

OTAGO REGIONAL COUNCIL

Minutes of a meeting of the Regulatory Committee held in the Council Chamber, 70 Stafford Street, Dunedin on Thursday 4 September 2014 commencing at 10.43 am

Present:

- Cr Sam Neill (Chairperson)
- Cr Gerrard Eckhoff (Deputy Chairperson)
- Cr Doug Brown
- Cr Louise Croot MNZM
- Cr Gary Kelliher
- Cr Trevor Kempton
- Cr Gretchen Robertson
- Cr Bryan Scott
- Cr David Shepherd
- Cr Stephen Woodhead

Apologies:

- Cr Graeme Bell
- Cr Michael Deaker

The apologies were noted.

In attendance:

- Peter Bodeker
- Wayne Scott
- Jeff Donaldson
- Jane Leahy
- Fraser McRae
- Gavin Palmer
- Sean Iles (for Item 1)
- Janet Favel

CONFIRMATION OF AGENDA

There were no changes to the agenda.

MINUTES

The minutes of the meeting held on 24 July 2014, having been circulated, were adopted on the motion of Crs Eckhoff and Kempton.

Matters arising from minutes

There were no matters arising from the minutes.

PART A - RECOMMENDATIONS

Item 1

2014/1196 **Septic Tank Investigation.** DEMO, 14/8/14

The report explored the density, distribution, and risk of groundwater contamination by septic tanks in the Otago Region using a GIS-based approach, and by applying the DRASTIC model (**D**epth to groundwater, **R**echarge rate, **A**quifer type, **S**oil type, **T**opography, **I**mpact of the vadose zone, **C**onductivity of the aquifer). Potential problems with enforcement policies were also briefly examined. The full technical report was circulated separately with the agenda.

Cr Woodhead considered that Council was not yet at the point of adopting Recommendations 2 (That a prioritized approach based on DRASTIC risk modelling and septic tank density modelling be adopted) and 3 (That the Otago Regional Council adopt a plan change covering septic tanks using Plan Change 6A).

Mr McRae commented that it was necessary to establish the status of septic tanks throughout Otago, then consider how to address this issue in the water plan. Currently septic tanks were a permitted activity, however existing use rights would apply for six months from introduction of new rules, after that all owners of properties with septic tanks would have to apply for a consent. He also noted that the quality of discharge was linked to Plan Change 6A.

In response to a question Mr Bodeker advised that he was in the process of obtaining advice on the maintenance of septic tanks. Whether an enforcement inspection regime needed to be considered would be part of Annual or Long Term Plan discussions.

Mr Leslie advised in response to a question that currently the database could not differentiate between the types of septic tanks, but information had now been obtained about septic tanks that had been purchased, installed, modified or removed since 1998 that might be able to provide that differentiation. He commented that new septic tanks were not necessarily better than the old.

Comment was made that the report indicated where Council's efforts should be concentrated, and noted the need to tighten the relevant permitted activity rule in the Water Plan.

Cr Woodhead suggested that Recommendation 3 be amended to read "That the Otago Regional Council develop ~~adopt~~ a plan change covering septic tanks, using ~~Plan Change 6A~~ and the information contained in the attached." Cr Neill supported this amendment.

A query was raised as to how applicable the DRASTIC model was in New Zealand. Mr Bodeker pointed out that the model was only one tool,

and others should be considered. There was agreement that Recommendation 2 be deleted.

Cr Woodhead moved
Cr Croot seconded

1. *That the Septic Tank Report be noted.*
2. *That the Otago Regional Council develop a plan change covering septic tanks, based on the information contained in the attached.*

Motion carried

PART B - ITEMS FOR NOTING

Item 2
2014/0847 **Summary of Dairy Farm Inspections for 2013/14.** DEMO, 6/8/14

The report described the findings of the 2013/14 annual inspections of dairy farms in the Otago Region.

In response to a question about potential effects from discharges, Mr McRae explained that the Water Plan set up a regime where landholders were permitted to carry out certain activities subject to conditions designed to address potential effects. Landholders could be prosecuted for breaching a rule, and Mr Bodeker further explained that enforcement was different depending on whether a breach had occurred, as there was a different degree of impact.

Councillors were pleased to see proposed changes to the dairy inspection regime which would result in a shift from the annual dairy inspection for every farm to a risk management approach.

Cr Woodhead moved
Cr Scott seconded

That the report be noted.

Motion carried

Item 3
2014/1126 **Annual Compliance Summary 2013/14.** DEMO, 8/8/14

The report summarised the compliance activities and consent conditions for the 2013/14 year for all major consent holders and permitted activities.

In response to a question about flows from tile drains, Mr McRae noted that there was a control point where a drain flowed into a river, lake or wetland. If the discharge at that point did not comply with the permitted activity rule, the landholder had to take action. He commented landowners needed to address all discharges, regardless of size.

Attention was drawn to Figure 8 Discharge and Water Take Compliance Grading. Mr Donaldson advised that there were issues with failing infrastructure in both Queenstown and Dunedin City, and staff were working with DCC to identify locations of non compliance. Work on improvements to infrastructure was also under way with other district councils.

Ongoing problems with water meter installations were noted.

Cr Croot moved
Cr Kempton seconded

That the report be noted.

Motion carried

Item 4
2014/1110

Biosecurity and RMA Monitoring Report. DEMO, 22/8/14

The report details water, air, pest, and contaminated site environmental monitoring and incidents for the period 13 July to 25 July 2014.

In response to a question Mr Donaldson advised that the Hawea groundwater site information would be contained in the State of the Environment monitoring report which would be available on the Council's website

It was noted that 40 consent holders were yet to make a commitment to install water meters. Mr Donaldson advised that these were predominantly in Central Otago, in some cases relating to irrigation companies. Where one meter was put in place to serve three landholdings, the other consents could be surrendered

Cr Woodhead moved
Cr Shepherd seconded

That the report be noted.

Motion carried

Item 5
2014/1256 **Consent processing, consent administration and Building Control Authority update.** DPPRM, 22/8/14

The report detailed consent processing, consent administration and building control authority activity for the period 1 July to 15 August 2014.

Cr Woodhead moved
Cr Robertson seconded

That the report be noted.

Motion carried

Item 6
2014/1160 **RMA, Biosecurity Act and Building Act Enforcement Activities.**
DPPRM, 12/8/14

The report detailed Resource Management Act 1991, Biosecurity Act 1993 and Building Act 2004 enforcement activities undertaken by the Otago Regional Council for the period 1 July to 12 August.

Cr Croot moved
Cr Scott seconded

That the report be noted.

Motion carried

Item 7
2014/1191 **Appointment of Hearing Commissioners August 2014.**
DPPRM, 14/8/14

The report listed hearing commissioners appointed for the period to 14 August 2014.

Cr Croot moved
Cr Scott seconded

That the report be noted.

Motion carried

The meeting closed at 11.30 am.

Chairperson

