

# Infrastructure Committee Committee Agenda

**Date:** Thursday, 9 November, 2017

**Time:** 10:30 am

**Location:** Council Chamber  
Forum North, Rust Avenue  
Whangarei

**Elected Members:** Cr Greg Martin (Chairperson)  
Her Worship the Mayor Sheryl Mai  
Cr Stu Bell  
Cr Vince Cocurullo  
Cr Crichton Christie  
Cr Tricia Cutforth  
Cr Shelley Deeming  
Cr Sue Glen  
Cr Phil Halse  
Cr Cherry Hermon  
Cr Greg Innes  
Cr Sharon Morgan  
Cr Anna Murphy

For any queries regarding this meeting please contact  
the Whangarei District Council on (09) 430-4200.

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## Infrastructure Committee – Terms of Reference

### Membership

**Chairperson:** Councillor Greg Martin

**Members:** Her Worship the Mayor Sheryl Mai  
Councillors Stu Bell, Crichton Christie, Vince Cocurullo, Tricia Cutforth, Shelley Deeming, Sue Glen, Phil Halse, Cherry Hermon, Greg Innes, Sharon Morgan, Anna Murphy

**Meetings:** Monthly

**Quorum:** 7

### Purpose

To oversee the management of council's infrastructural assets, utility services and public facilities.

### Key responsibilities include:

- Services including the provision and maintenance of:
  - Infrastructure projects and support
  - Infrastructure project co ordination
  - Transportation
  - Waste and Drainage
  - Water
  - Parks and Reserves.
- Shared Services – investigate opportunities for Shared Services for recommendation to council.

### Delegations

- (i) All powers necessary to perform the committee's responsibilities, including, but not limited to:
  - (a) the approval of expenditure of less than \$10 million plus GST.
  - (b) approval of a submission to an external body.
  - (c) establishment of working parties or steering groups.

- (d) power to establish subcommittees and to delegate their powers to that subcommittee.
- (e) the power to adopt the Special Consultative Procedure provided for in Section 83 to 88 of the LGA in respect of matters under its jurisdiction (this allows for setting of fees and bylaw making processes up to but not including adoption).
- (f) the power to delegate any of its powers to any joint committee established for any relevant purpose under clause 32, Schedule 7 of the Local Government Act 2002



**Item 3.1****Infrastructure Committee Meeting Minutes**

**Date:** Thursday, 12 October, 2017  
**Time:** 10:30 a.m.  
**Location:** Council Chamber  
Forum North, Rust Avenue  
Whangarei

**Elected Members**

**Cr Greg Martin (Chairperson)**  
**Her Worship the Mayor Sheryl Mai**  
**Cr Stu Bell**  
**Cr Vince Cocurullo**  
**Cr Crichton Christie**  
**Cr Tricia Cutforth**  
**Cr Shelley Deeming**  
**Cr Sue Glen**  
**Cr Phil Halse**  
**Cr Cherry Hermon**  
**Cr Greg Innes**  
**Cr Sharon Morgan**  
**Cr Anna Murphy**

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**In attendance**

Acting Chief Executive (Simon Weston), Manager Parks and Recreation (Sue Hodge),  
Roading Manager (Jeff Devine), Manager Water Services (Andrew Venmore), NTA Manager  
(Peter Thomson), Manager Infrastructure Development (Dominic Kula), Governance  
Manager (Jason Marris), Senior Roading Engineer (Nick Marshall), Field Officer Waste and  
Drainage (Grant Alsop), Solid Waste Engineer (David Lindsay), Merryn Statham  
(Consultation Adviser), Executive Assistant (Judi Crocombe) and Senior Democracy Adviser  
(C Brindle)

**1. Declarations of Interest**

Item 4.8 – Temporary Road Closure – Xmas in the Laneway

**2. Apologies**

Crs Cherry Hermon and Greg Innes

**Moved By** Her Worship the Mayor  
**Seconded By** Cr Shelley Deeming

That the apologies be sustained.

**Carried**

### **3. Confirmation of Minutes of Previous Infrastructure Committee Meeting**

#### **3.1 Minutes Infrastructure Committee Meeting 7 September 2017**

**Moved By** Cr Anna Murphy

**Seconded By** Cr Vince Cocurullo

That the minutes of the Infrastructure Committee meeting held on Thursday 7 September 2017, having been circulated, be taken as read and confirmed and adopted as a true and correct record of proceedings of that meeting.

**Carried**

### **4. Decision Reports**

#### **4.1 CON16020 - Kamo Shared Path Stage 1 - Rust Avenue to Cross Street - Variation to Contract**

**Moved By** Cr Anna Murphy

**Seconded By** Cr Sue Glen

That the Infrastructure Committee approves the contract value of CON16020 Kamo Shared Path Stage 1 from Rust Avenue to Cross Street, be increased from \$1,872,317.91 excluding GST by \$629,130.55 (Six Hundred and Twenty-Nine Thousand, One Hundred and Thirty Dollars and Fifty-Five Cents) to \$2,501,448.46 (Two Million, Five Hundred and One Thousand, Four Hundred and Forty-Eight Dollars and Forty-Six Cents) excluding GST.

**Carried**

#### **4.2 Heritage Signs - Working Party**

**Moved By** Cr Phil Halse

**Seconded By** Cr Shelley Deeming

That the Infrastructure Committee

- a) approves the formation of a Working Party of Councillors, WDC staff and key stakeholders to finalise and implement the Heritage Signs – Identification, Prioritisation and Implementation Plan; and
- b) selects the Councillor(s) that will be part of the Working Party;
  - Councillor Trisha Cutforth
  - Councillor Anna Murphy.

**Carried**

#### 4.3 Pohe Island Working Party

**Moved By** Cr Shelley Deeming

**Seconded By** Cr Sharon Morgan

That the Infrastructure Committee approves

- the formation of a Working Party of Councillors, Whangarei District Council staff members and key stakeholders, for the Pohe Island Masterplan Development Project.
- the following Councillor(s) be part of that Working Party
  - Cr Phil Halse
  - Cr Cherry Hermon
  - Cr Vince Cocurullo
  - Cr Greg Martin (Chairman).

**Carried**

#### 4.4 Recommendation for Extension of Contract 12004 Roadmarking

**Moved By** Cr Shelley Deeming

**Seconded By** Cr Anna Murphy

That the Infrastructure Committee approves

- a) that the contract for Road Marking: Contract 12004, be extended for a further nine months from 1 October 2017 to 30 June 2018.
- b) that the contract value be increased by the sum of \$600,000, bringing the total contract value to \$2,882,657.19 exclusive of GST.

**Carried**

#### 4.5 Tree Maintenance Services Contract Procurement

**Moved By** Her Worship the Mayor

**Seconded By** Cr Sharon Morgan

That the Committee endorse the procurement process for tree maintenance services.

**Carried**

#### 4.6 Temporary road closure - Kamo Christmas Parade

**Moved By** Cr Vince Cocurullo

**Seconded By** Cr Crichton Christie

That the Infrastructure Committee

- a) approves the following roads be temporarily closed to ordinary vehicular traffic for the Kamo Christmas Parade in accordance with the Transport (Vehicular Traffic Road Closure) Regulations 1965:

- i **Saturday 25 November 2017**

**Kamo Road**, from the intersection of Kamo Road and Station Road to Wilkinson Avenue, from 9.00am to 2.30pm.

**Station Road**, from Boswell Street to Kamo Road, from 11:15am to 11:55am.

**Wilkinson Avenue**, from Kamo Road to Wakelin Street, from 11:15am to 12:15pm.

- b) approves the side roads off the roads to be closed also be temporarily closed for a distance of up to 100metres from the intersection for safety purposes.
- c) delegates to the Chair of the Infrastructure Committee and the General Manager Infrastructure the power to consider objections and cancel or amend any or all of the temporary road closure if applicable.

**Carried**

#### **4.7 Temporary road closure - Maori in Business**

**Moved By** Her Worship the Mayor

**Seconded By** Cr Sharon Morgan

That the Infrastructure Committee

- a) approves the following road be temporarily closed to ordinary traffic for the Maori in Business event in accordance with the Local Government Act 1974, schedule 10, clause 11 (e):

- i **Saturday 28 October 2017**

**Reyburn House Lane**, from Te Kapehu Whetu Kura to Lower Dent Street

- ii **Period of closure: 6:00am – 3:00pm**

- b) approves the side roads off the roads to be closed also be temporarily closed for a distance of up to 100 metres from the intersection for safety purposes.
- c) delegates to the Chair of the Infrastructure Committee and the General Manager Infrastructure the power to consider objections and cancel or amend any or all of the temporary road closure if applicable.

**Carried**

#### **4.8 Temporary road closure - Xmas in the Laneway**

**Moved By** Cr Phil Halse

**Seconded By** Cr Sue Glen

That the Infrastructure Committee

- a) approves the following roads be temporarily closed to ordinary traffic for the Christmas in the Laneway event in accordance with the Transport (Vehicular Traffic Road Closure) Regulations 1965:

- i Saturday 9 December 2017

**Cameron Street** from John Street to James Street

**James Street** from Cameron Street to Robert Street

- li Period of closure: 5:00am – 4:00pm

- b) approves the side roads off the roads to be closed also be temporarily closed for a distance of up to 100 metres from the intersection for safety purposes.
- c) delegates to the Chair of the Infrastructure Committee and the General Manager Infrastructure the power to consider objections and cancel or amend any or all of the temporary road closure if applicable.

**Carried**

*Cr Cocurullo declared an interest in Item 4.8.*

## **5. Information Reports**

### **5.1 Infrastructure Operational Report Update - October 2017**

**Moved By** Cr Stu Bell

**Seconded By** Cr Shelley Deeming

That the Committee note the Infrastructure Operations Report Update.

**Carried**

### **5.2 Contracts Approved Under Delegated Authority October 2017**

**Moved By** Cr Phil Halse

**Seconded By** Cr Shelley Deeming

That the Infrastructure Committee note the Infrastructure contracts awarded under Chief Executive and General Manager Delegated Authority.

**Carried**

### **5.3 Fly Tipping**

**Moved By** Cr Stu Bell

**Seconded By** Cr Vince Cocurullo

That the Infrastructure Committee note the report on fly tipping.

**Carried**

### **5.4 Northland Transportation Alliance Update -**

**Moved By** Cr Stu Bell

**Seconded By** Cr Shelley Deeming

That the Committee notes the update on the operations and performance of the Northland Transportation Alliance, over the last 12 months.

**Carried**

## **6. Public Excluded Business**

There was no public excluded business.

**7. Closure of Meeting**

The meeting concluded at 11.52am

Confirmed this 9<sup>th</sup> day of November 2017

Councillor Greg Martin (Chairperson





## 4.1 WDC Submission to the Regional Plan

**Meeting:** Infrastructure Committee

**Date of meeting:** 9 November 2017

**Reporting officer:** Tony Horton (Manager – Strategy)  
Gemma Sands (Team Leader - Infrastructure Planning)

### 1 Purpose

For the Infrastructure Committee to review and endorse the submission to the Proposed Regional Plan for Northland prior to its submission to the Northland Regional Council.

### 2 Recommendation

That the Infrastructure Committee endorse the submission to the Proposed Regional Plan for Northland.

### 3 Background

The Proposed Regional Plan for Northland was notified by Northland Regional Council (NRC) on 6 September 2017.

The Proposed Regional Plan (PRP) provides a regulatory framework for the management of the Region's fresh water, land, air and the coast. The PRP represents a combined document that will ultimately supersede the three current regional plans (the Regional Air Quality Plan, the Regional Coastal Plan for Northland and the Regional Water and Soil Plan for Northland) which currently manage these areas.

The purpose of a regional plan is to assist a regional council to carry out its functions to achieve the sustainable management purpose of the Resource Management Act. These functions include:

- Soil conservation;
- Occupation of space in the coastal marine area;
- Water quality and quantity;
- Aquatic ecosystems;
- Biodiversity;
- Natural hazards;
- Hazardous substances;
- Discharge of contaminants; and
- Allocation of natural resources.

Regional plans must give effect to national policy statements, national planning standards and regional policy statements. Regional plans have a significant effect on the use of natural resources within the region. No person may use land, water, air or the coastal marine area in a manner that contravenes a regional rule without holding a resource consent.

District plans must be consistent with the regional plan for the applicable region and consent authorities must have regard to any relevant regional plan when considering an application for a resource consent. District Plan rules cannot be more lenient than the Regional Plan rules, but they can be more restrictive.

## **4 Discussion**

In late 2016, NRC released the Draft Regional Plan for feedback. Further to review by Infrastructure staff, feedback to the draft plan was provided on a wide range of matters, recognising that the document has a significant impact on the core functions and services undertaken by Whangarei District Council (WDC).

In September 2017, the PRP was formally notified and a project team consisting of staff from Infrastructure, District Plan and Strategy departments have collaborated in a detailed review of the proposed provisions. WDC have also worked through the proposed provisions with our colleagues at Far North District Council (FNDC) and Kaipara District Council (KDC). WDC staff are generally supportive of the PRP. The review of the PRP has identified that in many areas it adopts a permissive framework which will have a positive impact on the ability of WDC to carry out infrastructure maintenance, particularly for coastal structures. Overall, the PRP represents an integrated document which is easy to use, and will allow for activities which are unlikely to have an adverse effect on the environment to operate without unnecessary cost and regulation.

However, there are concerns that in some areas the PRP may impede the ability of WDC to meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses.

These issues are set out within the submission and include concerns relating to:

- catchment management in proximity to public water supply intakes;
- inputs into the stormwater network which WDC is responsible for;
- potential ramifications for the management of dust from public roads; and
- timeframes for the preparation of management plans for the stormwater and wastewater network.

Mapping of Acid Sulphate Soils is requested, as per map supplied. Amendment to the mapping of an Outstanding Natural Feature at One Tree Point is also requested, in accordance with geological advice.

## **5 Significance and engagement**

The decisions or matters of this Agenda do not trigger the significance criteria outlined in Council's Significance and Engagement Policy.

## **6 Attachments**

1. WDC Submission to the Regional Plan
2. Geological Assessment of ONF- Tonkin and Taylor
3. Coastal Acid Sulphate Map for Regional Plan submission
4. Memorandum



[Submissions@nrc.govt.nz](mailto:Submissions@nrc.govt.nz)

Submissions to the Proposed Regional Plan  
 Northland Regional Council  
 Private Bag 9012  
 Whangarei Mail Centre  
 Whangarei 0148

## Whangarei District Council Submission to the Proposed Regional Plan for Northland

Whangarei District Council (WDC) welcomes the opportunity to provide this submission to the Proposed Regional Plan (PRP). WDC supports the consolidation of the three regional plans into a single document, and commends the Northland Regional Council (NRC) on creating a document which is user friendly.

WDC has reviewed the provisions of the proposed plan against the following matters:

- WDC's Vision, to be a vibrant, attractive and thriving District by developing sustainable lifestyles based around our unique environment, the envy of New Zealand, and recognised worldwide.
- WDC's Mission, to create the ultimate living environment.
- WDC's statutory obligations and functions to administer the Whangarei District under the requirements of the Local Government Act 2002.

### Creating the Ultimate Living Environment

WDC's vision is to be a vibrant, attractive and thriving District by developing sustainable lifestyles based around our unique environment; the envy of New Zealand and recognised worldwide. WDC's mission is to create the ultimate living environment. Key to achieving this vision is ensuring there is an appropriate planning and regulatory framework in place to ensure the sustainable management of the District's resources. The PRP is an important document within this framework.

### Statutory Functions of Local Government

The PRP has been reviewed against Whangarei District Council's (WDC) legal obligations under the Local Government Act 2002 ("LGA 02") to undertake functions in accordance with the purpose of local government. The LGA02 identifies this role as the provision of functions and services "to meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses"<sup>1</sup>.

In relation to the provision of local infrastructure and public services, 'good quality' is defined as meaning infrastructure and services that are "(a) efficient; and (b) effective; and (c) appropriate to present and anticipated future circumstances."<sup>2</sup>

<sup>1</sup> S10(1)(b)LGA02;

<sup>2</sup> S.10(2) LGA02;

S.11(b) LGA02 specifically identifies that the role of a local authority is to “perform the duties, and exercise the rights conferred on it by or under (LGA 02) and any other enactment”. In performing this role “a local authority must have particular regard to the contribution” that “certain core services make to its communities”, including the provision of:

- a) network infrastructure, including the provision of water:
- b) public transport services:
- c) solid waste collection and disposal:
- d) the avoidance or mitigation of natural hazards:
- e) libraries, museums, reserves, and other recreational facilities and community amenities.

Under the umbrella of these ‘core services’, WDC owns, operates and maintains systems, assets, facilities and networks (some of which meet the definition of ‘regionally significant infrastructure’) that are critical to meeting the daily needs of the community. These include (but are not limited to):

- Transportation infrastructure (including roads, walking and cycling facilities);
- Social, recreational and community facilities, including parks, reserves and facilities;
- The reticulated water network, including water storage, trunk lines and treatment plants;
- The reticulated wastewater and stormwater network;
- Coastal hazard protection structures (including hard protection structures) that provide protection to infrastructure and public land.

WDC supports recognition of the role of core local infrastructure under the Proposed Regional Plan, and considers the framework will, in many areas, enable WDC to carry out infrastructure maintenance with minimal consenting requirements and regulation. This approach is supported. WDC seeks to ensure that the PRP aligns with the mandate for District Councils to deliver functions and services that meet the current and future needs of communities for good-quality local infrastructure, local public services, and support the performance of regulatory functions in a way that is most cost-effective for households and businesses.

In making this submission, WDC confirms that it could not gain an advantage in trade competition, is not directly affected by an effect of the subject matter of the submission that adversely affects the environment; and does not relate to trade competition or the effects of trade competition.

WDC wishes to be heard in support of its submission and would consider making a joint submission if others make a similar submission.

Yours sincerely,

Simon Weston  
General Manager- Infrastructure

Alison Geddes  
General Manager - Planning and Development

## Submission of Whangarei District Council to the Proposed Regional Plan for Northland

Provision	Relief Sought	Reason
<b>B Definitions</b>		
General Comment	Support in part	<p>Under the definitions, all wastewater from industrial or trade premises is considered “wastewater” (essentially a trade waste) rather than “domestic wastewater”. As this discharge may have a component of both “domestic wastewater” and “wastewater”, WDC considers that a definition of trade waste may be beneficial.</p> <p>Other definitions requested:</p> <p>“Highly treated wastewater”</p> <p>“Core local infrastructure”</p> <p>“Hazardous substances”</p> <p>“Native woody vegetation”</p> <p>“Noise from non-port and wharf related activities”</p> <p>“Noise sensitive activities”</p> <p>“Channel”</p> <p>“Bank full edge”</p>

Provision	Relief Sought	Reason
<b>C.1 Coastal Activities</b>		
General	Support subject to relief identified.	<p>WDC is concerned that there are no references to High Natural Character Areas in the rules and policies of the Proposed Regional Plan (PRP) despite these being mapped in the RPS. Policy 4.6.1 of the RPS states that within areas of high natural character, indigenous vegetation clearance and modification (including earthworks / disturbance, structures, discharges and extraction of water) to natural wetlands, the beds of lakes, rivers and the coastal marine area and their margins effects should be minimised to the extent practicable. The Regional Policy Statement (RPS) also seeks to promote rehabilitation and restoration of areas of high natural character areas. The PRP provisions do not give effect to the RPS.</p> <p>WDC recommends that the PRP be amended to include effects on High Natural Character Areas as matters of control/discretion for controlled and restricted discretionary activities within the CMA.</p>
C.1.1.1 Existing structures	Support in part.	WDC generally supports this provision but requests 'wastewater outlet' be added to the list of existing structures.
C.1.1.2 Minor structures in a Commercial Coastal Zone and the Whangarei City Centre Marine Zone	Support in part.	<p>WDC supports the purpose of the Whangarei City Marine Zone to provide for the development of structures for amenity and public good purposes. WDC is undertaking improvements to enhance the communities recreational access and enjoyment of the Hatea River. WDC supports a framework which enables the development of structures for amenity and public good purposes.</p> <p>WDC supports the intent of the rule to facilitate minor structures where they are in accordance with the purpose of the zone. The rule framework should also support minor art structures which project into the CMA to a small degree (for example the Waka and Wave Sculpture at Hihiaua).</p> <p>Concerns are raised that the permissive nature of this rule and lack of conditions around the function and purpose of the structure may promote the agglomeration of minor structures for private benefit (with no demonstrable amenity or public good function), with potential adverse impacts on land based infrastructure or WDC's ability to administer land adjacent to the structure above MHWS. C.1.1.12 requires there to be no</p>



		restriction on public use of the structure, therefore it is suggested that this should be a required standard under the permitted activity status also.
C.1.1.6 Monitoring and sampling equipment	Support in part	Provision 6) requires a 24 hour free phone contact number – this is onerous and unlikely to be met. WDC requests this be removed.
C.1.1.7 Reconstruction, maintenance or repair of a structure	Support this rule as written.	WDC supports this provision and the ability to reconstruct, maintain and repair structures as a permitted activity.
C.1.1.8 Maintenance, repair or removal of hard protection structures	Support this rule as written.	WDC supports this provision and the ability to maintain, repair or remove hard protection structures as a permitted activity.
C.1.1.9 Additions and alterations to structures	Support this rule as written.	WDC supports this provision.
C.1.1.10 Removal of structures	Support this rule as written.	WDC supports this provision.
C.1.1.18 Hard protection structures for reclamations associated with regionally significant infrastructure.	Support in part “A hard protection structure that is directly associated with <u>the protection of regionally significant infrastructure, core local infrastructure or a reclamation for</u>	As written, this rule may be interpreted to only allow hard protection structures, when proposed in conjunction with reclamations. To enable WDC to meet statutory obligations under the LGA02 relating to the provision of functions and services to meet the current and future needs of communities for good-quality local infrastructure, it is necessary to ensure this rule allows for hard protection structures <i>associated</i> with regionally significant infrastructure and <u>core local infrastructure</u> , either with or without reclamation (particularly as definition for reclamation excludes seawalls).

	regionally significant infrastructure <u>or</u> <u>core local infrastructure</u> is a discretionary activity.	<p>It is important to note that the definition of 'Regionally Significant Infrastructure' extends to the 'site related components' that enable the asset to function, and therefore it is important for the policy framework to recognise the importance of the District's local road network (which is not generally defined as regionally significant in its own right) however provides a corridor not only for transportation functions, but for the placement of critical and regionally significant network infrastructure. Equivalent recognition for core local infrastructure (referred to as 'community facilities') on par with 'regionally significant infrastructure' has been provided for under proposed WDC Plan Change 114 <i>Landscapes</i>. The policy framework under PC114 seeks to provide an equivalent status to regionally significant infrastructure for community facilities including district parks, reserves and network infrastructure including roading. WDC seeks for the PRP to provide similar recognition to the role of core local infrastructure, recognising the role of infrastructure in providing for the social, economic and cultural wellbeing of people and communities and the quality of the environment.</p>
<p>C.1.1.22</p> <p>Structures within a significant marine area</p>	<p>Oppose in part</p> <p>Seek a new rule to provide for:</p> <p>"Structures for core local and regionally significant infrastructure within a significant marine area- discretionary activity"</p>	<p>As currently worded, this rule affords a non-complying activity status to the placement of structures within a significant marine area. There is no specific rule framework which provides for structures (including the addition, alteration and maintenance of existing structures) in significant marine areas, where the structure is for the purpose of regionally significant or core local infrastructure.</p> <p>The Regional Policy Statement for Northland recognises the importance of infrastructure to provide for the sustainable management of resources through a policy framework which:</p> <ul style="list-style-type: none"> <li>• Recognises and promotes the benefits of regionally significant infrastructure, and the contribution of such infrastructure in enhancing Northland's economic, cultural, environmental and social wellbeing (Objective 3.7);</li> <li>• Seeks to optimise the use of existing infrastructure, and to ensure it is flexible, adaptable, resilient and meets the reasonably foreseeable needs of the community (Objective 3.8); and</li> <li>• Provides a directive to manage resource use to strategically enable infrastructure to lead/ and or support regional economic wellbeing (Objective 3.8).</li> </ul> <p>A non-complying activity status signals that the activity is not provided for, and should only be granted in exceptional circumstances. This activity status is not considered appropriate for regionally significant</p>

		<p>infrastructure, nor for core community infrastructure, and a discretionary activity rule is sought to allow for the full consideration of such activities. This is considered particularly appropriate for the maintenance and minor upgrading of existing authorised structures, recognising that these structures contain activities that were present when the land was identified as significant, and are likely to have an important functional or operational need to be in that particular location. Furthermore, the RPS provides a strong directive that district and regional plans shall permit the maintenance of existing authorised structures, buildings, accessways and infrastructure.</p> <p>WDC consider a discretionary activity status is appropriate for core local and regionally significant infrastructure within a significant marine area.</p>
<p>C.1.3</p> <p>All aquaculture provisions</p>	<p>Support in part</p> <p>For all applications for extensions or new activities add the following item to matters of discretion: <u>“the need for the integrated management of any associated land use effects outside the CMA.”</u> Or similar relief.</p>	<p>WDC seek to ensure the integrated management of adverse effects in both the marine and terrestrial environment. The shore based infrastructure requirements of aquaculture activities require careful consideration. Where activities have the potential for cross- jurisdictional impacts, the rule framework should respond accordingly. In this regard, it is noted that the management of noise effects from activities within the CMA on sensitive land uses requires greater consideration under the Regional Plan rules.</p>
<p>C.1.4.2</p> <p>Minor mangrove removal</p>	<p>Support in part</p>	<p>WDC supports the ability to undertake minor mangrove removal as a permitted activity.</p> <p>Table 1 refers to maximum allowable area of mangrove removal for boat ramps and jetties. Clause 2 is worded ‘five metres of the footprint of the structure’. It is suggested this should be reworded for clarity. Is this condition intended to allow removal within 5m <i>around</i> the footprint of the structure?</p>

		Table 1 refers to a free-draining path for stormwater outlets and artificial watercourses. Being limited to free draining paths only is not workable to maintain infrastructure. WDC requests that this provision is removed as the 5m buffer should suffice.
C.1.4.4 Mangrove Removal in the Whangarei City Centre Marine Zone	Support in part.	The purpose of the Whangarei City Centre Marine Zone is to facilitate the placement of structures which enhance community interaction with the Hatea River environment. As such, WDC consider that the matters of discretion should allow consideration of the extent to which the structure supports public access, use and enjoyment of the CMA.
C.1.5.1 Activities on foreshore areas and use of vehicles on beaches	Support in part.	<p>WDC supports the inclusion of a rule in the Regional Plan to address the environmental effects of vehicles on beaches. The management of these effects sit appropriately under the functions of the Regional Council.</p> <p>Clarification on the jurisdiction of this rule is sought. Define 'foreshore' to assist plan users. The rule is titled 'activities on foreshore areas and use of vehicles on <i>beaches</i>', however a rule prepared under section 12, applies only to 'the disturbance of the <i>foreshore or seabed</i> by the use of vehicles'. This suggests that only the area below MHWS is captured by this rule, and there is no rule to exclude vehicle use from the sensitive coastal hazard management area and dune environment above MHWS.</p> <p>As a permitted activity rule, WDC raises concerns that the permitted activity conditions are not sufficient to avoid effects on sensitive ecological areas, wildlife habitats and dune environments. The rule refers to exclusions on areas which are not mapped, therefore any person seeking to use a vehicle on a beach is not able to accurately inform themselves of locations which comply with this rule. The concern and risk is, that disturbance to bird nesting sites and sensitive dune environments will take place 'after the fact'. The only condition excluding vehicle use from a mapped area relates to a site/area of significance to Tangata Whenua, despite NRC holding map layers for significant ecological areas, significant bird areas, significant seabird areas and defining the 'Coastal hazard management area'.</p> <p>It is considered that a rule is required to address the effects of vehicle use which does not comply with this rule, and to exclude vehicle use from sensitive dune environments and areas of significant habitat value.</p>

		WDC is concerned that the monitoring and enforcement of this provision, as with other permitted activities, may not be adequate.
C.1.5.6 Clearing of stormwater pipe outlets	Support in part	WDC supports the permitted activity status for the clearing of stormwater pipe outlets.  Condition 1) refers to a free-draining path. Being confined to free draining paths only is not workable to maintain infrastructure. WDC requests that this provision is removed and a 5m buffer applied instead.  Condition 3) is not practicable and should be removed.
C.1.5.8 Clearing tidal stream mouths	Support.	WDC supports the permitted activity status for the clearing of tidal stream mouths as a permitted activity.
C.1.6.5 Reclamation in areas with significant value	Oppose in part.	WDC requests that reclamation in areas of significant value associated with the purpose of regionally significant infrastructure or core local infrastructure be considered as a discretionary activity. WDC objects to a non-complying activity status for activities and functions which are a statutory requirement of the LGA02, and which may have an operational or functional need to be in that location in order to meet the communities' requirements for infrastructure.
C.1.8 Coastal Works General Conditions	Support subject to relief identified.	<p><b>12) Coastal Water Quality Standards</b></p> <p>WDC requests that NRC provide clarification on where the water quality standards come from, the degree to which they are an appropriate benchmark for Northland, and how they will apply to permitted activities. The referenced standards are a policy, not a rule and it is unclear how they will apply to resource consent applications. Further concerns about the standards are detailed later in this submission.</p> <p><b>Cross Boundary Structures- Approval of Landowner</b></p> <p>WDC seeks the addition of a further clause under C.1.8 to require evidence of the approval of the land owner/ administering body to be provided, where a structure spans the interface between the CMA and land.</p> <p>There is an accumulation of unconsented structures across the District's interface at the MHWS mark which have been erected by individuals to provide private access to the coastal marina area (e.g. boat ramps and slipways, steps and hard protection structures). Many of the structures captured by this rule occupy</p>

		<p>esplanade reserve land administered by the WDC, and have been erected without the authorisation of WDC as landowner.</p> <p>In some cases, these structures have the potential to adversely affect the unimpeded and safe access of the community to the coastal marine area via public land (i.e. esplanade reserves), can function as a barrier to exclude the public, and can raise health and safety issues where such structures are poorly designed or maintained.</p> <p>WDC seek to ensure that appropriate authorisation/ license to occupy is in place for any part of the structure on reserve land administered by WDC and consider that this matter should be reiterated under the general conditions.</p> <p><b>Condition 11</b></p> <p>Modifications to coastal structures (e.g. repairs) will almost certainly not comply with 11(a), as construction activities will create at least some minor erosion in the short term. A strict interpretation would mean that nothing is permitted, which is not considered to be the intent of this rule. It is recommended that 11(a) be modified to allow some short-term erosion consistent with Condition 13. Longer-duration activities and discharges would require consent.</p> <p>It is not possible to comply with 11c in its absolute sense. Any culvert or bridge will reduce river conveyance if there is debris. It is not economically viable to design such structures to function regardless of debris; accordingly, all such structures would require consent, which does not appear to be the intent of this rule.</p> <p><b>Conditions 23) to 26) Noise:</b></p> <p>'Noise from non-port and wharf related activities'. This statement is unclear as to whether the noise associated with wharf related activities are excluded or included, and the associated activities this term encapsulates is not defined. It appears that it is intended to be read as non-port and non- wharf activities however suggest clarity is required for plan users.</p> <p>Condition 23 e) relating to construction noise requires any reader of the plan to purchase New Zealand standard NZS6803:1999 at a current cost of \$143. This is considered unreasonable and could be avoided by</p>
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		<p>incorporating the basic noise limit tables 2 and 3 from the standard into the rule as has been done in most other recent regional or district plans around New Zealand.</p> <p>Condition 24) a) should be refined to provide certainty as to whether all of the named noise sources should be exempt from the requirements of the plan for all likely activities, or whether the exclusions are intended to apply to port or wharf activities (which are already excluded). The exclusions are considered too broad for general application in the plan as they are drafted.</p> <p>Notwithstanding, concerns are raised that under Condition 26) there are no objective noise limits applying to 'port related' activities (no reference is made to wharf related activities). The absence of an objective limit means that there is no noise limit on port activities in the CMA, and therefore any resource consent application for a new/ extended wharf or port facility is not subject to a rule confirming a noise limit for such activities. As any resource consent application for a new or extended wharf or port facility will be a full discretionary or non-complying activity, noise effects will be an integral consideration in the effects presented by the application, and likely an issue of concern by the community. It is recommended that a noise limit for such activities be included in the plan to provide clear guidance to applicants on how the noise effects will be managed. This approach would provide protection to both adjoining land use activities, but would also ensure the wharf/ port facility is operated in a way which adopts the best practicable option for the management of noise effects, therefore protecting the significant long term investment in the facility and operations from potential reverse sensitivity complaints in the future. The absence of an objective noise limit will also necessitate an evaluation of what a reasonable level of noise is in accordance with s16 of the Act for each and every situation, (be it for a proposed activity or in response to a complaint from an existing operation). Such evaluations are likely to be costly, time consuming and very uncertain for all stakeholders, including the producer of noise. The absence of an objective limit would likely be a deterrent or will at least present significant uncertainty and the likelihood of additional costs to new activities wanting to establish in the CMA, such as aquaculture facilities.</p> <p>Part b) of Condition 26) is redundant if the directive to s326 is retained because s326 does not require any measurement of noise. Notwithstanding, part b) will be required should the relief sought above (to include objective noise limits) is retained.</p>
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		<p>the community. The inclusion of the directive to s326 is considered unworkable and unreasonable in a regional (or even district) plan context.</p> <p><b>Condition 25) Temporary Military Training (TMT)</b></p> <p>As noted above, it is recommended that the plan include a definition of ‘noise sensitive’ activities. Table 2 is referenced in 25(c) as ‘the table below’. As this table is only applicable to TMT activities, suggest Table 2 ‘Noise Limits’ should be labelled accordingly. This rule does not appear to have been drafted in a way that reflects the realistic potential effects for TMT activities based within the CMA.</p>
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Provision	Relief Sought	Reason
<b>C.2 Activities in the beds of Lakes and Rivers and in wetlands</b>		
C.2.1.1 Introduction of planting of plants in rivers and lakes	Support in part	WDC notes that planting of plant species is often designed to slow water flow and decrease erosion and request removal of condition 3) on these grounds.
C.2.1.3 Maintenance of the free flow of waters in rivers and mitigating bank erosion	Clarification sought.	Please provide clarification to provide certainty to plan users. Condition 6) enables the channel to be widened by up to 20%, however condition 7) requires that any modification must be within the bank full edge. These clauses still appear to be mutually exclusive and may create confusion for future WDC works. It is further noted that the terms “channel” and “bank full edge” are not defined.
C.2.1.4 Existing authorised structures	Support in part	WDC supports this rule which provides the ability to repair, maintain and reconstruct structures as a permitted activity. WDC does note that where an earth structure is reconstructed, there will necessarily be an increase in dimensions and to allow for shrinkage and erosion; WDC suggests replacing condition 3) wording with “... there is no designed permanent increase in dimensions”.

C.2.1.5 Maintenance or repair of authorised flood defence	Support in part	WDC supports this rule which provides the ability to repair, maintain and reconstruct flood defences as a permitted activity. WDC does note that where an earth structure is reconstructed, there will necessarily be an increase in dimensions and to allow for shrinkage and erosion; WDC suggests replacing condition 1) wording with "... there is no designed permanent increase in dimensions"
C.2.1.10 Construction and installation of structures	Support	WDC supports the permitted activity status for the construction and installation of structures.
C.2.1.12 Freshwater structures	Oppose  Seek deletion of Clause 2	WDC seeks the deletion of reference to a culvert length not exceeding 25m. As the width of a legal road is 20m, culverts greater than 25m in length may be required. As a resource consent is required under this rule as a controlled activity, any effects associated with the culvert length can be addressed and considered under the matters over which control is reserved.
C.2.1.15 Structures in a significant area	Oppose in part  Seek discretionary activity status for core local infrastructure and regionally significant infrastructure.	WDC objects to a non- complying activity status applying to regionally significant infrastructure or core local infrastructure (which are not otherwise permitted) in significant areas. WDC considers that a discretionary activity status is appropriate for such activities, due to considerations such as operational and locational need, and statutory requirements under the LGA 02 to deliver core infrastructure in order to provide for the social, economic and cultural wellbeing of communities and the quality of the environment.
C.2.2.1 Wetland Management and Enhancement	Support in part	<p>The provisions do not allow for infrastructure works within wetlands where infrastructure is present. WDC suggest amending condition 1) to include "except where needed for infrastructure maintenance".</p> <p>The requirement under Condition 4)b) for 10 days notification for removal of pest species is excessive. WDC requests this requirement is removed.</p>

<p>C.2.2.5</p> <p>Activities affecting wetlands</p>	<p>Oppose</p> <p>Amend C.2.2.5 to give discretionary activity status for <u>core local infrastructure</u> and regionally significant infrastructure.</p>	<p>Sections 30(1)(ba) and 30(1)(gb) of the RMA require that regional plans ensure there is sufficient development capacity and the strategic integration of infrastructure with landuse.</p> <p>Objectives 3.7 and 3.8 of the Regional Policy Statement provide for regionally significant infrastructure. The provision of regionally significant infrastructure is consistent with the objectives of the RPS and should not be subject to a non-complying activity status, particularly due to the mandate provided to local government under the LGA02 to deliver these services.</p> <p>The core local infrastructure delivered by District Councils is also required to be supplied, operated and maintained pursuant to the LGA 02. District Council infrastructure should be considered equivalent in status to regionally significant infrastructure, particularly as the District roading network functions as the corridor for the placement of regionally significant network infrastructure. This approach is consistent with the RPS definition of 'Regionally Significant Infrastructure' which extends to the 'site related components' that enable the asset to function.</p>
<p>C.2.3</p> <p>General Conditions</p>	<p>Support subject to relief identified.</p>	<p>WDC raises concerns that the wording of the conditions does not provide sufficient flexibility for the types of structures that are generally permitted under the associated rules. For example, condition 6(a) and 12 are written in absolute terms and may preclude minor works.</p> <p>Where infrastructure works are occurring, condition 1) c) is unlikely to be met. WDC requests a change in wording to "significant discharge of sediment must not occur".</p> <p>It is requested that Condition 19 should refer to management of the dam in accordance with NZSOLD Dam Safety Guidelines.</p> <p>During infrastructure works condition 24) may be unlikely to be met as the use of wet concrete is unavoidable in some circumstances. WDC request a change in wording to "must be avoided where possible". Concerns are also raised that use of the term "wide range of flow conditions" is too qualitative and requires further clarification to provide certainty to plan users.</p>

		WDC notes that the standards do not require consideration of a fully developed catchment or provide allowance for climate change, which means that a structure (which should last 100 years or more) could be undersized by (say) year 50 and require replacement. It is recommended that an appropriate design basis is used to avoid replacing structures before their use-by date.
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Provision	Relief Sought	Reason
<b>C.3 Damming and diverting water</b>		
C.3 All damming and diverting water provisions	Support subject to relief identified.	WDC recommends this section be rewritten to reflect the NZSOLD Dam Safety Guidelines, which uses a risk-based assessment to nominate required design elements and practices. By nominating threshold dam heights and volumes, the Regional Plan risks being inconsistent with these recognised technical guidelines.

Provision	Relief Sought	Reason
<b>C.4 Land Drainage and flood control</b>		
C.4.1 Land drainage	Support	WDC supports this provision.
C.4.3 Repair and maintenance of a stopbank, floodgate or drain	Support in part	WDC supports the requirement for a permitted activity condition to ensure that the repair and maintenance does not compromise the integrity of the stopbank, floodgate or drain. WDC does note that where an earth structure is reconstructed, there will necessarily be an increase in dimensions and to allow for shrinkage and erosion; WDC suggests replacing condition 2) wording with "... there is no designed permanent increase in dimensions"
C.4.4	Support	WDC supports this provision and controlled activity status.

Re-consenting flood control schemes		
C.4.5 Land drainage schemes	Support	WDC supports this provision.
C.4.7 Activities affecting flood control schemes	Support	WDC supports this provision.
C.4.8 Land drainage and flood control general conditions.	Support in part	Condition 6) WDC requests a change in wording from “may be carried” to “is likely to be carried”  Condition 13) Sediment discharge after works would be unlikely to stop within 12 hours of commencement. WDC suggests a change of wording to “no significant discharge of sediment”.

Provision	Relief Sought	Reason
<b>C.5 Taking and using water</b>		
C.5.1.1 Minor Takes	Support subject to relief identified.	<p>The provision of water services by WDC is a specific statutory obligation under the LGA 02. WDC seeks to ensure that the regulatory framework for taking and using freshwater under the Regional Plan is consistent with the broader suite and hierarchy of statutory requirements relating to water supply, including the requirements of the LGA 02, Health Act 1956, Health (Drinking Water) Amendment Act and Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations 2007 and Drinking Water Standards for New Zealand 2005 (revised 2008). WDC welcomes further discussion with the NRC on the overall rule framework for taking and using freshwater to ensure the PRP adopts a consistent and integrated approach to water use and management that is consistent with statutory requirements, aligned with NDHB requirements, and adequate to recognise and protect potential effects on human health.</p> <p>WDC raises the following issues with regard to the permitted activity conditions for minor takes.</p>

		<ul style="list-style-type: none"> <li>• The note associated with this rule comments that minor takes are provided for under Section 14(s)(b) of the RMA, and suggests that the purpose of the rule is to support a person's reasonable domestic needs. There is no permitted activity condition to require that the minor take be used to support private domestic needs. Concerns are raised that the generous take allowances could be used to support a number of properties and such takes would may be regulated or monitored if the water supply is not registered. The addition of a clause to restrict takes under this rule to be for personal use only is supported.</li> <li>• WDC supports a rule framework which promotes/ provides an incentive for the registration of public water supplies. As the Ministry of Health are not able to identify public supplies unless they are registered, the conditions for permitted activity rules and consent process could include measures to ensure that NDHB are informed of community supplies in order for a register to be maintained. This would support their ability to respond to health incidents and management plans.</li> <li>• Condition 5 requires a water meter to be installed at the written request of the NRC. It is recommended that all takes should be metered to ensure that water use is accurately accounted for. This would also support the provision of accurate information under Condition 9. At the very least, meters should be a mandatory requirement in all high/over allocated water catchments.</li> <li>• Where bores are used, WDC recommends that the criteria should require the installation of bore backflow protection devices to protect the aquifer from contamination. As such devices are only effective when maintained, a condition should also require ongoing maintenance of the device (with a register to be maintained by NRC of ongoing compliance).</li> </ul>
C.5.1.2 Temporary take for road construction or maintenance	Support	WDC supports the permitted activity requirements for temporary takes for road construction or maintenance activities.
C.5.1.6 Replacement water permits for registered drinking water supplies	Support	WDC supports a rule framework which promotes/ provides an incentive for the registration of public water supplies.

C.5.1.7 Takes existing at the notification date of the plan	Support in part	WDC request that the matters over which control is reserved allow a meter to be installed as a condition of consent. WDC recommends that all takes, especially in high or over allocated catchments, should be metered to ensure that water use is accurately accounted for.
C.5.1.11 Water take below a minimum flow or water level	Oppose.	The requirement for WDC to provide water services (including water supply) is a specific statutory obligation and core service under the LGA 02 and is required to protect the health and safety of communities through the adequate provision of safe and wholesome drinking water. Section 130 records that a local government organisation must continue to provide water services and maintain its capacity to meet its obligations under this part of the Act. Accordingly, any application made by a registered drinking water supply should be subject to a discretionary activity consent process. WDC opposes a non complying activity status and also seeks a discretionary activity status for the renewal of existing abstraction consents associated with registered drinking water supplies.
C.5.1.12 Water take that will exceed an allocation limit	Support subject to relief identified.	WDC supports a non-complying status for water takes that will exceed an allocation limit due to uncertainties that may arise around the meaning of fully allocated.  As per the submission under C.5.1.11, WDC seeks a discretionary activity process for takes associated with registered drinking water supplies.

Provision	Relief Sought	Reason
<b>C.6 Discharges to land and water</b>		
C.6.1.1 Existing on-site domestic type wastewater discharge	Support in part	The Havelock North incident has highlighted the grave risks associated with groundwater contamination, and the need to be able to accurately pin point the potential source when a contamination incident arises.  The permitted activity status and associated standards will not enable NRC to record and monitor where on site treatment systems have been installed. There is no requirement to submit information to NRC to demonstrate that maintenance requirements have been satisfied within the regular time periods specified by the manufacturer. Where contamination is identified, this approach will not enable the source to be

		identified. WDC supports the requirement for NRC to adopt a risk management framework through high level monitoring which requires notification of an on site system being installed, supported by a database to monitor ongoing maintenance requirements.
C.6.1.2 Pit toilet	Support in part	WDC raises concerns that the setback distances authorised under Table 3 are insufficient. The reference to 'property boundary that is not up-slope of the disposal area' authorises a discharge 1.5m away from the boundary, where the adjacent property is down slope. WDC's proposed Rural Production Environment requires any building to be setback by 8m from the boundary. It is questioned why such a small setback is proposed to neighbouring properties when rural properties are of ample scale to support internalisation of effects through sufficient setback to boundaries.
C.6.1.3 Other on-site treated domestic wastewater discharge	Support in part	<p>As a permitted activity, WDC raises concerns that the lack of requirement to notify NRC of an on-site system being installed, or for NRC to approve the system or verify ongoing monitoring may give rise to adverse effects on public health and water quality.</p> <p>The standards under this rule will not enable NRC to record where on-site treatments systems are installed or to monitor their performance on an ongoing basis. Where contamination is identified, the lack of records may make it difficult to pin point the source. WDC supports a high level monitoring framework under the Regional Plan to ensure permitted activity conditions are met through the provision of information to inform environmental reporting and monitoring.</p> <p>There is no requirement to submit information to NRC to demonstrate that maintenance requirements have been satisfied within the regular time periods specified by the manufacturer. WDC supports the requirement for NRC to adopt a risk management framework which requires notification of an on site system being installed, supported by a database to monitor ongoing maintenance requirements.</p>
C.6.1.4 Replacement discharge permits	Support in part	This enables the replacement consents for domestic type wastewater into or onto land where there is no change to the discharge. Where this discharge is ultimately received by the WDC stormwater network, WDC would like to ensure the matters over which control is reserved provide sufficient consideration that water quality standards will not be adversely affected.



<p>C.6.2.1</p> <p>Wastewater discharge from a pump station or pipe network</p>	<p>Support in part</p>	<p>WDC objects to the timeframes for a wastewater network management plan and seeks a minimum 5 year period to meet this requirement in order to align with LTP cycles and funding programmes. Due to the current LTP cycle, it will not be possible to fund and deliver the plans within 2 years.</p> <p>“an application for resource consent is received by the regional council within <del>two</del> 5 years of this rule becoming operative “</p> <p>Under condition 3, WDC requests specific consideration to the operational requirements of pressure sewer pump stations and welcomes further discussion on this matter. WDC operates over 600 domestic pump stations as part of its pressure sewer system in Ruakaka. They have local alarms but no standby pumps or power supply backup, therefore will not satisfy condition 3)a) and b). Due to their design and volumes, the consequences of overflows from these household pump stations are orders of magnitude lower than from a reticulation pump station. Accordingly, WDC submits that condition 3 should not apply to pressure sewer pump stations.</p> <p>WDC does not consider the conditions to be necessary. In particular, Condition 3(b) effectively requires emergency backup power for every pump station. The need for such elements will be considered as part of the network management plan required by condition 2.</p> <p>Under Condition 3(a) (i), clarification on the definition of ‘immediate’ is required. There should be some time-based allowance recognising these overflows should only be for a short duration until maintenance teams can contain them (for example, 4 hrs).</p> <p>Condition 4) effectively requires a treatment system at every pump station and overflow point. This is not reasonably practicable. WDC supports conditions that will address the effects of scouring and erosion from wastewater discharges, however the full prevention of all suspended floating materials is not reasonably practicable. As currently worded, this requirement is impossible to achieve with any overflows.</p> <p>WDC supports the non-notification clause under this rule.</p>
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<p>C.6.3.1</p> <p>Farm wastewater discharges to land</p>	<p>Oppose</p> <p>Does not adequately address concerns around public water supply.</p>	<p>WDC opposes permitted activity status as the proposed conditions are not sufficient to address the risks of contamination to public water supplies.</p> <p>The imperative to avoid adverse effects on the environment and public water supply are not adequately addressed by the conditions. There is no requirement to avoid contaminating groundwater supply or surface water as per 6.3.2 and 6.3.3 or any other effects based provisions.</p> <p>WDC raises concerns about the potential effects of wastewater discharge on the health of waterways, and effects on drinking water supplies. This rule effectively authorises indirect wastewater discharges (of unspecified volume) with no protection to water quality including within public water supply catchments.</p> <p>WDC notes the omission of the requirement for the 'discharge to not contaminate any groundwater supply or surface water' which is a condition under other discharge rules.</p> <p>The rule does not adequately address the ability for pooling and eventual discharge into water body or delayed discharges to water bodies. There are no restrictions around discharge volumes, rates or timings. This could lead to considerable overland flow and seepage after the discharge occurs, particularly if the discharge saturates the soil prior to a rainfall event.</p> <p>The rule is also contrary to part 3.2 (e) of the Regional Policy Statement "Protecting the quality of registered drinking water supplies and the potable quality of other drinking water sources" which states that this will be identified and addressed through the Regional Plan. Regulation 10 of the Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations 2007 provides limitations on permitted activity rules for activities upstream of abstraction points. WDC seeks that the mapping of these abstraction points be included under the Regional Plan, supported by rules which prevent discharges within an appropriate buffer (e.g. 5km minimum) from these abstraction points. WDC welcomes further discussion with NRC and the NDHB on the appropriate distance which is required to sufficiently protect the quality of public water supply intakes through the Regional Plan.</p>
<p>C.6.4.1</p>	<p>Support in part</p>	<p>WDC raises the following concerns with the rule as drafted:</p>

<p>Stormwater discharges from a public stormwater network</p>		<p>Condition 1: WDC seeks clarification on what part of the network constitutes the 'point of discharge' (a stormwater flow may enter and exit through various discharge points within the network before the ultimate discharge point at the CMA).</p> <p>Condition 2: This condition requires protection to 'land'. WDC's Asset Management Programme refers to the protection of habitable buildings (through minimum floor level requirements) and seeks to provide protection for the 5% AEP event. Providing 10% AEP flood immunity for land (rather than buildings) would be a major change to WDC's level of service for stormwater with significant financial implications to ratepayers. Concerns are raised that as currently drafted, this rule effectively requires that overland flow paths through properties that are currently protected by easements would require consents, or the minor (piped) system would have to be upgraded to provide 10% AEP capacity. Discharges to creeks, channels and drains would have to either be attenuated or secure consent to ensure the 10% AEP discharge does not encroach on property boundaries. Concerns are also raised as to how the network could comply with this requirement during a significant storm event. WDC seeks clarity on the purpose and intent of this rule, and highlights the need for this rule to align with the levels of flood protection service provided by District Councils.</p> <p>Condition 3) – while WDC's trade waste bylaw attempts to capture all trade wastes from trade or industrial premises, it is not reasonably practicable to exclude all stormwater or cooling water from such premises.</p> <p>Condition 4) WDC raises concerns that the effects authorised under C.8.3.1 will prevent compliance issues with the suspended solid limits stipulated by this condition.</p> <p>Conditions 4) and 5) – WDC manages over 300 outlets discharging to water bodies. Preventing every exceedance is not reasonably practicable. It is suggested that limits be set for (say) 90% of discharges, except conditions 5)e) and f) to provide for discharges in high volume events.</p> <p>Condition 6) While WDC has endeavoured to budget for the future preparation of stormwater management plans, it is unlikely that the 2 year time frame will be achieved for all of the nominated catchments identified in Table 5. WDC seeks a 5 year time frame to ensure alignment with LTP cycles.</p>
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<p>C.6.4.2</p> <p>Other stormwater discharge</p>	<p>Support in part, relief identified</p>	<p>WDC requests the insertion of clause c) in order to reduce the volume of stormwater entering contaminated sites. This reduces the potential for stormwater contamination and contaminated runoff. This technique is well documented in GD05 (TP90) Erosion and sediment control guideline for land disturbing activities in the Auckland region.</p> <p>“3) where the stormwater diversion or discharge is from a hazardous substance storage area:</p> <p>a) the stormwater collection system is designed and operated to prevent hazardous substances stored or used on the site from entering the <u>stormwater</u> system, or</p> <p>b) there is an stormwater interceptor in place to collect stormwater that may contain hazardous substances and discharge or divert it to a trade waste system or store it for removal and treatment, unless the stormwater contains no hazardous substances except oil or grease and the stormwater is passed through an oil interceptor system prior to discharge, and</p> <p>4) where the stormwater diversion or discharge is from an industrial or trade premises that is not a high risk industrial or trade premises:</p> <p>a) the stormwater collection system is designed and operated to prevent any other contaminants stored or used on the site from entering stormwater unless the stormwater is discharged through a stormwater <u>contaminant</u> interceptor, and</p> <p>b) any process water or waste stream on the site is bunded, or otherwise contained, within an area of sufficient capacity to provide secondary containment equivalent to 100 percent of the quantity of any process water or waste that has the potential to spill into a stormwater collection system, in order to prevent trade waste entering the stormwater collection system, and</p> <p><u>c) stormwater diversion drains, bunds or similar, are used to prevent uncontaminated stormwater from entering the contaminated site” (or similar relief)</u></p>
<p>C.6.6.1</p> <p>Discharge of cooling water</p>	<p>Support subject to amendments</p>	<p>WDC raises concerns that this rule is inconsistent with C.6.4.1. The discharge of cooling water into water is a permitted activity under C.6.6.1 (subject to conditions), but discharge of public stormwater that contains cooling water is not.</p>

<p>C.6.6.2</p> <p>Discharge of industrial or trade wastewater</p>	<p>Support in part.</p>	<p>In order to provide for raw or partially treated water discharges to land from water treatment plants (which is occasionally required when equipment is restarted or after heavy rainfall events), WDC seeks that discharge (of an unspecified volume) from water treatment plants is a permitted activity under this rule (or potentially C.6.9.5). WDC requests a specific, effects based condition for Water Treatment Plants, rather than the current volume based condition. Discharge events are infrequent, and do not give rise to adverse environmental effects as the discharge is generally raw or partially treated water (chlorine dosing is terminated during discharge events). In the infrequent event partially treated water is discharged, chlorine is rapidly dissipated in a short space of time.</p> <p>WDC requests justification and source of the standards used in condition 7.</p>
<p>C.6.7.2</p> <p>Discharges to land from closed landfills</p>	<p>Oppose</p> <p>WDC seek a change to a controlled activity status</p>	<p>WDC does not believe that any closed landfill could realistically comply with the conditions and recommends that a controlled activity status be applied to all closed landfills in order for appropriate conditions of consent to be in place.</p>
<p>C.6.7.3</p> <p>On site refuse disposal</p>	<p>Oppose</p>	<p>As the operator of a waste management and recycling network, with refuse and recycling collection services provided across the District, WDC objects to the permissive nature of these rules which facilitate the disposal of waste to land.</p> <p>Concerns are raised that the Hazardous Activities and Industries List captures any site which has been used for landfill or waste disposal to land. It is therefore essential to regulate this activity in order for District Councils to administer the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health. The current rule does not support this requirement as there is no means of monitoring the presence and location of domestic landfills with a permitted activity. Condition 10 only requires notification at the request of NRC. However, there is no way of identifying the sites operating under this rule in order to facilitate this request, which would in turn, support ongoing monitoring.</p> <p>The district councils provide for waste disposal facilities which render this rule unnecessary. WDC considers this rule presents an unacceptable risk to groundwater contamination (including long term cumulative effects).</p>

C.6.7.4 Composting operations less than 10 cubic metres	Support in part	WDC suggests that a higher volume allowance for composting activities be provided for.
C.6.7.6 Waste transfer stations	Support in part  WDC requests a specific permitted activity rule for green waste stockpiling as defined in operative RWSP.	WDC requests a non-notification clause for this provision which is consistent with the controlled activity status and ability to manage adverse effects through appropriate conditions.  WDC recommends deletion of condition 1 as appropriate concentration limits can be determined under matters of control given proximity to surface water and groundwater. It is also noted that these guidelines are in the process of change.
C.6.9.4 Discharge of sluicing water	Support	This rule provides for sluicing of public or community water supply mains which is supported by WDC. For the purpose of clarity, WDC seeks that reservoir draining also be included under this provision.
C.6.9.5 Discharges to land or water not provided for by other rules-permitted activity	Support in part	As per the comment under C.6.6.2, WDC requests that the discharges from water treatment plants and for discharges associated with other infrequent events such as reservoir draining and public water main breaks are provided for as a permitted activity. These events typically involve the short term release of raw or semi treated water. Water treatment plants may be required to discharge to land after equipment failure or maintenance, or after heavy rainfall events which results in an elevated turbidity that may not meet drinking water standards. Chlorine dosing is typically ceased during such discharge events and any residual chlorine is rapidly dissipated with air and light exposure, thereby ensuring steam health is not adversely affected.

New Rule Requested		WDC requests a new rule that provides for the discharge of “highly treated wastewater” to land or water as a discretionary activity to support the sustainable reuse of treated wastewater (e.g. for irrigation to sports fields).
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Provision	Relief Sought	Reason
<b>C.7 Discharges to air</b>		
<p>C.7.2.5</p> <p>Discharges to air from the use of public roads by motor vehicles</p>	Oppose	<p>WDC requests the permitted activity rule be deleted or the associated conditions removed.</p> <p>WDC opposes any directive under the Regional Plan to seal or implement dust suppression.</p> <p>WDC maintains that the road users, rather than the road owner is responsible for the generation of dust emissions on an unsealed road. Therefore, the approach in the Regional Plan should be to focus on road users, particularly large vehicles which have the propensity to generate large amounts of dust. This could be through the use of licenses or other suitable mechanisms.</p> <p>WDC seeks clarification on whether the NRC can restrict the public use of a public road by a legal vehicle in terms of the emissions generated by that vehicle, while the Council (as the Road Controlling Authority) cannot prevent a motorist from using a public road.</p> <p>WDC suggests that in the context of the Regional Plan, this issue needs to be better defined. The WDC acknowledge that dust is adversely affecting some rural communities and WDC is already investigating methods for managing dust. Across the region, Whangarei District Council, Far North District Council, forestry companies, the Northland Regional Council and the New Zealand Transport Agency have been working together to develop ways to manage the impacts of road dust generated by the district’s unsealed road network. In recent years the Northland Councils, the District Health Board and NZTA have worked together to produce a regional Dust from Unsealed Roads Mitigation Framework which prioritises intervention on the heaviest trafficked unsealed roads subject to resources being available.</p>

		The WDC is currently drafting building setback rules under the Rural Production Environment and propose setbacks of 100m to be achieved between residential activities and unsealed roads of 100m to mitigate the impact of dust from unsealed roads, (a decision on this plan change is anticipated in late 2017).
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Provision	Relief Sought	Reason
<b>C.8 Land Use and Disturbance Activities</b>		
C.8.1.1 Access of livestock to the bed of a water body or permanently flowing watercourse	Support in part	Regulation 10 of the Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations 2007 provides limitations on permitted activity rules for activities upstream of abstraction points. Due to the risk of contamination, WDC has concerns over stock accessing waterways above drinking water intakes. WDC requests that a rule framework similar to that applying to swimming sites in the Whangarei Harbour Catchment be applied to all registered public drinking water intakes. This rule framework should be supported by an identified map layer of public drinking water intakes (region wide) including a buffer zone around intakes restricting livestock access within the shorter timeframe (2 years from the plan becoming operative). A non-complying activity status for livestock access including crossings within a minimum 5km exclusion zone upstream of public water intakes is recommended.
C.8.1.2 Access of livestock to rivers, lakes, and wetlands	Support in part	WDC has concerns over stock accessing waterways above water intakes and requests the matters of discretion includes effects on public drinking water supply. It is noted that resource consent applications under this rule are precluded from either limited or public notification. Concerns are raised that this will exclude Water Services and the District Health Board from being considered an affected party. In order to identify potential effects on human health through contamination, it is requested that the non-notification clause is removed.



<p>C.8.1.3</p> <p>Access of livestock to a significant wetland, an outstanding freshwater body, and the coastal marine area</p>	<p>Support in part</p>	<p>WDC supports the non complying activity status under this rule, and also seeks that this rule include reference to livestock access within a (minimum) 5km upstream of public water intakes (which should be mapped, region wide).</p>
<p>C.8.3.1</p> <p>Earthworks</p>	<p>Support in Part</p>	<p>WDC raises concerns that the potential area, volume, location and associated vegetation clearance enabled under this permitted activity rule will have potential for adverse effects, particularly as cumulative effects cannot be addressed. Furthermore the following issues are identified:</p> <ul style="list-style-type: none"> <li>• This rule does not restrict large scale earthworks outside of the earthworks season.</li> <li>• There are no earthworks limits or rules for significant areas including heritage/ tangata whenua areas.</li> <li>• WDC recommends removing duplication with the NES for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.</li> <li>• Condition 2 requires 'erosion and sediment control measures to be implemented in accordance with the Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region (2016). As Condition 2 does not have a notification provision which would enable NRC to be aware of the potential scale and volume of the proposed earthworks, there is no trigger for monitoring.</li> <li>• For large scale earthworks, WDC recommend that an Erosion Control Plan (as per the defined term) be submitted and approved by the NRC's Compliance Manager prior to significant earthworks being undertaken in order for the efficacy of the erosion and sediment control measures to be verified.</li> <li>• The terms under Condition 6 are not easily measurable and no method is provided to measure these criteria.</li> <li>• WDC raises concerns that the sediment discharges authorised by this rule are not consistent with C.6.4.1. Discharges from public stormwater systems are restricted to a limit of 100 mg/L suspended solids, but earthworks activities which generate the sediment have no discharge limits to stormwater.</li> </ul>

<p>C.8.4.1</p> <p>Vegetation clearance and coastal dune restoration within the coastal hazard management area</p>	<p>Support in part</p>	<p>WDC supports the intent of the rule to facilitate dune restoration, however raise concerns around erosion management and the monitoring of vegetation clearance within sand dunes.</p> <p>WDC suggest vegetation clearance and replanting should be restricted to the appropriate coastal planting season. WDC also suggest a shorter timeframe than the proposed 3 months in Clause 3 is appropriate to provide for revegetation due to the risk of dune erosion in adverse weather events.</p>
<p>C.8.4.2</p> <p>Clearance of native woody vegetation</p>	<p>Oppose</p>	<p>The lack of definition of ‘native woody vegetation’ provides scope for all native vegetation barring grass species to be cleared. It is not clear if the intent of the rule is to cover indigenous forest but this could be an interpretation.</p> <p>The permitted activity thresholds are very high, with the potential for significant environmental degradation, particularly as the rules are not monitorable. WDC Operative and Proposed District Plan rules are more restrictive. Being consistent with this rule would require significantly reduced protection for indigenous vegetation in our district. If the Regional Council wishes territorial authorities to protect terrestrial indigenous biodiversity, then it must have more consideration for terrestrial biodiversity protection within the Regional Plan.</p> <p>There is no consideration given in this rule to the effects on indigenous species located within such vegetation, for example kiwi.</p> <p>There are no rules relating to clearance within outstanding and high character areas or significant ecological areas, nor are there limits on clearance over a time period or area to address cumulative effects. For areas that are not highly erodible there are no limits at all. There is also no requirement to replant native vegetation or to stabilize large clearance areas with replanting.</p> <p>This rule is not consistent with Objective 3.4 of the RPS which seeks to “Safeguard Northland’s ecological integrity by:</p> <ul style="list-style-type: none"> <li>a) Protecting areas of significant indigenous vegetation and significant habitats of indigenous fauna;</li> <li>b) Maintaining the extent and diversity of indigenous ecosystems and habitats in the region; and</li> </ul>

		<p>c) Where practicable, enhancing indigenous ecosystems and habitats, particularly where this contributes to the reduction in the overall threat status of regionally and nationally threatened species.”;</p> <p>and associated policy 4.4, clause 4:</p> <p>“(4) For the purposes of clause (1), (2) and (3), when considering whether there are any adverse effects and/or any significant adverse effects:</p> <p>(a) Recognise that a minor or transitory effect may not be an adverse effect;</p> <p>(b) Recognise that where the effects are or maybe irreversible, then they are likely to be more than minor;</p> <p>(c) Recognise that there may be more than minor cumulative effects from minor or transitory effects.”</p>
<p>C.8.5.1</p> <p>Temporary bore for geotechnical or groundwater investigation, mineral exploration, or mineral extraction</p>	Support	<p>WDC supports the requirement for permitted activity standards for temporary bores to be constructed and maintained in accordance with <i>New Zealand Environmental Standard for Drilling of Soil and Rock (NZS 4411, 2001)</i>.</p>
<p>C.8.5.2</p> <p>Alteration or decommissioning of a bore</p> <p>C.8.5.3</p> <p>Construction or alteration of a bore</p> <p>C.8.5.4</p> <p>Construction, alteration and decommissioning of a bore that is not a permitted or controlled activity</p>	<p>Support in part.</p> <p>Relief identified.</p>	<p>WDC supports the requirement for bores to be constructed and maintained in accordance with the requirements set out in the <i>New Zealand Environmental Standard for Drilling of Soil and Rock (NZS 4411, 2001)</i>.</p> <p>Where bores are used for drinking water supply, WDC seeks that the rule framework for new or altered bores aligns with the requirements of the Drinking-water Standards for New Zealand 2005 (Revised 2008). As per 4.5.2.2 of the guidelines, the guidelines require the following bore water security criterion to be satisfied:</p> <ul style="list-style-type: none"> <li>• The bore head must be judged to provide satisfactory protection by a person recognised as an expert in the field.</li> <li>• The bore head must be sealed at the surface to prevent the ingress of surface water and contaminants, and the casing must not allow ingress of shallow groundwater.</li> <li>• Animals must be excluded from within 5 m of the bore head.</li> </ul>

		<ul style="list-style-type: none"> <li>• The bore construction must comply with the environmental standard for drilling soil and rock (NZS 4411, Standards New Zealand (2001)), including providing an effective backflow prevention mechanism, unless agreed by the DWA.</li> <li>• The supply's water safety plan must address contaminant sources and contaminant migration pathways. Potential sources of contamination such as septic tanks or other waste discharges must be situated sufficiently far from the bore so contamination of the groundwater cannot occur.</li> </ul> <p>WDC seeks that these matters are adequately considered under the permitted activity conditions and under the scope of matters over which control is reserved.</p>
<p>C8.6.1</p> <p>Re-building of materially damaged or destroyed buildings</p>	<p>Support in part</p>	<p>WDC understands and support the intent of the rule which seeks to reduce natural hazard risk and avoid the problems caused by the reconsenting of buildings with existing use rights within hazard zones. Including this rule will in our view give effect to the provisions of the RPS which seek to promote long-term strategies that reduce the risk of natural hazards impacting on people and communities, and directs the regional council to require a land use consent for reconstruction of materially damaged buildings. The method states that the regional council will limit its discretion in determining the land use consent to avoiding or mitigating natural hazards.</p> <p>However, while we support the intent of the rule, WDC has concerns about the practicalities of implementing this rule as proposed, and that the rule as drafted will increase the costs of rebuilding damaged buildings, but not result in a reduction of exposure to the risk of damage to property from natural hazards.</p> <p>As WDC understands, C.8.6.1 provides for rebuilding of materially damaged buildings as a restricted discretionary activity, provided that natural hazard risk to other property is not increased, and that the application includes a hazard assessment from a suitably qualified professional.</p> <p>The requirement for resource consent is triggered by an application for a building consent. This would occur when there has been damage from a natural hazard and rebuilding of structural walls or building foundations is required.</p> <p>Discretion is restricted to the design of the building to withstand natural hazard risk, and the potential to exacerbate existing natural hazard risk as a result of the proposed rebuilding.</p>

		<p>Where rebuilding of a materially damaged or destroyed building does not meet the requirements for a restricted discretionary activity, the application would default to a non-complying activity under C.8.6.2, and will be considered against Policy D.6.3.</p> <p>WDC supports Policy D.6.3 which requires that resource consent may only be granted for rebuilding damaged buildings if the natural hazard risk is shown to be reduced compared to the risk to the building previously, and that hazard risk to other property is not increased.</p> <p>WDC supports this policy and anticipates that this policy will encourage the managed retreat of buildings to avoid coastal erosion hazards, and an increase in minimum floor levels, i.e. a reduction in the risk of natural hazards impacting on people and communities.</p> <p>WDC has the following concerns in relation to the matters of discretion in Rule C.8.6.1 which include:</p> <ul style="list-style-type: none"> <li>a) the design of the building to withstand natural hazard risk, and</li> <li>b) natural hazard risk to other property is not increased.</li> </ul> <p>In WDC's opinion the matters of discretion do not give effect to the higher order Policy D.6.3, or the objectives and policies of the RPS which seek to <b>reduce</b> hazard risk. Given that discretion is restricted to the matters listed in C.8.6.1 and that as a restricted discretionary activity, applications will not generally be assessed against policies that seek to reduce hazard risk. WDC consider the matters of discretion should be expanded to allow a comprehensive assessment of hazard risk, and the setting of appropriate conditions of consent. We suggest an amendment to the matters discretion is restricted to as follows <b>or</b> alternative wording that provides for the matters below:</p> <ul style="list-style-type: none"> <li><b>a)</b> The scale, bulk, location and form of the building;</li> <li><b>b)</b> The risk of adverse effects on people, property and the environment including risk to public health and safety and any cumulative effects;</li> <li><b>c)</b> Any exacerbation of the coastal hazard or creation of a new hazard as a result of the building</li> <li><b>d)</b> The extent to which sea-level rise has been taken into account in the location and design of the proposed building;</li> </ul>
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		<p><b>e)</b> The degree to which the building is likely to be subject to damage from erosion and/or inundation including the risk of material damage.</p> <p><b>Practical implementation of the rule.</b></p> <p>WDC is concerned about the processes that will allow the BCA to identify that the building consent is for repairs from natural hazard damage, rather than for example a renovation or extension. This may be some time after the natural hazard event that has caused the damage and may not be explicit in a building consent application. NRC will need to work with the TA's to ensure that the requirement for resource consent is identified and picked up by the District Council BCA and PIM teams.</p>
<p>C.8.6.2</p> <p>Re-building of materially damaged or destroyed buildings</p>	Support	<p>WDC supports the non-complying activity status for materially damaged buildings. The redevelopment of buildings which do not reduce the risk of damage from coastal hazards/flooding events should not be encouraged in hazard zones and are contrary to the RPS. Non-complying status allows a consideration against Policy D.6.3 and the option to refuse the consent.</p>

Provision	Relief Sought	Reason
<b>D Policies</b>		
General Comments	Clarification sought	<p>The purpose of a policy is to identify a course of action to achieve or implement the overarching objective(s) of the Plan. Policies are required to be implemented through methods (which often take the form of rules in the Plan).</p> <p>In the consideration of non-complying activities, policies have an important function in the 'gateway' test set out under section 104D(1). For this reason, and in order to provide appropriate direction to plan users and decision makers, it is important that policies provide clear guidance by avoiding ambiguity.</p> <p>WDC raises concerns that many of the policies are not policies to direct a course of action, and in many instances, function as information requirements, methods and standards. The role of such 'policies' in the</p>

		<p>application of permitted activities and assessment of controlled activity applications may present jurisdictional challenges.</p> <p>It is requested that policies are redrafted as policies, methods, rules and information requirements as per their function. Specific relief and comments per referenced policy are identified below.</p>
<b>D.1 Tangata whenua</b>		
D.1.1-D.1.5	Clarification sought	<p>WDC raises concerns that the policies under D.1 are effectively information requirements to support a resource consent application, and are not policies. The policy does not outline how differing views will be reconciled as part of an overall assessment of effects.</p>
<p>D.1.1</p> <p>When an analysis of effects on tangata whenua and their taonga is required</p>	Support in part	<p>Redraft this provision specifically as a policy and ensure that it has a relationship to the specific resources, activities or areas that are included in clauses 1-7. Ensure effects on tangata whenua and their taonga are included as matters of control or matters of discretion for the relevant activities in the Plan. These amendments will provide a mechanism for which an AEE is required to address clauses 1-7.</p>
<p>D.1.2</p> <p>Requirements of an analysis of effects on tangata whenua and their taonga</p>	Support in part	<p>This policy contains useful information for plan users and supports applicants in preparing a resource consent application that meets the s88 requirements. A similar approach was taken in earlier drafts of the Auckland Unitary Plan. The Independent Hearing Panel considered the requirements of Schedule 4 of the RMA to sufficiently outline the requirements of an application with the inclusion of matters for control and matters for discretion directing applicants to address tangata whenua and their taonga.</p> <p>The useful information contained in D.1.2 can work effectively when located outside of the plan when supported by up to date and easy to access information to enable applicants to engage early and effectively</p>

		<p>with tangata whenua. There can also be unintended consequences upon tangata whenua as a result of including the provision, as currently drafted, within the plan.</p> <p>It is noted that NRC may need to improve the tools and mechanisms it has in place to support provision D.1.1 and D.1.2 such as providing further information online and establishing a formal facilitation service to support applicants engaging with iwi / hapu once Council formally accepts an application for lodgment.</p>
<p>D.1.3</p> <p>Affected parties</p>	Support in part	<p>In effect, this policy will operate as a rule and as such may need to be supported by a general rule such as:</p> <p><i>An application for resource consent for a restricted discretionary, discretionary or noncomplying activity is subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991, unless otherwise specified by a rule applying to the particular activity.</i></p> <p>Note that there is no clause acknowledging tangata whenua as being the experts in their taonga and the effects on their taonga which may be needed to support this provision.</p>
<p>D.1.4</p> <p>Managing effects on Places of Significance to Tangata Whenua</p>	Clarification sought	<p>WDC raises concerns around the wording of D.1.4 which provides a directive that a resource consent 'may only be granted' if there are 'no more than minor' effects 'on the values'. This may be contrary to the decision making threshold set out under the Act. Further clarity around the application of this policy is required, and the threshold which would be applied for declining a resource consent as part of an overall assessment (which may include consideration of positive effects, and weighting of both qualitative and quantitative data). As there may be circumstances where there are conflicting/ differing views on the nature/ scale or type of effects on values, guidance is sought on how these views will be reconciled under this policy under the RMA decision making framework.</p>
<p>D.1.5</p> <p>Places of significance to Tangata Whenua</p>	Clarification sought	<p>This policy appears to be a definition of a "place of significance to tangata whenua in the coastal marine area or a water body" and is not a policy. This policy seems to include an outline of the process and evidence required to have scheduled the Place of Significance rather than provide any directive.</p>



Provision	Relief Sought	Reason
<b>D.2 General</b>		
<p>D.2.3</p> <p>Application of policies in the Regional Policy Statement for Northland to non-complying activities</p>	Support in Part	<p>The purpose of this policy is unclear.</p> <p>WDC questions why this policy appears to restrict the consideration and application of all RPS policies which should be subject to a broad consideration. The King Salmon decision has highlighted the need for lower order policy documents to provide focussed direction and guidance on resource management issues. It is acknowledged that the Regional Plan has sought to remove duplication of objectives and policies which otherwise exist under the RPS, however this policy further confines the assessment and could lead to a narrow interpretation.</p> <p>There is no consideration for discretionary activities under this policy.</p>
<p>D.2.6</p> <p>Managing adverse effects on historic heritage</p>	Clarification sought	Concerns raised that the permitted rules of the plan do not give effect to this policy and this approach may be contrary to Method 4.6.3(2)(v) of the RPS.
<p>D.2.7</p> <p>Managing adverse effects on indigenous biodiversity</p>	Clarification sought	Concerns raised that the rules of the plan do not give effect to this policy. The policy only covers the coastal marine area and should apply to all indigenous biodiversity.
<p>D.2.8</p> <p>Precautionary approach to managing effects on significant indigenous biodiversity</p>	Clarification sought	Concerns raised that the rules of the plan do not give effect to this policy, particularly in regard to management of effects on significant indigenous terrestrial biodiversity.

Provision	Relief Sought	Reason
<b>D.4 Land and water</b>		
D.4.1 and D.4.2  Water quality standards for rivers/ lakes	Clarification sought	<p>These standards will be replaced by national standards under the NPS Freshwater Management. It would be more appropriate to refer to standards or the NPS rather than having a table that will shortly be obsolete within the plan as it is not clear how D.4.1 will change and for how long it will apply. There are no timeframes noted around the transition to the numerical standards.</p> <p>The provisions imply discharge from a point source and do not take into account diffuse discharge. There is no mention of mixing zone, or where testing should take place.</p> <p>There is no reference to the source of the standards, associated methods or justification of using this source.</p>
D.4.3  Coastal Water quality standards	Clarification sought	<p>The provision implies discharge from a point source and do not take into account diffuse discharge. There is no mention of mixing zone, or where testing should take place.</p> <p>There is no reference to the source of the standards, associated methods or justification of using this source.</p>
D.4.4  Coastal sediment water quality standards	Clarification sought	<p>This Policy should be rewritten as a statement of what NRC is trying to achieve (i.e. water quality objectives), which would be consistent with ANZECC. The tabulated discharge quality limits should be rules, not a policy.</p> <p>WDC raises concerns that this policy may not be achievable in the context of highly permissive earthworks limits and questions where the rules for land disturbance achieve these limits.</p>
D.4.5- D.4.7  Managing overall water quality Offsetting residual non-toxic contaminants  Wastewater discharges to water	Clarification sought	<p>These policies in their current drafting are unclear. They should be reworded to give greater certainty on their purpose and outcome.</p>
D.4.8  Zone of reasonable mixing	Clarification sought	<p>The zone of reasonable mixing is referred to in permitted activity rules however the policy does not provide enough clarity for this purpose or application. This policy should not seek to define a mixing zone that will be reasonable in all cases, because management objectives and environmental characteristics vary</p>

		considerably between waterbodies. What is a reasonable mixing zone will be a question of fact and degree in each particular case.
D.4.10 Discharge of hazardous substances to land or water	Clarification sought	Clarification on the definition of 'hazardous substances' is required, noting that hazardous substances as defined in the RMA can include a wider range than those in the HSNO Act. There is no definition in the plan, with milk and dairy effluent managed separately. There is no mention of coastal waters in the policy which appears to be an inconsistency between the rules and policy.
D.4.12 Application of biosolids to land	Oppose in Part	This Guideline is outdated and does not reflect best practice. The guideline is under review so the policy will become outdated when this is updated. Suggest this policy be amended to refer to "current New Zealand biosolid guidelines" or a future plan change may be required to reflect the future revised guideline.
D.4.14 Minimum flows for rivers	Support	This policy is supported on the proviso that Policy D.4.19 is taken into consideration in tandem. D.4.19 provides for exceptions to minimum flows or levels where the water is to be taken for the health of people as part of a registered drinking water supply.
D.4.16 Allocation limits for rivers	Support in part	Under D.4.16(1)(b), WDC seeks the addition of reference to rule <b>C.5.1.6</b> to provide for replacement water permits for registered drinking water supplies. Section 130 of the LGA 02 provides a statutory responsibility that local government must continue to provide water services and maintain its capacity to meet its obligations under the Act.
D.4.19 Exceptions to minimum flows or levels	Support	WDC supports this policy as it recognizes water takes to provide for the health of people as a part of a registered drinking water supply.
D.4.23 Conditions on water permits	Support	WDC supports the requirement for all water takes to be metered, particularly in highly or over allocated catchments. WDC supports the requirement for the installation (and ongoing maintenance) of backflow prevention systems to prevent contamination of drinking water supplies.
D.4.28 Wetlands - values	Clarification sought	WDC seeks clarification on the use of the term 'end state' under D.4.28(3) and whether this policy is intended to apply only constructed wetlands? Please provide greater clarity.

D.4.31 Managing the effects of land-disturbing activities	Clarification sought	This is inconsistent with the RPS Policy 4.6.1 because it does not address the higher threshold to avoid effects within the coastal environment.  WDC suggests inserting: 3) avoid adverse effects on areas of outstanding natural character, outstanding natural features and outstanding natural landscapes in the coastal environment.
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Provision	Relief Sought	Reason
<b>D.5 Coastal</b>		
D.5.2 Aquaculture	Support in part	To ensure consistency with the RPS, WDC suggests the addition of 12) outstanding natural character areas.
D.5.3 Aquaculture	Support in part	To ensure consistency with the RPS, WDC suggests the addition of 4) high natural character areas .
D.5.8 Whangarei City Centre Marine Zone	Support in part	WDC supports this policy as it will enable development and the construction of public amenities on the Hatea River. However, there are no additional policies to guide the development of structures in other areas of the CMA. The policy as proposed is not as prescriptive as other policies in the plan and does not provide decision makers with sufficient guidance when assessing applications for discretionary activities within this zone.
D.5.9 Moorings outside Mooring Zones	Clarification sought	This is an information requirement to support a resource consent application rather than a policy.
D.5.20 Dredging, disturbance and deposition – effects on areas with significant values	Seek Amendment 1) Area of <u>High</u> or Outstandin g Natural Character	WDC seeks an amendment to allow consideration of the effects of dredging disturbance or deposition proposed within areas of High Natural Character.
D.5.22, D.5.23, D.5.24 Mangrove Removal	Support	WDC supports the guidance provided in the policies for when mangrove removal is appropriate, and for adverse effects to be considered through the resource consent process.

D.5.26, D.5.27 Surf breaks	Support	WDC supports the protection of surf breaks as surfing is an important recreational activity within the District.
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Provision	Relief Sought	Reason
<b>D.6 Natural Hazards</b>		
D.6.1  Appropriateness of hard protection structures	Support	WDC supports the reference to core local infrastructure in this policy and requests that the term 'core local infrastructure' be included in the definitions section of the plan. For the purpose of clarity with roading hierarchy terminology WDC request the following amendment to 2) b) core local infrastructure (district parks and reserves, network infrastructure and <del>local</del> roads). With regard to reference to 'network infrastructure' it is noted that Appendix 3 of the RPS already defines district council water and wastewater trunk lines and key elements of the stormwater network as 'regionally significant'. WDC supports reference to the roading network and district parks and reserves in the definition of core local infrastructure.
D.6.2  Design and location of hard protection structures	Support	WDC supports this policy as it gives effect to the NZCPS.
D.6.3  Re-building of materially damaged or destroyed buildings in high risk hazard areas	Support in part	WDC supports the intent of the policy which seeks to reduce natural hazard risk as this approach is consistent with the RPS.  Amendments to the wording are proposed to give effect to Policy 25 of the NZCPS <u>to</u> :  <u>Avoid</u> the re-building of materially damaged or destroyed buildings in high risk flood hazard areas and high risk coastal hazard areas if <u>unless</u> the natural hazard risk to the building is demonstrated to be reduced (compared with the risk to the building previously) and hazard risk to other property is not increased.

D.6.5  Flood hazard management – development within floodplains	Support in part	WDC supports the intent of the policy however most development within a flood plain or river will increase the risk of adverse effects on neighbouring property therefore the policy may have the effect of prohibiting all development within these areas.
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Provision	Relief Sought	Reason
<b>E. Catchments</b>		
E.0.9  Access of livestock to the bed of a waterbody in the Whangarei Harbour Catchment	Support	WDC supports the shorter timeframes for stock exclusion upstream of swimming sites on the Hatea and Raumanga Rivers.

Provision	Relief Sought	Reason
<b>F. Objective</b>		
F0.1	Support in part	<p>The objective repeats the intent of the act.</p> <p>An objective is a statement of what is to be achieved through the resolution of a particular issue, and provide targets that the policies seek to achieve.</p> <p>WDC recommends that the proposed objective is amended and additional objectives are used if necessary to:</p> <ul style="list-style-type: none"> <li>• Better assist plan users with a clearer understanding of the intent and purpose of the policies.</li> <li>• Articulate a clear outcome(s) that the plan is seeking to achieve</li> <li>• Where appropriate address trade-offs and resolutions of particular issues.</li> </ul>

		WDC consider that such amendments will improve the workability and readability of the plan.
--	--	---

Provision	Relief Sought	Reason
<b>H. Appendices</b>		
H.1 Wastewater Network Management Plans	Support in part	<p>Some of the requested information to support the preparation of Wastewater Management Plans is not readily available. Consequently, NRC should assess and approve Wastewater Management Plans on a case by case basis.</p> <p>As identified earlier in this submission, WDC has requested extended timeframes for management plans to be provided (a minimum of 5 years). The information required under the plans will require significant resourcing and this will need to need to be funded through the long term plan process.</p>
H.2 Stormwater Network Management Plans	Support in part	<p>Some of the requested information is not readily available. Consequently, NRC should assess and approve Stormwater Management Plans on a case by case basis. It is requested that condition 8) be reworded to require “a description of the operation and maintenance programme for the network”, to avoid a massive data transfer.</p> <p>As identified earlier in this submission, WDC has requested extended timeframes for management plans to be provided (a minimum of 5 years). The information required under the plans will require significant resourcing and this will need to need to be funded through the long term plan process.</p>

Provision	Relief Sought	Reason
<b>I. Maps</b>		
New Map layer requested for Registered Drinking Water Supply Intakes (and associated buffer zones).	Add Maps (supported by rules)	In order to protect the quality of the region's drinking water supplies, WDC seeks that the mapping of abstraction points for registered public water supplies be included under the Regional Plan, supported by a rule framework which adopts a 'buffer zone' around the intakes to regulate catchment management and discharges within the specified proximity to these intakes (i.e. 5km). This rule framework and map layer should be developed through collaboration with territorial authorities and the District Health Board.
New Map layer requested for Acid Sulphate Soils	Add Maps (supported by rules)	Over recent years there has been mounting evidence that soils, known as "Acid Sulphate Soils" are abundant throughout Northland. The Marsden City Development in Ruakaka is a well known example of the risks that acid soils present to infrastructure, however the environmental effects of acid soil disturbance (well documented overseas) are less understood in New Zealand. WDC considers that the correlation between acid soil disturbance and risk of environmental harm through the release of acidity and metals into groundwater and habitat systems should be explored further, and that this is a matter that sits appropriately under the functions of the Regional Plan, given the document regulates land disturbance, dredging and dewatering activities. In support of this request, WDC has commissioned Opus to map the risk of acid soils across the Northland Region. WDC request that acid sulphate soils are mapped and appropriate rules included in the proposed Regional Plan. Further detail is located later in this submission.

## Genetically Modified Organisms

NRC is a member of the Inter-council Working Party on GMO Risk Evaluation and Management Options. Other councils on the Working Party, namely Auckland Council, Whangarei District Council and Far North District Council, have included provisions in their planning documents to regulate the outdoor use of genetically modified organisms (GMOs). All three councils have prohibited the release of GMOs on land and made field trials a discretionary activity with performance standards in regard to liability and the posting of bonds. Auckland Council (as a Unitary Authority) has also prohibited the release of GMOs in the Coastal Marine Area (CMA) and made field trials within the CMA a discretionary activity with performance standards in regard to liability and the posting of bonds.



The Regional Policy Statement (RPS) for Northland contains provisions relating to GMOs. These provisions are currently under appeal and are not yet operative. However, they are likely to require a precautionary approach to outdoor uses of GMOs. To maintain consistency with other member councils on the Inter-council Working Party and in anticipation of operative precautionary provisions in the RPS it is submitted that NRC should include provisions relating to GMOs in the CMA in its Proposed Regional Plan for Northland. These provisions should be the same (or similar) as those in the Auckland Unitary Plan to ensure a consistent approach across Northland and Auckland and eliminate cross boundary issues.

The Auckland Unitary Plan GMO provisions are available on request or from the Auckland Council website. These provisions include objectives, policies, and rules. The rule table is reproduced below:

Table E37.4.1 Activity table specifies the activity status of the use of genetically modified organisms on land pursuant to section 9(3) of the Resource Management Act 1991 and the activity status of works, occupation and activity in the coastal marine area pursuant to sections 12(1), 12(2) and 12(3) of the Resource Management Act 1991. The following activities are included in the activity table:

(A1) Genetically modified organism activities not specifically provided for or prohibited, including research within contained laboratories, medical applications, and veterinary applications involving use of non-viable genetically modified products are Permitted Activities.

(A2) Genetically modified organism field trials on land and within the coastal marine area and any structure intended to house, or otherwise contain, plants and animals which are associated with the conducting of genetically modified organism field trials are Discretionary Activities.

(A3) The use of any viable genetically modified veterinary vaccine of a specific dose supervised by a veterinarian is a Permitted Activity.

(A4) The use of any viable genetically modified veterinary vaccine not otherwise provided for is a Discretionary Activity.

(A5) Genetically modified organism releases – food-related on land and within the coastal marine area and any structure intended to house or otherwise contain plants and animals which are associated with outdoor genetically modified organisms releases, except as specifically provided for, are Prohibited Activities.

(A6) Genetically modified organism releases – non food-related on land and within the coastal marine area and any structure intended to house or otherwise contain plants and animals which are associated with outdoor genetically modified organism releases, except as specifically provided for, are Prohibited Activities.

Outdoor field trials, including those in the CMA, have performance standards applying to them including liability provisions and the posting of bonds to address potential economic or environmental harm.

The Unitary Plan also contains definitions for:

*Genetically modified organism; Genetically modified organism field trials; Genetically modified organism release; Veterinary vaccine; Genetically modified veterinary vaccine; Viable genetically modified vaccine*

The plan provisions in the Auckland Unitary Plan and in the WDC and FNDC District Plans are based on draft plan provisions and a section 32 analysis produced by the Inter-council Working Party. These are available on the WDC website or on request. There is a number of supporting legal opinions associated with this work, also available on the WDC website or on request. It is submitted that the analysis required to support similar provisions relating to the CMA in the Proposed Regional Plan for Northland is readily available and equally applicable to Northland.

WDC requests that provisions, similar to the GMO provisions in the Auckland Unitary Plan relating to the CMA be included in the Proposed Regional Plan for Northland.

## **Outstanding Natural Feature Mapping- One Tree Point**

Outstanding Natural Feature Boundaries for One Tree Point – WDC opposes the spatial extent of this feature as mapped under the proposed Outstanding Natural Feature Maps.

Submission:

WDC supports the accurate and consistent mapping of Outstanding Natural Features across both regional and district planning documents. WDC has previously raised concerns surrounding the accuracy of the mapping of the geological feature at One Tree Point and has made a submission to WDC's Plan Change 114 *Landscapes* and provided comments to the draft Regional Plan requesting that the mapping of this ONF is accurate, consistent across district and regional documents, and informed by a detailed geological assessment.

Appendix 4 of the Regional Policy Statement identifies the One Tree Point ONF under Table 1: *'those feature that meet items 1 and 2 but that have not been mapped to date. These are likely to qualify as outstanding natural features and are to be subject to further assessment and mapping as stated in Method 4.5.4(3)'*.

In order to inform an accurate mapping of the spatial extent of the feature, WDC has commissioned a geological report by Tonkin and Taylor (attached to this submission) which provides an assessment of the geological values and spatial extent of this feature. Upon review of the proposed Outstanding Natural Feature maps, concerns are raised relating to the extent of the 'wet' parts of the ONF. In particular, the extent of the feature which is shown as extending over the intertidal zone. The Tonkin and Taylor report suggests that no part of the feature should extend into the beach or intertidal area:

*"We do not believe that the ONF should extend seaward of the cliffs into the beach or intertidal zone. One of the reasons for One Tree Point being considered an ONF is that it shows a complete regressive depositional sequence. Exposures on the beach or in the intertidal zone are not only extremely limited but they only show the lowest (marine) part of the sequence. With the bulk of the regressive sequence having been eroded away and lost, we do not believe that the ONF can be defined as extending*

*seaward of the coastal cliffs. The other feature of the ONF (although not one originally listed in the geopreservation inventory) are the trace fossils). T+T found all outcrops within the beach and intertidal zone to be so degraded by marine boring organisms that any trace fossils they contained have effectively been destroyed.”*

### **Relief Sought:**

WDC would like to ensure that the mapping of the feature is accurate and corresponds to the defined geological area that meets the criteria to be considered an ONF. The expert geological advice received by WDC suggests no part of the feature should extend onto the beach or intertidal area and relief is sought to correct the maps accordingly. It is not appropriate for a ‘buffer’ area which extends well beyond the actual feature which meets the criteria for ‘Outstanding’ classification to be incorporated into the proposed maps. To support the accurate geological mapping of the ONF at One Tree Point under the Proposed Regional Plan, WDC supplies the attached ‘Geological Assessment of ONF, One Tree Point Cliffs, Northland’ prepared by Tonkin and Taylor, Sept. 16.

## **Acid Sulphate Soils**

### **Submission:**

Over recent years there has been mounting evidence that soils, known as “Acid Sulphate Soils” are abundant in Northland. These soils contain a naturally elevated level of sulphides within anaerobic conditions. When disturbed and exposed to oxygen (i.e. following excavation, dredging or dewatering), the sulphides can release acidity. Examples have been found in the Bream Bay area and coastal areas around Whangarei City.

If left undisturbed without exposure to oxygen, sulphides remain in the soil without causing any major issues. If the sulphides are disturbed, such as through drainage which lowers the groundwater level, or earthworks which aerate the soil, the sulphides can react with oxygen. When the sulphides react with oxygen this can release sulphuric acid which can allow acidic runoff. Acidic runoff can have a number of implications on the natural environment and the built environment. These adverse effects include potential negative effects on aquatic ecosystems (fish and plant life), adverse affects on crop growth and yield where irrigation water has high concentrations of metals, adverse effects on drinking water through pH change, concentrations of dissolved metals or load of suspended solids, loss of recreational amenity from acidic water (including foul odours and loss of aesthetic appeal through discoloration of water). Iron from acid soils is known to stimulate harmful algal blooms (e.g. *Lyngbya majuscula* or Fireweed).

### **Natural Environment**

When groundwater becomes more acidic, metals, which naturally exist in the soil, can become more soluble. This can cause them to leach out of the soil and be discharged into the environment. When dissolved in acidic solution the metals are often colourless and cannot be seen, but when the acidic runoff are neutralised (i.e.

mixes with downstream water or reacts with concrete), the metals fall out of solution and become visible. A very visible example occurs with iron. Iron oxide “rust” stains on surfaces are commonly associated with acidic runoff which has since neutralised.

Other metals such as aluminium, arsenic and manganese can also become more soluble and the resulting increase in metal concentration can be toxic.

#### *Built Environment*

Acidic conditions are corrosive to certain materials, particularly to concrete, and somewhat corrosive to metals such as steel. Therefore if these materials are placed in these soils with no consideration or management of the potential acidity, the full design life cannot be guaranteed.

Management of sulphate soils fits well the Regional Policy Statement objectives:

#### *Region-Wide Water Quality*

Objective 3.2 of the Regional Policy Statement seeks an overall improvement in the quality of Northland’s fresh and coastal water. The effective management of acid sulphate soils prevents the release of runoff high in acidity and dissolved metals into groundwater and surface water bodies. Therefore acid sulphate soil management aligns with this objective.

#### *8.1.2. Indigenous Ecosystems and Biodiversity*

Objective 3.4 of the Regional Policy Statement seeks to at least maintain the extent and diversity of indigenous ecosystems and habitats in the region. This is to be achieved through a combination of protection and enhancement activities and processes. The effective management of acid sulphate soils prevents the release of runoff high in acidity and dissolved metals into groundwater and surface water bodies, thereby preventing acid and metal runoff into indigenous ecosystems. Therefore acid sulphate soil management aligns with this objective.

#### *8.1.3. Enabling Economic Wellbeing*

Objective 3.5 of the Regional Policy Statement recognises that the way natural and physical resources (including infrastructure) are managed is important to the economy. If unmanaged, acidity released by acid sulphate soils can shorten the life of infrastructure and/or exploit and aggravate weak points. The effective management of acid sulphate soils protects infrastructure which is important to the economy. Therefore acid sulphate soil management aligns with this objective.

#### **Relief Sought:**

That the Regional Plan address the effects of acid sulphate soils through amendment to the following rules:

- C.8.3.1 Earthworks

- C.8.3.2 Earthworks,
- C.4.1 Land Drainage
- C.4.5 Land Drainage Schemes – controlled activity,
- C.5.1.5 Water take associated with bore development, bore testing or dewatering – Permitted Activity
- C.1.5.7 Clearing Artificial Water Courses – Permitted Activity
- C.1.5.8 Clearing tidal stream mouths – Permitted Activity
- C.1.5.10 Maintenance dredging – Controlled Activity.

It is requested that a policy be added on the 'disturbance of acid sulphate soils' with amendment to D.4.26 to Avoid, minimise, mitigate effects from dewatering of Acid Sulphate Soils and D.4.31 to avoid adverse effects on aquatic receiving environments that are sensitive to acidity and heavy metals released by acid sulphate soils.

A map of affected areas is appended to this submission and it is requested that mapping of Acid Sulphate Soils be included in the Regional Plan to support an appropriate rule and policy framework.





## Geological Assessment of ONF

One Tree Point Cliffs, Northland

Prepared for  
Whangarei District Council

Prepared by  
Tonkin & Taylor Ltd

Date  
September 2016

Job Number  
1000267



*Exceptional thinking together*

[www.tonkintaylor.co.nz](http://www.tonkintaylor.co.nz)

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## Executive summary

One Tree Point is located on the southern coast of Whangarei Harbour, immediately inland from Marsden Point and Bream Bay. The operative Regional Policy Statement (RPS) lists the cliffs as an Outstanding Natural Feature (ONF) of National Significance.

Whangarei District Council (WDC) is considering making a submission to Plan Change 114 to seek an amendment as to the extent or significance of the mapped feature under both the proposed Regional Plan and PC114. In order to make the decision to proceed with a submission, WDC will require independent geological advice. That advice is the subject of this report.

A site walk-over was undertaken by a Senior Engineering Geologist from Tonkin & Taylor Ltd on 29 August 2016. Based on the site visit and a review of the relevant documentation, we have developed the following conclusions regarding the ONF:

- The geological nature of the ONF is as described in Kenny and Hayward (1996) and Hayward (2015);
- The longitudinal extent of the ONF as mapped in the geopreservation inventory (and subsequently in relevant planning maps) appears to be incorrect. Based on field mapping T+T believe that the south-western end of the feature lies at approximately 40 Kororo Road, some 250m east of the Shearwater Street termination indicated on the other documents;
- The significant observable features of the site are restricted to the coastal section above the intertidal zone. T+T does not believe that the ONF should extend into the beach or intertidal areas as indicated in the draft Regional Plan;
- The RPS incorrectly refers to the large inland dune field rather than the coastal exposure, although the latter is correctly identified on the accompanying map;
- The characterisation of the ONF as being of national significance is considered to be appropriate;
- The ONF is considered to be at significant risk of damage or destruction, however the single greatest risk to it is from natural erosive processes. A considered approach to engineering works within the ONF might actually be beneficial to long term preservation. This should be considered when assessing future restrictions on activities in this area

## 1 Introduction

One Tree Point is located on the southern coast of Whangarei Harbour, immediately inland from Marsden Point and Bream Bay. A feature of One Tree Point are the sub-vertical cliffs that face Whangarei Harbour to the west.

The operative Regional Policy Statement (RPS) lists the cliffs as an Outstanding Natural Feature (ONF) of National Significance (Ref: 2961). The extent of the ONF is shown on the RPS, Regional Plan and Whangarei District Plan. We understand that recently notified Plan Change 114 (Landscapes) seeks to give effect to the maps and the objective, policies and rules associated with the RPS and Regional Plan.

Whangarei District Council (WDC) is considering making a submission to PC114 to seek an amendment as to the extent or significance of the mapped feature under both the proposed Regional Plan and PC114. In order to make the decision to proceed with a submission, WDC requires independent geological advice. WDC has commissioned Tonkin & Taylor Ltd (T+T) to undertake a geological assessment of the ONF and to provide the necessary advice. The geological assessment is the subject of this report.

## 2 Scope of Work

The scope of the geological assessment reported here was as follows:

- Review references to the One Tree Point ONF in the various relevant plans (e.g. RPS, PC114) as well as other relevant geological documents;
- Review the criteria by which the One Tree Point cliffs were evaluated as ONF of regional significance;
- Undertake a site visit to examine the mapped extent of the ONF (on-shore and coastal) as well as adjacent areas. The site visit would be used to characterise the nature of the cliffs and wave-cut platform;
- Prepare a brief report presenting the results of the site visit and our assessment of the ONF with respect to their characterisation in the various planning documents.

The scope of the assessment was limited to providing WDC with the information and advice that it requires to make a decision on whether a submission to PC114 would be advisable.

## 3 Identification the Cliffs as a Feature of Significance

One Tree Point is located within an area of coastal dunes that extends over the broader Marsden Point area. The dunes are the upper part of a regressive coastal depositional sequence reflecting the lowering of sea level during the Late Pleistocene. The dunes are sequentially underlain by beach deposits and shallow marine sands. Although the Pleistocene geology occurs over a large physical area, it is only the coastal cliffs at One Tree Point that expose the full sequence.

Kenny and Hayward (1996) included the coastal exposures at One Tree Point within their inventory of important geological sites and landforms in the Northland Region. It is described as follows:

### ***One Tree Point interglacial beach and dune deposits***

***Significance:*** Well exposed Late Pleistocene regressive coastal sand sequence. Only remaining exposures in the area that are not obscured by coastal foreshore protection works, and should be left in their unmodified state.

***Description:*** Coastal cliff and foreshore exposures show a shallowing upwards regressive sequence from shallow marine sand through beach sand to coastal foredune, with overlying swamp deposits in interdune hollows.

**Locality:** Southern shore of Whangarei Harbour west of Marsden Point, from One Tree Point southwestwards for 1 km.

**Classification:** Importance = B Vulnerability = 1

**Hazards:** Port development, coastal foreshore protection works

The Importance classification of “B” refers to a “*site of national significance, educational or aesthetic importance*”. The Vulnerability classification of “1” refers to a site that is considered to be “*Highly vulnerable to complete destruction or major modification by humans*”.

The inventory was developed as a compilation of information provided to a coordinating group of interested societies by individuals. No field work was undertaken. The extent of the feature was indicated in Kenny and Hayward (1996) by a sketch added to a topographic map (Figure 1 below). It is described as the “*only remaining exposures in the area that are not obscured by coastal foreshore protection works*”.

The geopreservation inventory has been updated since 1996. It also indicates the extent of the One Tree Point feature on a GIS map (Figure 2). Overlaying this map on an aerial photograph indicates that the feature extends from the boat ramp in the north to Shearwater Street in the south-west (Figure 3). A feature described as the “One Tree Point relict dunes and beach ridges” is shown by the inventory extending to the south and east of One Tree Point (Figure 4).

Hayward (2015) reassessed all of the sites listed in the Regional Policy Statement and the geopreservation inventory with respect to them being listed as ONF. Hayward (2015) recommended that the broader inland feature (relict dune and beach ridge) not be recognised as an ONF. The coastal exposures were recommended to remain as ONF but that “unnecessary private land” be removed, essentially restricting it to the cliff-top esplanade and beach.

The One Tree Point ONF presented in Hayward (2015) retained the same importance (B) and vulnerability (1) status as Kenny and Hayward (1996) however the description was expanded to include the following comments on trace fossils<sup>1</sup>:

- “*..with spectacular intertidal trace fossils*”
- “*Contains some of the best New Zealand examples of unusual shallow marine trace fossils*”
- “*Excellent trace fossil assemblages characterise each paleo-environment*”

The comment in the 1996 inventory that “*... and should be left in their unmodified state.*” was removed.

## 4 Planning Documents and Recognition as an ONF

### 4.1 Regional Policy Statement

Section 6 of the Resource Management Act 1991 (RMA) requires the protection of outstanding natural features and landscapes. This is recognised in the Northland Regional Policy Statement (RPS), a document prepared by the Northland Regional Council (NRC) that provides a broad direction and framework for managing Northland's natural and physical resources. The current RPS was made operative on 9 May 2016.

The RPS lists the “*One Tree Point relict dunes and beach ridges*” in Table 1 of Appendix 4, which presents those ONF considered to be both natural and of regional significance. The accompanying GIS map (Figure 5) indicates that the ONF covers the same area indicated in the geopreservation inventory (Figure 2) although extending beyond the shoreline.

<sup>1</sup> Trace fossils are not the remains of physical animals but the preservation of their activities e.g. burrows, tracks etc.

It appears that the RPS intended to refer to the “*interglacial beach and dune deposits*” exposed within the coastal cliffs of One Tree Point as the ONF, however it actually appears to mistakenly refer to the broader inland plain (Figure 4). It is the latter feature that Hayward (2015) recommended not to be considered an ONF.

## 4.2 Regional Plan

The NRC Regional Plan is currently out for consultation. It maps the extent of the One Tree Point ONF from the boat ramp to Shearwater Street (i.e. it corresponds to the geopreservation inventory), although it is limited to the coastal foreshore area only (Figure 6).

## 4.3 Whangarei District Plan

The Whangarei District Plan (WDP) became operative in 2007. Appendix 13 of the WDP lists outstanding natural features and geological sites in Whangarei District including the One Tree Point coastal exposures. The WDP uses the same importance and vulnerability ratings as Kenny and Hayward (1996) as well as the same description of the materials for the feature. Its extent corresponds to that in the geopreservation inventory and RPS, although it appears to be limited to the onshore area (Figure 7).

# 5 Site Observations

A site walk-over was undertaken by a Senior Engineering Geologist from T+T on 29 August 2016. The following commentary is based on that visit.

## 5.1 Geology

One Tree Point is located at the northern end of a Pleistocene dune field (Nichol, 2002). During the Pleistocene, the One Tree Point - Marsden Point area was for a time a shallow marine environment as a result of high (interglacial) sea levels. As sea levels dropped in the Late Pleistocene, the sea regressed, resulting in the shallow marine environment being replaced with a beach environment and ultimately a coastal onshore dune environment.

This transition can be seen in the cliffs at One Tree Point as an upwards sequence of cross-bedded shallow marine sediments overlain by laminar bedded beach deposits which in turn are overlain by large-scale cross-bedded dune deposits (Figure 8). A variety of organic-rich swamp deposits have formed in the low-lying inter-dune depressions.

The shallow marine, beach and dune deposits all consists of quartz sand with abundant lithic (rock) fragments and heavy minerals. They are generally well sorted, fine to medium grained and uncemented to very weakly cemented. The dune and beach sands are essentially non-lithified, although the shallow marine sands can be described as an extremely weak rock. There tends to be a greater degree of iron deposition and cementation towards the boat ramp (north-eastern portion) compared to the south-west.

## 5.2 Coastal Platform - Beach

The intertidal area consists of a very gently sloping sand beach. Very little exposure of the shallow marine sands (extremely weak rock) seen in the base of the coastal cliffs occurs within the intertidal area (Figure 9). What rock is exposed has been extensively damaged by the boring activity by marine organisms (Figure 10).

### 5.3 Cliffs

The regressive depositional sequence is well exposed within the cliffs that extend nearly the full distance from the boat ramp in the north-east to the end of Karoro Road in the south-west. Perhaps the most spectacular exposures occur towards the south-western end of the cliffs in the vicinity of the navigation beacon (Figure 11). These cliffs are replaced by vegetated slopes with foreshore protection works within approximately 80m of the navigation beacon.

The prominent feature of the cliff exposures are the abundant trace fossils referred to in Hayward (2015). Examples are shown in Figures 12 to 14.

## 6 Discussion and Conclusions

### 6.1 Nature of Feature

The site walk-over has confirmed the nature of the geological sequence exposed at one Tree Point as being a regressive (upward shallowing) shallow marine to foredune sequence. An unusual abundance of trace fossils is also present.

### 6.2 Extent of Feature

Exposures of the regressive sequence extend from the boat ramp in the north-east to a point approximately 80m south-west of the navigation beacon located within the coastal esplanade. This places the extent of the exposures (and generally unmodified foreshore) to approximately No. 40 Kororo Road, not to shearwater Street as indicated by the geopreservation inventory and planning documents. We believe that the feature as currently mapped is approximately 250m longer than is justified (Figure 15).

We do not believe that the ONF should extend seaward of the cliffs into the beach or intertidal zone. One of the reasons for One Tree Point being considered an ONF is that it shows a complete regressive depositional sequence. Exposures on the beach or in the intertidal zone are not only extremely limited but they only show the lowest (marine) part of the sequence. With the bulk of the regressive sequence having been eroded away and lost, we do not believe that the ONF can be defined as extending seaward of the coastal cliffs.

The other feature of the ONF (although not one originally listed in the geopreservation inventory) are the trace fossils). T+T found all outcrops within the beach and intertidal zone to be so degraded by marine boring organisms that any trace fossils they contained have effectively been destroyed.

### 6.3 Importance

The site is considered by the geopreservation inventory as being of national significance. This rating reflects both the quality and extent of the exposure as well as the unusually extensive occurrence of trace fossils.

T+T consider that the geological significance applied to this feature is most likely appropriate.

### 6.4 Vulnerability

The ONF is classified in all documentation as being *“highly vulnerable to complete destruction or major modification by humans”*. The extremely weak nature of the deposits makes the cliffs extremely vulnerable to instability and regression. Slumps from the face of the cliffs and the formation of caves at their base are common features. In effect the greatest hazard to the long-term preservation of the coastal exposures are natural erosive processes.

The One Tree Point West coast is likely to have been in long-term retreat since the stabilisation of sea levels in the mid-Holocene. Based on aerial photography interpretation and field measurements, Gibb (1997) estimated that the cliffs in the vicinity of the navigation beacon have retreated at an average of 53mm/year, although rates closer to 100mm/year occur in places.

In all likelihood, any human activity that could impact the cliffs would be undertaken to reduce erosion and damage to the ONF. Given the poor exposure of the ONF within the intertidal zone, the construction of low structures to prevent wave-induced erosion would likely have minor to negligible effects on the ability to observe the geology of this area. Clearly any process by which the cliffs are reduced in angle and vegetated would completely remove the geological features of the site.

The complete absence of engineering works on the cliff line could potentially lead to the ONF's degradation through natural processes.

## 6.5 Conclusions

T+T has undertaken a review of the One Tree Point ONF, including a site visit. We have developed the following conclusions:

- The geological nature of the ONF is as described in Kenny and Hayward (1996) and Hayward (2015);
- The longitudinal extent of the ONF as mapped in the geopreservation inventory (and subsequently in relevant planning maps) appears to be incorrect. Based on field mapping T+T believe that the south-western end of the feature lies at approximately 40 Kororo Road, some 250m north-east of the Shearwater Street termination indicated on the other documents;
- The significant observable features of the site are restricted to the exposures within the coastal cliffs. T+T does not believe that the ONF should extend into the beach or intertidal areas as indicated in the draft Regional Plan;
- The RPS incorrectly refers to the large inland dune field rather than the coastal exposure, although the latter is correctly identified on the accompanying map;
- The characterisation of the ONF as being of national significance is considered to be appropriate; and
- The ONF is considered to be at significant risk of damage and degradation, however the single greatest risk to it is from natural erosive processes. A considered approach to engineering works within the ONF might actually be beneficial in the long term. This should be considered when assessing future restrictions on activities in this area.

## 7 References

Gibb, C. R., (1997). *Seacliff Erosion and Solutions for Western One Tree Point, Whangarei Harbour, Whangarei District*. Report prepared for Whangarei District Council.

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Northland Regional Council (2014). *Outstanding Natural Features, Mapping Methodology Report*.

## 8 Applicability

This report has been prepared for the exclusive use of our client Whangarei District Council, with respect to the particular brief given to us and it may not be relied upon in other contexts or for any other purpose, or by any person other than our client, without our prior written agreement.

Tonkin & Taylor Ltd

Report prepared by and authorised for Tonkin & Taylor Ltd by:



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Kevin J. Hind

Technical Director, PEngGeol

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## Figures

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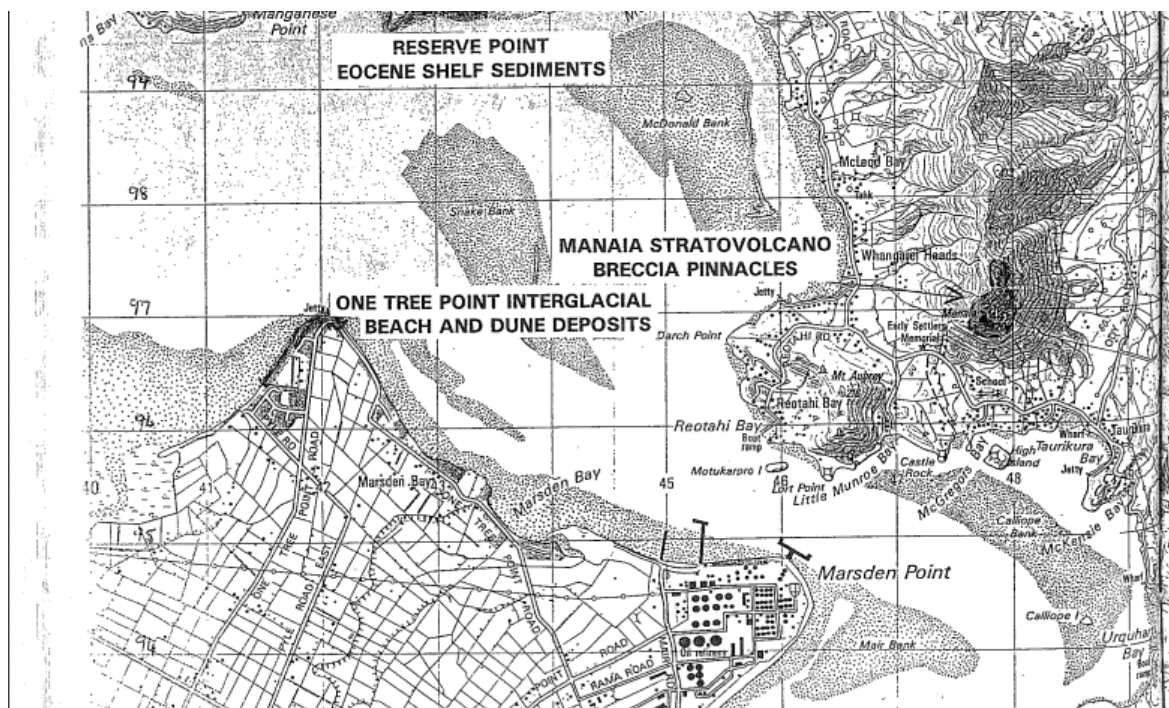


Figure 1: Part of map from Kenny and Hayward (1996) indicating the general location of the One Tree Point ONF

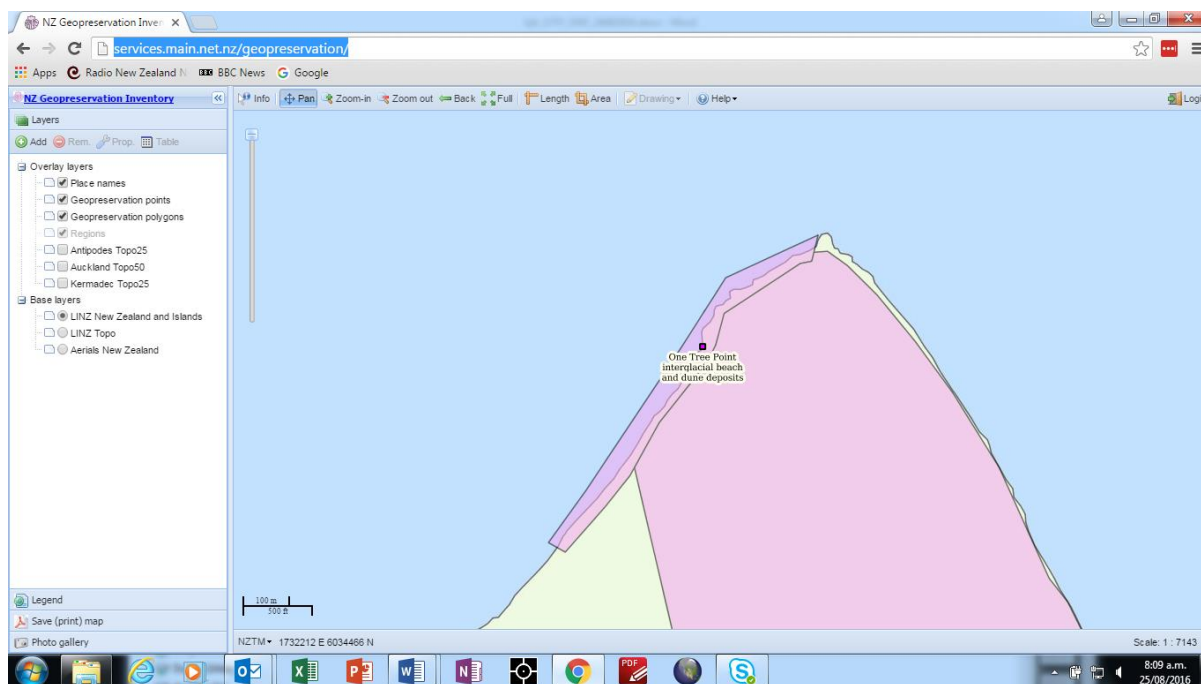
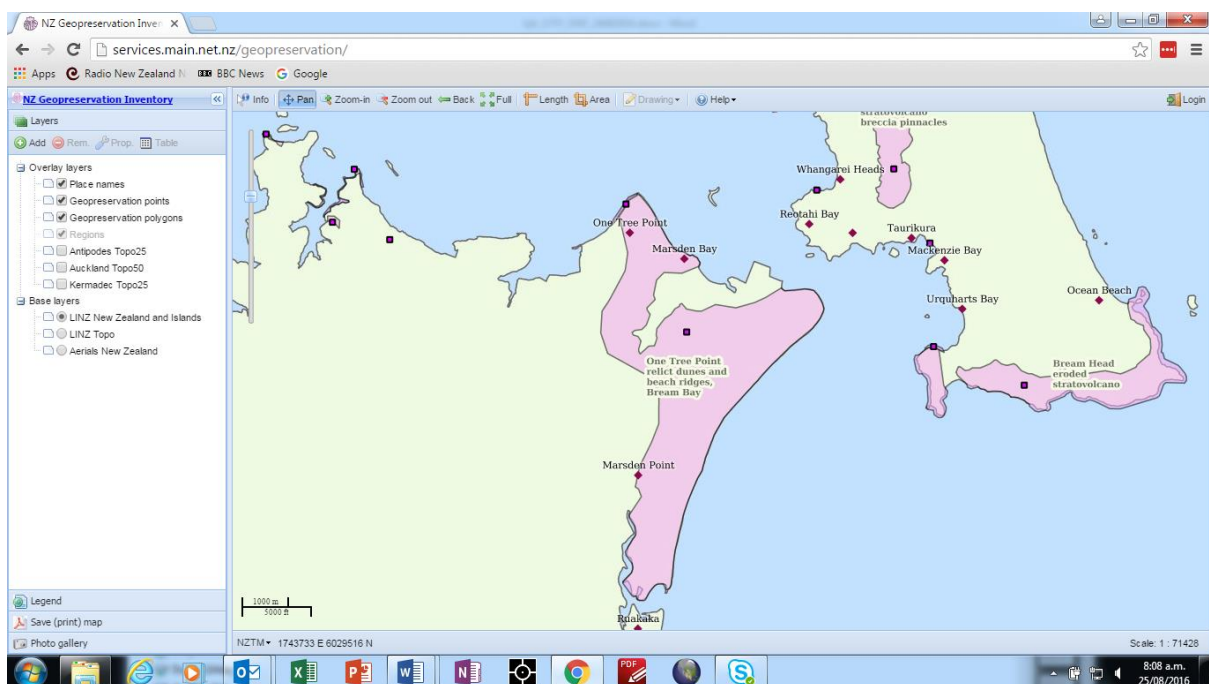


Figure 2: Screen shot of the Geopreservation Inventory showing the One Tree Point interglacial beach and dune deposits. The pink area to the south is the “relict dune and beach ridges” feature. (<http://services.main.net.nz/geopreservation/>)



**Figure 3:** Google Earth image with the extent of the One Tree Point feature shown in the geopreservation inventory indicated by the red line. It extends from the boat ramp in the north to Shearwater Road.



**Figure 4:** Geopreservation inventory showing the extent of One Tree Point relict dunes and beach ridges to the south and west of the coastal exposures.



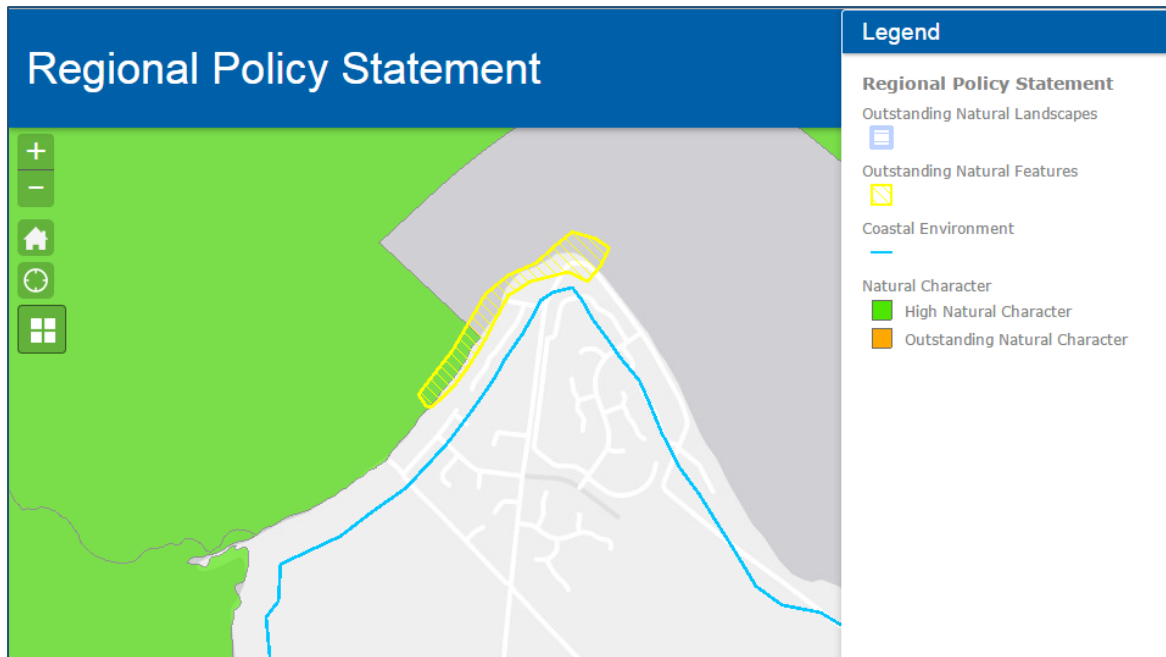


Figure 5: Map from RPS indicating the extent of the One Tree Point ONF



Figure 6: Extent of One Tree Point ONF as indicated in the draft Regional Plan



Figure 7: Proposed District Plan (PC114) indicating the extent of the ONF at One Tree Point (green lines)

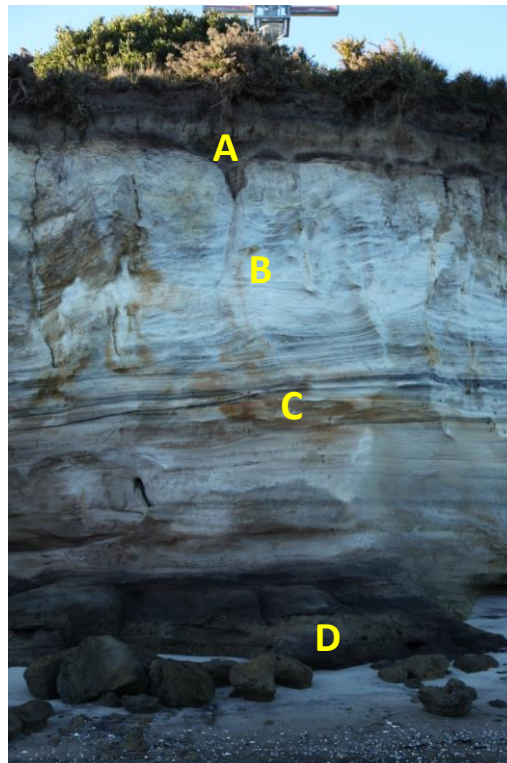


Figure 8: Cliff below the Navigation Beacon exposing the complete stratigraphic sequence of One Tree Point: A) Organic rich surface deposits; B) cross-bedded foredune deposits; C) sub-horizontally bedded beach deposits; D) cross-bedded shallow marine sands.





*Figure 9: View of the beach looking north-east. Limited occurrences of Pleistocene shallow marine sediments can be seen exposed on the beach as extremely weak rock.*



*Figure 10: Intense surficial boring of extremely weak rock exposed within the intertidal zone*





*Figure 11: Large eroding cliffs in front of Karoro Road. The navigation beacon can be seen in the middle. The cliffs are replaced by vegetated slopes with coastal protection works immediately to the right of the photograph*



*Figure 12: Examples of large trace fossils in the shallow marine sediments*



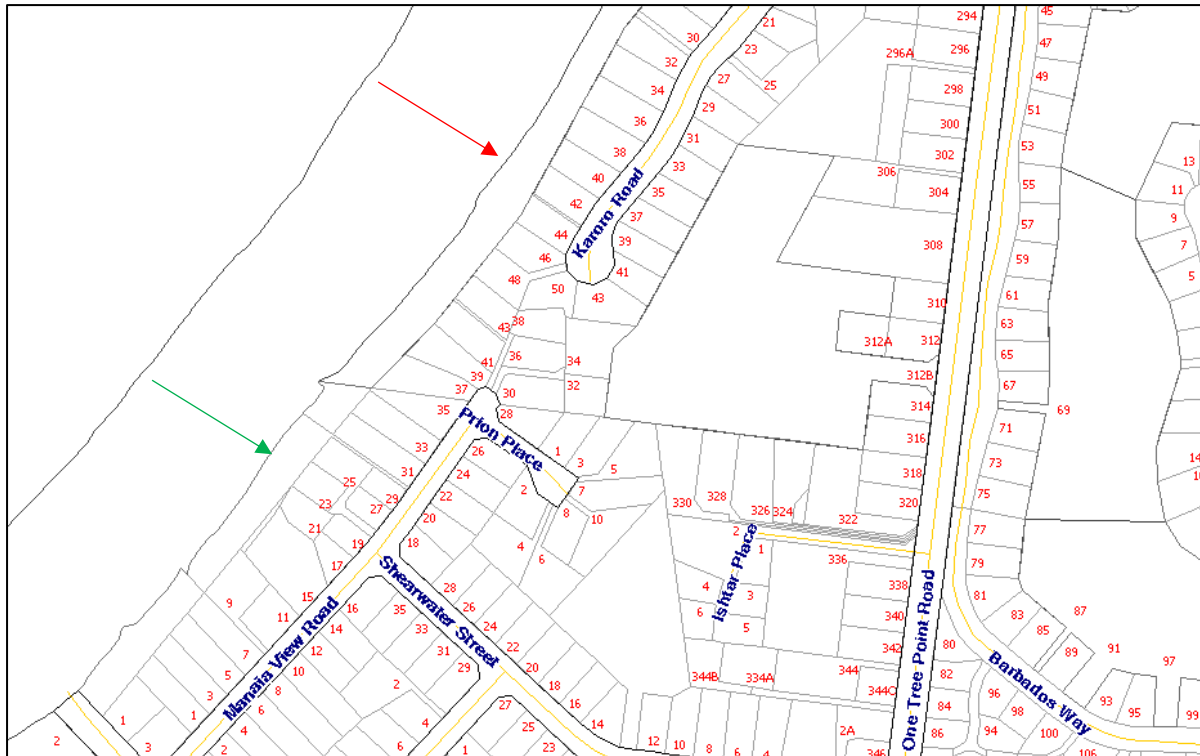


*Figure 13: Band of intensely bioturbated shallow marine sediments (centre) overlying larger individual trace fossils*



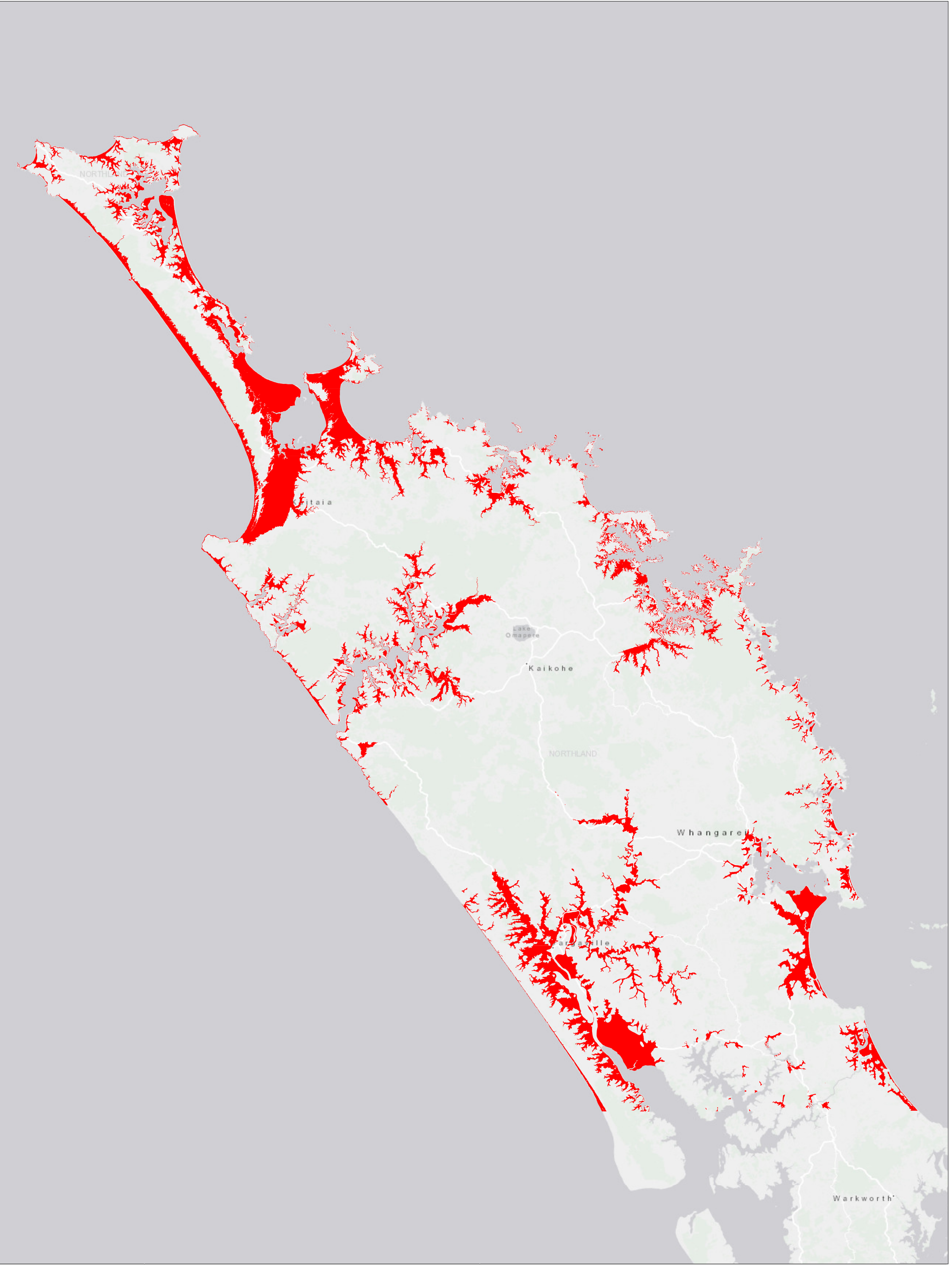
*Figure 14: Trace fossils within the laminated beach deposits*





**Figure 15:** Cadastral map indicating the south-western end of the ONF. Red indicates the end of the ONF based on field mapping by T+T. Green indicates the end of the ONF shown in the geopreservation inventory and planning documents (map source: Terraviva).







## Memorandum

To Simon Weston, Manager, Infrastructure and Services.

From Tony Horton, Manager- Strategy  
Gemma Sands, Team Leader Planning, Infrastructure and Services.

Subject **Whangarei District Council Submission to the Proposed Regional Plan for Northland**

Date 20 October 2017

The Proposed Regional Plan for Northland provides a regulatory framework for the management of the Region's fresh water, land, air and the coast. The combined document will ultimately supersede the three current regional plans which manage these areas. The draft document was released by the Northland Regional Council for consultation on 8 August 2016, and technical feedback was provided by WDC staff on the draft document. The proposed plan, released by the NRC on 6 September 2017, has in some areas, adopted the recommendations previously made by WDC through the 2016 feedback exercise, however the attached submission seeks relief/ clarification on a number of outstanding issues which have an impact on WDC's core functions and services. The submission deadline closes on 15 November 2017.

The attached submission has been prepared by a WDC Project Team including Infrastructure and Services staff (planners and asset managers) and Policy/ Strategy staff. Collaboration with Far North and Kaipara District Councils has also occurred.

Council Delegations Manual (March 2014) requires that a submission on Plan Changes (ref G-IS12) be approved by the Chairperson of the Infrastructure Committee plus any two other members of the Infrastructure Committee and the Group Manager Infrastructure and Services.

### Recommendation

That the Chairperson of the Infrastructure Committee plus any two other members of the Infrastructure Committee and the Group Manager Infrastructure and Services approve the attached submission and that it be submitted for consideration by 23 September 2016.

I approve the recommendation.

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Simon Weston  
Manager Infrastructure and Services

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Cr. Greg Martin  
Chairperson, Infrastructure Committee

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Committee Member Name: \_\_\_\_\_

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Committee Member Name: \_\_\_\_\_



## 4.2 Temporary Road Closure – Ngapuhi Festival 2018

**Meeting:** Infrastructure Committee

**Date of meeting:** 9 November 2017

**Reporting officer:** Jenny Calder

### 1 Purpose

Te Runanga A Iwi O Ngapuhi request a temporary road closure for the Ngapuhi Festival 2018.

### 2 Recommendations

That the Infrastructure committee

- a) approves the following road to be closed to ordinary traffic for the Ngapuhi Festival 2018 being organised by Te Runanga A Iwi O Ngapuhi, in accordance with the Local Government Act (1974)
  - i. Okara Drive, from the roundabout intersecting Porowini Avenue and Okara Drive to the roundabout intersecting Okara Drive and Port Road

Date of closure: Saturday 27 January 2018

Period of closure: 5:30am to 9:00pm
- b) approves the side roads off the road to be closed also be temporarily closed for a distance of up to 100metres from the intersections for safety purposes
- c) delegates the Chair of the Infrastructure Committee and the Infrastructure Service Group Manager the power to consider objections and cancel or amend any or all of the temporary road closure if applicable.

### 3 Background

Traditionally a bi-annual event held in Kaikohe over a two-day period, Te Rungana A Iwi O Ngapuhi have opted to bring the Ngapuhi Festival 2018 event to Whangarei. Being held at Toll Stadium, and held over one day, the expectations are that the event will attract up to 20,000 patrons.

## **4 Discussion**

To ensure the event is run as safely as possible, the organisers are working with an approved provider to have effective traffic management plans in place for the event.

### **4.1 Risks**

The temporary road closure will enable the event organisers to manage the risks around the roadways and pedestrian areas.

Traffic management plans will be provided to council for approval prior to the event and implementation of the closures will be managed by approved contractors.

Consultation with affected parties within the closure areas will be carried out by the applicant, and appropriate signage will be erected to advise the public of the intended closures prior to the events.

Staff are working closely with contractors and Te Runanga A Iwi O Ngapuhi by to ensure the event is well managed and our public are well informed.

## **5 Significance and engagement**

The decisions or matters of this Agenda do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via Agenda publication on the website, Council News, Facebook and marketing channels utilised by the event organiser. This will include radio, social media, print media, banners and billboards.

## **6 Attachments**

Temporary road closure request.



27 September 2017

Team Leader ( Operations)

Venues & Events

Whangarei District Council

Whangarei.

Attention Jenny Calder

Te Runanga A Iwi O Ngapuhi request a temporary road closure for the Ngapuhi Festival 2018 , to be held at Toll Stadium on Saturday 27 January 2018.

To enable the event to be held safely the following temporary road closure requested is :

Okara Drive , from the roundabout intersecting Porowini Avenue and Okara Drive , to the roundabout intersecting Okara Drive and Port Road.

Date of Closure : Saturday 27 January 2018

Period Of Closure : 0530 to 2100

This event is being organised by the Ngapuhi Festival Management Team of Te Runanga A Iwi O Ngapuhi. This event is traditionally a bi-annual event held on the Northland College grounds in Kaikohe including the Toi Ngapuhi Art Exhibition . The event has been held in Kaikohe since 2004 and over two days attracts up to 35000 people.

This event is promoted as smoke free , drug free , alcohol free and violence free event. It is also essentially a "access free"" event in that it is completely and wholly funded and sponsored . There is no gate charge.

The Festival provides several measurable opportunities to address a diverse range of cultural and community needs , providing a platform for Whanau , Hapu and local community to collaborate , grow and celebrate together.

This is a one day event expecting to attract up to 20,000 people.

A traffic management plan will be submitted to Council by Kia Tupato Ltd who will also provide security and traffic management services for both the Festival and duration of the temporary road closure



I R Carruthers

Health , Safety and Facilities Manager

Festival Management Committee member



## 5.1 Infrastructure Operations Report – November Update

**Meeting:** Infrastructure Committee  
**Date of meeting:** 9 November 2017  
**Reporting officer:** Simon Weston (General Manager – Infrastructure)

### 1 Purpose

To provide a brief overview of work occurring in the current financial year across services that the Infrastructure Committee is responsible for.

### 2 Recommendation

That the Infrastructure Committee notes the Infrastructure Operations Report November Update.

### 3 Background

In December 2016 Council adopted committee terms of reference for the 2016-2019 triennium, with the purpose of the Infrastructure Committee being to 'oversee the management of Council's infrastructural assets, utility services and public facilities'.

This report provides the Committee with a brief summary of the operational highlights from the Infrastructure Monthly Report, September 2017.

### 4 Significance and engagement

The decisions or matters of this report do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via report publication.

### 5 Attachments

Infrastructure Operations Report – November 2017

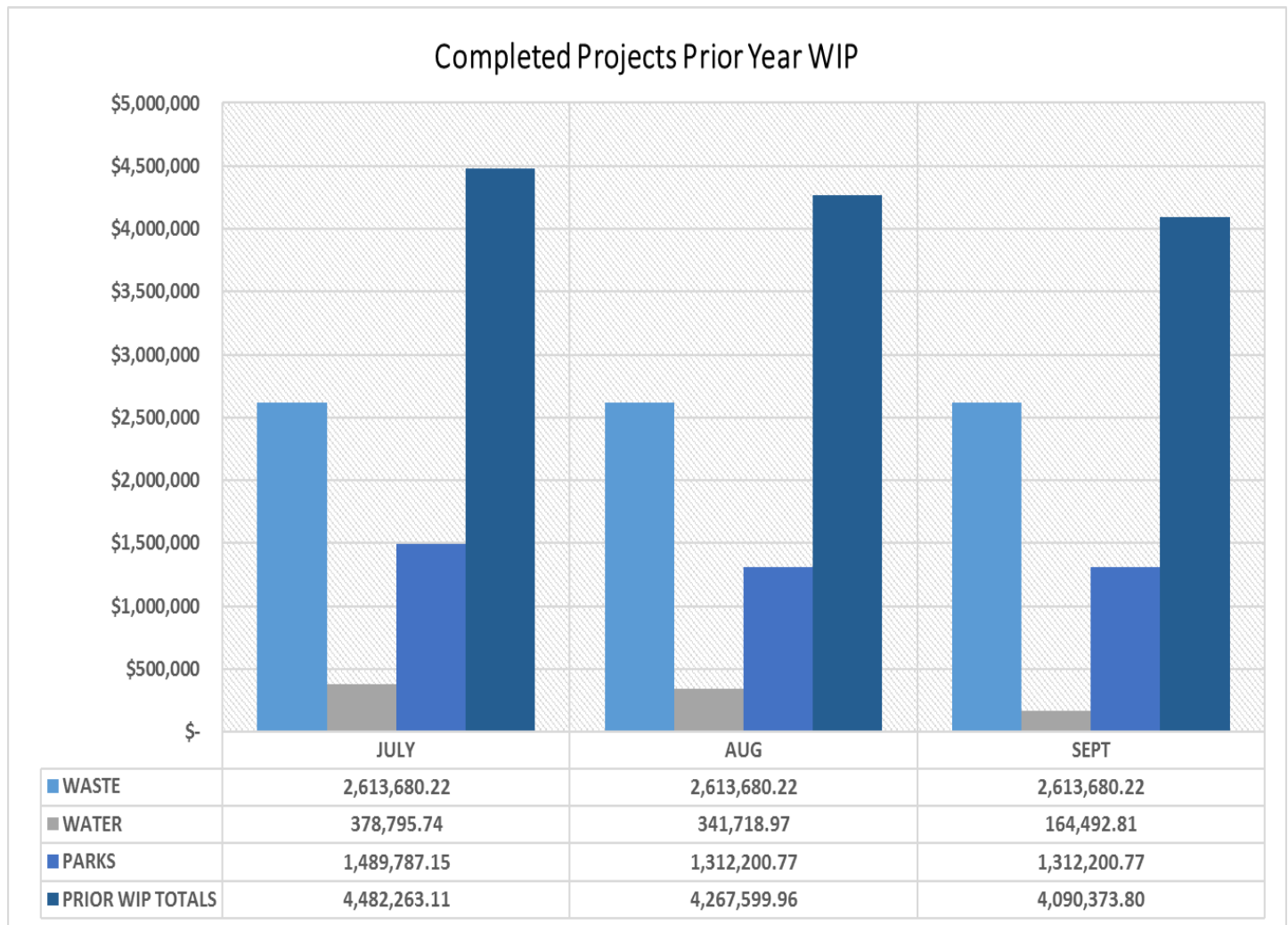


## Infrastructure Operations Report – November 2017

### Development Engineering

#### Capitalisation

Projects from Parks, Water and Wastes and Drainage enter the work in progress account (WIP) upon commencement and are removed to Hansen Clearing once closed and documentation required for capitalisation has been provided. The prior period WIP reduced by approximately \$200k over September, the distribution of which is provided in the graph below:



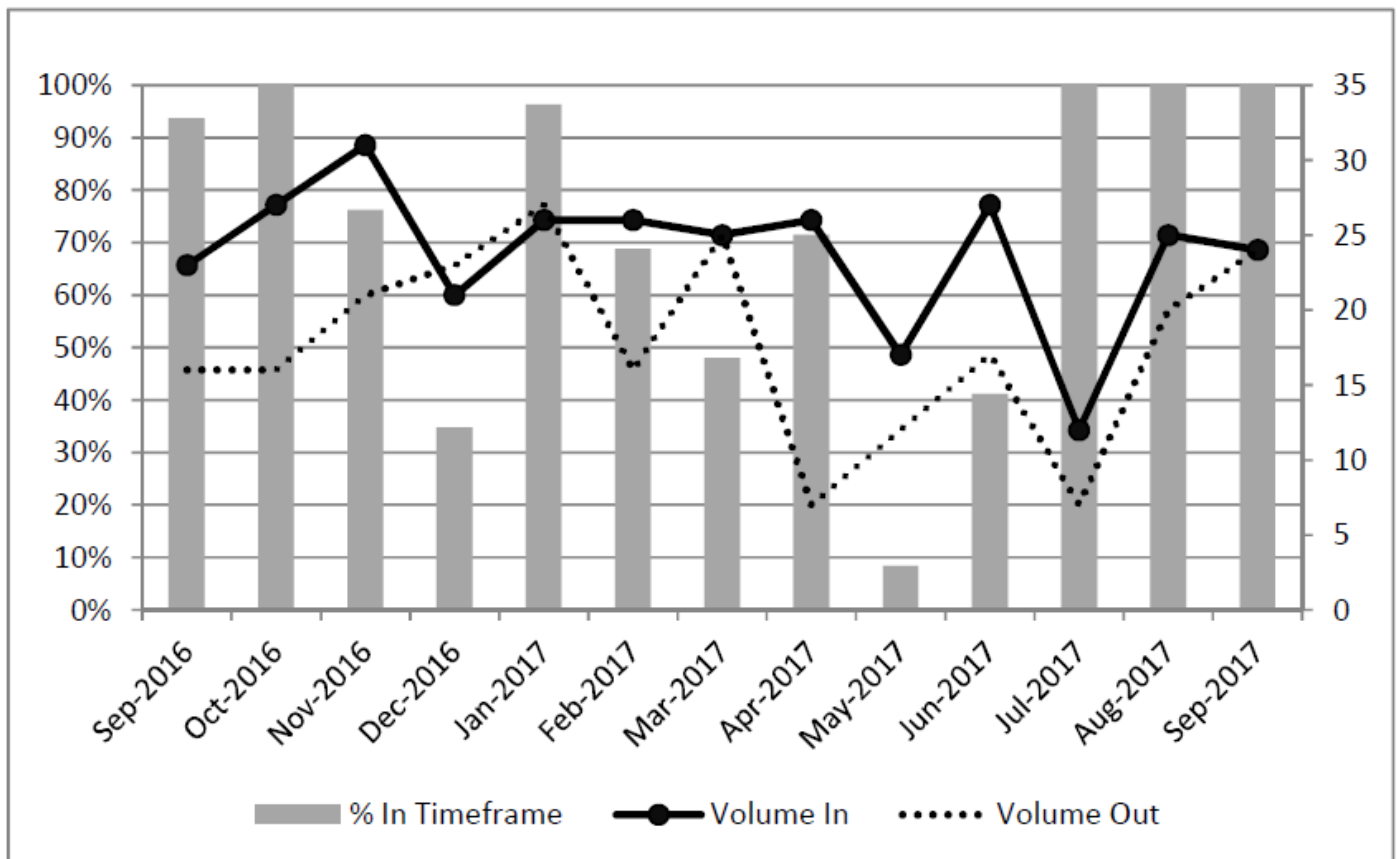
#### Environmental Engineering Standards

The practitioners review stage of the EES Review commenced on 31<sup>st</sup> of August with the feedback period closing on 2<sup>nd</sup> of October. Over a dozen people attended the briefing held on the 31<sup>st</sup> August with the draft EES (and associated documents) then being sent out to 55 people from 27 different companies.

While only six responses were received, feedback was extensive covering various chapters of the document, and phases of the process. The feedback is currently being evaluated by the team to determine which comments can be incorporated in the document. A summary of the areas of feedback received will be provided to the November Infrastructure Update, along with an outline of the next steps in the process.

#### Development Engineering

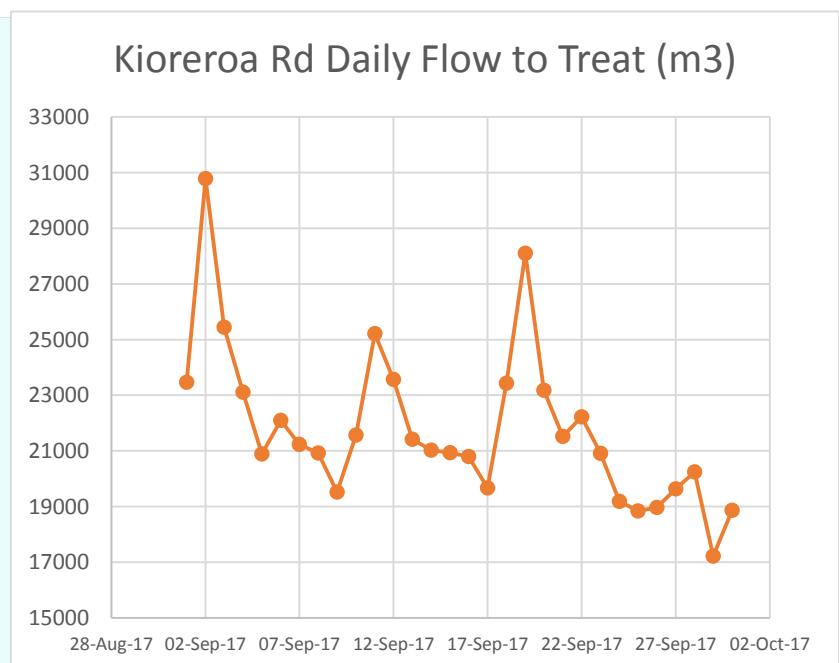
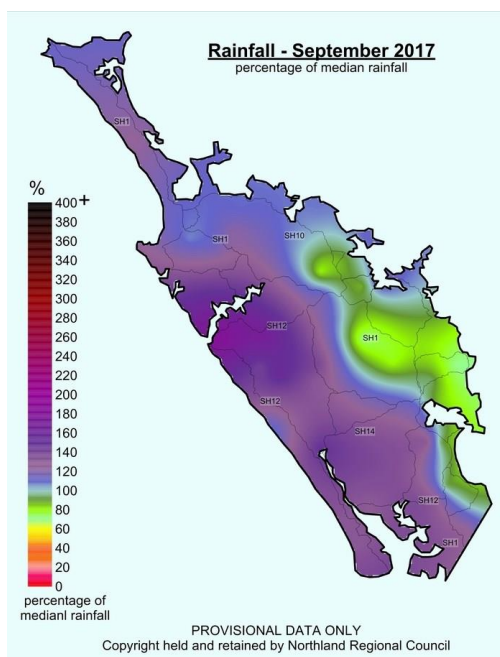
The Resource Consent Development Engineers shifted to Infrastructure when the new structure came into effect on 01 July. This coincided with the Team filling the vacant Development Engineer's position which has in turn assisted in 100% of applications being processed within timeframe over the last three months:



The volume of applications received remains high against historic averages however and given this, leave scheduled within the team for early October and that we have not been successful in recruiting a Team Leader Development Engineering it is anticipated that there may be a drop in timeframe compliance during October.

## Waste and Drainage

### Kioreroa Road WWTP



*NRC image depicting the percentage of normal rainfall and graph illustrating the flow in m³/d through Kioreroa Rd WWTP*



## Reticulation

There were two sewer spills during September as a result of fatty solids blocking the pipes. The incidences were attended to, cleaned up and disinfected.

## Consents and Compliance

We have commenced re-consenting process for Whangarei WWTP. We have a project schedule and proposal from Mott Macdonald. We are requesting more information on the project management and sampling and modelling work. We've had exceeding flow consent limit for Waipu and Stantech are doing the feasibility study for disposal and possible re-compliance.

## Hikurangi Wastewater Network Upgrade Stage 1

Commissioning of the pump stations and pipelines are underway. The new wastewater system is expected to be fully operational by mid-October and site reinstatement continues until early November.



*New wastewater pump stations at Hikurangi*

## Tarewa Rd-Jubilee Park Sewer Diversion

This project involves construction of a gravity sewer diversion pipeline near the corner of Tarewa Rd and Hilltop Rd and down the driveway of Mokopuna childcare at 78 Tarewa Rd. The work is required to be completed within the two weeks of the October school holiday. The pipes and manholes are already installed in the ground and site reinstatement is underway.



*Pipeline installation*

## Storm Water

We are assisting Parks with drainage issues at Dog Park. Completed survey and CCTV of Morningside storm-water network. Staff working with Waipu Cove Camping Ground to resolve stream contamination by sea-weed. Simes Road has ongoing flooding issues. W&D has no assets in the area able to resolve the issue. Further discussion to be had with Roading.

## Hikurangi Swamp Flood Management Scheme

Staff met with Hikurangi scheme representatives and presented costs over previous year and proposed contract costs for ongoing scheme maintenance. Feedback was positive, particularly in relation to better

progress on debt reduction than planned. A few pocket representatives have forwarded maintenance requests. A new flood gate is being fabricated for Te Mata to replace the current corroded flood gate.

## Solid Waste

Monthly tonnages are shown in the table and charts below.

Rubbish Collection Tonnes								
	2017/18	2016/17	RTS Tonnes	2017/18	2016/17	Recycling Tonnes	2017/18	2016/17
<b>June</b>		690	<b>June</b>		277	<b>June</b>		532
<b>May</b>		736	<b>May</b>		328	<b>May</b>		658
<b>April</b>		653	<b>April</b>		368	<b>April</b>		566
<b>March</b>		766	<b>March</b>		321	<b>March</b>		561
<b>February</b>		622	<b>February</b>		311	<b>February</b>		701
<b>January</b>		762	<b>January</b>		412	<b>January</b>		668
<b>December</b>		760	<b>December</b>		406	<b>December</b>		621
<b>November</b>		758	<b>November</b>		386	<b>November</b>		589
<b>October</b>		663	<b>October</b>		371	<b>October</b>		563
<b>September</b>	630	656	<b>September</b>		298	<b>September</b>		688
<b>August</b>	764	681	<b>August</b>	330	332	<b>August</b>	441	567
<b>July</b>	634	535	<b>July</b>	263	297	<b>July</b>	583	515
<b>Total for period</b>	<b>1398</b>	<b>8282</b>	<b>Total for period</b>	<b>593</b>	<b>4107</b>	<b>Total for period</b>	<b>1024</b>	<b>7229</b>

## Laboratory Report

The Laboratory received 1200 samples requiring 4122 tests during September, 415 tests were subcontracted. 68% of jobs were reported within 5 working days. The first quarter of this year has seen a 25% increase in testing performed when compared with the same period in 2016.

## Parks and Recreation

### Projects

#### Sense of Place Projects

- **Carpark to Park:** Initial scoping works on the Carpark to Park project are completed, including concept design and budget estimates. The Car Park to Park Working Party has been formed and is underway. The project team are working closely with the Hundertwasser team to ensure coordination of the design, communications and ultimately the construction works.
- **Blue Green Network:** The project team are focusing on the walkway that will connect the Hatea Loop with Cafler park by following the Waiarohia River. Discussion have been held with NRC and NZTA, who are interested in the project.
- **Hatea Loop Lighting:** The contract has been awarded to McKay Electrical. Physical works beginning 17/10/17 and will run through to 22/02/18.
- **Amenity Dredging:** Now that the budget has been confirmed for the 17/18 financial year planning and procurement are underway to complete this year's works. This focus of the dredging will be around Pohe Island to allow the future installation of access structures to the water as part of the Pohe Island Master Plan.
- **Whangarei Entrance Ways Signage:** Original designs included a major entranceway sign in a green wall, but the costs of construction exceed budget provision. An agenda item went to Council to install the large sign at Tarewa Park on completion of NZTA's major road upgrade works, and install a downsized version of the Entrance Signage at Mander Park. Council approved the installation Mander Park in June. Physical works contracts were awarded August. Commencement of construction was planned for September, however wet ground conditions prohibited the use of heavy machinery within the park. Works are now



planned to commence in November, provided ground is dry enough for use of heavy construction machinery.

- **Camera Obscura:** This community organised project proposes the construction of a camera obscura on Pohe Island looking at Te Matau a Pohe Bridge. The detailed design and budget estimates are currently prepared by the Two Architects. Funding sought by the external project team for landscape elements, paths, lighting and CCTV was approved by Council's Infrastructure Committee in September 2017. The external project team is now seeking funding from contractors and other external sources.
- **Stand Together:** Council has decided to postpone the establishment of Standing Together until The Pohe Island Development has been concluded. The pieces will be kept in storage at a secure WDC storage facility. Contractor engagement to complete the second stage of restoration has highlighted issues concerning the connection detail between parallel flange channels and Vertical Timber Elements.

### **Parks & Recreation Projects**

- **Matapouri Beach Restoration:** Design of the beach replenishment scheme is underway following the award of professional services to Richardson and Stevens. It is anticipated that replenishment works will be undertaken March 2018.
- **Ngunguru Foreshore and Seawall Renewal:** Replacement and upgrade of the existing seawall along the Ngunguru estuary foreshore in three different locations are planned over the next two years. Construction of stage 1 is underway and is expected to be completed in Late November. Design and Resource Consent for Stages 2 is underway. Stage 3 is currently on hold.
- **One Tree Point Cliff Erosion Management:** Professional services for the preparation of a proposed resource consent for One Tree Point erosion protection are ongoing. Community consultation commenced in May 2017, and hapu engagement was completed in October.
- **Sandy Bay Beach Restoration:** Culvert extension/rock wall, car park reshaping/surfacing and drainage works are currently being tendered with constructed planned for November/December. Dune protection and sand fencing are being tendered separately with a view to being carried out October/November
- **Waipu Pontoon:** A New Replacement Pontoon has been successfully installed and is now open for public use. Practical Completion was awarded in September.
- **Pataua North Boat Ramp:** The works are now completed. It has been agreed with the ratepayers association that the temporary boat ramp to the south beach would remain open until labour day weekend whilst the new ramp has a thorough trial in all tide/weather conditions. A meeting to gather feedback will be held prior to closing the temporary ramp.
- **Hora Hora Sports Fields Renewals:** The first field is open for use and the second field is progressing well for opening next summer.
- **Otaika Sports Park Field Construction:** The tender of two new sports fields at Otaika, including lighting, irrigation and drainage, closed in April and the contract was awarded to Recreational Services in September 2017. The consent for the lighting was granted in May 2017. Installation of the new watermain was completed in July 2017. Construction is currently underway, completion is due in June 2018.
- **Hikurangi Multiuse Hardcourt:** The contract has been awarded. Construction begins October 2017 with completion of the civil works due December 2017. Lighting will be installed once construction of the courts is complete.
- **William Fraser Memorial Park Development Pohe Island:** A master development plan has been submitted to council which has been accepted. Current efforts are under way to formalise the scheme plan ready for external consultant engagement and design. Professional Services have been engaged to identify fill importation suitability for Pohe Island.
- **Parihaka Mountain Bike Tracks:** The works are nearly complete with practical completion anticipate during week commencing 16 October 2017. The key stakeholder, Whangarei Mountain Bike Club, has

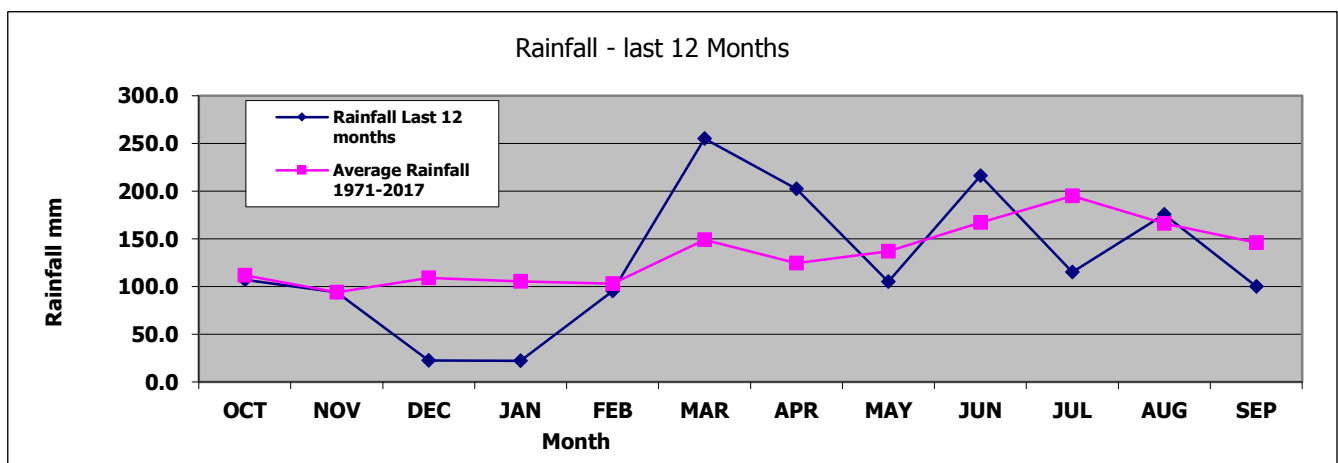
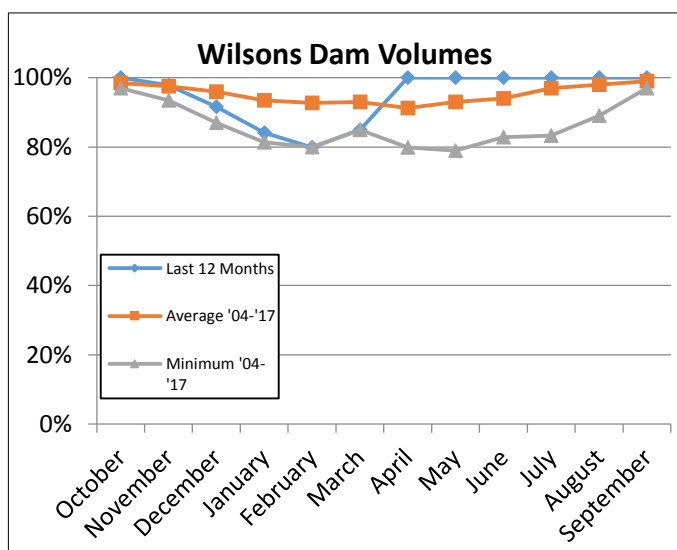
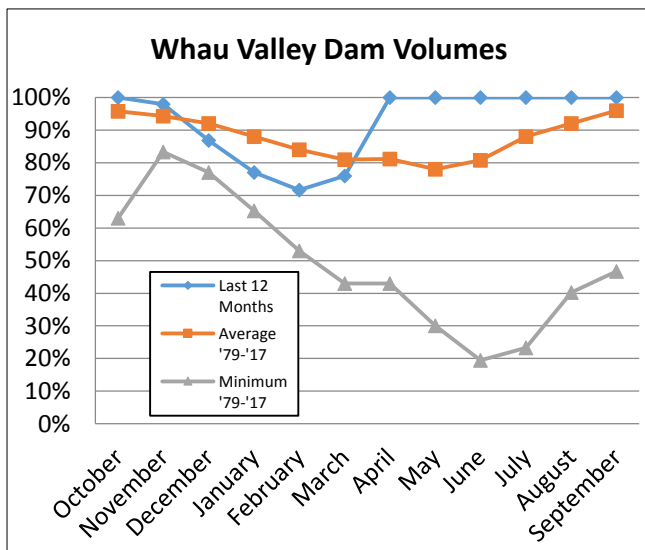
been regularly visiting site and monitoring the build to ensure a good result which meets their expectations.

- Laurie Hall Park: The concept design has been approved. Construction drawings and tender package is being developed. Opus has completed the lighting design for the carpark but is still working on the design for the park. Procurement of physical works is planned for October, and construction of the new pathways, drainage and lighting is planned to be completed by March 2018.
- Parihaka Track Renewals: Engagement with Manu Whenua has taken place with positive support. The Housing New Zealand authority application and Resource Consent applications will be made shortly. Design work is complete and the works will be tendered October/ November and awarded prior to Christmas. Construction is anticipated to commence early 2018 with Dobbie and Drummond Tracks completed by July 2018, and Ross Track to follow July to September 2018.
- Ngunguru Cycleway Track: A consultation workshop was held on 27 September 2017, 5pm – 7pm at Ngunguru Hall; the final date to receive any feedback on the proposals is 20 October 2017. Following that, the physical works will be tendered in November/December. Construction work is anticipated to start January/February 2018.

## Water Services

### Rainfall and Water Sources

September had slightly below average rainfall with 119.5mm of rain falling at Whau Valley compared to the average of 144.5mm. Long range forecast indicate more months of average rainfall which would put us into a good position heading into summer. All sources are as expected for the time of year and both dams remain at 100% full, which they have been for over 6 months. This is the first time this has happened at Whau Valley for 10 years.



The Algal bloom remains at Wilsons Dam and it is continuing to prove challenging for plant operations. This is not an isolated problem as other lakes around Northland have also experienced algal problems this year. Water Services staff have been working with NRC and the other Councils to develop a protocol for dealing with algal blooms. Whilst a protocol will not solve the treatment issues it will ensure that correct procedures are followed to notify the public, that sampling and analysis is undertaken and information is collated and distributed effectively.

### **Capital Works**

Work on the meter replacement contract for the year is well underway and is being undertaken by Downer. Design work for the Ruddells raw water line replacement is ongoing with some interesting challenges posed by the cross-country pipeline route, it is expected to have tender documents out for this work before Christmas. A draft report on the pilot trial at the Whau Valley plant has been received. The report still requires confirmation of some of the results before it can be finalised. Staff are working with the consultants and the peer reviewer to finalise the recommendations as soon as possible.

## **Roading**

### **Maintenance**

The pre-reseal repair programme has continued for the reseal programme for this year. A programme of heavy metalling and maintenance grading of the unsealed roads has continued after winter. Cyclic crews have been clearing blocked culverts, repairing edge breaks and signs and filling potholes. Urban crews have been working on vegetation, signs and footpath repairs.

### **Pavement Rehabilitation**

Asphaltic concrete (A/C) reseal works have been completed on urban arterials over the last couple of weeks and included sections on Riverside Dr, Hatea Dr, Bank St (Grand Hotel), Cameron St (lower) and intersections on Carruth and Woods St. The last of this year's A/C works were completed during early October and included another section of Bank St (from the KFC to New World). The programme of rehabs on rural roads is currently out to tender and works are due to commence in early November.

### **Bridge Repair**

The upgrade of the first of the bridges on Doctors Hill Road is now complete. Upgrade of the second bridge on Doctors Hill Road will be undertaken this year. Investigations for the rest of the bridges on the repair programme for the year are currently underway with tenders currently out to the market.

### **LED Street Light Conversion**

Funding has been approved from NZTA for \$6.6M to replace the existing streetlights with energy efficient LEDs. This work is funded at 85% FAR (subsidy) and is to be completed by 30 June 2018.

The contract for the supply of 3,300 P-Category (local road) lights has been awarded. The first 450 lights have arrived from Italy and the first of these lights have started to be installed by Council's streetlight maintenance contractor as a trial run in Onerahi and Whangarei Heads. The remaining lights are being manufactured in Italy and should arrive in December. The installation of these remaining P-Category lights will be tendered in November.

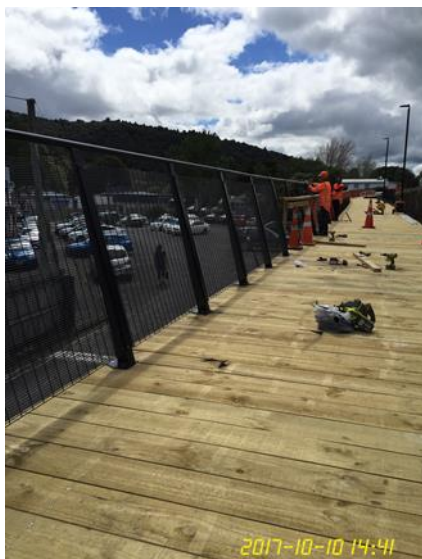
The tender for the upgrade of the V-Category (Arterial road) lights on the Twin Coast Discovery Highway has closed and has been awarded.

The remaining V Category lights are to be designed by December and tenders for this work are expected to go out in January 2018.

### **Kamo Cycleway**

The Stage 2 contract (Cross St to Kamo Rd) has been awarded and construction on the first portion of this stage Cross St to Kensington Ave is due to commence during November to enable construction to begin over the Christmas Holidays at the Manse Street area to minimise disruption to the students.

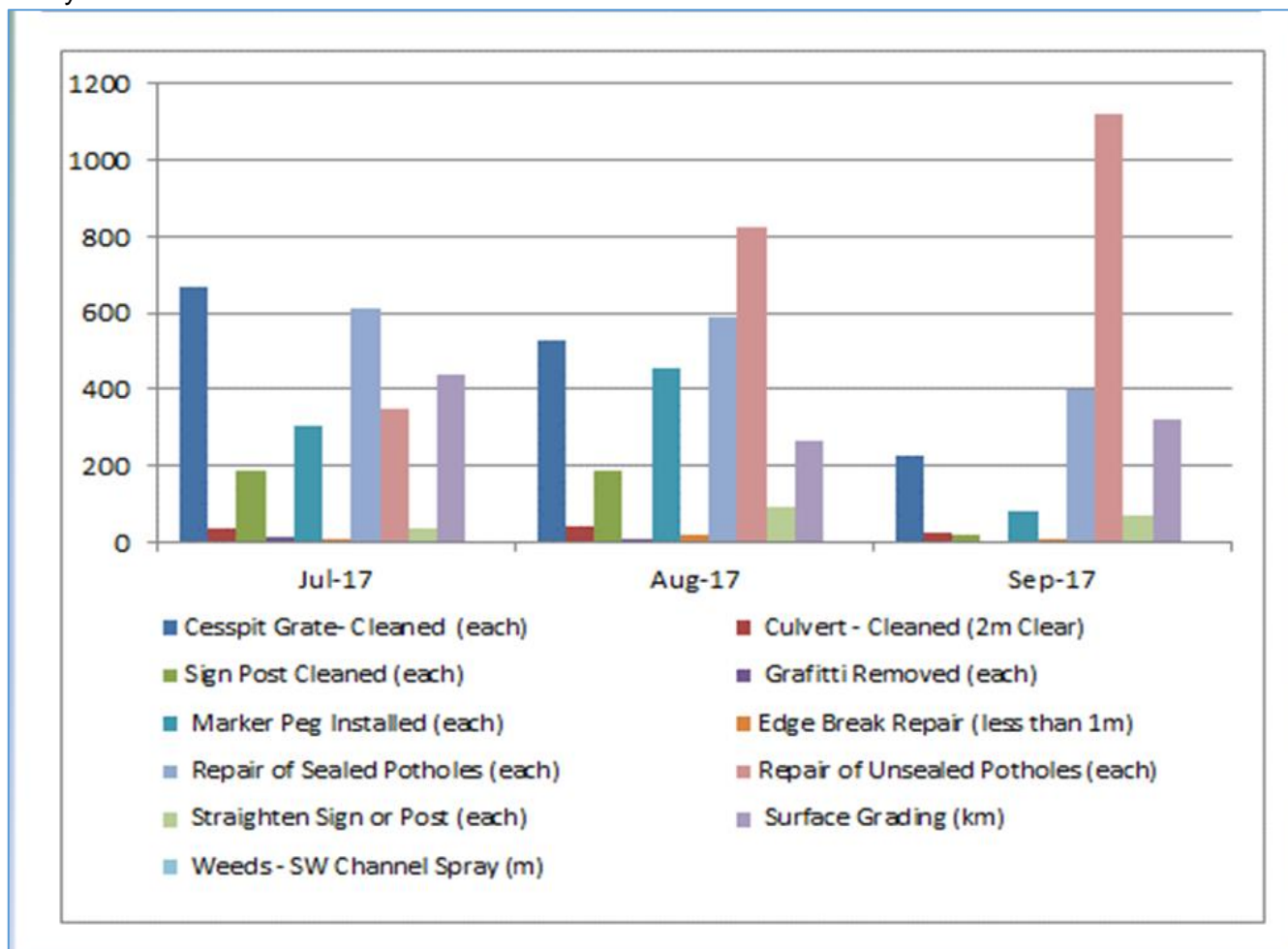
Stage 1 (Rust Ave to Cross St) is currently well underway with the boardwalk nearly complete. The final section(s) will be tender early 2018, with construction to be complete in 2018.



*Rust Ave to Cross Street*

### Roading Operational Outputs

#### Monthly Achievement – Routine Works



## Whangarei District Road Safety Promotion September 2017

Activities undertaken:

- **SAiD (Stop Impaired Driving):** 4 participants completed the September course.
- **Drive Soba:** 9 and 7 respectively completed the 2 courses which finished in September and currently 11 are attending a course due to complete in November
- **Young Drivers:** 17 and 14 learners respectively passed in the 2 courses held in September and 5 passed in August.
- **Community Mentor Driver Programme:** 12 out of 14 who sat attained a restricted licence this month. That is a total of 40 ytd.  
11 active mentors are currently participating and provided 159 hours of supervised driving in September.
- **Restraints Truck Drivers Campaign:** Buckle up in your Truck campaign is being developed with Police, National Road Carriers and the Northland Freight Group and will commence in November at three sites on the State Highway Network. The target audience is Truck Drivers in Northland and all drivers visiting Northport.
- **Motor Cycle Safety Campaign:** Get Ride Ready is a Spring campaign running from September to December where 5 local retailers will provide free 10-point safety checks and promote free Pro-rider training courses for returning bikers. The programme has commenced and a report will be collated by ACC at the end of the campaign in December.
- **RYDA:** School visits are booked for October to fine tune dates and funding contributions for the current programme which will be delivered in early 2018. Funding has been withdrawn by NZTA from 2018.
- **SADD:** A workshop was held with Whangarei students, 4 students from WGHS, including one national leader, 2 for Excellere College and 10 from Tauraroa Area School.

### Key district issues

- Young Drivers
- Alcohol and/or drugs
- Speed
- Rural speed zone loss of control/head on
- Intersections

## Northland Road Toll

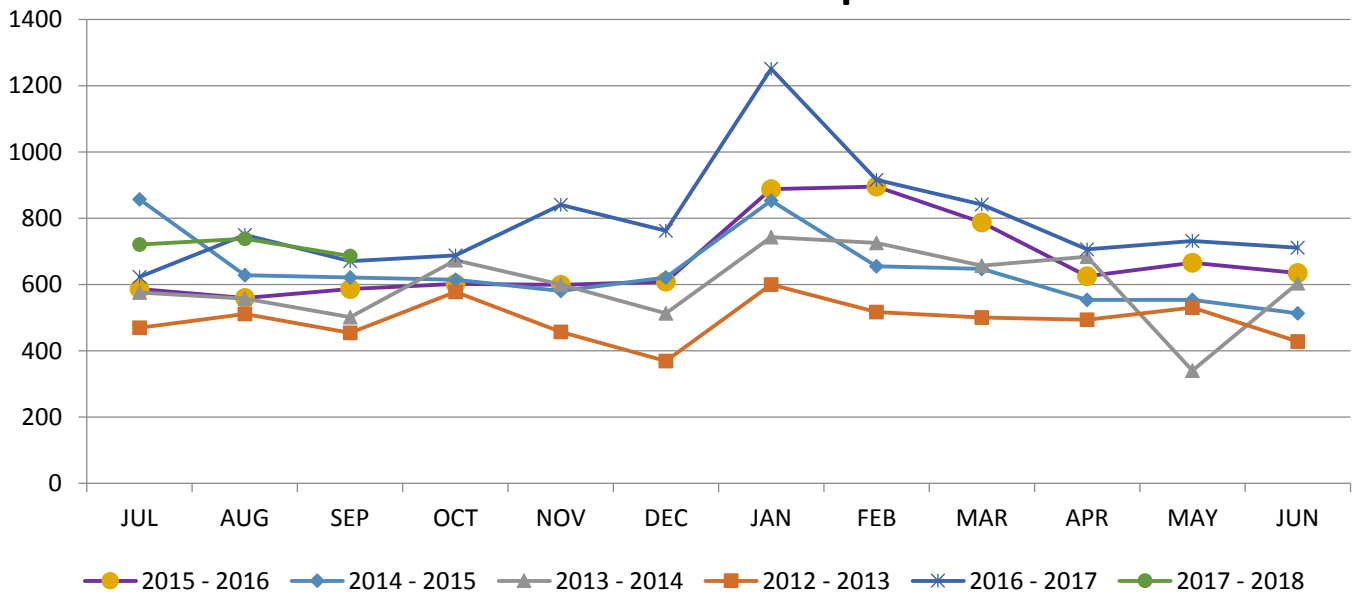
Road Toll	Total for all 2015	Total at end Sept 2016	End Sept 2017
Whangarei	11	7	7
Kaipara	2	8	5
Far North	10	8	16
Totals	23	23	28

## Customer Relationship Management Services

The Infrastructure Group received a total of 1420 CRMs in the month of September. So far we have had 24,221 CRMs in total for 2017.



## Waste - Total Service Requests

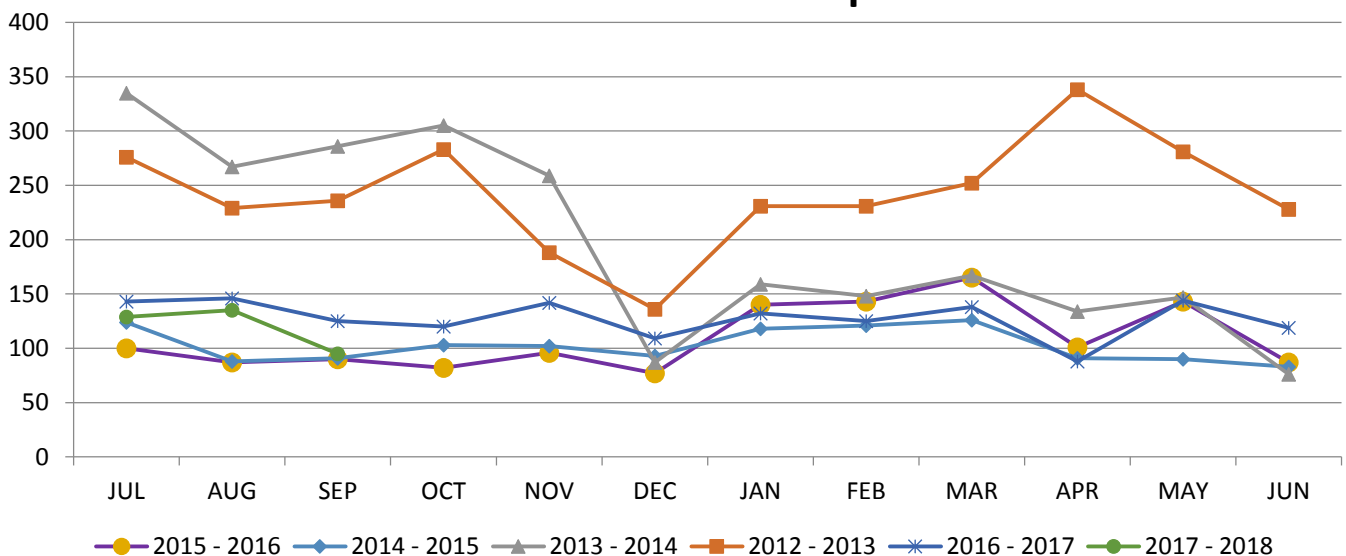


The Waste and Drainage Team received 686 CRMs in September 2017. Of the follow up calls, 5 were impressed and 6 acceptable and there was 1 dissatisfied feedback reported.

The top five CRM issues for our Waste and Drainage Department for the month of September were:

- Rubbish Queries – 130 calls (non collection, fly dumping etc)
- Public Toilet queries/complaints 61 (eg Soap dispenser empty).
- Recycling queries and complaints- 36 (eg Bin missed during collection)
- Stormwater queries- 31(eg blocked storm drain)
- Sewer queries- 18 (eg blocked waste drain)

## Parks - Total Service Requests

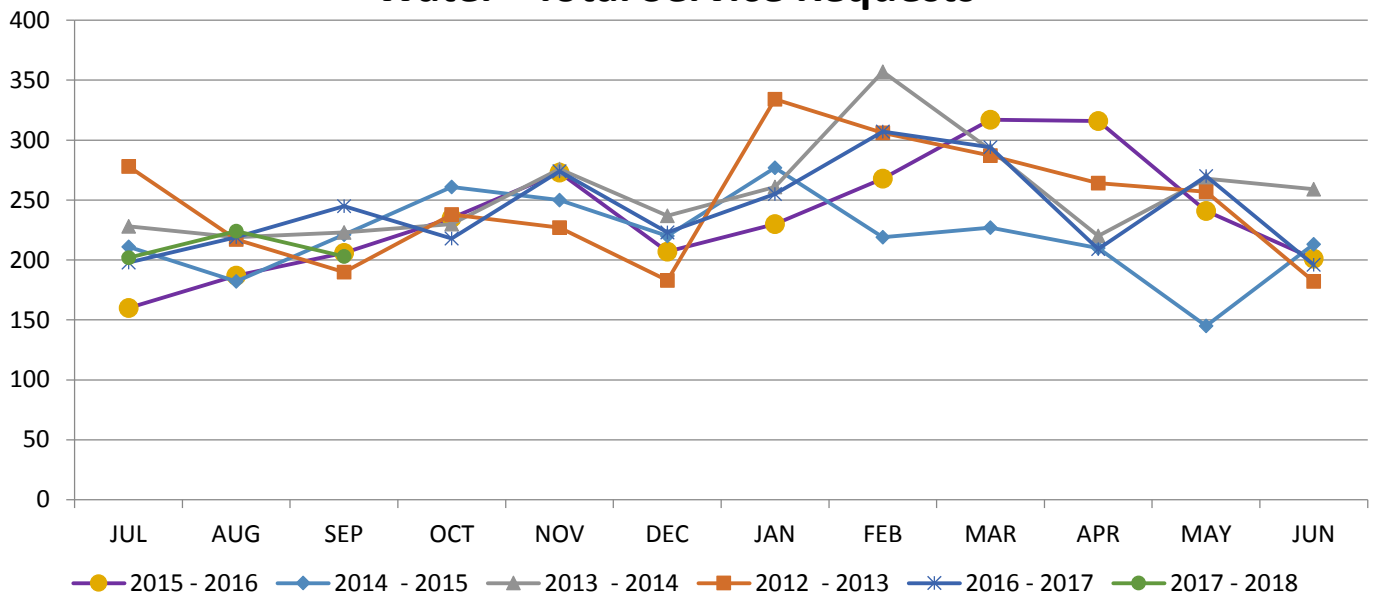


The Parks team received 95 CRMs in September 2017. The Parks team received some good feedback on 4 CRMs.

The top five CRM issues for our Parks and Recreation Department for the month of September were:

- General Parks queries- 33 (eg vehicles on reserves, Drone requests)
- Tree and Street Tree queries- 20 (eg tree fallen over)
- Cemetery enquiries- 13 (Burial enquiries etc)
- Walkway queries – 12 (eg walkway overgrown or tree down over walkway)
- Mowing queries- 3 (Mowing required etc)

## Water - Total Service Requests

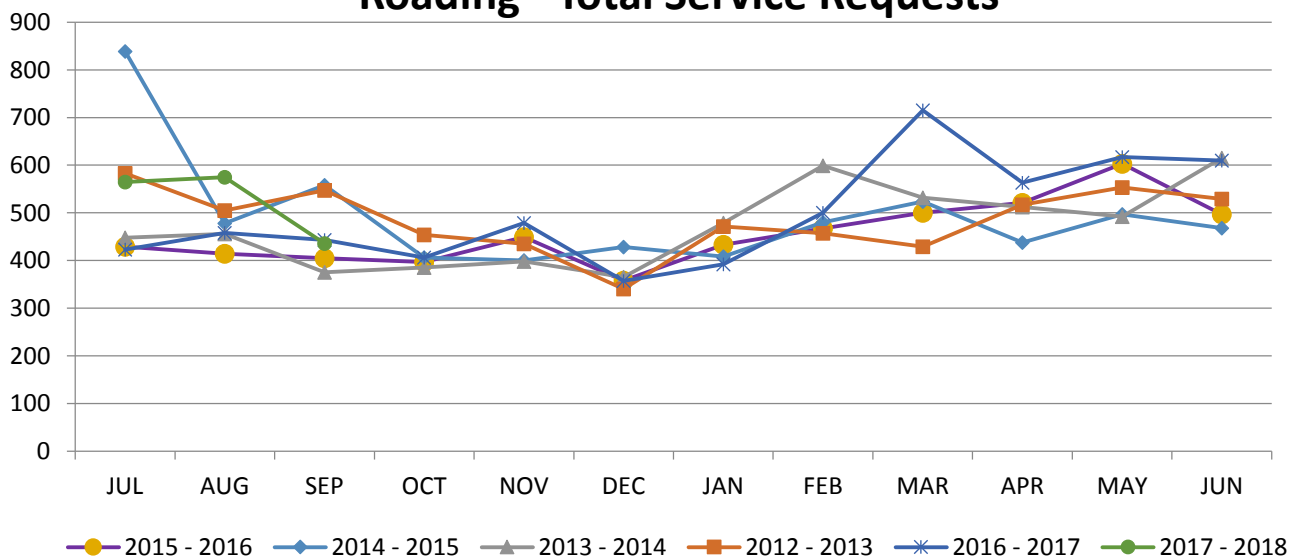


The Water team received 203 CRMs in September 2017. Of the follow up calls made in September, 9 were impressed, 5 acceptable and no dissatisfied feedback received for the Water Team.

The top five CRM issues for our Water Department for the month of September were:

- Water Leaks- 75 (general leak queries)
- Meter Box Queries- 53 (New box, new meters)
- Water Investigation)- 10 (investigation of water issues- land issues or general enquiries)
- Quality- 8 (Water quality issues- clarity, odour, taste)
- Pressure- 6 (water pressure issues- low or high)

## Roading - Total Service Requests



The Roding Team received 436 Customer Service Requests in September 2017. There were 33 follow up calls made in the month of September. Two customer were dissatisfied. Fifteen customers found our service acceptable. Sixteen customers were impressed by the Roding team and contractors.

The top five CRM issues for our Roding Department for the month of September were:

- |   |   |
|---|---|
| 1. 55 reports of General Roding issues. | E.g. Traffic safety and general requests. |
| 2. 53 reports of Sealed road issues.    | E.g. potholes and sweeping.               |
| 3. 46 reports of Stormwater issues.     | E.g. blocked stormwater drains.           |
| 4. 36 reports of Footpath issues.       | E.g. broken or uneven footpath.           |
| 5. 35 reports of Street Lights          | E.g. not working.                         |





## 5.2 Contracts Approved Under Delegated Authority

**Meeting:** Infrastructure Committee  
**Date of meeting:** 09 November 2017  
**Reporting officer:** Simon Weston (General Manager Infrastructure)

### 1 Purpose

For the Infrastructure Committee to note Infrastructure contracts awarded under Chief Executive and General Manager delegated authority.

### 2 Recommendation

That the Infrastructure Committee note the Infrastructure contracts awarded under Chief Executive and General Manager delegated authority.

### 3 Background

Table 1 (below) records Infrastructure contracts awarded under Chief Executive and General Manager delegated authority. Attachment 1 provides a summary of the award process for each contract and a brief description of the works being undertaken

**Table 1: Infrastructure Contracts Awarded Under Delegated Authority**

<b>1. Water</b>	
CON17024	Water Meter Replacements 2017/2018
CON17042	Reservoir Rehabilitations 2017
<b>2. Parks and Recreation</b>	
CON16083	Hikurangi Multiuse Hardcourt Resurfacing
CON17007	Hatea Loop Lighting 2017
CON17020	Sandy Bay Erosion Protection – Stream Redirection and Dunes Restoration Works
<b>3. Roothing</b>	
CON17070	LED Streetlight Conversion – P Category Installation Trial

CON17011	Springfield Road Pavement Rehabilitations
CON17027	Twin Coast Discovery Highway Lighting Upgrade 2017

#### **4 Significance and engagement**

The decisions or matters of this Agenda do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via Agenda publication on the website.

#### **5 Attachments**

Summary of Contracts Approved Under Delegated Authority November 2017.

## 11.0 Summary of Contracts Approved Under Delegated Authority

This attachment provides a summary of the award process and works being undertaken for Infrastructure contracts awarded under Chief Executive and General Manager delegated authority.

### 1.0 Water

CON17024
Water Meter Replacements 2017/2018

#### Background

CON17024 forms part of the programmed renewals of customer water meters in Council's water distribution system. This contract is for the replacement of one thousand smaller diameter (12mm - 20mm) water meters that are beyond their useful life expectancy. In addition, new non-testable dual check valves will be installed directly after the replacement meter, on the consumers' side.

#### Contract Tender

The contract was publicly advertised, closing on 11 August 2017. Three tenders were received as follows:

Tenderer	Amount
Downer Limited	\$ 351,155.12
Hydrotech Limited	\$ 355,086.40
The Watertight Company	\$ 358,973.50
<b>Engineer's Estimate</b>	<b>\$ 356,138.60</b>

The tender evaluation method was lowest price conforming. Downer Limited's tender was found to be the lowest price and conforming. Downer Limited are Council's current water network maintenance (CON14032) contractors, having installed many water meters as part of their ongoing contract.

#### Financial

The lowest tender is 2% lower than the Engineer's estimate. This year's budget allocation is \$368,000.

#### General Manager Approval

CON17024, for Water Meter Replacements 2017/2018, was awarded to Downer Limited for the tendered sum of \$351,155.12 (three hundred and fifty one thousand, one hundred and fifty five dollars and twelve cents) excluding GST.

CON17042
Reservoir Rehabilitations 2017

#### Background

CON17042 is for rehabilitation/routine maintenance of the Onerahi, Parua Bay, Ruakaka 1 and Ruddells water reservoirs. The works are covered in four separable portions as follows:

- Separable Portion A - Onerahi Reservoir.
- Separable Portion B - Parua Bay Reservoir.
- Separable Portion C - Ruakaka 1 Reservoir.
- Separable Portion D - Ruddells Reservoir.

### Contract Tender

The tender was advertised on 11 August 2017, closing 22 September 2017. The tender evaluation method was lowest price conforming, in general accordance with Council's Procurement Policy. A total of two tenders were received:

Tenderer	Amount
Steve Bowling Contractors	\$ 212,418.05
Barfoote Construction	\$ 276,272.00

The Steve Bowling Contractors tender was deemed to be a conforming tender and offered the lowest submission price.

### Financial

The tender price submitted by Steve Bowling Contractors is below the Engineer's Estimate of \$262,440 and within the allocated budget of \$315,000.

### General Manager Approval

CON17042, for Reservoir Rehabilitation, was awarded awarded in full (all separable portions) to Steve Bowling Contractors for the tendered sum of \$212,418.05 (two hundred and twelve thousand, four hundred and eighteen dollars and five cents) excluding GST.

## 2.0 Parks and Recreation

CON16083
Hikurangi Multiuse Hardcourt Resurfacing

### Background

CON016083 is for upgrading the Hikurangi tennis courts located at 20 Park Street, Hikurangi. The contract includes ripping the existing asphalt surface, extending the court area, construction of the dynamic aggregate base, installation of the synthetic turf surface, construction of new fencing and all reinstatement works.

### Contract Tender

The tender was advertised on 28 August 2017, closing 8 September 2017. Tenders were evaluated using the weighted attribute method, in accordance Council's Procurement Policy. A total of three tenders were received:

Tenderer	Attribute Score	Amount
Hutton and Cameron Contractors	59.3	\$ 256,249.38
Robinson Asphalts	58.8	\$ 286,416.68
Plantpro & Son	45.1	\$ 267,538.00

The Hutton and Cameron tender scored first on price and second on attributes. The Robinson Asphalts tender scored first on attributes and second overall due to a higher price submission. Plantpro & Son failed to demonstrate sufficient track record for this type of project.

### Financial

The tender price submitted by Hutton and Cameron Contractors is within the allocated budget of \$315,000, split across the Sport and Recreation Level of Service and Sport and Recreation Renewals budgets.

### General Manager Approval

CON16083, for Hikurangi Multiuse Hardcourt Resurfacing, was awarded to Hutton and Cameron Contractors for the tendered sum of \$ 256,249.38 (two hundred and fifty six thousand, two hundred and forty nine dollars and thirty eight cents) excluding GST.

#### CON17007

#### Hatea Loop Lighting 2017

### Background

CON17007 is for the supply, delivery and construction of Lighting Columns including ducts and utilities required to provide a working 'turn key' solution to three currently un-lit portions of the Hatea Loop.

These contract works involve lighting to a Category P3 level, providing a higher level of vertical luminance, thereby aiding facial recognition.

### Contract Tender

The contract was advertised as a private tender with three contractors invited to submit a proposal.

The tender evaluation method was Lowest Price Conforming and is in accordance with Council's Procurement Policy. Tenders closed on the 04 September 2017, with two tenders received:

Tenderer	Amount
McKay Electrical	\$ 487,781.00
Northpower	\$ 509,238.11
Currie Electrical	Declined to Tender
<b>Engineers Estimate</b>	<b>\$ 423,350.00</b>

No errors were found in the Tenderers' Schedule of Prices or Form of Tenders.

### Financial

The Hatea Activity Loop Budget is \$291,000. The remainder of the funding for this contract will be taken out of Sport and Recreation Level of Service budget of \$2,044,000.

### General Manager Approval

CON17007, for Hatea Loop Lighting 2017 – Physical Works, was awarded to McKay Electrical for the tendered sum of \$487,781 (four hundred and eighty seven thousand, seven hundred and eighty one dollars) excluding GST.

#### CON17020

#### Sandy Bay Erosion Protection – Stream Redirection and Dunes Restoration Works

### Background

This contract is for Sandy Bay Beach Erosion Protection – Stream Redirection and Dunes Restoration Works Package. It was awarded to Hutton and Cameron contractors. The original contract amount was \$43,717.32.

This is the first of three packages of work (stream redirection and dune restoration, metalwork, and car park and drainage) with an overall budget of \$315,000.

The amount allocated to the dune protection and metalwork packages together was a notional \$100,000, leaving \$215,000 for the car park and drainage works. The metalwork package is also complete with a cost of \$35,200. The actual total for the two packages is 105,673.79 against a budgeted amount of \$100,000.

The basis of the design was always to provide an adjustable dune protection system which could respond to natural actions from the ocean and stream during storm events. There was no contingency sum allowed. The contract sum will be exceeded due to the following changes in scope:

Variation	Amount
Temporary fence and dune repair	\$ 1,450.00
Realignment of logs	\$ 2,500.00
Alternative log securing and testing	\$ 3,660.00
Metalwork collection and delivery to site	\$ 1,000.00
Chain and shackles	\$ 6,175.00
Additional excavation of sand in channel	\$ 9,921.44
Additional area of dune protection	\$ 1,000.00
Increase in log quantity	\$ 2,647.65
Temporary dune protection fencing	\$ 700.00
Decrease in scheduled quantities	-\$ 2,297.62
<b>Total Contract Variance</b>	<b>\$ 26,756.47</b>

### Financial

A breakdown of cost for the whole contract is provided in the following table:

Description	Amount
Original contract value (excl. contingency)	\$ 43,717.32
Contract variations	\$ 26,756.47
<b>Total revised contract value</b>	<b>\$ 70,473.79</b>

### General Manager Approval

CON17020, for Sandy Bar Erosion Protection – Stream Redirection and Dunes Restoration Works, increased by \$26,756.47 from \$ 43,717.32 to \$ 70,470.79 (seventy thousand, four hundred and seventy dollars and seventy nine cents) excluding GST.

## 3.0 Roothing

CON17070
LED Streetlight Conversion – P Category Installation Trial

### Purpose

A variation to the Roothing Procurement Strategy to enable an installation trial of the P Category LED luminaires to be directly appointed to the incumbent Streetlight Maintenance Contractor.

Award of the LED installation trial for the local road network (P Category) as part of the LED Streetlight Conversion project.

### Background

Council manages over 5,000 streetlights on its road network. Most of these streetlights are High Pressure Sodium Vapor luminaires (HPSV) which became available back in 1964 and are now considered to be an old technology. Council also has about 750 (15%) Mercury Vapor luminaires which are very old technology (commercially available in 1901) and will soon be no longer serviceable due to Central Government having signed the UN Minimata Convention on mercury products. This means Council will have to replace these lights anyway as replacement mercury vapor luminaires will not be available.

Changes in streetlight technology have made Light Emitting Diode (LED) lights the preferred lantern type both within New Zealand and across the world.

The Council has allowed for the conversion of the streetlights to LED in the 2019/20 and 2020/21 financial years (Years 5 and 6) of the 2015-2025 Long Term Plan (LTP).

As part of the budgeting for the 2017/18 financial year, approval was given to advance \$2,175,000 of funding for this project from the 2019/20 financial year to the 2017/18 financial year.

### **Local Road LED Luminaire Supply (P Category lights)**

In August 2017, Council approved the procurement of 3,300 I-TRON LED luminaires for the local road network (P Category) from Italian supplier AEC Illuminazione for \$850,000.

An early shipment of 455 luminaires was received on 19 September 2017, with the remaining luminaires to be received in the next three months.

### **Local Road LED Luminaire Installation Trial**

To make use of this early supply of luminaires, it is proposed to install these luminaires as a trial run using the current Streetlight Maintenance Contractor (Currie Electrical) to carry out this work. The trial will test the methodologies proposed to install the luminaires and to determine any issues such as:

- Light spill onto private property.
- Wiring changes to ensure waterproofing with the LED luminaire unit.
- Wiring upgrades to meeting the required fusing and earthing standards.

It is proposed to carry out this trial in the Onerahi/Whangarei Heads area, which has a mix of urban and rural streetlights.

It is considered prudent to trial the installation works and iron out any issues before Council procures much larger installation contracts for the other 2,850 luminaires.

The estimated cost to carry out the trial is \$150,000. This is based on a quote of \$116,853 from Currie Electrical plus an allowance for additional wiring, fusing and earthing that is expected to be identified once they inspect each streetlight pole.

### **Procurement**

As described above, it is proposed to get Council's incumbent Streetlight Maintenance Contractor (Currie Electrical) to carry out this work. The reason for this is to accelerate this work so that the learnings from the trial can be incorporated into the larger P Category installation contracts that will be released to tender in October. This project is very time critical because the 85% subsidy rate provided by NZTA for the overall project expires on the 30 June 2018.

If this trial was tendered out in the normal manner, we would lose at least two months while the tender documents are prepared, released to tender and tenders received, evaluated and awarded.

A variation is required to the Rooding Procurement Strategy because the value of this work is greater than the normal \$100,000 limit for the direct appointment of a contractor.

The use of the incumbent Streetlight Maintenance Contractor for this trial has been approved by NZTA.

### **Financial**

The estimated cost of the installing the 455 P Category LED luminaires for the trial is expected to be \$150,000.

This work will be funded from the overall LED Streetlight budget of \$6,600,000, which has been approved by NZTA.

The breakdown of this amount is shown in the following table:

Description	Amount
LED Luminaire Suooly (P Category)	\$ 850,000
LED Luminaire Installation Trial (P Category)	\$ 150,000

LED Luminaire Installation (P Category)	\$ 1,670,000
LED Luminaire Supply & Installation (V Category) - Includes upgrades on Twin Coast Discovery Highway Lighting Upgrade and Arterial Road intersections	\$ 3,605,000
V Category Design Fees	\$ 125,000
Supervision & Council Costs	\$ 200,000
<b>Estimate Cost</b>	<b>\$6,600,000</b>

It was originally anticipated that budgets identified in the LTP would be funded at a FAR rate of 53%. The total local share component of the \$2,175,000 project budget is therefore \$1,022,250, which is more than the \$990,000 local share of the revised project cost of \$6,600,000 at 85% FAR.

The contract for the installation trial of 455 P Category luminaires can therefore be funded from approved funding.

### General Manager Approval

CON17070, for LED Streetlight Conversion - P Category Installation Trial, was awarded to Currie Electrical by direct appointment to a value of up to \$150,000 (one hundred and fifty thousand dollars) excluding GST.

CON17011
Springfield Road Pavement Rehabilitations

### Procurement Method

Tenders were requested from Opus International Consultants and Northern Civil Consulting Engineers on 31 January 2017 to undertake the professional services for the pavement rehabilitations of Springfield Road (3.3km). The professional services were for the investigation, design and tendering of the pavement works. The physical works will be completed in the 2017/18 season under a separate contract.

The tender evaluation method was Lowest Price Conforming, in accordance with the NZTA Procurement Manual.

### Tender Prices

Tenders closed on 16 February 2017. Both invited tenderers submitted a price:

<b>Tenderer</b>	<b>Amount</b>
Opus International Consultants Ltd	\$114,421.30
Northern Civil Consulting Engineers	\$121,485.00
<b>Engineers Estimate</b>	<b>\$103,460.00</b>

### Financial

The price submitted by Opus International Consultants Ltd was 6% less than the Northern Civil price and 10% more than the Engineer's estimate. However, it was in keeping with tendered rates for pavement rehabilitation services and deemed appropriate.

The budget for the professional services for pavement rehabilitation (package 1) for 2016/17 is \$100,000. The expenditure for the package 1 professional services works for 2016/17 will be managed within the allocated budget.

### General Manager Approval

CON17011, for Springfield Road Pavement Rehabilitations (Package 1), was awarded to Opus International Consultants Ltd for a value of up to \$114,421.30 (one hundred and fourteen thousand, four hundred and twenty one dollars and thirty cents) excluding GST.



## CON17027

### Twin Coast Discovery Highway Lighting Upgrade 2017

#### **Purpose**

The award of CON17027 for the Twin Coast Discovery Highway Lighting Upgrade as part of the LED Streetlight Conversion project.

#### **Background**

Council manages over 5,000 streetlights on its road network. Most of these streetlights are High Pressure Sodium Vapor luminaires (HPSV) which became available back in 1964 and are now considered to be an old technology. Council also has about 750 (15%) Mercury Vapor luminaires which are very old technology (commercially available in 1901) and will soon be no longer serviceable due to Central Government having signed the UN Minimata Convention on mercury products. This means Council will have to replace these lights anyway as replacement mercury vapor luminaires will not be available.

Changes in streetlight technology have made Light Emitting Diode (LED) lights to be the preferred lantern type both within New Zealand and across the world.

The Council has allowed for the conversion of the streetlights to LED in the 2019/20 and 2020/21 financial years (Years 5 and 6) of the LTP.

As part of the budgeting for the 2017/18 financial year, approval was given to advance \$2,175,000 of funding for this project from the 2019/20 financial year to the 2017/18 financial year.

#### **Twin Coast Discovery Highway Lighting Upgrade**

The Twin Coast Discovery Highway Lighting Upgrade, is part of the overall LED streetlight conversion project. It consists of the following major urban roads in Whangarei City that are located on the Twin Coast Discovery Highway tourist route:

- Tarewa Road.
- Lower Tarewa Road.
- Walton Street (between the five-finger roundabout and Dent Street).
- Dent Street (between Walton Street and Hatea Dive).
- Hatea Dive.
- Mill Road (between Brighton Street and Waiatawa Road).
- Waiatawa Road.
- Kiripaka Road to the Whangarei Falls.

The project also includes lighting upgrades on Paramount Parade, Tikipunga and at the Riverside Drive zebra crossing by Memorial Drive.

Because this project is located on major arterials roads (V-Category lights), it includes upgrade of existing streetlights and new streetlights on new poles to fill any dark areas. The result of this upgrade will provide lighting levels similar to those at the recently completed Mill/Nixon and Kamo/Kensington/Nixon intersections.

This project was designed and tendered in 2014, but did not proceed due to lack of available budget.

#### **Procurement**

CON17027 was publically tendered on the TenderLink website. Tenders closed on 15 September 2017.

Two conforming and two alternative tenders were received as described below:

- Currie Electrical Ltd (Conforming).
- Currie Electrical Ltd (Alternative).
- McKay Electrical Ltd (Conforming).
- McKay Electrical Ltd (Alternative).

These tenders were evaluated using the Price Quality Method in accordance with the Roding Procurement Strategy and NZTA's Procurement Manual. Both of the alternative tenders offered

components that were found to be outside of the scope of the project and were subsequently declined. The result of the tender evaluation process is described in the table below:

<b>Tenderer</b>	<b>Tender Price</b>	<b>Supplier Quality Premium</b>	<b>Adjusted Tender Price</b>
Currie Electrical Ltd (Conforming)	\$ 1,196,350.00	\$ 44,356.87	\$ 1,151,993.13
McKay Electrical Ltd (Conforming)	\$ 1,247,330.39	-\$ 21,009.00	\$ 1,268,339.39
Currie Electrical Ltd (Alternative)	Not Opened	Declined	N/A
McKay Electrical Ltd (Alternative)	Not Opened	Declined	N/A
<b>Engineers Estimate</b>	<b>\$ 1,259,840.00</b>		

The Currie Electrical Ltd (Conforming) tender was found to have the lowest overall adjusted tender price and is therefore the preferred tender. This tender also had the lowest tender price and the highest premium. A check of both tenders found that there were no arithmetic errors in either tender.

### Financials

The Currie Electrical Ltd (Conforming) tender has a tender price of \$1,196,350 and is 5% lower than the Engineer's Estimate. This work will be funded from the overall LED Streetlight budget of \$6,600,000 which has been approved by NZTA. The breakdown of this amount is shown in the following table:

<b>Description</b>	<b>Amount</b>
CON17025 - LED Luminaire Supply (P Category)	\$ 850,000
CON17070 - LED Luminaire Installation Trial (P Category)	\$ 150,000
LED Luminaire Installation (P Category)	\$ 1,670,000
CON17027 Twin Coast Discovery Highway Lighting Upgrade	\$ 1,196,350
LED Luminaire Supply & Installation (V Category) – Includes upgrades on Arterial Road intersections	\$ 2,400,000
V Category Design Fees	\$ 125,000
<b>Estimate Cost</b>	<b>\$ 6,591,350</b>

It was originally anticipated that the budgets in the LTP would be funded at a FAR rate of 53%. The total local share component of the \$2,175,000 project budget is \$1,022,250, which is more than enough to meet the \$990,000 local share of the revised project cost of \$6,600,000 at 85% FAR. The contract can therefore be funded from the approved funding.

### Chief Executive Approval

CON17027, for Twin Coast Discovery Highway Lighting Upgrade 2017, was awarded to Currie Electrical for a price of up to \$1,196,350 (one million one hundred and ninety six thousand, three hundred and fifty dollars) excluding GST.

## 5.3 Infrastructure Capital Projects Report for the month ending 30 September 2017

**Meeting:** Infrastructure Committee  
**Date of meeting:** 9 November 2017  
**Reporting officer:** Simon Weston (General Manager Infrastructure)

### 1 Purpose

To provide the Infrastructure Capital Projects Report for the month ending 30 September 2017.

### 2 Recommendations

That the Infrastructure Committee note the Infrastructure Capital Projects Report for the month ending 30 September 2017.

### 3 Background

This Report provides an update on Infrastructure Capital Projects expenditure to date compared to budget, as well as the forecast spend for the year and carry forwards against budget.

### 4 Discussion

The Capital Projects expenditure for Infrastructure as at 30 September 2017 is currently \$4.7m less than budget. Infrastructure is forecasting to spend a total of \$54.4m against the \$53.5m budget, with a forecast carry forward of \$3.4m to the next financial year.

This is an optimistic forecast at present depending on weather for the construction season which may affect projects such as the Tarewa Tank, which is scheduled to finish in May. A wet start to the construction season has delayed the start date of some projects.

The main variance for the forecast to budget is for the LED Lighting Upgrade of which \$4.425m has been bought forward to make the most of the 85% NZTA subsidy offered this year.

Wastewater has a forecast carry forward of \$250k for the contribution to the Tarewa Sewer Upgrade being done by NZTA as part of the Tarewa Road intersection upgrades.

The remaining variances forecast to budget are due to carry forwards for Parks & Recreation of \$3.2m. This is made up of the Town Basin Conversion of Car Park to Park Project of 1.3m to align with completion of the Hundertwasser Art Centre project as well as \$1.9m for Pohe Island Projects.

## **5 Significance and engagement**

The decisions or matters of this Agenda do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via agenda publication on the website.

## **6 Attachment**

Infrastructure Capital Projects Report

## INFRASTRUCTURE CAPITAL PROJECTS REPORT

AS AT 30 September 2017

(Figures include both Operating and Capital Expenditure)

	Actual YTD \$000	Revised Budget YTD \$000	Variance YTD \$000	Full Year Forecast \$000	Full Year Revised Budget \$000	Forecast (Underspent )/ Overspent \$000	Forecast Carry Forwards \$000	Total (Underspent )/ Overspent \$000
<b>Transportation</b>								
Bus Shelters	9	0	9	9	0	9	0	9
Coastal Protection Structures - Roading	0	0	0	80	80	0	0	0
Cycleways - Additional government fundin	16	0	16	7	0	7	0	7
Cycleways - Programmed Work	261	1,054	(793)	4,215	4,215	(0)	0	(0)
Cycleways - Unsubsidised Programmed Work	0	0	0	91	91	0	0	0
Drainage Renewals	145	111	34	444	444	(0)	0	(0)
Footpaths Renewals	45	85	(40)	340	340	0	0	0
Land for Roads	(10)	0	(10)	500	500	0	0	0
LED Streetlight Upgrades	199	544	(345)	6,600	2,175	4,425	0	4,425
Lower James Street Upgrade	0	130	(130)	518	518	0	0	0
Mill Rd/Nixon St/Kamo Rd - Roading	16	0	16	0	0	0	0	0
Minor Improvements to Network	249	652	(403)	2,608	2,608	(0)	0	(0)
New Footpaths	156	125	31	224	223	0	0	0
Parking Renewals	(10)	31	(41)	124	124	0	0	0
Parking Upgrades	0	70	(70)	100	100	0	0	0
Roading Property Renewals & Improvements	16	0	16	16	0	16	0	16
Seal Extensions - House Frontage Sealing	30	38	(8)	151	151	0	0	0
Seal Extensions - Wright/McCardle	0	313	(313)	1,250	1,250	0	0	0
Sealed Road Pavement Rehabilitation	342	1,710	(1,368)	6,840	6,840	(0)	0	(0)
Sealed Road Resurfacing	1,063	934	129	3,736	3,736	0	0	0
Southern Entrance Intersection Improvement	0	0	0	645	645	0	0	0
Structures Component Replacement	64	0	64	429	429	(0)	0	(0)
Traffic Sign & Signal Renewals	89	132	(44)	530	529	0	0	0
Transport Planning Studies & Strategies	36	0	36	10	0	10	0	10
Unsealed Road Metalling	254	276	(21)	1,043	1,102	(60)	0	(60)
Urban Intersection Upgrades	29	272	(243)	1,088	1,088	0	0	0
<b>Transportion Total</b>	<b>2,999</b>	<b>6,475</b>	<b>(3,476)</b>	<b>31,598</b>	<b>27,190</b>	<b>4,408</b>	<b>0</b>	<b>4,408</b>

<b>Water</b>								
Minor Projects - Emergency Works	1	0	1	315	315	0	0	0
Pipeline Bridges - Programmed Work	0	0	0	21	21	0	0	0
Reservoir Rehabilitation - Programmed Work	10	20	(10)	315	315	0	0	0
Reticulation - Programmed Work	136	117	19	654	654	0	0	0
Ruddells Raw Water Line Renewal	0	0	0	1,052	1,052	0	0	0
Water Meter Renewals	0	0	0	368	368	0	0	0
Water Treatment Plant & Equipment Replacement	67	74	(7)	380	315	65	0	65
Water Treatment Plant and Equipment Replacement	0	0	0	0	0	0	0	0
Whau Valley New Water Treatment Plant	101	0	101	1,500	1,500	0	0	0
<b>Water Total</b>	<b>315</b>	<b>211</b>	<b>104</b>	<b>4,606</b>	<b>4,541</b>	<b>65</b>	<b>0</b>	<b>65</b>
<b>Solid Waste</b>								
Rural Transfer Station Upgrades	4	5	(2)	204	200	4	0	4
<b>Solid Waste Total</b>	<b>4</b>	<b>5</b>	<b>(2)</b>	<b>204</b>	<b>200</b>	<b>4</b>	<b>0</b>	<b>4</b>
<b>Wastewater</b>								
Hikurangi Sewer Network Upgrade	250	558	(309)	960	960	0	0	0
Laboratory Equipment Renewals & Upgrades	0	0	0	34	34	0	0	0
Motor Starter Assessment & Upgrades	0	0	0	16	16	0	0	0
Public Toilets	55	52	2	1	0	1	0	1
Pump Station Upgrades	15	20	(5)	368	368	0	0	0
Ruakaka Waste Water Treatment Plant Upgrade	22	20	2	55	50	5	0	5
Treatment Plant Remote Monitoring	0	0	0	53	53	0	0	0
Treatment Plant Upgrades	3	44	(41)	658	672	(14)	0	(14)
Tutukaka Wastewater WWTP Renewals	0	0	0	53	53	0	0	0
Waipu Trunk Main Upgrades	4	0	4	60	56	4	0	4
Wastewater Assessment	0	20	(20)	42	42	0	0	0
Wastewater City Service Level Improvements	128	680	(551)	5,722	5,992	(270)	250	(20)
Wastewater Projects	0	30	(30)	200	200	0	0	0
Wastewater Strategy - Programmed Work	11	20	(9)	91	100	(9)	0	(9)
Wastewater Structures Earthquake checks	0	0	0	32	32	0	0	0
Wastewater Treatment Plants	0	0	0	0	0	0	0	0
<b>Wastewater Total</b>	<b>488</b>	<b>1,445</b>	<b>(956)</b>	<b>8,344</b>	<b>8,626</b>	<b>(282)</b>	<b>250</b>	<b>(32)</b>
<b>Stormwater</b>								
Stormwater Catchment Management Plans & Assessme	0	30	(30)	126	126	0	0	0
Stormwater Projects - Programmed Work	92	96	(4)	962	934	28	0	28
<b>Stormwater Total</b>	<b>92</b>	<b>126</b>	<b>(34)</b>	<b>1,088</b>	<b>1,060</b>	<b>28</b>	<b>0</b>	<b>28</b>
<b>Community Facilities &amp; Services</b>								
<b>Parks &amp; Recreation</b>								
Bank Street Revitalisation	0	0	0	0	0	0	0	0
Cemeteries Level of Service	0	0	0	85	85	0	0	0

Cemeteries Renewals	0	0	0	160	160	0	0	0
Coastal Structures Renewal	190	269	(79)	349	389	(41)	0	(41)
Emerald Necklace - Sense of Place	155	188	(33)	215	215	0	0	0
Hatea Activity Loop	6	42	(36)	691	541	150	0	150
Neighbourhood & Public Gardens Level of Service	0	0	0	151	151	0	0	0
Neighbourhood & Public Gardens Renewals	60	0	60	903	896	8	0	8
Parks Interpretation Information	2	0	2	43	42	1	0	1
Playgrounds & Skateparks Level of Service	0	0	0	105	105	0	0	0
Playgrounds & Skateparks Renewals	0	0	0	167	167	0	0	0
Public Art	0	0	0	42	42	0	0	0
Seawalls Renewal	43	219	(176)	1,086	1,287	(201)	0	(201)
Sport & Recreation Level of Service	4	65	(61)	835	2,850	(2,015)	1,880	(135)
Sport & Recreation Renewals	71	16	55	1,379	1,316	62	0	62
Town Basin - Conversion of Carpark to Park	0	0	0	200	1,503	(1,303)	1,303	0
Urban Design - Themed Communities & Settlements	1	0	1	190	190	1	0	1
Walkway & Track Level of Service	0	0	0	21	21	0	0	0
Walkway & Track Renewals	4	86	(82)	458	427	32	0	32
<b>Parks &amp; Recreation Total</b>	<b>535</b>	<b>885</b>	<b>(350)</b>	<b>7,081</b>	<b>10,386</b>	<b>(3,305)</b>	<b>3,183</b>	<b>(122)</b>
<b>Community Facilities &amp; Services Total</b>	<b>535</b>	<b>885</b>	<b>(350)</b>	<b>7,081</b>	<b>10,386</b>	<b>(3,305)</b>	<b>3,183</b>	<b>(122)</b>
<b>Support Services</b>								
<i>Infrastructure Planning &amp; Capital Works</i>								
New Airport Evaluation	2	20	(18)	1,522	1,520	2	0	2
<b>Infrastructure Planning &amp; Capital Works Total</b>	<b>2</b>	<b>20</b>	<b>(18)</b>	<b>1,522</b>	<b>1,520</b>	<b>2</b>	<b>0</b>	<b>2</b>
<b>Support Services Total</b>	<b>2</b>	<b>20</b>	<b>(18)</b>	<b>1,522</b>	<b>1,520</b>	<b>2</b>	<b>0</b>	<b>2</b>
<b>Total</b>	<b>4,434</b>	<b>9,166</b>	<b>(4,732)</b>	<b>54,442</b>	<b>53,523</b>	<b>919</b>	<b>3,433</b>	<b>4,352</b>
check	4434.28	9,166		54,442	53,523		3,433	
	0	0		0	0			





**RESOLUTION TO EXCLUDE THE PUBLIC**

That the public be excluded from the following parts of proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

1.	The making available of information would be likely to unreasonably prejudice the commercial position of persons who are the subject of the
2.	To enable the council (the committee) to carry on without prejudice or disadvantage commercial negotiations. {(Section 7(2)(i))}.
3.	To protect the privacy of natural persons. {Section 7(2)(a)}.
4.	Publicity prior to successful prosecution of the individuals named would be contrary to the laws of natural justice and may constitute contempt of court.
5.	To protect information which is the subject to an obligation of confidence, the publication of such information would be likely to prejudice the supply of information from the same source and <b>it is</b> in the public interest that such information should continue to be supplied.
6.	In order to maintain legal professional privilege. {Section 2(g)}.
7.	To enable the council to carry on without prejudice or disadvantage, negotiations {Section 7(2)(i)}.

**Resolution to allow members of the public to remain**

If the council/committee wishes members of the public to remain during discussion of confidential items the following additional recommendation will need to be passed:

**Move/Second**

permitted to remain at this meeting, after the public has been excluded, because of his/her/their knowledge of \_\_\_\_\_

This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because \_\_\_\_\_

*Note:*

*Every resolution to exclude the public shall be put at a time when the meeting is open to the public.*