glue
• oil
• caustic water
• lime
• resin
• bitumen waste
• electroplating wastes
• acids
• any scheduled poison (as defined by the Hazardous Substances Regulations (Minimum Degrees of Hazard) 2001)
• any dangerous goods (as defined by the Hazardous Substances Regulations (Minimum Degrees of Hazard) 2001)
• any other chemical (in liquid or powder form, whether of agricultural or industrial use, in sealed drums or otherwise)
• hazardous inorganic chemicals (including heavy metals and blue asbestos)
• septic tank sludge
Draft Solid Waste Bylaw 2016

Controls made under the Solid Waste Bylaw 2016 concerning the separation of domestic waste collected from a public place and the disposal of waste at public waste disposal facilities

Control 2 – Waste Separation

Explanatory note: Clauses 6, 14(2) and 20 of the Solid Waste Bylaw provide that Council may establish controls containing detailed provisions by resolution. This control contains detailed provisions in relation to the separation of domestic waste in containers for collection from a public place.

# DOCUMENT CONTROL

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9 Separation of waste in domestic waste bags deposited at a public waste handling facility
10 Disposal controls at public waste handling facilities

Attachment A Classification of materials that are suitable and unsuitable for recycling
Attachment B Pest plants that may be deposited in a refuse container left for collection from a public place
Attachment C 2A Public waste handling facilities
Attachment D2B Prohibited wastes
1 **TITLE**

This control is entitled: *Controls made under the Solid Waste Bylaw 2016 concerning the separation of domestic waste collected from a public place and the disposal of waste at public waste disposal facilities, and may be referred to as the Separation of Domestic Waste and Waste Disposal Controls.*

2 **COMMENCEMENT**

This control comes into force on 1 July August 2016.

3 **APPLICATION**

This control applies to the Far North District.

4 **PURPOSE**

This control regulates the separation of domestic waste collected from a public place.

5 **INTERPRETATION**

(1) In this control, unless the context otherwise requires;—

- **Act** means the Waste Minimisation Act 2008.
- **Bylaw** means the Solid Waste Bylaw 2016.
- **Public place** means the same as in the Solid Waste Bylaw 2016, but in this control does not include school premises, privately owned car parks, privately owned access ways and privately owned roads that are not under the control of the council, any of the council controlled organisations or the NZ Transport Agency.

**Public place** means

(a) a place that is-

(i) under the control of Council and/or

(ii) that is open to or being used by the public, whether or not there is a charge for admission and

(b) includes:

(i) a road, whether or not the road is under the control of Council, and

(ii) any part of the public place. Unless the context requires another meaning, a term or expression that is defined in the Act or the bylaw used, but not defined, in this control has the meaning given by the Act or bylaw.

**Recycling container** means a container approved by Council for the collection of recyclable material from a public place.

**Refuse container** means a refuse bag or a stationary or mobile garbage bin approved by the Council for the collection of refuse from a public place.

(2) Unless the context requires another meaning, a term or expression that is defined in the Act or the bylaw used, but not defined, in this control has the meaning given by the Act or bylaw.

(3) Explanatory notes are for information purposes only and do not form part of this control.

(4) The Interpretation Act 1999 applies to this control.

6 **MAXIMUM PERMITTED AMOUNTS OF RECYCLABLE MATERIAL AND FOOD WASTE ALLOWED IN REFUSE CONTAINER**
(1) The total proportion of recyclable material in a refuse container left for collection from a public place must not exceed ten-twenty per cent by volume of waste in that container or a percentage specified in FNDC’s Waste Management & Minimisation Plan.

(2) The total proportion of food waste in a refuse container left for collection on a public place must not exceed ten-twenty per cent by volume of waste in that container or a percentage specified in FNDC Council’s Waste Management & Minimisation Plan.

7 Classification and Disposal of Materials that are Suitable or Unsuitable for Recycling

(1) Materials that are classified as being suitable for recycling on Council’s web site in clause 1 of Attachment A should not be deposited in a refuse container left for collection from a public place.

(2) Materials that are classified as being unsuitable for recycling will be any material that is not currently listed as suitable on Council’s web site in clause 2 of Attachment A must not be deposited in a recycling container left for collection from a public place.

(2)(3) Materials that are suitable for recycling that have been separated out of the waste stream must not be recombined with waste and/or disposed of to landfill.

8 Prohibition on Green Waste in Containers Used for Refuse and Recyclable Material

(1) Subject to the exemption in sub-clause (2), no green waste may be deposited in a refuse container left for collection from a public place.

(2) Pest plants listed on Northland Regional Council’s web site in Attachment B may be deposited in a refuse container left for collection from a public place.

(3) No green waste may be deposited in a recycling container left for collection from a public place unless the recycling container is specifically dedicated to the collection of green waste.

9 Separation of Waste in Domestic Waste Bags Deposited at a Public Waste Handling Facility

(1) The total proportion of recyclable material in a domestic waste bag deposited for disposal at a public waste handling facility may not exceed ten-twenty per cent by volume of waste in that bag or a percentage specified in FNDC’s Waste Management & Minimisation Plan.

(2) The total proportion of food waste in a domestic waste bag deposited for disposal at a public waste handling facility may not exceed ten-twenty per cent by volume of waste in that bag or a percentage specified in FNDC’s Waste Management & Minimisation Plan.

(3) Subject to the exemption in sub-clause 9(4), no green waste may be placed in a domestic waste bag deposited for disposal at a public waste handling facility.

(4) Pest plants listed in Attachment B on the Northland Regional Council web site may be placed in a domestic waste bag deposited for disposal at a public waste handling facility.

10 Disposal Controls at Public Waste Handling Facilities

(1) The disposal of waste at any public waste handling facility listed in Attachment 2A as per Appendix C shall be subject to such conditions as Council may by resolution publicly notified from time to time decide in respect of:

(a) The hours of opening and closing;
(b) The nature of the waste which may be disposed of therein;
(c) The nature of the waste to be directed to a recycling area;
(d) The charges in respect of any disposal;
(e) The position in any such place, in which waste may be placed; and
(f) Any other matter which Council may consider necessary or desirable to determine by any such resolution.

Council may amend or revoke a resolution made under Clause 10(1) at any time. The Council will publicly notify any resolution made under Clause 10(1).

(2) No refuse shall be deposited at any of the public waste handling facilities listed in the Attachment C2A to this part of the Bylaw Control without paying the required fee as set by the Council or the Chief Executive or by way of an account with the site contractor.

(3) Any person using a public waste handling facility shall abide by notices and the instructions of an authorised officer or operator of that facility for the placing or disposing of different classes of waste.

(4) No person shall:
   (a) Deposit or dispose of any waste, recyclables or organic material at a public waste handling facility or any other waste that is not permitted to be disposed of at that facility;
   (b) Deposit or dispose of any particular type of waste, recyclables or organic material at any location within a public waste handling facility which has been marked off and designated for the depositing of disposal of a different type of waste;
   (c) Deposit or dispose of any trade refuse or prohibited wastes as listed in Attachment 2B Appendix D at a public waste handling facility unless authorised to do so by the operator of that facility;
   (d) Enter a waste handling facility without authorisation from the operator of that facility;
   or,
   (e) Move or remove any article, waste or recyclables or organic material found in a public waste handling facility without the permission of the operator of that facility.

(5) On any land or premises set aside by the Council for the disposal of refuse, it shall be unlawful for any unauthorised person to enter, loiter or to disturb any deposit of refuse or to remove there from any article or materials of any kind.

(6) No person shall light any fire upon or near any public waste handling facility without the express permission of the Chief Executive.
CLASSIFICATION OF MATERIALS THAT ARE SUITABLE AND UNSUITABLE FOR RECYCLING

Except where the council notifies the public otherwise from time-to-time:

1) The following materials are considered suitable for recycling and should not be placed in a refuse container left for collection from a public place:
   a) Plastic marked with the international symbols for recycling in categories 1, 2, 3, 4, 5, 6 (except meat and food trays) and 7
   b) Cardboard, paper, egg cartons, newspapers and magazines
   c) Glass bottles and jars
   d) Aluminium, steel and tin cans
   e) Aseptic packaging ("tetra-pak"-type containers), subject to acceptance by the applicable material recovery/processing facility.

2) The following materials are considered unsuitable for recycling, and may not be placed in a recycling container left for collection from a public place:
   a) Organic waste
   b) Polystyrene packaging material
   c) Meat and food trays (even if they are marked with the international symbol for recycling)
   d) Ceramic crockery and cookware
   e) Pyroceramic glass cookware (commonly known by the brand "Pyrex")
   f) Perspex and similar non-recyclable plastic
   g) Paint and any containers that contained paint
   h) Motor oil and grease and containers that contained motor oil and grease
   i) Batteries
   j) Disposable and non-disposable nappies
   k) Lightbulbs
   l) Shoes, textiles and clothes
   m) Window glass, mirrors and similar material
   n) Construction and demolition waste
   o) Plastic bags
   p) Electric cables, rope, string and similar material
   q) Gas bottles
   r) Prohibited waste
   s) Any liquid.
<table>
<thead>
<tr>
<th>Total control plants</th>
<th>As described in the current Regional Pest Management Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Other pest plants</strong> (containment pest plants, surveillance pest plants, community initiative pest plants)</td>
<td>Whole plant:</td>
</tr>
<tr>
<td></td>
<td>Senegal tea</td>
</tr>
<tr>
<td></td>
<td>Old man’s beard</td>
</tr>
<tr>
<td></td>
<td>Periwinkle</td>
</tr>
<tr>
<td></td>
<td>Knotweed species</td>
</tr>
<tr>
<td></td>
<td><em>Clematis flammula</em></td>
</tr>
<tr>
<td></td>
<td>Mile a minute</td>
</tr>
<tr>
<td></td>
<td>Century plant</td>
</tr>
<tr>
<td></td>
<td>Mauritius hemp</td>
</tr>
<tr>
<td></td>
<td>African feather grass</td>
</tr>
<tr>
<td></td>
<td>Chilean needle grass</td>
</tr>
<tr>
<td></td>
<td><em>Elaeagnus</em> species</td>
</tr>
<tr>
<td></td>
<td>Giant reed</td>
</tr>
<tr>
<td></td>
<td>Coral tree</td>
</tr>
<tr>
<td></td>
<td>Rhizomes:</td>
</tr>
<tr>
<td></td>
<td>Stinking iris</td>
</tr>
<tr>
<td></td>
<td>Marram grass</td>
</tr>
<tr>
<td></td>
<td>Chilean rhubarb</td>
</tr>
<tr>
<td></td>
<td>Tubers:</td>
</tr>
<tr>
<td></td>
<td>Madeira vine</td>
</tr>
<tr>
<td></td>
<td>Arum lily</td>
</tr>
<tr>
<td></td>
<td>Elephant ear</td>
</tr>
<tr>
<td></td>
<td>Other plants</td>
</tr>
<tr>
<td></td>
<td>Flax species</td>
</tr>
<tr>
<td></td>
<td>Palm species fronds</td>
</tr>
<tr>
<td></td>
<td>Cabbage tree</td>
</tr>
<tr>
<td></td>
<td>Pampas</td>
</tr>
<tr>
<td></td>
<td>Toi toi (cutty grass)</td>
</tr>
<tr>
<td></td>
<td>Yucca species</td>
</tr>
</tbody>
</table>
PUBLIC WASTE HANDLING FACILITIES

List of Public Waste Handling Facilities at which refuse can only be deposited in accordance with the provisions of Bylaw Control Clauses 9 and 10.

Council Refuse Transfer Stations

- Ahipara
- Awanui
- Houhora
- Herekino
- Kaikohe
- Kaitaia
- Kohukohu
- Opononi
- Panguru
- Russell
- Taipa
- Te Kao
- Whangae
- Whatuwhiwhi
- Whitehills

Council Landfill Facilities

- Ahipara
- Russell
PROHIBITED WASTES

Wastes prohibited from being deposited at public waste handling facilities unless deposited into containers designated for the receipt of such wastes:

A. SUBSTANCES HAZARDOUS TO THE ENVIRONMENT

1. Substances with one or more of the following intrinsic properties:
   • An explosive nature
   • Flammability
   • An oxidising mixture
   • Acute or immediate toxicity (including ecotoxicity)
   • Delayed or chronic toxicity (including carcinogenicity, mutagenicity, teratogenicity or ecotoxic effects)
   • Radioactivity
   • Corrosivity
   • Environmental persistence
   • Infectious or pathogenic

2. Any substance emitting or breaking down to a substance with any of the above properties upon entering the environment.

3. Any substance or group of substances prescribed as hazardous by the Hazardous Substances Regulations (Minimum Degrees of Hazard) 2001.

B. LIQUID WASTES

Bulk liquid waste of any kind or emulsions in liquid.

C. ODOUROUS WASTE

Highly odorous wastes.

D. OTHER WASTES

• glue
• oil
• caustic water
• lime
• resin
• bitumen waste
• electroplating wastes
• acids
• any scheduled poison (as defined by the Hazardous Substances Regulations (Minimum Degrees of Hazard) 2001)
• any dangerous goods (as defined by the Hazardous Substances Regulations (Minimum Degrees of Hazard) 2001)
• any other chemical (in liquid or powder form, whether of agricultural or industrial use, in sealed drums or otherwise)
• hazardous inorganic chemicals (including heavy metals and blue asbestos)
• septic tank sludge
Executive Summary

The purpose of the report is to provide annual information for the 2014-15 financial year to the Department of Internal Affairs as required by the Dog Control Act 1996. Section 10A of the Act requires each territorial authority to report on its dog control policy and practices and provide specific statistical information.

Recommendation

THAT the Regulatory and Environment Committee makes the following recommendation to Council:

THAT Council approve the Annual Report;

AND THAT a copy of the report be sent to the Secretary for Local Government;

AND THAT Council give public notice of the report by means of a notice published in the Northern Advocate.

1) Background

The Dog Control Act 1996 requires all territorial authorities to report annually to the Department of Internal Affairs on their dog control activity. The information assists central government to assess national trends and developments. This requirement below came into place through the Dog Control Amendment Act 2003, which came into force on the 01 December 2003:

10A Territorial authority must report on dog control policy and practices

(1) A territorial authority must, in respect of each financial year, report on the administration of—

(a) its dog control policy adopted under section 10; and

(b) its dog control practices.

(2) The report must include, in respect of each financial year, information relating to—

(a) the number of registered dogs in the territorial authority district;

(b) the number of probationary owners and disqualified owners in the territorial authority district:

(c) the number of dogs in the territorial authority district classified as dangerous under section 31 and the relevant provision under which the classification is made:

(d) the number of dogs in the territorial authority district classified as menacing under section 33A or section 33C and the relevant provision under which the classification is made:
(e) the number of infringement notices issued by the territorial authority:

(f) the number of dog related complaints received by the territorial authority in the previous year and the nature of those complaints:

(g) the number of prosecutions taken by the territorial authority under this Act.

(3) The territorial authority must give public notice of the report—

(a) by means of a notice published in—

(i) 1 or more daily newspapers circulating in the territorial authority district; or

(ii) 1 or more other newspapers that have at least an equivalent circulation in that district to the daily newspapers circulating in that district; and

(b) by any means that the territorial authority thinks desirable in the circumstances.

(4) The territorial authority must also, within 1 month after adopting the report, send a copy of it to the Secretary for Local Government.

2) Discussion and options

Council recognises that dogs are an integral part of our current social environment however its dog control practices are constantly revolved around the need to be aware of community health and safety generally. As a result the Animal Management Department are constantly reviewing their operational procedures in all areas concerned with dog control.

Currently Council have dog prohibited areas during peak periods of the tourist season, leash control areas and designated dog exercise areas. Council Animal Management Officers monitor these areas to ensure compliance. The Animal Management Department responds to all complaints from the public concerning dog behaviour with all aggressive behaviour complaints treated as a priority.

Fees and charges were set by resolution of Council on 23 April 2015. The fees and charges promote registration and responsible dog ownership by:

- Free registration on proof of neutering
- A $10 higher fee for dangerous or menacing dogs
- A $10 lower fee for working or pig dogs
- Discounted fees for prompt registration
- Minimal impounding fees for first time offenders
- Charges for non-compliance and re-offending reflect the actual costs

Council provides information to dog owners to assist them to meet their obligations. Animal Management Officers were active in public education through community events and seminars to increase the awareness and understanding of dog behaviour and safe practices around dogs. Council assisted and supported external agencies on dog management issues, including the SPCA, Federated Farmers and NZ Police.

The re-homing of dogs is a nationwide program run through Council’s website and social media. The Far North District Council has re-homed dogs to all parts of New Zealand including overseas and is New Zealand’s leading dog re-homing territorial authority. Council rehomed 245 dogs in the 2014/15 year.
# Registered Dogs 9,319

# Probationary Owners 0

# Disqualified Owners 0

# Dangerous Dog Classifications 1

# Menacing Dog Classifications s33A 4

# Menacing Dog Classifications s33C 99

Breed:
- Brazilian Fila 0
- Dogo Argentino 3
- Japanese Tosa 0
- Perro de Presa Canario 0

Type:
- American Pit Bull Terrier 96

# Infringement Notices issued

- Allow dangerous dog un-muzzled s62(4) 324
- Fail to comply with Bylaw s20(5) 1
- Failure to keep dog controlled or confined s52A 3
- Failure to keep dog under control s53(1) 18
- Failure to register dog s42 31
- Failure to supply or providing false information s19A(2) 269

# Dog related complaints received

- Attacks 205
- Straying and Barking 720
- Rushing 268
- Other (Dog Pickups) 608

# Prosecutions taken 0

3) Financial implications and budgetary provision

There are no budgetary implications to this report (apart for the cost of a newspaper advertisement).

4) Reason for the recommendation

To inform the public and comply with the Dog Control Act 1996 section 10A.

Manager: Dr Dean Myburgh - General Manager District Services Group
Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
   a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
   b) Assess the options in terms of their advantages and disadvantages; and
   c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.

2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

<table>
<thead>
<tr>
<th>Relationship with existing policies and Community outcomes.</th>
<th>Dog Control Bylaw 2006 and Dog Policy.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Possible implications for the relationship of Māori and their culture and traditions with their ancestral land, water, site, waahi tapu, valued flora and fauna, and other taonga.</td>
<td>No specific implications.</td>
</tr>
<tr>
<td>Views or preferences of persons likely to be affected by, or to have an interest in the matter, including persons with disabilities, children and older persons.</td>
<td>Public notification of the report that will be published on the Council website.</td>
</tr>
<tr>
<td>Does the issue, proposal, decision or other matter have a high degree of significance or engagement as determined under the Council's Policy #2124?</td>
<td>No</td>
</tr>
<tr>
<td>If the matter has a Community rather than a District wide relevance has the Community Board's views been sought?</td>
<td>District wide significance.</td>
</tr>
<tr>
<td>Financial Implications and Budgetary Provision.</td>
<td>There are no financial implications or need for budgetary provision. The Chief Financial Officer has not reviewed this report.</td>
</tr>
<tr>
<td>Chief Financial Officer review.</td>
<td></td>
</tr>
</tbody>
</table>

Executive Summary

Council has resolved that meeting agendas should consist of reports that seek a decision for matters of substance. Reports that provide information only will be listed on this cover report in the agenda and also listed as attachments under separate cover. This will allow any matters arising from these reports to be discussed at the meeting if necessary. The attachments will be emailed to the Elected Members and included online in the electronic agenda. One copy of each report will be available at the meeting for reference. Where there is a need to disseminate the information to the wider public, the full information report will be included in the agenda as a separate item.

Recommendation

THAT the following reports and documents entitled and dated:

b) “District Plan Update” 14 June 2016
c) “Northland Strategic Irrigation Infrastructure Study Stage 1 and 2” 09 June 2016

be noted.

1) Background

At the Council meeting of 12 March 2015 it was resolved, as part of the resolution relating to wider Governance matters, that:

“AND THAT meeting agendas consist of reports seeking decisions for matters of substance and that reports intended for information only be excluded from meeting agendas unless there is a need for broader community information dissemination;”

This report is a cover report for the Information Reports to which this resolution applies and which are referred to as an Attachment to this report.

While the attachment noted has been excluded from the hard copy agenda, the attachment will be emailed directly to Elected Members and will be electronically available to members of the public via the meeting agenda page on the Council’s website.

At the Council meeting of 23 March 2016 a report was presented to Council to ask them to revisit the process for information reports to discuss how effectively it was working. As a result of that discussion Council passed the following resolution:

“THAT Council confirm the decision of 12 March 2015 to exclude information reports from the printed meeting agenda, unless there is a need for broader community information dissemination, providing that the printed
Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
   a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
   b) Assess the options in terms of their advantages and disadvantages; and
   c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.

2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

| Relationship with existing policies and Community outcomes. | Not applicable. |
| Possible implications for the relationship of Māori and their culture and traditions with their ancestral land, water, site, waahi tapu, valued flora and fauna, and other taonga. | Not applicable. |
| Views or preferences of persons likely to be affected by, or to have an interest in the matter, including persons with disabilities, children and older persons. | Not applicable. |
| Does the issue, proposal, decision or other matter have a high degree of significance or engagement as determined under the Council’s Policy #2124? | Not applicable. |
| If the matter has a Community rather than a District wide relevance has the Community Board’s views been sought? | Not applicable. |
| Financial Implications and Budgetary Provision. Chief Financial Officer review. | There are no financial implications or the need for budgetary provision. The Chief Financial Officer has not reviewed this report. |
material is distributed at the request of members except for Committee members where information reports and information are to be included in the printed agenda.”

The Committee agenda produced for the members of each committee will contain a printed copy of any information reports as an attachment to the cover report. The electronic copies and references will remain in the attached information at the end of this report to provide access to the electronic copies of each report on the website.

2) Discussion and options

The attached reports are information only reports. As such they meet the criteria set out in the 12 March 2015 Council resolution for exclusion from the meeting agenda. The attachments will be emailed to Council Members and will be available online with the electronic agenda, except for Committee members where members will receive copies of information reports in their printed agenda. One copy of the reports will be at the meetings for reference.

3) Financial implications and budgetary provision

There are no financial implications or budgetary provision required as a result of this report.

4) Reason for the recommendation

To provide the Committee with a list of information only reports as part of the agenda as provided for in the Council resolution of 12 March 2015 thereby allowing matters arising from these reports to be discussed at the meeting if required.

Manager: Caroline Wilson - Manager District Administration Services

The following attachments are available on the Council’s website at:

Attachment 1: Monthly Reporting - Building, Resource Consents and Compliance to May 2016 - Document number A1735886

Attachment 2: District Plan Update - Document number A1734203

Attachment 3: Northland Strategic Irrigation Infrastructure Study Stage 1 and 2 - Document number A1734196
The purpose of this report is to provide information to the Regulatory and Environment Committee in relation to Building, Resource Consents and Compliance to May 2016.

1) Background

Monthly statistical information in relation to the District Services Group’s Building, Resource Consents and Compliance departments, is provided to the Regulatory and Environment Committee to provide an overview of activity and performance within the department.

2) Discussion and options

Building Consents

Key points of data gathered over the last period include:

- Building consents received and issued to May 2016 show a trend that the number of building consents issued continues to be higher than for the same period in the 2013 and 2014 Financial Years.

- The trend for customer days versus statutory days continues to be 26 days for this month. The averages show that although our statutory days remain relatively low, our customer experience time frame has also reduced to a reasonable level, one that has been expected for some time. Our compliance to the statutory time frame continues to be around 99% for this current year.

- New dwelling applications continue to remain relatively high, similar to last year. The drop in the level of Residential 1 applications continues and type Residential 2 numbers continues to rise. Residential 2 involves larger and more complex build jobs, with a higher risk category than for Residential 1.

Statistical Data

Building consent numbers July 2015-May 2016

- Te Hiku 26%
- Bay of Islands-Whangaroa 55%
- Kaikohe-Hokianga 19%
Building consent values

- Te Hiku $29,318,999
- Bay of Islands-Whangaroa $84,247,236
- Kaikohe-Hokianga $12,539,641

The southern area (Kerikeri, Kawakawa, Paihia and Russell) continues to account for 50% of the application numbers received.

Building Resource/Training

One vacant position is to be filled for a building officer and training is now underway for new officers recently employed.

Training now is an ongoing process due to accreditation and the need for officers to be at a certain competency level before being able to carry out work. In today’s building and construction industry continued changes to types of building products used, changes to NZ Standards used, and amendments to building acceptable solutions, demand ongoing training. As an example, it has been established that the use of toughened glass for barriers to a deck off a building now requires a top rail.

Outside training consultants are used to set levels of technical competency and to monitor and assess officers to ensure the required competency levels are achieved.

Building administration staff have been included in consent assessment training for fire places, providing a backup when needed.

Building Department projects

The following projects continue to be worked on:

a. Customer-centric invoicing involving the re-design of building consent invoices and statements (being finalised prior to implementation from August 2016).

b. IANZ (International Accreditation of New Zealand) Audit follow-up.

c. Process Improvements.

d. Electronic devices for Inspectors (field trial being completed).

e. Processing building consents online.

f. Processing of Fire Place consents (fast tracking).

Process Improvements

<table>
<thead>
<tr>
<th>Initiative</th>
<th>Developing</th>
<th>WIP</th>
<th>Complete</th>
</tr>
</thead>
<tbody>
<tr>
<td>Electronic processing sheets - Office Based</td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Electronic inspection devices and work sheets</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Update the web pages for the building area</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>New invoice design and payment process</td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Maintain the internal audit program - accreditation</td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Monitor and record work carried out by customer service officer at new reception office</td>
<td></td>
<td>✓</td>
<td></td>
</tr>
</tbody>
</table>
Training and upskilling building staff toward recognized building qualifications | √
---|---
Work toward an increased number trade/provisional practitioners at practitioners meetings | √

**Resource Consents**

- Key points regarding the statistical data shown in Attachment 2 include:
  - As a consequence of continuing high numbers of applications being received, the Department continues to have to rely on external professional consultancy services to handle the workload, and this situation will remain until the two vacancies within the processing team are filled. In addition, senior (non-processing) staff are handling some of the load in order to ease the workload on the processing team.
  - The gap between customer and statutory days remains high.
  - Year to date figures show 95% compliance to statutory timeframes for non-notified resource consent applications (this should have improved with a 100% figure in May).
  - The amount of time spent on duty enquiries remains exceedingly high at 40-50 hours per week. Assistance is being provided by some Strategic Planning and Policy staff, for which the consenting team is extremely grateful. However, the situation remains where processing planners are having to make the difficult choice as to which ‘customer’ to give priority to, and this will invariably be the paying customer to whom we may have to give a discount to if we cannot process their consent on time. Changes are being considered to the process of providing duty planner services.

Recent applications and/or consents of note, and updates on others previously listed, include:

- Subdivision application from Kerikeri Cruising Club to give effect to a land swap with conservation land (publicly notified as required by the District Plan). A small number of submissions received. Application still on hold at request of applicant;
- Waipapa/Kerikeri Flood Protection works (still under appeal);
- Application received from the Omapere Taraire E and Rangihamama X3A Ahu Whenua for a 15 house papakainga development near Kaikohe - going through limited notification;
- Far North Holdings Limited has lodged application for a consent for land based development associated with the Windsor Landing boat ramp. This is a reapproval of a lapsed resource consent and covers the creation of a new access road and car parking area for the existing Windsor Landing boat ramp, jetty and pontoon. The application is going through a limited notification process.
- Also of interest is that, given that annually only 5% of applications are notified (either public or limited), we have an unusually large number of limited and public notifications currently in progress - 3 x public and 6 x limited. This places a huge drain on administration support resources and, where hearings are required, will tie up a significant amount of reporting planners’ time in writing s42 Hearings Reports. Six of these are with consultants, and three internal.
Statistics indicated a continuing trend to have at least two thirds of all applications for development in the Whangaroa/ Kerikeri/ Kawakawa area:

<table>
<thead>
<tr>
<th>Ward</th>
<th>Community</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Te Hiku</td>
<td>Kaitaia</td>
<td>27%</td>
</tr>
<tr>
<td>Western</td>
<td>Kaikohe Hokianga</td>
<td>8%</td>
</tr>
<tr>
<td>Eastern</td>
<td>Kerikeri Whangaroa Kawakawa</td>
<td>65%</td>
</tr>
</tbody>
</table>

Staffing and Recruitment Update

The processing team (resource planners) is currently operating two short of approved numbers. We have been advised that there is a nation-wide shortage of planners and this is evidenced up by our lack of success in recruiting.

Resource Consenting Process improvement projects

There has been minimal progress since the last report to the Committee. We continue to instigate small time saving improvements as and when possible, and have discussions on a regular basis as to how we might speed up processes, whilst not losing sight of our statutory and professional responsibilities. It is not generally understood that the resource consent process is manifestly different from a building consent process. Council has to assess applications against tests for notification and involvement of numerous third parties, from government departments to the next door neighbor. There are no such assessments for a building consent.

Whilst we can try to be pragmatic, there is very little opportunity to cut corners. Under the Resource Management Act, the Council is obliged to ascertain whether the effects on the wider environment are more than minor or not, as well as identifying affected persons for the purposes of limited notification. Those determinations have to be defendable against legal challenge, as far as the High Court, on occasion.

Staff members are obliged to implement the planning provisions with the District and Regional / National Plans. Currently there is no leeway or ability to ‘waive’ the need for a consent when there is a breach of a rule. We can only endeavor to be consistent in the way rules are interpreted, and in the way we assess and determine applications. Professional integrity is paramount. It should be noted that the Council has had no Appeals against its own decisions proceeding as far as the Environment Court during the 2015/16 financial year and neither have there been any Judicial Reviews.

Areas where Practice Notes would be beneficial to ensure consistent interpretation, and maintenance of our high standard of decision and report writing, have been identified and will be progressed.

Results of the 2014/15 National Monitoring Strategy (NMS) Database reporting

The Ministry for the Environment has recently released the results of the 2014/15 data gathering. The National Monitoring Database is an annual data collection, replacing the previous bi-annual survey. From a consenting point of view, there are in excess of 40 fields of data to enter for every consent processed. There is, as yet, no easy way of transferring data within Pathways direct to the database, so staff follow a manual process of loading information into the NMS database.
A summary of some key findings/comparisons for FNDC vs national average across all Councils follows:

<table>
<thead>
<tr>
<th>Statistic</th>
<th>FNDC</th>
<th>National Figure</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>% of consents that were Land Use Consents</td>
<td>66%</td>
<td>64%</td>
<td>Land use consents remain the predominant type of consent</td>
</tr>
<tr>
<td>% non notified</td>
<td>82%</td>
<td>93%</td>
<td>Data not consistently reported across councils, so not necessarily accurate.</td>
</tr>
<tr>
<td>% rejected</td>
<td>17%</td>
<td>3%</td>
<td>Data not consistently reported across councils, so not necessarily accurate.</td>
</tr>
<tr>
<td>% suspended under s.92</td>
<td>37%</td>
<td>31%</td>
<td></td>
</tr>
<tr>
<td>% time extended under s.37</td>
<td>15%</td>
<td>12%</td>
<td>Data not consistently reported across councils, so not necessarily accurate.</td>
</tr>
<tr>
<td>% within statutory timeframes</td>
<td>99%</td>
<td>99%</td>
<td></td>
</tr>
</tbody>
</table>

Other points to note: the FNDC had less than 1% of consents objected to; less than 1% appealed, and less than 1% to which discount regulations applied.

Compliance

Key points regarding the statistical data shown in Attachment 3 include:

Alcohol Licensing

- The Alcohol Licensing Team continues to build the relationship with managers through licensed premises visits.
- The ‘Decisions Online’ project is now completed live with all with DLC decisions being made available on Council’s website.
- Public notifications online project is underway which will streamline the licensee’s process through notification on Council’s website rather than in the newspaper.

Animal Management

- Review of RFS response process completed to ensure better response times achieved.
- Unregistered dog program continuing in Kaitaia.
- 105 dogs impounded
- 56 enforcement notices issued including infringement notices / notices to occupant / notice to register dog.

Building Compliance

- Overdue RFS’s improvements being implemented to reduce overdue RFS’s and number of days overdue.
- The recommendations of Ministry of Business Innovation and Employment (MBIE) business process improvements have now been considered and improvements are being implemented. 120 building warrant of fitness’s are currently under investigation.

Health Licensing

- Implementation planning for the new Food Act 2014. Process development with the Environmental Health Officers is nearing completion which will allow for food premises to begin transition to a more risk based framework. This
transition period takes place between 2016 and 2019. 15 applications have been received to transition to the new food control plans.

- Work has commenced to transition 115 alcohol on-license premises to the new food control plans between March 2016 and March 2017.

Monitoring

- Failed vehicle crossings now identified and a response plan is being developed to address the non-compliance. This project is ongoing.
- The new litter offence process has been implemented to deliver a more streamlined process. This process will also provide better information to stakeholders. 16 Infringements were issued during the month.

Noise Control

- Officer training is now complete resulting in improved service delivery and improved customer satisfaction. 144 complaints received which is a 6% reduction on the previous month.
- ‘Door Knocking’ campaign to raise public awareness continues which to notify occupants of addresses of a noise complaint even if no noise is heard from the address.

Onsite Wastewater Disposal Systems. (OSD)

- Council monitors more than 15,000 OSD systems. The OSD project in Moerewa and Te Hapua has now been completed with a number of unknown OSD systems identified allowing for Council’s records to be updated. This work is currently being reviewed to consider wider implementation.
- OSD project has moved to Kaeo to identify unregistered OSD systems.

Parking Enforcement

- Council’s permanent full-time Parking Enforcement Officer currently monitors the Eastern Towns. This is currently being reviewed to include Parking Enforcement across the whole District.
- 162 infringements issued which is a 31% decrease on previous month.
- The parking offence codes are currently being reviewed to ensure they are relevant.

Staffing and Recruitment

The Building Specialist is now supporting the Compliance Team in providing peer review and Certificate of Acceptance (COA) processing. The Building Compliance Officer vacancy has been advertised and final interviews have been completed. Once this role is finalised the Compliance Department will be fully operational.

3) Financial implications and budgetary provision

The report is for information purposes and as such has no financial implication or the need for budgetary provision.

4) Reason for the recommendation

The report is to provide information to the Regulatory and Environment Committee Members.

Manager: Dr Dean Myburgh - General Manager District Services Group
Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
   a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
   b) Assess the options in terms of their advantages and disadvantages; and
   c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.

2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

<table>
<thead>
<tr>
<th>Relationship with existing policies and Community outcomes</th>
<th>Not applicable.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Possible implications for the relationship of Māori and their culture and traditions with their ancestral land, water, site, waahi tapu, valued flora and fauna, and other taonga.</td>
<td>Not applicable.</td>
</tr>
<tr>
<td>Views or preferences of persons likely to be affected by, or to have an interest in the matter, including persons with disabilities, children and older persons.</td>
<td>Not applicable.</td>
</tr>
<tr>
<td>Does the issue, proposal, decision or other matter have a high degree of significance or engagement as determined under the Council's Policy #2124?</td>
<td>Not applicable.</td>
</tr>
<tr>
<td>If the matter has a Community rather than a District wide relevance has the Community Board's views been sought?</td>
<td>District wide significance.</td>
</tr>
<tr>
<td>Financial Implications and Budgetary Provision.</td>
<td>There are no financial implications or the need for budgetary provision.</td>
</tr>
<tr>
<td>Chief Financial Officer review</td>
<td>The Chief Financial Officer has reviewed this report.</td>
</tr>
</tbody>
</table>
Application numbers by May 2016 on a par with other full year’s results – on course to reach a 5 year high.

The above show the relative number of consents received and issued for the last three years for comparison.
Both forecasting graphs are predicting that applications are going to continue to remain high for this year, at least, even with a relatively “normal” first two months of 2016.

This shows the forecast and demand from July 2015 to June 2016 and if current levels are maintained will mean an increase of around 15% or around 200 applications based on the initial forecast for the year and the last 4 yearly average. It can be expected also that there will be an increase in demand for inspections as a result of this increased activity.
The averages shown here highlight the fact that although our statutory days are relatively low, our “customer experience” time frame has reduced to a reasonable level. Our compliance to the statutory time frame remains around 99% for this current year (July to June 2016) despite the increase in demands.

Customer days are still a focus of the team and have remained mainly at around 30 days for this year (July 2015 to June 2016) last year the average was 38 days.
New dwelling applications continue to remain relatively high averaging 19/month this year, compared to 17 for the previous year.

Residential 1 applications have remained strong through this year as well as the continuing trend of the more complex Residential 2 and Commercial applications increasing and remaining relatively high.
A breakdown of time frames for the different categories of building is included below.

<table>
<thead>
<tr>
<th>Month</th>
<th>Statutory Days</th>
<th>Customer Days</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Cat</td>
<td>Max</td>
<td>Min</td>
</tr>
<tr>
<td>Res 1</td>
<td>17</td>
<td>1</td>
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<td>Res 2</td>
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<td>4</td>
<td>9</td>
</tr>
<tr>
<td>Res 3</td>
<td>0</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Comm 1</td>
<td>18</td>
<td>5</td>
<td>10</td>
</tr>
<tr>
<td>Comm 2</td>
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</tr>
<tr>
<td>Comm 3</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

The green line shows, in each graph, the number of consent applications by type. The blue and maroon columns indicate the statutory and customer time frame averages for each category of building.

As discussed previously, these results are not unexpected - the more complex the application, the more complex or time consuming any RFI’s might be. As might be expected the “customer Experience” time frame will be the first measure to start increasing as demand vs available staff increases.
This graph shows that approximately 80% of applications have been processed within 40 “Customer days” (or approximately 30 “working days” if weekends are removed) and approximately 50% of applications this year have been processed in 20 customer days or less.
The southern area - Kerikeri, Kawakawa, Paihia and Russell usually account for just over 50% of the application numbers received.

This chart shows that the higher value projects are in the southern area also, as may be expected with areas like Paihia and Russell.
Resource Consents Received and Issued July 2015 - May 2016

Resource Consents

<table>
<thead>
<tr>
<th>Month</th>
<th>Received</th>
<th>Issued</th>
</tr>
</thead>
<tbody>
<tr>
<td>July</td>
<td>50</td>
<td>40</td>
</tr>
<tr>
<td>August</td>
<td>60</td>
<td>50</td>
</tr>
<tr>
<td>September</td>
<td>70</td>
<td>60</td>
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<td>October</td>
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<tr>
<td>November</td>
<td>60</td>
<td>50</td>
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<tr>
<td>December</td>
<td>40</td>
<td>30</td>
</tr>
<tr>
<td>January</td>
<td>30</td>
<td>20</td>
</tr>
<tr>
<td>February</td>
<td>20</td>
<td>10</td>
</tr>
<tr>
<td>March</td>
<td>10</td>
<td>0</td>
</tr>
<tr>
<td>April</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>May</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>
Summary of Activity: The Compliance team is responsible for processing alcohol related licences. There are two Alcohol Licensing Inspectors that assess applications, prepare reports and submit to the District Licensing Committee for decision.

Highlights for the month (May 2016):
- 19% (+6) increase in the number of General Manager’s Certificates issued compared to previous month. General Manager’s certificates are renewed based on the anniversary date of that particular application so the number processed fluctuates each month.
- 62% (-5) decrease in the number of On Licences issued for the month. On Licences are renewed based on the anniversary date of that particular business, so the number processed fluctuates each month.
- 43% (84) of applications in progress relate to a reminder notice being sent to licencees to renew their certificate or licences. Council is pending a response from these licencees.

Project Status Updates (May 2016):
- Public Notices Online project which will enable applicants to publicly notify via Council’s website rather than in local newspapers is still a work in progress.
Summary of Activity: The Compliance team is responsible for enforcing the Dog Control Act and Stock Impounding Act throughout the District. There are 7 full-time officers that carry out this activity, based in Kaikohe and Kaitaia.

Highlights for the month (May 2016):
- 93% (+27) increase in number of lost dog queries received for the month compared to last month.
- 43% (+25) increase in number of dog pickups resulting in 105 dogs being impounded during the month.
- Non-Aggressive dog complaints, which include complaints of barking or straying, make up 23% of animal management activity for the month.
- Average decrease of 48% in number of notices issued for the month compared to previous month, which was a 39% decrease on the month prior to that. Decrease is as a result of preparations for new registration period that will commence on 1st July 2016.
Summary of Activity: The Compliance team is responsible for carrying out inspections, processing applications and lodging notices for Building Compliance. There are three officers and two specialists working in the Building Compliance area.

Highlights for the Month (May 2016):
- 77% (-7) decrease in the number of Certificate of Acceptance applications processed compared to previous month.
- No Dangerous or Insanitary building notices or Notice to Fix issued for the month.
- 61% (-8) decrease in the number of complaints relating to illegal/unauthorised buildings received during the month compared to the previous month.
- Minor decrease (20% or -2) in the number of inspections carried out for building applications.
Summary of Activity: The Compliance team is responsible for ensuring that specified systems are regularly inspected by an Independently Qualified Person (IQP) and that a Building Warrant of Fitness is renewed annually. The Compliance team is also responsible for ensuring that swimming pools registered in the district have a fence that is compliant with the Fencing of Swimming Pools Act.

Highlights for the month (May 2016):
- 85% increase in number of swimming pool inspections carried out as a result of the overdue swimming pool inspections project started in March 2016.
- 4 Building Warrant of Fitness inspections carried out as a result of the overdue Building Warrant of Fitness project started in March 2016.
- 120 Building Warrant of Fitness are currently under investigation, either awaiting audit, awaiting issue of CCC, FAN issued, non-compliant or out of date.

Project Status Updates (May 2016):
- Overdue swimming pool inspections project has been implemented and inspections scheduled. This backlog is due to be cleared by March 2017. This project has been closed off as complete as the deliverables now form part of the normal administrative process.
- Overdue building warrant of fitness project has been implemented and a follow up process finalised. This project has been closed off as complete as the deliverables now form part of the normal administrative process.
Summary of Activity: The Compliance team is responsible for ensuring food businesses throughout the District comply with the Food Act and that food is safe for the public. There are 4 Environmental Health Officers that carry out this activity and this service is contracted by the Northland District Health Board.

Highlights for the month (May 2016):
- 46% (-30) decrease in number of premise inspections carried out during the month compared to previous month, however the month of April was considerably higher than usual so many be an exception.
- 27% (-13) decrease in Food Control Plan related activity compared to previous month due.
- Majority (66% or 423) of licence types relate to Food, Camping and Other Health licences

Project Status Updates (May 2016):
- 15 businesses have applied to be registered under the new Food Act 2014. There are 115 on licensed premises that need to be transitioned over to the new legislation by 1st March 2017.
Summary of Activity: The Compliance team is responsible for enforcing bylaws and legislation within the District. There are 6 officers that carry out this activity. This activity includes the monitoring of the following bylaws: Keeping of Animals, Poultry and Bees; Public Places; Vehicle Crossings; Brothels; Mobile Shops and Hawkers. This activity also includes the enforcement of the following legislation: Resource Management Act; Litter Act and Local Government Act.

Highlights for the month (May 2016):
- Minor decrease (14% or -15) in RFS received related to bylaw or legislation breaches or queries. This would include complaints or queries relating to keeping of pig or bees; mobile shops; abandoned vehicles; overgrown sections; storm water issues or smoke nuisances.
- 4 requests received to inspect Maori Freehold land compared to no requests received in the month prior.
- 16 litter infringements issued during the month compared to none issued in the previous month.

Project Status Updates (May 2016):
- Vehicle Crossing failure project still a work in progress. This project will address vehicle crossings installed across the district that are not compliant with engineering standards.
Summary of Activity: The Compliance team is responsible for monitoring noise complaints throughout the District. This service is contracted by First Security. Complaints received within the urban area have a response time of 1 hour, and complaints within the rural area of 2 hours.

Highlights for the month (May 2016):
- 6% decrease in number of noise complaints received compared to previous month.
- 30% decrease in number of noise complaints received for Western area (Kaikohe and Hokianga).
- 33% (45) of complaints received are from the Northern area (Kaitaia and surrounds); 40% (54) from the Eastern area (Kerikeri, Bay of Islands and Kawakawa); 27% (37) from the Western Area (Kaikohe and Hokianga).
**Summary of Activity:** The Compliance team is responsible for enforcing the Onsite Wastewater Disposal Systems bylaw. According to the bylaw, septic tanks require an assessment every 5 years and aerated or alternative wastewater treatment systems are to be serviced as per the manufacturer’s specifications. Council currently offers an inspection service to determine whether an extension under the bylaw can be granted.

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**Highlights for the month (May 2016):**

- 63% (-62) decrease in queries relating to OSD systems received compared to previous month as April was considerably high.
- 41% (-18) decrease in requests for inspections of OSD systems compared to previous month.
- 17% (2581) of OSD system owners in the district have been issued a reminder notice to have their systems serviced, the majority (57% or 1480) of which are at the final reminder notice stage.

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**Project Status Updates (May 2016):**

- *Overdue OSD servicing project* started to follow up on the 1480 OSD systems that are overdue for servicing, the oldest of which dates back to 2007. Follow up process has been finalised. Schedule for follow up yet to be finalised.
- *Alternative OSD systems project* started to follow up on alternative systems (long drops, self composting etc) and request servicing history of these systems.
**Summary of Activity:** The Compliance team is responsible for enforcing parking restrictions throughout the District. There is one full-time parking warden that carries out this activity, primarily in the Paihia and Kerikeri area each week day. Other members of the Compliance team are multi-warranted and therefore able to enforce parking restrictions as well.

**Highlights for the month (May 2016):**

- 31% (-76) decrease in the number of parking infringements issued compared to previous month, which may be due to traffic flow reducing over the winter months.
- 30% (-46) decrease in the number of parking infringements issued for Time Offence (30 minutes) compared to previous month.
- 34% (-21)) decrease in the number of parking infringements issued for Time Offence (60 minutes) compared to previous month.
- Majority (93% or 152) of parking infringements issued are for time related offences as the parking warden has a travel routine and is able to monitor these types of offences compared to previous wardens.
MEETING: REGULATORY AND ENVIRONMENT COMMITTEE  
14 JULY 2016

Name of item: DISTRICT PLAN UPDATE

Author: Tammy Wooster - Senior Policy Planner
Date of report: 14 June 2016
Document number: A1734203

Executive Summary
The purpose of the report is to update the Regulatory and Environment Committee (R&EC) on progress of current plan changes, submissions, appeals, and the strategic alignment of District Plan review processes.

1) Background
The Regulatory and Environment Committee has requested a regular update of the status of various Plan Changes, submissions, appeals and the strategic alignment of the District Plan review processes.

The update includes an Update Schedule (refer to Attachment 1) and a graphic representation of Plan Change status (refer to Attachment 2).

2) Discussion and options

Current Plan Change Processes

Appeals to the Environment Court

Plan Change 15 - Rural Provisions (PPC15)
Council received advice on 07 June that the High Court will allocate a date for the hearing of the appeal by Turners and Growers in mid - November.

One Notified Proposed Plan Change is subject to pre hearing mediation

Proposed Plan Change 21 - National Policy Statement on Electricity Transmission (NPSET)

Information is still being circulated between the parties that attended the pre hearing mediation to try and resolve as many issues as possible prior to the hearing. This may result in the hearing date being deferred until August/September 2016.

Four Proposed Plan Changes are subject to a Section 42A Hearing Report and are waiting for Hearing dates

A joint hearing (by Independent Commissioners) is still proposed for the following three proposed plan changes:

Proposed Plan Change 21 - National Policy Statement on Electricity Transmission (NPSET)

• Proposed Plan Change 20 - Proposed Traffic, Parking and Access Plan Change
• Proposed Plan Change 19 - Signs and Lighting

However, with a pre hearing mediation still continuing for Plan Change 21, the date will need to be moved to August/September 2016. A joint hearing is still considered the more viable option for greater efficiency and administrative cost savings.
The Section 42A Planners’ Reports are being prepared for the above three plan changes.

- Proposed Plan Change 18 - Genetically Modified Organisms (GMOs)

The appeal by Federated Farmers to the High Court on jurisdiction matters is still outstanding, and the Environment Court has still not heard the appeal on GMOs in relation to the Northland Regional Policy Statement (RPS).

The joint plan change hearing has taken place, commencing on 13 June 2016 and continued for a three day period. The recommendations from the Independent Hearing Panel are likely to become available in July.

**District Plan Review Processes and Activities**

A series of place planning exercises have occurred in the District, with the final “formal” event taking place in Rawene on 14 June. The “Let’s Plan Together” consultation process involved the District Plan team participating in:

- Eight events over ten days, such as the Waimate North A&P show;
- Twelve separate place planning sites over 25 days
- 39 specific appointments
- The generation of over 500 pins on the “put a pin on it website”.

The Kerikeri place planning venue continues to be used through May, June and July for meetings with stakeholder groups, such as Horticulture NZ, that are ongoing. The results of the feedback are being collated and will be reported to the next Committee meeting along with a description of the next steps in the plan review process. This will include web site updates, feedback to participants and ongoing dissemination of relevant information to other service delivery arms of Council.

As part of this stakeholder engagement, staff met with the Ministry for Primary Industry (MPI) in June and one of the issues discussed was the Economic Development - Opportunities for Better Water Management project. Due to a study being proposed for the Kaikohe/Waimate North area, a separate agenda item has been written to provide information on this project.

**Proposed Regional Policy Statement - Update on Mediation Proceedings and Hazard Mapping Projects**

On the 09 May the Regional Policy Statement (RPS) became operative in part (the GMOs appeal is still outstanding), meaning that Council has a two year timeframe to give effect to certain aspects of the RPS which has been factored into the District Plan review.

As presented to the June Committee meeting, the Northland Regional Council (NRC) released on 02 June 2016 draft Coastal Hazard maps to affected land owners. Feedback can be provided to the Regional Council by 05 September.

Access to and understanding the right plan information at the right time is important, especially in areas subject to natural hazards. A communications initiative to improve awareness of hazard information is being developed to assist landowners to efficiently obtain information and navigate statutory processes efficiently. This process involves Council’s Communications Team, District Plan Team, District Services and Records Team, Building and Resource Consents Teams and NRC. A verbal update will be provided on progress of this piece of work in the Committee meeting.

**Proposed Regional Plan(s) Review**

The current timeline for having a draft (one) regional plan is mid 2016. A draft version of the plan will be available for feedback on 8 August for a seven week period. Staff
will engage with other divisions of Council and develop a submission on the draft Plan and report back to the R&EC as required.

**Regulatory Reform Proposal for the RMA**

Council staff and Councillor Willow-Jean Prime presented at the Local Government and Environment Select Committee Hearings in Auckland with respect to the Council submission to the proposed amendments to Resource Management Act 1991. Subsequent to the hearings Council been advised that the select committee was due to report back to Parliament on 03 July, but has now been granted until 06 September 2016.

**Further Reform Considerations**

A submission to Central Government on the “next steps for fresh water reform” was made in April 2016. In response to the Government issuing the draft National Policy Statement on Urban Development Capacity (NPS-UDC), the Department is writing a submission on behalf of Council. This draft submission has been presented to the Committee as a separate agenda item.

### 3) Financial implications and budgetary provision

Costs associated with the “Schedule 1” statutory district planning work streams for the 2015/16 financial year (such as appeals on the Proposed Plan Change 15, pre hearing mediation, joint hearing and any appeals for Proposed Signs and Lighting, Traffic Parking and Access, NPSET Plan Changes) are budgeted for.

From a “plan review” perspective, a consolidated plan review will have associated costs once the plan is notified and subsequent hearings and plan appeals occur. Stage 1 Processes involving the Research and Investigation Framework, is mostly in-house. Stage 2 - Issues and Options may have a moderate to high funding requirement in the 2016/17 financial year. These have been budgeted in the Annual Plan 2016/17. Hearings and appeals are in the 2017/18 or subsequent financial year and may have greater cost, especially in relation to specialist involvement and legal processes and support. The budgets and timing of work proposed in the Long Term Plan 2015-25 will be kept under review and may need to be adjusted in future Annual Plans, as the programme for the plan review is refined.

### 4) Reason for the recommendation

To inform the Regulatory and Environment Committee of the status of District Plan review and plan change processes.

Manager: Kathryn Ross - General Manager Strategic Planning and Policy Group

Attachment 1: Plan Change Update Schedule - Document number A1734414

Attachment 2: District Plan Change Progress Graphic - Document number A1734423

Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:
1. A Local authority must, in the course of the decision-making process,
   a) Seek to identify all reasonably practicable options for the achievement of the
      objective of a decision; and
   b) Assess the options in terms of their advantages and disadvantages; and
   c) If any of the options identified under paragraph (a) involves a significant
c   decision in relation to land or a body of water, take into account the
   relationship of Māori and their culture and traditions with their ancestral land,
   water sites, waahi tapu, valued flora and fauna and other taonga.

2. This section is subject to Section 79 - Compliance with procedures in relation to
decisions.

| Relationship with existing policies and Community outcomes. | Every component of the District Plan review will need to be assessed against existing policies of Council and outcomes of any community planning. |
| Possible implications for the relationship of Māori and their culture and traditions with their ancestral land, water, site, waahi tapu, valued flora and fauna, and other taonga. | The review of a District Plan requires (by legislation) consultation with tangata whenua. |
| Views or preferences of persons likely to be affected by, or to have an interest in the matter, including persons with disabilities, children and older persons. | Any review of a District Plan requires (by legislation) consultation with affected persons. |
| Does the issue, proposal, decision or other matter have a high degree of significance or engagement as determined under the Council's Policy #2124? | This item relates to timetabling as opposed to actual content of any plan change or review. Assessed as low significance. |
| If the matter has a Community rather than a District wide relevance has the Community Board's views been sought? | Some aspects of the Plan review will be more community orientated than district wide. However, it is intended to involve Community Boards in most aspects of the District Plan review. Community Board members have been participating in the local pop up shops and put a pin on it meetings. |
| Financial Implications and Budgetary Provision. | Provision has been made in the District Plan budget within the Annual Plan for 2015/16 and 2016/17. Budgets proposed in the Long Term Plan 2015-25 for future years will be kept under review and may need to be adjusted in future Annual Plans. The Chief Financial Officer has reviewed this report. |

Chief Financial Officer review.
## Plan Change Update Schedule

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<tr>
<th>Number</th>
<th>Title</th>
<th>Status</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>15</td>
<td>Rural Provisions</td>
<td>1 Appeal to the High Court.</td>
<td>The Court has advised a hearing date is expected to be set in mid November 2016.</td>
</tr>
<tr>
<td>18</td>
<td>Genetically Modified Organisms</td>
<td>Plan Change has been heard.</td>
<td>The joint hearing took place the week of 13 June 2016. An recommendation from the Hearing Panel is expected in July 2016.</td>
</tr>
<tr>
<td>19</td>
<td>Signs and Lighting</td>
<td>Awaiting hearing.</td>
<td>A draft section 42 Report has been prepared. A hearing date is now likely to be August 2016 to enable it to coincide with hearings on Plan Change 20 and 21.</td>
</tr>
<tr>
<td>20</td>
<td>Traffic, Parking and Access</td>
<td>Preparation of Planners Report.</td>
<td>Drafting of section 42A report is near completion. A hearing date is now likely to be August 2016 to enable it to coincide with hearings on Plan Change 19 and 21.</td>
</tr>
<tr>
<td>21</td>
<td>Plan Change on National Policy Statement on Electricity Transmission</td>
<td>Pre Hearing Mediation taking place.</td>
<td>Pre Hearing mediation is still occurring. A hearing date is now likely to be August 2016.</td>
</tr>
</tbody>
</table>
**Summary of Activity:** The District Plan team is responsible for processing Proposed Plan Changes. There is currently 5 plan changes being processed. The Operative District Plan is currently under review, with the first stage of public consultation being undertaken.

### District Plan Change Progress

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<table>
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<th>Activity</th>
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<td>PC15 Rural Provisions</td>
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<td></td>
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<tr>
<td>PC18 GMO's</td>
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<td>PC20 Traffic Parking and Access</td>
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</tr>
<tr>
<td>PC21 NZEF</td>
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</table>

### Highlights for the month

During the month of June, the last of the place planning pop ups were completed. The Kerikeri location will still be utilised for further stakeholder engagement.
Executive Summary

To advise the Regulatory and Environment Committee of project “Economic Development - Opportunities for Better Water Management”, which has been developed between Northland Regional Council, Northland Inc and the Ministry for Primary Industries and the implications for the Far North District Council including the development of strategic irrigation infrastructure studies for the region.

1) Background

Economic Development - Opportunities for Better Water Management Project

The Tai Tokerau Economic Action Plan (February 2015) identified irrigation as an area for investigation. To enable this project “Economic Development - Opportunities for Better Water Management”, was created by Northland Inc, Northland Regional Council (NRC) and the Ministry for Primary Industries (MPI).

Stage 1 of the project has been completed and the Northland Strategic Irrigation Infrastructure Study 2015 is due for release in July 2016. This study investigated the irrigation potential of 18 command areas. Two of the potential command areas are located in the Far North District. The two areas identified were Kaikohe/Waimate North and the Aupouri Peninsula/Awanui Plains, as they areas likely to benefit significantly from the provision of irrigation. The study made eight recommendations:

- Stakeholder engagement;
- Detailed investigations;
- Identifying appropriate allocation models;
- Undertaking case studies on indicator properties;
- Establishing a model irrigated farm for benchmarking;
- Ensuring water management policies and plans consider irrigation potential;
- Options analysis of funding and governance models;
- Preparing an employment ready workforce.

On the 17 May 2016 the Northland Regional Council agreed to invest $165,000 from the Investment and Growth reserve to fund Stage 2. This will involve further investigation of water storage and irrigation at two command areas, Kaikohe/Waimate North and Kaipara/Ruawai. NRC intends to submit an application to MPI for a matching contribution of $165,000 from the Irrigation Acceleration Fund. NRC has not allocated funds for further investigation of irrigation in the Aupouri Peninsula/Awanui Plains.
2) Discussion and Options

Why this project is important for the Far North District

Strategic water management including its related infrastructure is a significant contributor to the future economic, social and environmental wellbeing for the District. Existing irrigation projects provide some evidence to what can be achieved through the combination of water storage, associated irrigation infrastructure and high value versatile soils. Horticulture within the Kerikeri Irrigation Scheme is currently estimated to contribute $36 million/annum to the Gross Domestic Product (GDP) of Northland and provides employment for 650 full time equivalents.

The irrigation potential of the Far North was investigated in the late 1970’s and the Kerikeri Irrigation Scheme was constructed in 1983. The two reservoirs and associated reticulation, overcame water supply constraints enabling intensive horticultural development. The direct effect of this was increased employment in horticulture and associated support services. Analysis of landuse patterns, economic activity and GDP in the Kerikeri/Waipapa area highlights the economic significance of the Kerikeri Irrigation Scheme.

The 1970’s investigation identified that the agricultural potential of the Kaikohe/Waimate North area is constrained by water supply, but due to a lack of central government funding no irrigation scheme was constructed. This lack of infrastructure also limits the growth of other land uses that are dependent on having a secure water supply.

The role the Far North District Council has to play

Far North District Plan staff member’s met with representatives from MPI on 9 June 2016. They advised MPI that due to this project having the potential to influence economic opportunities for the District that while not being a member of the project team, that FNDC wished to be kept informed of its progression. Staff also advised that where possible they wished to support the project with technical input and be part of any stakeholder engagement. It was also highlighted to MPI that other industries in the Kaikohe area would benefit from a secure water supply including the Ngawha Business Park proposal. Staff have identified that the District Plan review could be influenced by the outcome of this project and will be taking into account any relevant studies and findings.

Other statutory processes have recommended that more regard be given to water infrastructure for land use planning. The recent Environment Court consideration of the District Plan policy framework regarding Rural Provisions (Plan Change 15) has recommended that FNDC policies and plans give recognise the land use significance of irrigation infrastructure. The review of the District Plan will include consideration of irrigation infrastructure, the land use choices that it enables and an appropriate policy framework for land use management.

Further understanding of the scope and process of the Better Water Management project can be obtained from a report presented to the NRC on May 17 2016 by Darryl Jones, Economist for the Regional Council (refer to Attachment 1). This includes the proposed scope for Stage 2 of the Project.
3) Financial implications and budgetary provision

There are no financial or budgetary provision implications as FNDC are not part of the project team and any stakeholder engagement or technical input can form part of the consolidated District Plan review process.

4) Reason for the recommendation

The report has been prepared to inform the Regulatory and Environment Committee of the “Economic Development - Opportunities for Better Water Management” project. Further updates will be made to the Committee as the project progresses.

General Manager: Kathryn Ross - General Manager Strategic Planning and Policy Group

Attachment 1: Northland Regional Council Agenda Item, 17 May, Better Water Management - Document number A1734297
Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
   a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
   b) Assess the options in terms of their advantages and disadvantages; and
   c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.

2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

| Relationship with existing policies and Community outcomes. | The proposals potentially build on and accelerate existing council work streams. |
| Possible implications for the relationship of Māori and their culture and traditions with their ancestral land, water, site, waahi tapu, valued flora and fauna, and other taonga. | Potential implications and opportunities for hapu and iwi arising from new water uses and the potential for development of Maori land. |
| Views or preferences of persons likely to be affected by, or to have an interest in the matter, including persons with disabilities, children and older persons. | Views have been sought from Councils Infrastructure Planning, and Community Development teams. |
| Does the issue, proposal, decision or other matter have a high degree of significance or engagement as determined under the Council's Policy #2124? | Investigating irrigation options and associated land use implications falls under the range of investigations associated with the review of the District Plan and will be considered as part of the plan review consultation process. |
| If the matter has a Community rather than a District wide relevance has the Community Board's views been sought? | The views' of the Community Boards will be sought through plan review consultation processes. The body of work also represents opportunities to promote integrated planning outcomes with respect to the Regional Policy Statement. |
| Financial Implications and Budgetary Provision. Chief Financial Officer review. | Any technical input into this project or stakeholder involvement will form part of the consolidated District Plan review, therefore there are no additional financial or budgetary implications. |
ISSUE: Investment and Growth Reserve: Economic Development Opportunities for Better Water Management – Stage Two Proposal

ID: A839894
To: Council Meeting, 17 May 2016
From: Darryl Jones, Economist
Date: 10 May 2016

Executive summary:
The purpose of this report is to obtain council approval to undertake the second stage of the Economic Development Opportunities for Better Water Management project. Council has already agreed to make available $240,000 from the Investment and Growth Reserve (IGR) to fund the overall project. Council subsequently agreed to spend $75,000 of this allocation on the first stage of the project – being a scoping study to identify the opportunity for irrigated agriculture to contribute to economic development in Northland. The total cost of this first stage study was $150,000, with the cost split 50/50 between the IGR and the Irrigation Acceleration Fund (IAF) managed by Ministry for Primary Industries (MPI). This paper reports on the findings of the first stage study, outlines a proposed second stage, and seeks council agreement to release the remaining $165,000 to fund this work. Additional funding of up to $165,000 from the IAF will again be sought to supplement the IGR allocation.

Legal compliance and significance assessment:
The activities detailed in this report are in accordance with the IGR criteria, the Long Term Plan 2015–2025, and council’s decision making process as prescribed in the Local Government Act 2002. This matter has been assessed according to the council’s Significance Policy and deemed to be of low significance.

Recommendations:


2. Council directs staff to work with Ministry for Primary Industries (MPI) officials to release together the stage one report.
3. Council agree to proceed with the second stage of the project as outlined in Appendix 1 pertaining to Item 4.6 of the 17 May 2016 council agenda and approve the release of the remaining $165,000 from the $240,000 (plus GST) set aside for the overall Economic Development Opportunities for Better Water Management project from the IGR.

4. Council delegates to the Chief Executive Officer authority to submit an application to the MPI Irrigation Acceleration Fund for a matching contribution of $165,000 (plus GST) towards the stage two project.

Report:

Background
At its meeting on 15 April 2014 council considered a proposal from Northland Inc. to fund an Economic Development Opportunities for Better Water Management project through the Investment and Growth Reserve (IGR). Council agreed to support this project by making available up to $240,000 from the IGR conditional on matching funds being received through the Irrigation Acceleration Fund (IAF) that is managed by the Ministry for Primary Industries (MPI).

Council staff subsequently worked with MPI staff to develop a two-stage approach requiring two separate applications to the IAF rather than one as originally envisioned. A letter from MPI supporting this approach and providing an approval in principle for up to $240,000 from the IAF was provided (Attachment 1). The first stage involves a scoping study to identify the opportunity for irrigated agriculture to contribute to economic development in Northland. Based on the results of this work, and specifically the identification of possible areas that would benefit from better water management infrastructure, a second stage involving more detailed pre-feasibility work would be undertaken. This programme of work has been included under the Enablers section of the Tai Tokerau Northland Economic Action Plan (TTNEAP) in recognition of the potential of irrigation infrastructure to lift the performance of the region.

At its meeting on 21 October 2014, council agreed to this two-stage approach and allocated $75,000 from the $240,000 set aside for the overall Economic Development Opportunities for Better Water Management project for the first stage. A formal application for matching funds of $75,000 was then submitted to the IAF and subsequently approved. Opus International Consultants, leading a team comprising Aqualinc, BERL and AgFirst representatives, was awarded the contract to undertake the stage one report.

Stage One – Completion
The stage one report – titled Northland Strategic Irrigation Infrastructure Study – has been completed. The main demand and supply estimates for each of the 18 command areas developed as part of the project are set out in Table 1 of Appendix 2.

The main findings and recommendations of the study were discussed with councillors at a workshop on 1 March 2016. The following table contains the key recommendations and the proposed response to each. The study recommendations have been arranged into three groupings according to the staff response.

A key finding of the stage one study was that further detailed work should focus on two cluster areas: the Mid North cluster (containing the Kaikohe, Kerikeri and Waimate...
North command areas) and the Kaipara cluster (containing Hoanga, Kāihu, North Kaipara and Ruawai). A multi-criteria analysis (MCA) process was used to identify these two clusters as being the most important. Councillors were interested in further detailed consideration of prioritisation at the command area level.

**Table 1 – Stage one study recommendations and response**

<table>
<thead>
<tr>
<th>Study recommendation</th>
<th>Staff response</th>
</tr>
</thead>
<tbody>
<tr>
<td>3. Limitations associated with elements of study have been identified – e.g. quality of the input data and the NRC SPASMO model. Need to adopt a suitable allocation model to be used for future water management, or the SPASMO model needs to be corrected.</td>
<td>Those that have already been actioned or will be by NRC. NRC to undertake independent review.</td>
</tr>
<tr>
<td>6. Review current or draft water management policies and future review to reflect long term community outcomes, adopting a multi-criteria analysis for economic, community, environmental and cultural factors, that properly considers the utilisation of irrigation infrastructure and/or collaborative water management units as tools.</td>
<td>Have taken into account, e.g. proposing to allow storage takes above median flows.</td>
</tr>
<tr>
<td>4. Undertake case studies on selected indicator farms.</td>
<td>Need to determine if viable first.</td>
</tr>
<tr>
<td>5. Establish model irrigated farm and report on benchmarking data.</td>
<td>Costly.</td>
</tr>
<tr>
<td>8. Undertake a skills audit and corresponding ‘preparation for employment’ study to match the workforce to the likely sector requirements and establish any necessary training programmes, transportation linkages and incentives programmes.</td>
<td>These can wait.</td>
</tr>
<tr>
<td>2. Undertake a further level of investigation prioritised into the indicated areas of interest to determine a provisional development masterplan. This will build on current project phase to investigate: Potential ‘irrigation water storage and supply scheme’ options i.e. plumbed together; Possible ‘global management of water allocation consents’ i.e. managed together.</td>
<td>Worth improving analysis on demand potential (both physical factors and demand led) and getting dollar estimate of costings to determine viability. Panel cannot take place until Recommendation 2 information has been gathered.</td>
</tr>
<tr>
<td>1. A wider community stakeholder panel should be engaged for a further MCA round to enable more in-depth identification of co-benefits and challenges within and between the areas of interest and to establish community ownership of future water management solutions.</td>
<td>Need funding as part of stage two. Depends on possible users identified in Recommendation 2.</td>
</tr>
<tr>
<td>7. Undertake an ‘options analysis’ to determine possible funding and entity models to meet the likely capital intensive first phases of any community scheme solutions.</td>
<td></td>
</tr>
</tbody>
</table>

**Stage Two – Next steps**

Council staff have been working with MPI staff to develop the scope of the stage two work. These are set out in Appendix 1. The scope of stage two will build on recommendations 1, 2 and 7 of the stage one report. The primary purpose of this work is to provide documentation and evidence that will assist a development entity(s) to establish an investment ready proposal.

In terms of the specific geographic areas where this work will be undertaken, NRC and MPI staff have done some further analysis at the command area level – taking
into account the potential economic impact, likely viability and compatibility of the command areas with other policy goals (Table 2 in Appendix 2). Based on this more detailed work officers recommend that the stage two project focus on two groups of command areas: Waimate North/Kaikohe/Kerikeri and North Kaipara/Ruawai. These command areas are very much aligned with the results of the MCA undertaken in the stage one report. It is important that the further investigative work proposed to be undertaken in stage two be focussed on a limited number of geographic areas so that the level of detail being sought from the project can be realised.

If council agree to this process (i.e. scope of stage 2 and the areas that it will cover) then a formal application to the IAF for stage two – further investigation into identified areas – will be submitted. It is anticipated that stage two will use the remaining IGR resources set aside for this overall project, i.e. $165,000. The application to IAF will be for matching funding of $165,000, giving a total stage 2 budget of $330,000.

The council project group will be responsible for procuring a suitable supplier to undertake the study through a public tender process. The aim is to complete the selection process by the end of July 2016, with the intention to finish stage two by March 2017.
Appendix 1

IGR Project: Economic Development Opportunities from Better Water Management
Stage 2 – Further investigation into identified areas
Detailed Project Outline

The primary purpose of this work is to provide documentation and evidence that will assist a development entity(s) to establish an investment ready proposal.

Section 1: Forecast demand assessment

Water harvesting and storage infrastructure should provide for the forecast demand for reliable water supply. This demand will come from three potential sources: irrigation development, urban water demand and industrial uses such as food processing. Forecast demand for these three sources should be established through a process of technical investigation, expert opinion and scenario analysis. These assessments need to take into account the potential impact of climate change (perhaps in the form of sensitivity analysis).

Irrigation Demand

The irrigation demand potential outlined in the Stage 1 report needs to be tested and refined. There are two components to this irrigation demand assessment. First a revised demand potential based on a more detailed assessment of the physical and climatic factors affecting irrigation potential. Second, to provide rigour, determine the ‘market’ led demand for water based on market knowledge, and projections, of exporters and commercial entities currently active in Northland, i.e. is the potential able to be realised in terms of increased sales, etc. Consultation with the farming community needs to happen.

Urban Demand

Drawing on council Long Term Plans, demographic forecasts, etc., provides an accurate assessment about the likelihood of municipal demand for water.

Industrial and Food Processing Demand

Drawing on expert knowledge and opinion available through consultation with major producers/processors, industry organisations, Northland Inc., the Northland Economic Action Plan Steering Group, and the wider Northland business community, provide an accurate assessment about the potential industrial demand.

Section 2: Storage and staging scenarios

The Stage 1 report provides a useful overview of potential storages, volumes, etc., that establishes the basis for developing credible storage options, by both location and potential staging options. With a forecast demand in place the storage capacity required can be determined, in turn providing for desk top scenario based assessment of how/where the required capacity could be developed. This assessment of storage options need to specifically take into account the potential impact of climate change (perhaps in the form of sensitivity analysis).

The product of this assessment would be an indicative likely infrastructure development plan, recognising likely capital requirements and the long life of the infrastructure to be developed a minimum 30 year horizon is proposed.
Section 3: Likely development and construction capital requirements

The likely infrastructure development plan in turn provides a basis for an estimate of likely development and construction costs. The analysis would draw on current industry knowledge and experience to provide a bounded (upper and lower) estimate to inform the consideration of how to progress.

Section 4: Social license for the development of irrigation

This section of the report will consider and analyse the various issues that are raised by the broader society in terms of irrigation development. Provide an assessment of the potential environment impacts associated with the development of water storage and expanded irrigation in the identified areas. This will include consultation with the wider community on their perspectives and questions to be answered.

Section 5: Development entity

Based on the previous sections, this part of the report will provide options as to what an appropriate development entity may look like. The purpose of the development entity is to take the proposal forward by undertaking the further research, site investigation, etc. that is necessary to develop an investment ready proposal.
## Appendix 2

### Table 1 – Summary of demand and supply estimates by command area

<table>
<thead>
<tr>
<th>Broad category</th>
<th>Variable</th>
<th>Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>Demand</td>
<td>Command area [ha]</td>
<td>Table 3.3</td>
</tr>
<tr>
<td></td>
<td>Total irrigable area [ha]</td>
<td>Table 3.3</td>
</tr>
<tr>
<td></td>
<td>Estimated scheme development area [ha]</td>
<td>Table 3.3</td>
</tr>
<tr>
<td></td>
<td>Current consented area [ha]</td>
<td>Table 3.3</td>
</tr>
<tr>
<td></td>
<td>Future irrigation development potential [ha]</td>
<td>Table 3.3</td>
</tr>
<tr>
<td></td>
<td>Potential annual irrigation demand [Mm³/year]</td>
<td>Table 4.4</td>
</tr>
<tr>
<td>Supply</td>
<td>Groundwater availability [Mm³/year]</td>
<td>Table 5.1</td>
</tr>
<tr>
<td></td>
<td>Irrigable area with a available resource from groundwater [ha]</td>
<td>Table 6.4</td>
</tr>
<tr>
<td></td>
<td>Storage capacity - from surface water [Mm³]</td>
<td>Table 6.1</td>
</tr>
<tr>
<td></td>
<td>Irrigable area with a available resource from storage [ha]</td>
<td>Table 6.1</td>
</tr>
</tbody>
</table>

**Source:** Northland Strategic Irrigation Infrastructure Study
Table 2 – Other factors to assist in the determination of command area for further investigation

<table>
<thead>
<tr>
<th>Bread concern</th>
<th>Attribute/variable</th>
<th>Source</th>
<th>Auckland</th>
<th>Auckland</th>
<th>Christchurch</th>
<th>Wairarapa-North</th>
<th>Wellington</th>
<th>Manawatu</th>
<th>Hawke’s Bay</th>
<th>Gisborne</th>
<th>Marlborough</th>
<th>Nelson</th>
<th>Tasman</th>
<th>Southland</th>
<th>Waikato</th>
<th>Bay of Islands</th>
<th>Auckland</th>
<th>Wellington</th>
<th>Tasman</th>
</tr>
</thead>
<tbody>
<tr>
<td>Economic Impact</td>
<td>Total irrigable area with available resources [ha]</td>
<td>Tables 6.1 and 6.4</td>
<td>2,889</td>
<td>4,091</td>
<td>3,534</td>
<td>4,942</td>
<td>7,744</td>
<td>2,374</td>
<td>1,642</td>
<td>2,376</td>
<td>7,562</td>
<td>9,990</td>
<td>2,889</td>
<td>821</td>
<td>2,302</td>
<td>2,384</td>
<td>2,479</td>
<td>2,984</td>
<td>888</td>
</tr>
<tr>
<td>Economic Impact</td>
<td>Total annual GDP Impact [SM]</td>
<td>Based on Table 8.6</td>
<td>524</td>
<td>515</td>
<td>524</td>
<td>531</td>
<td>537</td>
<td>53</td>
<td>528</td>
<td>54</td>
<td>513</td>
<td>514</td>
<td>53</td>
<td>51</td>
<td>53</td>
<td>56</td>
<td>54</td>
<td>527</td>
<td>53</td>
</tr>
<tr>
<td>Employment potential [FT]</td>
<td></td>
<td>Table 8.7</td>
<td>449</td>
<td>220</td>
<td>368</td>
<td>489</td>
<td>603</td>
<td>24</td>
<td>211</td>
<td>78</td>
<td>99</td>
<td>282</td>
<td>63</td>
<td>8</td>
<td>22</td>
<td>43</td>
<td>32</td>
<td>354</td>
<td>65</td>
</tr>
<tr>
<td>Viability</td>
<td>Irrigable area from a unit of storage [ha/M]</td>
<td>Table 6.2</td>
<td>NA</td>
<td>289</td>
<td>191</td>
<td>252</td>
<td>310</td>
<td>237</td>
<td>233</td>
<td>394</td>
<td>582</td>
<td>416</td>
<td>235</td>
<td>483</td>
<td>629</td>
<td>199</td>
<td>207</td>
<td>281</td>
<td>254</td>
</tr>
<tr>
<td>Viability</td>
<td>Total irrigable area as a share of future irrigation development potential</td>
<td>Tables 3.3.1 and 6.4</td>
<td>11%</td>
<td>26%</td>
<td>46%</td>
<td>29%</td>
<td>44%</td>
<td>78%</td>
<td>66%</td>
<td>106%</td>
<td>18%</td>
<td>123%</td>
<td>19%</td>
<td>34%</td>
<td>66%</td>
<td>100%</td>
<td>100%</td>
<td>18%</td>
<td>18%</td>
</tr>
<tr>
<td>Viability</td>
<td>Proximity to existing horticulture</td>
<td>Judgement</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Viability</td>
<td>Potential to contribute to municipal potable demand</td>
<td>Judgement</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Viability</td>
<td>Potential for industrial demand for water</td>
<td>Judgement</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Compatibility with other policy goals</td>
<td>Moa land freehold land as a share of command area</td>
<td>Moa Land Online</td>
<td>4%</td>
<td>4%</td>
<td>0%</td>
<td>12%</td>
<td>7%</td>
<td>1%</td>
<td>1%</td>
<td>10%</td>
<td>3%</td>
<td>0%</td>
<td>1%</td>
<td>0%</td>
<td>7%</td>
<td>1%</td>
<td>6%</td>
<td>1%</td>
<td></td>
</tr>
<tr>
<td>Compatibility with other policy goals</td>
<td>Land bank as a share of command area</td>
<td>Office of Treaty Settlement</td>
<td>6%</td>
<td>7%</td>
<td>3%</td>
<td>0%</td>
<td>1%</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
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<td>0%</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
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<tr>
<td>Compatibility with other policy goals</td>
<td>using existing government primary sector initiatives with the regional growth programme</td>
<td>MPI</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Compatibility with other policy goals</td>
<td>Unlikely to be affected by lifestyle block intrusion</td>
<td></td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>

Source: Northland Strategic Irrigation Infrastructure Study, NRC and MPI.

Notes:
1. GDP and employment variables take into account both the potential irrigable area and the type of output likely to be produced on that land.
2. The higher the value the more economically attractive the storage option will be.
3. A value of less than 100% means land able to be irrigated from supply is less than demand potential, i.e. supply is limiting factor; value greater than 100% means demand exceeds supply potential.
4. Expressed in the negative so that a positive response “Yes” is a good thing.
20 October 2014

Malcolm Nicolson
Chief Executive Northland Regional Council
Private Bag 9021
WHANGAREI 0148

Dear Malcolm

Approval in Principle: Economic Development – Opportunities for Better Water Management

This letter provides Approval in Principle for Irrigation Acceleration Fund grant funding support for the project Economic Development – Opportunities for Better Water Management proposed jointly by the Council and Northland Inc.

This project will investigate, and define, the opportunity for the further expansion of irrigation to support the contribution of pastoral agriculture and horticulture to economic growth in Northland.

This Approval in Principle is for a grant sum of up to $240,000, GST exclusive, subject to the provision, and agreement, of a detailed description of the programme of work including activities, milestones and itemised budgets. This material will form the basis for the IAF Funding Agreement that will secure the grant contribution.

As discussed with your staff during my recent visit I expect that the project will proceed in a two stage approach. The first stage would, at a strategic level, review the current extent and experience of irrigation in Northland and complete a review of water availability and potential water demand before identifying priority areas for further more detailed investigation which would then form the basis for our agreement of a stage a stage 2 work programme.

I look forward to working with your staff as the project progresses.

Yours sincerely

Kevin Steel
Manager, Irrigation Acceleration Fund
Executive Summary
The purpose of the report is to provide the Regulatory and Environment Committee with a copy of the Chairperson’s Report dated July 2016 and accompanying documents.

Recommendation

THAT the report entitled “Chairperson’s Report” dated July 2016 be noted.

1) Background
The Chairperson, by report has the right to direct the attention of the local authority to any matter or subject within the role or function of the local authority.

2) Discussion and options
The report from the Chairperson is attached.

3) Financial implications and budgetary provision
There are no financial implications or the need for budgetary provision.

4) Reason for the recommendation
The reason for the recommendation is to provide information to the Regulatory and Environment Committee from the Chairperson.

Manager: Caroline Wilson - Manager District Administration Services
Attachment 1: Chairperson’s Report dated July 2016 - Document number A1740652
Attachment 2: Copy of the Letter sent to Practitioners regarding the practitioners meeting and a copy of the Customer Advice and Declaration for Building and Project Information Memorandum Applications - Document number A1743267
Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
   a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
   b) Assess the options in terms of their advantages and disadvantages; and
   c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.

2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

| Relationship with existing policies and Community outcomes. | Not applicable. |
| Possible implications for the relationship of Māori and their culture and traditions with their ancestral land, water, site, waahi tapu, valued flora and fauna, and other taonga. | Not applicable. |
| Views or preferences of persons likely to be affected by, or to have an interest in the matter, including persons with disabilities, children and older persons. | Not applicable. |
| Does the issue, proposal, decision or other matter have a high degree of significance or engagement as determined under the Council's Policy #2124? | This report is of low significance. |
| If the matter has a Community rather than a District wide relevance has the Community Board's views been sought? | Not applicable. |
| Financial Implications and Budgetary Provision. Chief Financial Officer review. | There are no financial implications or need for budgetary provision. The Chief Financial Officer has not reviewed this report. |
Regulatory and Environment Committee  
Chairpersons Report July 2016

Northland Regional Council Environmental Management Committee Meeting held Monday 27th of June:

**LAND AND WATER FORUM (LAWF)**

The Land and Water Forum (LAWF) has been asked to review the work by the National Objectives Framework Reference Group by September 2016. LAWF will provide commentary on the overall implementation of the NPS FM (2011 and 2014) drawing on the experience of Regional Councils to date. The aim is to highlight common threads and areas of work that would aid the implementation of the NPS FM through to 2025.

Following this review, LAWF has been tasked to consider water policy and its implementation (including experience with collaborative processes) and identify further work required to achieve the overall objective of improved water management in New Zealand. LAWF has until 31 December 2017 to complete this wider review.

**RESOURCE LEGISLATION AMENDMENT BILL 2015**

The local government and environment select committee was due to report back to parliament on the Resource Legislation Amendment Bill on 3 July 2016, but has now been granted until 6 September 2016 to deliberate on the range of major issues identified in the more than 1000 submissions received.

**DRAFT REGIONAL PLAN**

Development of the draft regional plan is on-track for release for public feedback between early August and late September 2016. This consultation is non-statutory and designed to road-test the draft. The draft will then be revised as needed considering the feedback received and formally notified under Schedule 1 of the Resource Management Act 1991 mid to late 2017.

**WAIORA NORTHLAND DRAFT CATCHMENT MANAGEMENT PLANS**

Five priority catchment plans have been developed through to draft stage, two of these are located within the boundaries of the Far North District (Doubtless Bay and Waitangi)

The priority catchment groups consist of members of the community including Tangata Whenua, primary industries, sector representatives, commercial and industrial interests, environmental groups, DOC, Fish and Game, DairyNZ, farmers.

The members of each catchment group worked together to identify freshwater uses and values, build knowledge of catchment management processes and contribute their local knowledge. The process culminated in a series of intensive topic based workshops held in January in which catchment groups finalised their recommended fresh water objectives and methods.

The groups have also considered the content of the draft regional plan (as it developed) in order to identify how far it would go towards addressing the objectives for their catchments and in some areas have recommended a different approach be used in their catchments.
The have now recommended that their draft catchment plans be approved and released for public consultation. This was supported by the committee.

**NORTHLAND LAKES – Interesting statistic**

Northland has over 400 freshwater lakes, many of which are coastal dune lakes. Northland has the greatest number of dune lakes both nationally and internationally.

**WILDFOWL**

Reports of increasing numbers of black swan, paradise shelduck and Canada geese in lakes, harbours and farm land around the Far North has prompted concerns about the impact on lakes, fisheries, harbours, human health and farm productivity.

Although there is much anecdotal information in Northland there has been little research into the impact these wildfowl on Northlands agriculture, aquaculture and nutrient/bacteriological inputs into waterbodies.

Questions have also been raised about the direct and indirect impact of these wildfowl on harbour fisheries particularly juvenile flounder which locals believe are being consumed by black swan. A permitted shoot over Queens Birthday weekend took place. A total of 91 black swan and 5 Canada geese were necropsied. The gut of all birds showed no evidence of fish or other animal vertebrates only plant material. This is consistent with the birds being herbivorous. All birds examined had loadings of various parasitic works mostly flatworms or flukes, roundworms and tapeworms. Fluke worms are often mistaken for small flounder.

Recreational swimming water quality monitoring results for 2015-2016 using microbial source tracking found ruminant and or wildfowl markers were detected at four out of nine sites.

Landowners and iwi in the Far North have been expressing concern to council since at least 2007 about the impacts of wildfowl. Because of their increasing numbers Canada geese were removed from schedule 1 of the Wildlife Act 1953 allowing them to be controlled. However black swan and paradise shelduck remain on the schedule. To remove them or have their status changed requires an order in council. This process commences with an enquiry to the Minister of Conservation or the Director General of DOC or alternatively Section 54 of the Act authorises any Fish and Game Council to kill game birds causing damage.

The Environmental Management Committee has recommended that the NRC write to the Minister of Conservation asking that gamebird status be removed in Northland to allow for more effect control.

**RIVER MANAGEMENT**

**Kaeo-Whangaroa**

Tree and sediment removal on the Tauranga Bay stream to lessen flooding of the Tauranga Bay Road has reduced the local water level by approximately 1 meter. The annual maintenance programme has been completed this included drain installation and cleaning.

**Awanui**

The modification of the Whangatane Spillway Weir intake and Matthews Bridge has been completed. Official opening was scheduled for 1 July.

**Kerikeri-Waipapa**
NRC staff have commissioned a second valuation report to assess differences in the original NRC valuation and the valuation of the main landowner of the proposed spillway.

**Waitangi**

Fallen trees removed at Lily-pond, willow planting on Waiauruhe River Bank, tree removal adjacent to Pukena junction, formal release of the draft catchment plan for public submissions

**Kawakawa-Taumarere**

Minutes of the inaugural meeting of the flood management liaison committee were tabled. Otria/Moerewa – willow removal upstream of Pokapu Bridge, mulch and prune sides of high pass spillway, bund and vegetation removal (kiwi rail and forest loaders)

**Manganuiowae**

Slip control work (Gravel Management) at Broadwood

**Mangatoa and Kaikohe**

Timber extraction along SH12 breaching roadside stop-banks and willow blockage removal at 42 Guy Road.

**Waima**

Remove blockage trees and gravel from left span of SHW Bridge.

**Omanaia**

Vegetation removal

**STORM-SURGE SWAH LINES SURVEYED**

NRC staff surveyed storm surge wash lines and coastal erosion at Rawene and Opononi following the 22/23 May storm event. Approximately 2 meters of coastal erosion in Opononi and Omapere was recorded. A new footpath was undermined and collapsed. Sarah Ho from NZTA is reviewing this portion of the network.

**COASTAL FLOOD HAZARD MAPS**

Draft Coastal Hazard Maps for Northland have been distributed to the public. Approximately 13,000 properties have been identified within the recent mapping as potentially subject to coastal erosion and/or flooding. Landowners have three months to make submissions.

**RECREATIONAL SWIMMING WATER QUALITY PROGRAMME RESULTS FOR 2015-16**

44 coastal and 13 freshwater swimming sites throughout Northland were monitored at weekly intervals from 23 November 2015 to 23 February 2016.

The samples were tested from bacterial indicators of faecal contamination to indicate risk to swimmers.

In general the bacteriological water quality was suitable for swimming the vast majority of the time for coastal and either all or most of the time for freshwater sites.

Many of the results that exceeded guideline values occurred around the time of rain events and are therefore attributed to runoff from land contaminated by faecal material.

1. Taipa Estuary recorded one amber alert on the 18th of January.
2. Omapere at Pioneer Walk road recorded two action alerts on the 18th & 25th of January
3. Rawene recorded on amber alert on the 29th of December and one action alert on the 25th of January.
4. Paihia at Waitangi Bridge recorded on amber alert on the 25th of January.
5. Russell at Mid North Moorings also recorded one amber alert on the 25th of January.

Our fresh water results are too lengthy to replicate here but show consistent amber alerts across the recording period with all sites falling within a range of 69% -100% compliance with Kerikeri Stone Store having the least suitable bacteriological water qualify for swimming.

- Interestingly all trace markers for Kerikeri were Ruminant. (69% Compliance)

- Victoria Valley had trace markers for Wildfowl, Plant Decay, Human, Ruminant – these were recorded on 10 out of 14 tests. There is a significant freedom camping location within tracking distance of the testing sites, it is highly likely the human trace markers can be linked to this site. NRC will undertake more investigatory work at this site. Interestingly despite all these adverse markers Victoria Valley still recorded an 86% compliance with the guidelines for safe levels.

**PM 10 MONITORING RESULTS**

NRC carried out monitoring at a total of nine sites over the summer period. The monitoring was carried out as part of the ‘Regional Dust from Unsealed Roads Mitigation Framework’ (RDURMF) apparently all sites were selected based on the list of roads referenced in that document.

The data showed that out of a total of 68 days of 100% valid data PM10 concentration was greater than average on two occasions. Kohumaru Road and Omahuta Road.

Of interest to the committee will be the list of monitoring locations:

1. Rawhiti Road
2. Takou Bay Road
3. Snooks Road
4. Te Maire Road
5. Jubilee Road
6. Kohumaru Road
7. Omahuta Road
8. Petley Road
9. Pouto Road

It would be timely for the Regulatory and Environment Committee and the Infrastructure Committee to seek an understanding of the rationale for the 9 test sites chosen and their alignment to the RDURFM.

**ENVIRONMENTAL MONITORING**

This is a statutory report to NRC on the compliance and noncompliance of community wastewater treatment plant discharge consents. FNDC has 15 WWTP across the district.

Currently we are recording non-compliance at:

1. Ahipara
2. Kaeo
3. Kaikohe
4. Kaitaia – under an abatement notice
5. Kerikeri
6. Opononi/Omapere
7. Paihia
8. Taipa

These range from one off adverse readings to more significant breaches – these are reported on via the infrastructure committee.

On face value reading the report we don’t look to be in a good position however all breaches have technical explanations and planned remedial actions. Ruben Wylie – Manager Infrastructure and Planning attended the meeting and spoke on matters of non-compliance to the committee. NRC advise that they are satisfied that progress is being made by all three district councils to bring their treatment plants into consistent compliance.

We are recording no current compliance issues at:

1. Hihi
2. Kawakawa
3. Kohukohu
4. Rangiputa
5. Rawene
6. Russell
7. Whatuwhiwhi

**ACTIVITIES**

During the last reporting period a number of meetings have been held with some or all of the following parties the Mayor, Deputy Mayor, CEO, Dr. Dean Myburgh, Lynley Newport and Darren Edwards either in person, via teleconference call or on email on the following:

- Status of consenting processes and possible customer service improvements.
- Individual Resource Consents Applications.
- Individual Building Consents Applications.
- Practitioners Forum Content
- Compliance.

Moving forward we have the following meetings or interviews scheduled for July:

- Ngatihine MOU
- Independent review of regulatory (consenting) processes and customer service – Peter Winder.
- Customer Service Survey
24 June 2016

Dear [Name],

RE Building Practitioners’ meetings: striving to add value

We admire your commitment to the building profession in your role as a builder, a developer or a designer. Changes to the Building Act, other legislative changes and building materials present challenges for all of us and we aim to provide good content and value to you at our future Practitioners’ meetings. We believe that this content will provide opportunities for personal learning and growth.

What else could attendance at these meetings mean for you?

- Access information and resources that will assist you in your professional development; attendance at a Practitioners’ meeting offers you the opportunity to claim a PDU point;
- Increase the size of your professional network; and
- Meet Council Building staff and share your perspectives on key areas that will help you to achieve your objectives.

What can you do to ensure the success of these Practitioners’ meetings?

First, attendance has been variable, with only four Practitioners attending some meetings.

Who are we missing?

Please send us a list of all of the Practitioners that you know of and network with that may be interested in and benefit from attendance at the Practitioners’ meetings. We will ensure that we update our Practitioners invitee list and send invitations to the extended list. Better attendance will ensure better meetings.

Best time for these meetings?

From the feedback we have had from the Practitioner community, it appears that late afternoon (i.e. from 3pm onwards suits most Practitioners best). Would you please again confirm which time of day suits you best for these meetings (they are scheduled for a two-hour duration, with a guest speaker and time for discussion in an open forum).

Secondly, we need to hear from you about what you want from the Practitioner meetings so that we can tailor them to your needs. Please send us a few areas/topics of interest to you.
We value your input. Please take a few minutes to send the above mentioned information to Maggie Thomas at Margaret.Thomas@fndc.govt.nz

If we could have your feedback by 15 July 2016, that would assist us with our planning for the next Practitioner meeting that is scheduled for August / September (dates are yet to be confirmed).

Yours sincerely

Dr Dean Myburgh
General Manager District Services
Customer Advice and Declaration

Building and Project Information Memorandum Applications

Council offers a free half hour vetting lodgement meeting for Building and Project Information Memorandum applications. This service is available at Council's Kaitaia Service Centre and Kerikeri (John Butler) Service Centre.

All bookings must be made in advance by phoning 0800 920 029.

If you choose to submit your application today, rather than book a vetting lodgement meeting, The Far North District Council advises you that the application can not be deemed as complete.

This application has not been vetted therefore can not be deemed as complete and has not been formally accepted by The Far North District Council at this time.

Processing timeframes will commence once completeness is confirmed.

Name:
(please print clearly)

Signature:

Date:

Building Manager
05/06/12

OBJECT OF: APPLICATION

REVIEW DATE

1 of 1