

### **AGENDA**

# Environmental Services Committee Meeting Tuesday, 30 July 2019

Date Tuesday, 30 July 2019

Time 9am

**Location Council Chamber** 

**District Council Building** 

**King George Place** 

**Timaru** 

File Reference 1268949



#### **Timaru District Council**

Notice is hereby given that a meeting of the Environmental Services Committee will be held in the Council Chamber, District Council Building, King George Place, Timaru, on Tuesday 30 July 2019, at 9am.

#### **Environmental Services Committee Members**

Clrs Kerry Stevens (Chairperson), Sally Parker (Deputy Chairperson), Peter Burt, Andrea Leslie, Steve Wills, David Jack, Paddy O'Reilly, Nigel Bowen, Richard Lyon, Mayor Damon Odey and Te Wera King (Mana Whenua)

Quorum – no less than 6 members

#### Local Authorities (Members' Interests) Act 1968

Committee members are reminded that if you have a pecuniary interest in any item on the agenda, then you must declare this interest and refrain from discussing or voting on this item, and are advised to withdraw from the meeting table.

Tracy Tierney **Group Manager Environmental Services** 



#### **Order Of Business**

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- 1 Apologies
- 2 Identification of Items of Urgent Business
- 3 Identification of Matters of a Minor Nature
- 4 Declaration of Conflicts of Interest
- **5** Community Forum

#### **6** Confirmation of Minutes

#### 6.1 Minutes of the Environmental Services Committee Meeting held on 11 June 2019

Author: Joanne Brownie, Council Secretary

#### Recommendation

That the Minutes of the Environmental Services Committee Meeting held on 11 June 2019 be confirmed as a true and correct record of that meeting.

#### **Attachments**

1. Minutes of the Environmental Services Committee Meeting held on 11 June 2019

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## **MINUTES**

# Environmental Services Committee Meeting Tuesday, 11 June 2019

Ref: 1268949

# Minutes of Timaru District Council Environmental Services Committee Meeting held in the Council Chamber, District Council Building, King George Place, Timaru on Tuesday, 11 June 2019 at 9am

Present: Kerry Stevens (Chairperson), Clr Peter Burt, Clr Steve Wills, Clr David Jack,

Clr Nigel Bowen, Clr Richard Lyon

**In Attendance:** Jan Finlayson – Geraldine Community Board (for public part of meeting)

Stephanie McCullough – Temuka Community Board (for public part of meeting)

Chief Executive (Bede Carran), Group Manager Environmental Services (Tracy Tierney), Environmental Compliance Manager (Debbie Fortuin), Council

Secretary (Joanne Brownie)

#### 1 Apologies

#### Committee Resolution 2019/1

Moved: Clr David Jack Seconded: Clr Steve Wills

That apologies from Clr Sally Parker, Clr Andrea Leslie, Clr Paddy O'Reilly, Mayor Damon Odey and Raewyn Hessell of the Pleasant Point Community Board be received and accepted.

**Carried** 

#### 2 Identification of Items of Urgent Business

There were no items of urgent business.

#### 3 Identification of Matters of a Minor Nature

There were no items of a minor nature.

#### 4 Declaration of Conflicts of Interest

Clr Nigel Bowen declared an interest in the public excluded item – Appointment of Commissioner for the District Licensing Committee.

#### 5 Chairperson's Report

The Chairperson reported on meetings he had attended and duties he had carried out on behalf of the Committee since the last meeting including the Downlands Water Supply Committee, biodiversity drop-in sessions at Geraldine and Pleasant Point, Council meeting and meeting with the Group Manager Environmental Services as well as discussing a range of issues with various Council officers.

#### **Committee Resolution 2019/2**

Moved: Clr Kerry Stevens Seconded: Clr Peter Burt

That the Chairperson's report be received.

**Carried** 

#### 6 Reports

#### 6.1 Confirmation of Minutes

1 Minutes of a meeting of the Environmental Services Committee held on 12 March 2019.

#### **Committee Resolution 2019/3**

Moved: Clr Nigel Bowen Seconded: Clr Steve Wills

That the minutes of the Environmental Services Committee meeting held on 30 April 2019, be confirmed as a true and correct record.

**Carried** 

#### 7 Consideration of Urgent Business Items

There were no urgent business items to consider.

#### 8 Consideration of Minor Nature Matters

There were no minor items to consider.

#### 9 Exclusion of the Public

#### **Committee Resolution 2019/4**

Moved: Clr Richard Lyon Seconded: Clr Nigel Bowen

That the public be excluded from the following parts of the proceedings of this meeting on the grounds under section 48 of the Local Government Official Information and Meetings Act 1987 as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Plain English Reason
10.1 - Appointment of Commissioner for the District Licensing Committee	s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons	To protect a person's privacy

Carried

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Moved: Clr Peter Burt Seconded: Clr David Jack

That Council moves out of Closed Council into Open Council.

- 10 Public Excluded Reports
- 10.1 Appointment of Commissioner for the District Licensing Committee
- 11 Readmittance of the Public

The meeting moved out of Closed meeting into Open meeting.

The Meeting closed at 9.10am.

	Chairperson

#### 7 Reports

#### 7.1 District Plan Review - Iwi Consultation

Author: Mark Geddes, District Planning Manager

Authoriser: Tracy Tierney, Group Manager Environmental Services

#### Recommendations

#### That:

1. The report be received.

- 2. The approach to Iwi consultation on the District Plan Review proposed in this report is adopted.
- 3. Te Rūnanga o Arowhenua Society Incorporated are formally requested to consider adopting the approach to Iwi consultation proposed in this report.
- 4. The collaborative group between Timaru District Council and Aoraki Environmental Consultancy Limited (AECL) is subject to the terms of reference attached as Appendix 1 of this report.

#### **Purpose of Report**

1 To seek the Committee's approval as to how Iwi are consulted on the District Plan Review.

#### **Assessment of Significance**

2 This matter is not deemed significant under the Council's Significance and Engagement Policy.

#### **Background**

- Te Rūnanga o Ngāi Tahu are the registered Iwi authority for the district but have directed¹ Council to consult with Te Rūnanga o Arowhenua Society Incorporated (hereafter the 'Rūnanga') in relation to the District Plan Review.
- On the 8 May 2018 the Environmental Services Committee approved a 'targeted' approach to consulting Iwi for the District Plan Review. There were no specific details regarding what that consultation included other than an indication that pre-draft plan consultation with an Iwi stakeholder group would be conducted and that landowner input into research is to be confirmed. At that date, there was an informal agreement that a collaborative approach would be taken to drafting the District Plan Tangata Whenua provisions, but discussions were continuing regarding how that collaborative approach would work.

#### **Proposed Consultation Approach**

5 The following approach is proposed to consult with Iwi on the District Plan Review:

<sup>&</sup>lt;sup>1</sup> E-mail correspondence from Tanya Stevens, Programme leader, Te Rūnanga o Ngāi Tahu to Chris English, then Group Manager Environmental Services, dated 25 March 2015

- 5.1 A planner from Aoraki Environmental Consultancy Limited (AECL) will sit on the District Plan Review Technical Working Group<sup>2</sup> to ensure that Rūnanga views and priorities are integrated throughout the District Plan.
- 5.2 A Rūnanga cultural advisor sat on the Ecosystems and Indigenous Biodiversity Stakeholder Group which has recommended draft ecosystems provisions to the Environmental Services Committee. A Rūnanga cultural advisor also sits on the Heritage Steering Group.
- 5.3 In consultation with the Rūnanga's cultural advisors, AECL will draft the glossary of Te Reo Maori terms and Tangata Whenua section of the draft District Plan in accordance with the National Planning Standards. The National Planning Standards prescribes Tangata Whenua sections of District Plans and does not include objectives, policies or rules. However, issues identified in the Tangata Whenua section may give rise to accompanying recommendations for provisions to be included in the Strategic Directions Section or other sections of the Proposed Plan.
- 5.4 In consultation with the Rūnanga's cultural advisor(s), AECL will draft a research report that will inform the sites of significance to Māori district wide chapter of the draft District Plan. The report will identify sites of significance to Māori that the Rūnanga consider are appropriate to identify in the draft District Plan. It will also make recommendations on the policy approach to sustainably manage the identified sites of significance to Māori.
- 5.5 AECL (in conjunction with cultural advisors) will also draft a report identifying desired outcomes for the Māori purposes zone (or similar) of the draft District Plan and will recommend the policy approach to achieve this.
- 5.6 A collaborative group (called the Tangata Whenua Steering Group) including representatives from Timaru District Council and AECL will:
  - 5.6.1 Endorse the definition of Te Reo Māori terms and description of tangata whenua issues and values, the identification of sites of significance to Māori and the outcomes sought for the Māori purposes zone in the AECL reports; and
  - 5.6.2 Consider and decide on the draft objectives, policies and rules to be included in the draft District Plan to provide for these matters. The recommendations as to policy approach made by AECL will be taken into account by the group but do not bind the collaborative group or the Council and may be amended.
- 5.7 After the provisions are agreed by the collaborative group they will then be workshopped and formally presented to the Rūnanga and Council's Environmental Services Committee for their respective consideration.
- In addition to the above, there is a seat on the Environmental Services Committee for a Rūnanga representative, which is a decision making role that has full voting rights. Council also has a service contract that supports AECL.

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<sup>&</sup>lt;sup>2</sup> This group consists of Tracy Tierney (TDC), Aaron Hakkaart (Infrastructure representative), Mark Geddes (TDC), Alex Wakefield (TDC), Megan Geng (TDC), Sandra McIntyre (AECL) and an Ecan representative. This purpose of this group is to ensure the Environmental Services Committee that the draft District Plan provisions presented to them have the buyin of Council's major internal and external stakeholders.

7 Consultation with affected landowners will be considered after the Environmental Services Committee have approved the provisions for the sites of significance to Māori and Māori purposes zone. A plan for this consultation will be submitted to the Committee for approval.

#### <u>Statutory Consultation Requirements</u>

- 8 Clause 3B, Part 1, Schedule 1 of the Resource Management Act 1991 (RMA) provides that a local authority is treated as having consulted with an Iwi authority in preparing a district plan, if the local authority:
  - 8.1 Considers ways in which it may foster their development of their capacity to respond to an invitation to consult; and
  - 8.2 Establishes and maintains processes to provide opportunities for those Iwi authorities to consult it; and
  - 8.3 Consults with those Iwi authorities; and
  - 8.4 Enable those Iwi authorities to identify resource management issues of concern to them; and
  - 8.5 Indicates how those issues have been or are to be addressed.
- 9 Clause 4A, Part 1, Schedule 1 RMA requires local authorities to provide a copy of a plan to Iwi authorities; allow adequate time for that Iwi authority to consider the plan; and have particular regard to any advice received from those Iwi authorities.
- 10 It is considered that the proposed approach to Iwi consultation complies with Clause 3B, Part 1, Schedule 1 RMA. Matters 7 a. to e. are addressed in turn below:
  - 10.1 Signing a service contract with AECL fosters the Rūnanga's capacity to respond to an invitation to consult.
  - 10.2 The inclusion of a Rūnanga seat on the Environmental Services Committee, along with AECL being on the Technical Working Group will maintain a process that will ensure the Rūnanga have an opportunities to be consulted on all District Plan Review matters.
  - 10.3 The sites of significance report; the joint development of the provisions; inclusion of AECL in the stakeholder groups and Technical Working Group; provides for Rūnanga consultation.
  - 10.4 AECL's drafting of the Tangata Whenua chapter, their inclusion on the Technical Working Group and the other stakeholder groups, along with the Runanga seat on the Environmental Services Committee, will enable the Runanga to identify resource management issues of concern to them.
  - 10.5 The Tangata Whenua chapter will indicate how the issues of concern to Tangata Whenua are to be addressed in the proposed plan.
- 11 It is considered that the proposed approach to Iwi consultation exceeds the RMA's statutory requirement to consult Iwi and importantly reflects a partnership approach.
- The RMA now provides for Mana Whakahono a Rohe (Iwi Participation Agreements). These are detailed agreements between Iwi and Councils regarding how Iwi will participate in the Council's RMA functions. Mana Whakahono a Rohe are initiated by Iwi. Although there has been no requests to date, there could be at any stage.

#### **Options and Preferred Option**

- 13 The key options to address this matter are:
  - 13.1 Adopt the recommended approach to Iwi consultation;
  - 13.2 Do not adopt the recommended approach to Iwi consultation;
  - 13.3 Amend the recommended approach to Iwi consultation.
- Adopting the recommended approach to Iwi consultation will provide an approach that meets the expectations of the Rūnanga; complies with the statutory requirements; is robust and defensible; and should be effective.
- 15 Not adopting the recommended approach will mean that an alternative approach to Iwi consultation will need to be discussed with the Rūnanga.
- Any proposed amendments to the approach should be discussed with the Rūnanga prior to being resolved.
- 17 The preferred option is the recommended approach.

#### Consultation

The approach to consultation on the District Plan Review has been discussed with the Executive Committee of the Rūnanga over the last four years. Correspondence from their chairman has been received, which suggested a similar approach to that proposed. After a meeting with Aoraki Environmental Consultancy Limited (AECL) and a further meeting between the Runanga's planning consultant (Sandra McIntyre) and the writer, the operational detail of the proposed approach to Iwi consultation was agreed.

#### **Relevant Legislation, Council Policy and Plans**

- 19 The relevant legislation, Council policy and plans are:
  - Resource Management Act 1991
  - Canterbury Regional Policy Statement
  - Timaru District Plan

#### **Financial and Funding Implications**

20 The cost of the consultation is budgeted for in the District Plan Review budget.

#### Other Considerations

21 There are no other relevant considerations.

#### **Attachments**

1. Terms of Reference Tangata Whenua Steering Group U

#### **Terms of Reference**

#### **Tangata Whenua Steering Group**

#### **Steering Group Role**

1. Make recommendations to Timaru District Council's Environmental Services Committee and Te Rūnanga o Arowhenua regarding Draft District Plan's tangata whenua chapters.

#### **Deliverables**

- 2. The Group will recommend objectives, policies and rules for the sites of significance to Māori chapter and the Māori Special Purpose zone (or similar).
- 3. The above shall be made to the Environmental Services Committee and Te Rūnanga o Arowhenua by no later than the end of November 2019.

#### **Steering Group Membership:**

- 4. The steering group will be made up of the following:
  - a. An elected member of the Timaru District Council
  - b. Mark Geddes, District Planning Manager, Timaru District Council
  - c. A cultural advisor from Aoraki Environmental Consultancy
  - d. Sandra McIntrye, representing Aoraki Environmental Consultancy
- 5. Specialist assistance to the group will be provided by Timaru District Council on an as required basis.
- 6. The meetings will be chaired by an elected member of Timaru District Council.

#### **Group Operation Principles**

- 7. Members of the Steering group agree to:
  - a. Collaborative with one another.
  - b. Be outcome focused.
  - c. Make decisions by consensus. If consensus cannot be reached, a report on the points of disagreement will be provided to the Environmental Services Committee and Te Rūnanga o Arowhenua, along with the points of major agreement.
  - d. Ensure recommendations are practical and capable of being implemented.
  - e. In making recommendations, be aware of limited agency resources and the need to budget for actions.
  - f. Endorse the following District Plan matters provided by Aoraki Environmental Consultancy Limited:
    - The definition of Te Reo Māori terms

- Description of tangata whenua issues and values
- The identification of sites of significance to Māori
- Outcomes sought for the Māori purposes zone.
- g. The recommendations as to policy approach made by Aoraki Environmental Consultancy Limited will be taken into account by the group but do not bind the collaborative group or the Council and may be amended.

### 7.2 Report to Committee on the Approach to Special Purpose Zones in District Plan Review

Author: Megan Geng, Intermediate Planner

Authoriser: Tracy Tierney, Group Manager Environmental Services

#### Recommendations

1. That the report be received.

2. That the approach to Special Purpose Zones in the District Plan Review proceed as recommended in Table 1 of this report.

#### **Purpose of Report**

The purpose of the report is to decide on the approach to Special Purpose Zones in the District Plan Review.

#### **Assessment of Significance**

2 This matter is not deemed significant under the Council's Significance Policy.

#### **Background**

- The new National Planning Standards (NPS) were gazetted in April 2019 and provide a template for plans and policy statements prepared under the Resource Management Act 1991 (RMA). The NPS lists a number of standard zones and Special Purpose Zones that can be used in District Plans. A Special Purpose Zone is a zone that applies to one particular site or activity. The following Special Purpose Zones are provided in the NPS:
  - a. Airport zone
  - b. Corrections zone
  - c. Future urban zone
  - d. Hospital zone
  - e. Māori purpose zone
  - f. Port zone
  - g. Stadium zone
- 4 Additional Special Purpose Zones can be created but are subject to specific criteria.

#### Discussion

The Ministry for the Environment's Guideline on implementing the NPS<sup>3</sup> states that it is only appropriate to provide a Special Purpose Zone if the area/activity that needs to be managed cannot be dealt with by one, or a combination of other spatial layers, or through a standard

<sup>&</sup>lt;sup>3</sup> Guidance 12 (District Spatial Layers Standard) and Guidance 8 (Zone Framework Standard)

zone. The rationale for this is to avoid unnecessary confusion and repetition in the District Plan.

With this in mind, an assessment has been carried out for all Special Purpose Zones listed in the NPS. Table 1 below summaries the recommendations resulting from this assessment:

Special Purpose Zone (SPZ)	Recommendation	Further Comments
Airport zone	Not provide	Can be dealt with by <b>designation</b> over <b>general rural zone</b> .
Corrections zone	Not provide	Not relevant as no major correction facilities exist in the District.
Future urban zone	Not provide	Can be dealt with by specific controls or a precinct over a general rural zone.
Hospital zone	Not provide	Can be dealt with by designation, specific control or precinct over a Residential or Commercial Zone.
Māori purpose zone	Likely	Subject to on-going consultation through Aoraki Environmental Consultancy Limited.
Port zone	Not provide	Can be dealt with by specific control over General Industrial Zone
Stadium zone	Not provide	Can be dealt with by precinct/specific control over Sport and Active Recreation Zone.
Tertiary education zone	Not provide	Can be dealt with by precinct/specific control with an underlying Residential or Commercial Zone.
Additional Special Purpose Zone	Not provide	No land or activities in the District would meet all the criteria required to provide an additional SPZ.

Table 1 - Summary of Conclusion over use of Special Purpose Zones from Preliminary Assessment

#### **Options and Preferred Option**

- 7 The key options to address this matter are:
  - a. Adopt the recommended approach to Special Purpose Zones.
  - b. Amend the recommended approach to Special Purpose Zones.
- Adopting the recommended approach will ensure these areas are managed effectively and efficiently and fulfils the requirements of the NPS.
- 9 Any proposed amendments to the recommended approach will need to ensure:
  - a. it fulfils the requirements of the NPS;
  - b. it is able to manage the area effectively;
  - c. it is an efficient use of available resources;
  - d. it does not unnecessarily lengthen the Plan.

#### Consultation

10 Pre-consultation took place with a number of key stakeholders. Identified key stakeholders and consultation outcomes are outlined below:

Stakeholder	Outcome
Timaru Airport Manager	Agrees that designation is a more appropriate tool.
South Canterbury District Health Board	Two consultation letters sent to the stakeholder, along with a meeting. No specific response in relation to the approach to zoning has been received to date.
Aoraki Environmental Consultancy Limited	Consultation ongoing.
PrimePort	Prefers own zone, however acknowledges that existing industrial zone accommodates the needs of the Port. Indicated that they are open to working with Council on the use of other spatial tools.
Community and Recreational Services Manager	Agrees that the use of Council stadiums has the potential to be incorporated in the <i>sports and active recreation zone</i> . Need to ensure the zone enables the ongoing operation and potential development of the stadiums.
Ara Institute of Technology	Prefers own zone, however, is open to the use of other spatial tools as long as it achieves the desired outcome.
South Canterbury Rugby Football Union	Meeting held with Chief Executive of South Canterbury Rugby Football Union. Redevelopment of the Stadium is likely to be completed under the operative plan. No specific response received in relation to the approach to zoning.

Table 2 -Stakeholder Consultation

- 11 All key stakeholders will be consulted again during the appropriate plan drafting phase.
- 12 A workshop with Environmental Service Committee was held over the approach to Special Purpose Zones.

#### **Relevant Legislation, Council Policy and Plans**

- 13 The relevant legislation, Council policy and plans are:
  - Resource Management Act 1991
  - National Planning Standards
  - Timaru District Plan

#### **Financial and Funding Implications**

14 The cost of the consultation is budgeted for in the District Plan Review budget.

#### **Other Considerations**

15 There are no other relevant considerations.

#### **Attachments**

Nil

#### 7.3 Significant Natural Areas Fund 2018/19 Allocation

Author: Megan Geng, Intermediate Planner

Authoriser: Tracy Tierney, Group Manager Environmental Services

#### Recommendation

That the report be received.

#### **Purpose of Report**

To advise the Committee of the expenditure from the Significant Natural Areas Fund (SNAF) for the 2018 – 2019 financial year that has been committed to by the Group Manager Environmental Services and District Planner Manager under delegated authority.

#### **Assessment of Significance**

2 This matter is not deemed significant under the Council's Significance and Engagement Policy.

#### Discussion

- 3 The stated aim of the SNAF is to:
  - a. assist and actively encourage landowners and members of the Timaru District community to manage, protect and enhance significant natural areas; and
  - b. enable Council to take an active role in managing, protecting and enhancing significant natural areas.
- The SNAF is one method the Timaru District Council uses to comply with Council's statutory obligation under the Resource Management Act 1991 to protect significant indigenous vegetation and significant habitats of indigenous fauna.
- The Significant Natural Areas Fund has a total annual budget of \$100,000 and it provides two categories:
  - Category One: Landowner and Community Projects (\$30,000 per annum)
  - Category Two: Council Initiated Projects (\$70,000 per annum)
- 6 5% of the annual funding (\$5,000) is reserved to monitor projects under this fund.

#### **Category One**

The SNAF under Category One is a contestable fund, with each application assessed on its merits on a case-by-case basis. Funding is only available for projects taking place on land within the boundaries of the Timaru District. The maximum total grant per project under the scheme is \$10,000 (excl GST), which is generally allocated on a 50:50 basis in terms of Council/applicant contribution. There is no minimum grant amount. The fund has an annual budget of \$30,000. There was no carry forward from last year's budget. A budget of \$30,000 was available under Category One for the 2018/19 financial year.

- 8 Category One applications must fall into one of the following types to be eligible for funding:
  - T1 Fencing Projects Fencing off and permanently protecting significant natural areas.
  - T2 Weed/Pest Control Projects Weed and pest management in and around Significant Natural Areas.
  - T3 Enhancement Projects Replanting and restoration of significant natural areas to enhance their ecological and habitat values.
  - T4 Covenanting Projects Providing a legal covenant that permanently protects a Significant Natural Area.
- 9 Category One applications have been considered in the context of the criteria contained within the document titled 'SNA Fund Criteria and Application Guidelines' (Appendix 1). Funding has been allocated as follows:

Category O	Category One					
Reference	Location of Project	Project Type	Grant			
2018.1	Orari Gorge (SNA 633d)	Fencing	\$5,000			
2018.2	Upper Rangitata River	Weed Control	\$5,000			
2018.3	Geraldine Downs (SNA 721f)	Enhancement	\$1,200			
2018.4	Kalaugher Road (SNA 725d)	Weed control and Enhancement	50% of total cost capped at \$1,600			
2018.5	Orari Gorge (SNA78a)	Weed Control	50% of total cost capped at \$8,000			
2018.6	Woodside Road (SNA69a)	Weed/pest control and Enhancement	50% of total cost capped at \$2,011.96			
Category O	ne Total Allocation	\$22,811.96				

Table 1 - Category One Fund allocation

A total grant of \$22,811.96 was allocated under Category One, resulting in a residual of \$7,188.04, to be added to Category Two budget in accordance with the 'SNA Fund Criteria and Application Guidelines'.

#### **Category Two**

11 Category Two is a new category of funding introduced in the 2018/19 financial year with an annual budget of \$70,000. The purpose of this Category is to target high value SNAs. With the residual of \$7,188.04 from Category One, less the \$5,000 monitoring costs, a total budget of \$72,188.04 was available to be allocated under this Category.

- Funding for Category Two Council initiated projects must fall into one of the following two types:
  - T5 Work Projects projects that carry out physical works to protect, manage and enhance indigenous biodiversity values in or around priority Significant Natural Areas.
  - T6 Education and Support Projects projects that aim to raise community and landowner's awareness of the significance and values of significant natural areas, as well as educating, supporting and encouraging landowners to protect and enhance Significant Natural Areas within their land.
- The majority of the budget, \$70,498.04, was allocated to the District-wide Limestone SNA weed control project. The project was proposed by consultant Ecologist Mike Harding, agreed by the Biodiversity Steering Group, and approved by Group Manager Environmental Services under delegated authority on 7 January 2019.
- 14 The project was chosen for the following reasons:
  - the biodiversity values of limestone SNAs are very high;
  - those values are immediately threatened by weeds;
  - money has already been invested by Council in these areas in previous years.
- The project brief was sent to five weed control contractors, with four fee proposals being received. The successful contractor was selected using the Price Quality (weighted attribute) method by the Group Manager Environmental Services under delegated authority.
- To date, \$64,498.04 of the budget has been spent and the majority of the work has been completed over the project area with the exception of aerial spraying over dense areas. This work is delayed until spring so that the vegetation will be in leaf to absorb the spray. Since the SNAF is able to be carry forward, \$6,000 of the budget will be reserved to complete this work.
- 17 The remaining budget of **\$1,690** was spent on the following two education projects:
  - \$1,190 was spent on providing all SNA limestone landowners with a copy of the South Canterbury Limestone book; and
  - \$500 was spent on a presentation on the invertebrates of Geraldine and environs by an entomologist.
- As a result, all of the available **\$100,000** SNAF was allocated in the 2018/19 financial year as follows:
  - \$22,811.96 was allocated under Category One
  - \$72,188.04 was allocated under Category Two
  - \$5,000 was reserved to monitor the projects.

#### **Attachments**

Adebe

1. Significant Natural Areas Fund Criteria & Application Guidelines Adopted November 2018  $\underline{\mathbb{J}}$ 



# Significant Natural Areas Fund Criteria and Guidelines

2 King George Place - PO Box 522 Timaru 7940 - Telephone 03 687 7200

#Doc 280176

Page 1

These guidelines specify procedures and conditions that are legally binding for successful applicants.



I M A R U 2 King George Place - PO Box 522 Timaru 7940 - Telephone 03 687 7200

#Doc 280176

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2 King George Place - PO Box 522 Timaru 7940 - Telephone 03 687 7200

#Doc 280176

#### 1. AIM OF THE SIGNIFICANT NATURAL AREAS FUND

- To assist and actively encourage landowners and members of the Timaru District community to manage, protect and enhance significant natural areas; and
- To enable Council to take an active role in managing, protecting and enhancing significant natural areas.

#### 2. SIGNIFICANT NATURAL AREAS CRITERIA

A district-wide significant natural areas survey has been conducted by Timaru District Council. In determining whether a natural area is significant in terms of section 6(c) of the Resource Management Act 1991, Council has used the assessment criteria set out in the Canterbury Regional Policy Statement 2013. These criteria assess sites against four key attributes: representativeness, rarity/distinctiveness, diversity and pattern, and ecological context.

#### 3. FUNDING CATEGORIES

Two funding categories are provided as follows:

Category One: Landowner and Community Projects – For projects initiated by

landowners and community groups that meet the provisions of Section 4

of these Guidelines.

Category Two: Council Initiated Projects – For projects initiated by Council in and around

priority Significant Natural Areas that meet provisions of Section 5 of

these Guidelines.

#### 4. CATEGORY ONE: LANDOWNER AND COMMUNITY APPLICATIONS

#### 4.1 Eligible Project Type

Applications must fall into one or more of the following types to be eligible for funding under Category One:

- T1 Fencing Projects Fencing off and permanently protecting significant natural areas.
- T2 Weed/Pest Control Projects Weed and pest management in and around Significant Natural Areas.
- T3 Enhancement Projects Replanting and restoration of significant natural areas to enhance their ecological and habitat values.
- T4 Covenanting Projects Providing a legal covenant that permanently protects a Significant Natural Area.



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#### 4.2 Project Criteria

Category One projects must meet the criteria detailed in Table 1 below:

Table 1 - Funding Criteria for the different types of projects under Category One

Criteria	Project Type			
Criteria	T1	T2	Т3	T4
The project must be for an area that is within the boundaries of Timaru District.	✓	✓	✓	✓
The project must be within or benefit an area which meets the Significant Natural Area Criteria listed in Appendix 3 of the Canterbury Regional Policy Statement.	✓	✓	✓	✓
The area must not be planted with any exotic vegetation once protected	<b>√</b>	✓	✓	✓
Significant native vegetation and significant habitats of native fauna shall not be damaged, disturbed or destroyed	<b>√</b>	✓	✓	✓
Livestock must be excluded from the area to be protected	✓			✓
It must have a protective covenant registered on the title of the land				✓

#### 4.3 Information Required for Application

The following information is required for any funding applications lodged under category one:

- a. Complete and signed application form;
- b. A description of the current problem/threats to the area (eg cattle grazing undergrowth of remnant forest, plant pests or animal pests like possums, goats, stoats etc which need controlling/eradicating);
- c. A description of how to ensure that the site is managed in a manner that protects and enhances the Significant Natural Area;
- d. A line drawing of the property on an A4 aerial photograph showing the project area and the proposed management measures. Note an aerial photo can be obtained free of charge from the GIS Unit or Planning Unit.



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#### 4.4 Timing of Applications

Category One applications will be open for a month from the 1<sup>st</sup> of August each year. The application period will be advertised by public notice as well as sending letters to all Significant Natural Area land owners.

All applications will need to be received by the Planning Unit by the end of the application period.

#### 4.5 Project Costs

Grants are allocated based on estimated project costs, which are established based on quotations provided from service providers. Council will reimburse applicants upon receiving receipts for completed works.

The following costs are not eligible for funding:

- Costs incurred prior to the lodging of the application;
- · Any costs involved in preparing the application;
- Equipment costs;
- · Landowner's labour contribution; and
- Debt servicing.

#### 4.6 Grant Limitation

Grant limitations for Category one projects are shown in Table 2 below:

Table 2 - Category One Grant Limitation

Items	Grant Limitation
Annual Budget	\$30,000
Maximum grant per project	Up to \$10,000
Council verses Landowner Contribution	Council will generally fund up to 50% of the total project costs. Projects proposing greater than 50% Council contribution will be assessed on their merits.
Contractor's labour cost	Council will generally fund up to 50% of a contractors labour costs. Projects proposing greater than 50% Council contribution will be assessed on their merits.

GST will be paid in addition to the grant where:

- the project is part of the applicant's taxable activity; and
- Council is provided with a GST tax invoice.

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#### 4.7 Assessment of Applications

As the number of projects and their total value may exceed the amount of money Council has available each year, funding will be prioritised by the following criteria:

- a. Landowner's contribution (labour or cash) towards to the project.
- b. The ecological significance of the site.
- c. The ecological values that will be protected by the project.
- d. The likely benefits/outcomes of the project.
- e. The urgency of the project.
- f. The sustainability of the project.

Application will be assessed by the Council's Planning Unit.

#### 4.8 Delegation

Funding decisions for Category One projects will be made by the District Planning Manager or Group Manager Environmental Services under delegated authority.

#### 4.9 Conditions on Grant

The following conditions shall apply to any grants made:

- 1. The applicant must notify the Planning Unit of the acceptance of the grant by signing the legal agreement supplied with the letter of offer and returning it.
- Projects must be completed prior to a reimbursement request is lodged. The applicant
  must notify the council of the completed works and allowing Council access to the site
  to monitor the projects.
- 3. All costs associated with the project are first paid by the applicant. Original receipts should be forwarded to the Planning Unit for processing. The grant will only be paid in relation to the approved works, at the approved Council contribution rate, and capped at the maximum approved grant.
- Any grant approval is personal to the applicant and cannot be reassigned without the written approval of the District Planning Manager or Group Manager Environmental Services.
- 5. Grants must be uplifted within the time specified in the approval. The Timaru District Council may consider an extension on request.
- 6. Grants are made subject to the Council being satisfied that the information given is true and correct and that there has been no omission of any relevant factor nor any misrepresentation made. Council retains the right to refuse payments to approved applicants in cases where it determines that it has been misled by the applicant or if the applicant has been placed in receivership, voluntary liquidation or declared bankrupt.
- 7. In all cases, the decision of the Timaru District Council shall be final and there will be no rights of appeal or review.

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- The Timaru District Council reserves the right to visit any project or use it for promotional purposes where grant assistance has been given. In all cases, the applicant will be notified of a visit.
- 9. The Timaru District Council reserves the right to suspend and to refuse further grant payments if in the opinion of the Council the grantee willfully or through neglect causes the project to fail. The decision of the Council shall be final and there shall be no rights of appeal or review and no right to compensation or damages of any nature.

Note: Additional conditions may be imposed at the discretion of the Timaru District Council.



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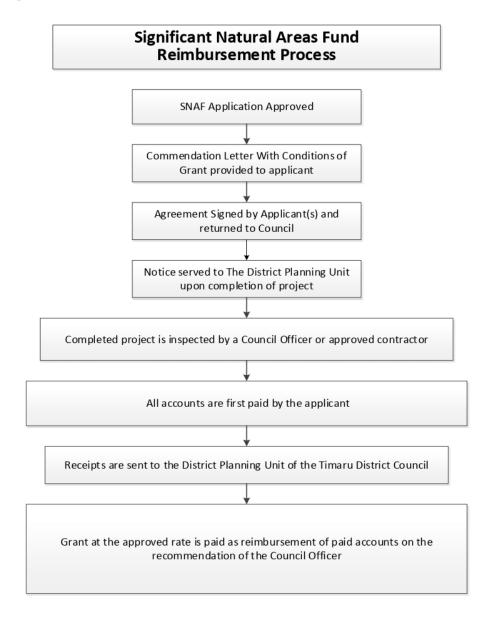
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#### 4.10 Reimbursement Process

The Reimbursements of an approved grant is outlined in Figure 1 below:

Figure 1 - Reimbursement Process





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#### 5 CATEGORY TWO: COUNCIL INITIATED PROJECTS

#### 5.1 Eligible Project Type

Category Two projects must fall into one of the following types to be eligible for funding:

- T5 Work Projects projects that carry out physical works to protect, manage and enhance indigenous biodiversity values in or around priority Significant Natural Areas.
- T6 Education and Support Projects projects that aim to raise community and landowner's awareness of the significance and values of significant natural areas, as well as educating, supporting and encouraging landowners to protect and enhance Significant Natural Areas within their land.

#### 5.2 Significant Natural Areas Projects

Projects for Priority Significant Natural Areas will be identified annually by the Council's Biodiversity Steering Group based on six factors:

- a. Biodiversity values of the site
- b. Present threats to those biodiversity values
- c. Urgency of those threats
- d. Present opportunities for management and/or protection
- e. Previous investment at the site
- f. Strategic benefit

#### 5.3 Grant Limitation

Grant under Category Two are limited to \$70,000 plus any remaining funds not spent on Category One projects, less 5% of the total project values under the fund, which is reserved for monitoring projects under this fund.

#### 5.4 Delegation

The allocation of funds to Category Two will be recommended by the Biodiversity Steering Group. Decisions on the allocation of funds under Category Two will be made by the District Planning Manager or Group Manager Environmental Services under delegated authority.

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#### 6.0 Delegations, References and Revision History

- **6.1 Delegations -** Identify here any delegations related to the policy for it to be operative or required as a result of the policy
- **6.2 Related Documents** Include here reference to any documents related to the policy (e.g. operating guidelines, procedures)
- 6.3 Revision History Summary of the development and review of the policy

#### 6.1 Delegations

Delegation	Delegations Register Reference
	Include Delegations Register reference

#### 6.2 References

Title	Document Reference
Report to Environmental Service Committee 27 November 2018	#1171681

#### 6.3 Revision History

	•				
Revision #	Policy Owner	Date Approved	Approval by	Date of next review	Document Reference
#1	District Planning Manager	2004	Resource Committee	N/A	#280176
#2	District Planning Manager	27 November 2018	Environmental Services Committee	November 2021	#1211696 (this document)



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#### 7.4 District Plan Review Update

Author: Mark Geddes, District Planning Manager

Authoriser: Tracy Tierney, Group Manager Environmental Services

#### Recommendation

#### That

1. The report be received.

#### **Purpose of Report**

1 To provide an update on the progress of the District Plan Review.

#### **Assessment of Significance**

2 This update is considered to be of low significance under the Council's Significance Policy.

#### Discussion

#### **Project Process**

- On 28 October 2014 Timaru District Council agreed to a three phase District Plan Review process prior to notification of the new Proposed District Plan, including:
  - 3.1 Phase 1 (scoping);
  - 3.2 Phase 2 (discussion documents);
  - 3.3 Phase 3 (drafting).
- 4 A summary of each phase is provided in Appendix 1. On 8 May 2018 the Environmental Services Committee agreed to consult on a Draft District Plan, which introduced Phase 4 of the District Plan Review (see Figure 1).

Figure 1 – Agreed phases of the District Plan Review prior to notification of the Proposed Plan



#### **Project Progress**

- 5 The following summary is provided of the progress of the District Plan Review:
  - 5.1 Phase 1 (scoping) was mostly completed in 2015, but was finally completed in 22 May 2018 with the adoption of the Growth Management Strategy.
  - 5.2 Phase 2 (discussion documents) was completed in 2016-17 with the release of 19 discussion documents and subsequently the Environmental Services Committee's release of their initial direction on the options presented in the discussion documents.
  - 5.3 Phase 3 (drafting) started in earnest in October 2018 using the process indicated in Figure 2. The progress with drafting of each chapter is indicated in Table 1. At this stage, it is predicted that a draft plan and accompanying report justifying the provisions should be completed during the June to August 2020 period in general accordance with the project plan workshopped with the Environmental Services Committee on 26 July 2019.
  - 5.4 Phase 4 (consultation on the draft) is scheduled to occur post June 2020.
- It should be noted the District Plan Review is a complex, multi-year project and unanticipated and unplanned issues do arise that mean the work programme and corresponding budget

need to be revised. An internal Council Project Steering Group closely monitors progress with the District Plan and reports annually to the Environmental Services Committee.

Figure 2 – Process for drafting of the District Plan chapters.

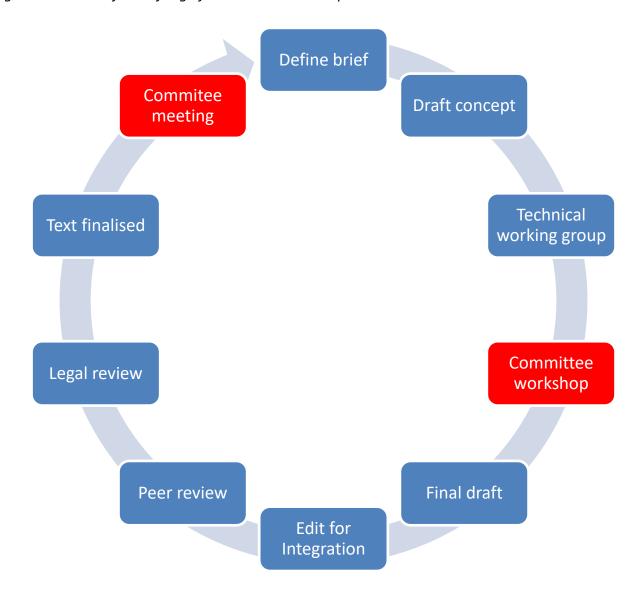


Table 1 – Progress of the draft District Plan chapters.

District Plan Topic	Not started	Consultant Engaged	Draft Concept	TWG or stakeholder	Committee workshop	Final Draft	Peer Review	Legal Review	Committee Adoption
Introduction									
Strategic directions									
Energy Infrastructure and Transport									
Natural Hazards									
Hazardous substances									
Historic Heritage									

District Plan Topic	Not started	Consultant Engaged	Draft Concept	TWG or stakeholder Group	Committee workshop	Final Draft	Peer Review	Legal Review	Committee Adoption
Notable trees									
Sites of significant to Maori									
Ecosystems									
Natural Character									
Natural features and landscapes									
Public access									
Versatile soils									
Subdivisions									
Activities on the surface of the water									
Coastal Environment									
Earthworks, quarrying and mining									
Light									
Noise									
Signs									
Temporary activities									
Relocated buildings									
Financial contributions									
General residential zone									
Medium density zone									
General rural zone									
Settlement zone									
Neighbourhood zone									
Local centre zone									
Large format zone									
Town Centre zone									
General industrial zone									
Natural open space zone									
Open space zone									
Sport and active recreation zone									
Caroline bay precinct zone									
Maori Purpose zone									
Hut zone									
Development areas									

#### **Successes and Challenges**

Some successes and challenges with the District Plan Review are worth mentioning in order to provide context to the progress of the project.

- 8 The Technical Working Group; the steering group approach; and the consultative approach are working well and are discussed in turn below.
  - 8.1 The Technical Working Group's role is to agree the draft District Plan provisions before they are discussed with the Environmental Services Committee. That group has been very successful in that all members have provided valuable input. It has also provided a process for stakeholder participation and a means to build consensus and strengthen relationships which should help deliver a robust and effective District Plan. The groups represented on the Technical Working Group include:
    - 8.1.1 TDC Planning staff;
    - 8.1.2 A TDC Infrastructure representative;
    - 8.1.3 Ecan staff;
    - 8.1.4 An Aoraki Environmental Consultancy representative.
  - 8.2 Steering groups have been used to recommend draft District Plan provision on three topics, including biodiversity; heritage; and tangata whenua. Although the latter steering group has not commenced to date, the others have been very successful in terms of providing valuable input, building consensus which again should support delivery of a quality plan.
  - 8.3 The highly consultative approach has also been a success. Each stage of the process has involved significant opportunities for public participation. This has provided valuable input and has helped ensure the public are provided with participation opportunities which will continue.
- 9 The following challenges with the District Plan Review have arisen:
  - 9.1 The statutory environment (statutory requirements and policy) have changed throughout the process and are set to continue to change with another Resource Management Act amendment on the horizon and a number of National Policy Statements about to be released. At times this has pulled human resources away from the District Plan Review to provide input on national legislation or policy. The changing requirements or goals has also caused delays and/or further work.
  - 9.2 Obtaining the necessary human resources has also been a challenge which has led to some delays in producing work.
  - 9.3 The size and complexity of the project is and will likely remain a challenge. There will be more than 39 different chapters, hundreds of objectives, policies, rules (that have the force of a regulation) and standards, many of which relate to one another, all of which attempt to sustainably manage social, cultural, economic and environmental matters, which are in themselves complex, important, interrelated and evolving matters. Reviewing a District Plan is also not just a matter of experts deciding what the provisions should be, but a democratic process of consulting stakeholders, the public and elected members on a range of matters; trying to build consensus; ensuring compliance with a number of statutory planning documents; considering expert evidence; and finally producing a new Plan through a long legal process that has multiple decision makers.

#### **Expenditure**

10 Expenditure on the District Plan Review is below what was budgeted for in the 2018-19 financial year with \$688,067 year to date, compared with the budget of \$1,446,600. However,

- there is a further \$385,863 amount of expenditure that has been recently committed (but not spent) in the 2018-2019 financial year and a further \$262,000 that is about to be committed, with contracts waiting to be signed.
- 11 The reasons for the lower than predicted expenditure is two-fold. First, the actual costs so far have been lower than predicted, mainly due to the competitive market keeping consultants quotes lower than anticipated. Second, is a timing issue in that the expenditure has occurred later than predicted. As part of the annual planning process we have taken the opportunity to rephase the expenditure to more closely match the updated work programme in the next two years. This resulted in a reduced projected spend in the 2018-19 and in the 2019/20 financial years so savings have been made.

#### **Appendix**

1 – District Plan Review Phases Initially Agreed by Council on 28 October 2014

#### Attachments

Nil

#### Appendix 1 – District Plan Review Phases Initially Agreed by Council on 28 October 2014

- 1. Scoping (establishing what needs to be done).
  - a. Undertake consultation with statutory bodies and Council Unit Managers.
  - b. Public notice to requiring authorities and heritage protection authorities.
  - c. Undertake background studies.
  - d. Review relevant statutory planning documents.
  - e. Undertake plan and state of the environment monitoring to ascertain what provisions work well and which do not.
  - f. Undertake some general public consultation to identify broad issues.
  - g. Develop a draft work programme.
  - h. Report and workshop the draft work programme with Council.
  - i. Agree and schedule the work programme.

#### 2. Implemented work programme

- a. Prepare discussion document on each chapter/topic identified as requiring significant changes.
- b. Prepare draft consultation plan for each chapter/topic identified as requiring significant changes.
- c. Workshop and agree discussion document and consultation plan with RP&R committee.
- d. Release discussion document to public.
- e. Undertake consultation in accordance with consultation plan.
- f. Summarise consultation, prepare section 32 evaluation and draft plan provisions and workshop with Council.
- g. Peer review section 32 and draft plan provisions.

#### 3. Draft plan

- a. Combine chapters and complete formatting to form Draft DP.
- b. RP&R Committee approval of Draft DP.
- c. Release Draft DP for public comment.
- d. Public comments summarised.
- e. Workshop public comments with Council.
- f. Undertake additional targeted consultation where identified. Timaru District Council Timaru District Council #899626 4 28 October 2014
- g. Summarise targeted consultation and amend Draft Plan provisions as required.

#### 4. Proposed District Plan

- a. Staff finalise Proposed DP.
- b. Workshop final Proposed DP with Committee.
- c. Approval of Proposed DP for notification by RP&R Committee.
- d. Notification of Proposed DP.

- 8 Consideration of Urgent Business Items
- 9 Consideration of Minor Nature Matters

#### 10 Exclusion of the Public

#### Recommendation

That the public be excluded from the following parts of the proceedings of this meeting on the grounds under section 48 of the Local Government Official Information and Meetings Act 1987 as follows:

11.1 - Public Excluded Minutes of the Environmental Services Committee Meeting held on 11 June 2019  s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Plain English Reason
	of the Environmental Services Committee Meeting held on 11	information is necessary to protect the privacy of natural persons, including that of	To protect a person's privacy

#### 11 Public Excluded Reports

11.1 Public Excluded Minutes of the Environmental Services Committee Meeting held on 11 June 2019

#### 12 Readmittance of the Public