

OTAGO REGIONAL COUNCIL

Agenda for a meeting of the Regulatory Committee to be held in the Council Chamber, 70 Stafford Street, Dunedin on Wednesday 22 March 2017, commencing at 9:00am

Membership:

- Cr Bryan Scott (Chairperson)**
- Cr Sam Neill (Deputy Chairperson)**
- Cr Graeme Bell**
- Cr Doug Brown**
- Cr Michael Deaker**
- Cr Carmen Hope**
- Cr Trevor Kempton**
- Cr Michael Laws**
- Cr Andrew Noone**
- Cr Gretchen Robertson**
- Cr Stephen Woodhead**

Apologies:

In attendance:

Please note that there is an embargo on agenda items until 8.30 am on Monday 20 March 2017

CONFIRMATION OF AGENDA

CONFLICT OF INTEREST

PUBLIC FORUM

MINUTES

The minutes of the meeting held on 8 February 2017, having been circulated, for adoption.

PART A - ITEMS FOR NOTING

Page Nos.

<p>Item 1 2017/0709</p>	<p>Biosecurity and RMA Monitoring Report. DEMO, 10/03/17</p> <p>This report describes the regulatory activity for the reporting period of 21 January to 3 March 2017</p>	<p>-</p>
<p>Item 2 2017/0670</p>	<p>RMA, Biosecurity Act and Building Act Enforcement Activities. DPPRM, 03/03/17</p> <p>This report details the Resource Management Act 1991, Biosecurity Act 1993 and Building Act 2004 enforcement activities undertaken by the Otago Regional Council during the period 21 January to 3 March 2017.</p>	<p>-</p>
<p>Item 3 2017/0685</p>	<p>Consent processing, consent administration and Building Control Authority update. DPPRM, 06/03/17</p> <p>Detailing consent processing, consent administration and building control authority activity for the period 23 January to 3 March 2017.</p>	<p>-</p>
<p>Item 4 2017/0688</p>	<p>Progress Report 1C - Deemed Permit Replacements and Water Groups, DPPRM, 06/03/17</p> <p>This report notes progress on Project 1C implementation of the Regional Plan: Water policies for the period 23 January to 3 March 2017.</p>	<p>-</p>

OTAGO REGIONAL COUNCIL

**Minutes of a meeting of the Regulatory Committee
Held in the Council Chamber, 70 Stafford Street, Dunedin
on Wednesday 8 February 2017, commencing at 9:26am**

Membership: Cr Bryan Scott (Chairperson)
Cr Sam Neill (Deputy Chairperson)
Cr Graeme Bell
Cr Doug Brown
Cr Michael Deaker
Cr Carmen Hope
Cr Trevor Kempton
Cr Michael Laws
Cr Maggie Lawton
Cr Andrew Noone
Cr Gretchen Robertson
Cr Stephen Woodhead

Apologies: Cr Sam Neill
Apologies accepted on the motion of Crs Robertson and Lawton.

In attendance: Peter Bodeker
Nick Donnelly
Fraser McRae
Gavin Palmer
Caroline Rowe
Scott MacLean
Lauren McDonald (Committee Secretary)
Karin Little (minute taker)
Marian Weaver (Item 6)

CONFIRMATION OF AGENDA

The agenda was confirmed.

CONFLICT OF INTEREST

No conflicts of interest were noted.

PUBLIC FORUM

No public forum was held.

MINUTES

The minutes of the meeting held on 23 November 2016, having been circulated, were adopted on the motion of Crs Scott and Hope.

The Chairman requested that the geographical maps indicating the location of water takes in the region be provided to all the councillors.

Mr MacLean confirmed that the elected members in the Dunstan Ward had already received these maps and he would ensure that the remaining councillors would receive a copy.

PART A – RECOMMENDATIONS

Item 1

2017/0595 **K5 Release funding proposal DEMO, 20/01/2017**

The report detailed the request for Council approval for reserve funding of up to \$50,000 for the co-ordinated release of the Korean strain of the rabbit Haemorrhagic Disease Virus (RHDV-1 K5) at strategic locations throughout Otago, once statutory approval received.

A concern was expressed if the \$50,000 of reserve funding being requested was sufficient to undertake the controlled release of the K5 virus.

Mr MacLean advised that the funding request had been calculated on the assumption of 100 doses being released to ORC (of the 300 doses expected for New Zealand). This calculation included the costs of importing, pre bait, monitoring and distribution. He confirmed that if more doses were made available that ORC would strongly pursue this.

Mr MacLean confirmed the release locations for the virus as being the rabbit “hot spots” (as indicated in the report) and that this would include the Manuherikia area. He reiterated that there would be a limited number being imported into New Zealand and that the 100 doses represented approximately 30% of the total number of doses being imported. He advised that the virus is being manufactured in Australia (where there is also a big release programme planned) and that the scientific advice available indicates that 300 doses will be sufficient to “kick start” a series of epidemics.

A concern was expressed that if the Council approval was only given to the staff recommendation of a maximum of \$50,000 that it may restrict the pursuit of additional doses, if available.

Discussion was held on the appropriate reserve funding level and whether a higher level would provide flexibility to respond quickly to the opportunity for the purchase of additional doses for Otago.

A question was raised on the status of the approval process for the importation and release of the K5 virus.

Mr MacLean advised he had no additional update other than that provided at the 7 December 2016 Council meeting. He confirmed that a meeting of the NZ Rabbit Coordination Group was due to be held on 16 February, where the Ministry for Primary Industries (MPI) would provide an update on behalf of the Environmental Protection Agency (EPA), as to the status of the approval process.

Mr MacLean reminded elected members that the process sat with EPA, as it is a bio control tool and that the EPA were required to apply due diligence, prior to importing, so the virus is authorised as appropriate for release into New Zealand.

A question was raised on the effectiveness of the virus.

Mr McLean stated that the RHDV-1 K5 virus could not be considered as a “silver bullet” for rabbit control and that its effectiveness would not be known until released as the virus would behave differently on different land conditions. He advised that it was hoped that an autumn release of the virus could occur if EPA approval is given.

A question was raised in regard to any other action ORC was planning for rabbit control in the region.

Mr MacLean advised that under the current Pest Management Plan (PMP) that it was the responsibility of the individual landowner to undertake rabbit control on their property. He outlined the process for non compliance on properties as contained in the PMP. He advised that the upcoming review of the Pest Management Strategy for Otago would provide the opportunity to review rabbit control and allow the Council and the community to speak to rabbit control in the region, as part of the Annual Plan process.

Discussion was held on the importance of a monitored and controlled release of the K5 virus to ensure the most effective use of the virus is maximised.

The importance of a well managed communication and engagement plan with the community for the release of the virus in Otago was reiterated by the Chairman.

Mr Bodeker advised that the elected members needed to be aware that the EPA had yet to approve the importation of the virus. He raised, that should approval not be given by the EPA, or the timeframes be later than sought, then thought on advice to landowners was needed.

A suggestion was made for an in-depth analysis of rabbit control under the Pest Management Plan over the past 10 years, including the impacts of the change in land use in rabbit prone areas, which would provide context to the Pest Management Strategy Review, and also for the analysis and review to be discussed and lead by the Pests Reference Group.

An amendment to the staff recommendation was made to remove the wording of “up to \$50,000”.

Moved Cr Laws
Seconded Cr Deaker

That reserve funding is approved for the coordinated release of the Korean strain of the Rabbit Haemorrhagic Disease Virus (RHDV-1 K5) at strategic locations throughout Otago.

Discussion was held on whether a reserve funding level should be set or left as an undefined amount.

Cr Noone left the room at 10:08am

The motion put to vote.

The motion was lost

Moved Cr Woodhead

Seconded Cr Kempton

That reserve funding of up to \$50,000 is approved for the coordinated release of the Korean strain of the Rabbit Haemorrhagic Disease Virus (RHDV-1 K5) at strategic locations throughout Otago.

Motion carried

PART B - ITEMS FOR NOTING

Item 2

2017/0569 **Biosecurity and RMA Monitoring Report. DEMO, 20/01/17**

The report provided information on the regulatory activity including water, air, pest, contaminated site environmental monitoring and incidents for the period 5 November 2016 to 20 January 2017

Cr Kempton left the room at 10:12am

Cr Scott summarised the report.

Discussion was held in regard to the process to be followed for complaints received by elected members.

Cr Lawton left room at 10:14am and Crs Kempton and Lawton returned at 10:15am.

Moved Cr Laws

Seconded Cr Scott

That the Chief Executive be requested to provide a paper to the next committee round on establishing effective Council management communications in regard to constituent complaints.

Motion carried

Moved Cr Woodhead

Seconded Cr Hope

That this report is received.

Motion carried

The meeting adjourned at 10:30am and reconvened at 10:47am

Item 3

2017/0593 **Lagarosiphon in Otago. DEMO, 20/01/17**

The covering report summarised the three Lagarosiphon Management Plans in place for Otago for Lake Wanaka, Lake Dunstan and the Kawarau River.

Mr MacLean advised that LINZ is the lead agency, as the landowner, for these management plans, with the ORC's role in support of the management plan.

Discussion was held on:

- ORC's regional and partnership role in regard to pest management and water quality of the central and southern lakes and rivers.
- the need for central government to be more proactive in its funding support of control work in Otago.
- possible inclusion of funding for lagarosiphon control in the Annual Plan.
- review of, and consultation on lagarosiphon control as part of the Pest Management Strategy Review, including responsibilities for high value areas.

Mr MacLean advised that the ORC cannot do work on a landowners property without their support. He confirmed that he and Mr Bodeker had meet with the Guardians of Lake Dunstan, who are frustrated by the funding level and the management plan in place. Mr MacLean confirmed he has been working with the Guardians of Lake Dunstan over the last year to enable them to make a robust submission to the Annual Plan for lagarosiphon control.

Discussion was held on the progress made with lagarosiphon control in Lake Wanaka and what impact this may have for Lake Dunstan.

Mr MacLean advised that as Lake Dunstan is on the downstream end of where lagarosiphon originates, that unless lagarosiphon was total eradicated upstream, it would always be present in Lake Dunstan. He confirmed that when Lake Dunstan was being constructed that it was identified as having a latent risk of providing an ideal habitat for lagarosiphon.

Cr Noone returned to room 11:08am

Moved Cr Laws

Seconded Cr Noone

That ORC approach central government ministers with the intention of improving and further resourcing lagarosiphon control management in the Southern Lakes.

Motion carried

Moved Cr Robertson
Seconded Cr Noone

That this report is received.

Motion carried

Cr Lawton left the room at 11:28am

Item 4
2017/0571 **RMA, Biosecurity Act and Building Act Enforcement Activities.**
DPPRM, 20/01/17

The report detailed the Resource Management Act 1991, Biosecurity Act 1993 and Building Act 2004 enforcement activities undertaken by the Otago Regional Council for the period 5 November 2016 to 20 January 2017.

Cr Lawton returned at 11:30am

Moved Cr Kempton
Seconded Cr Robertson

That this report be noted.

Motion carried

Item 5
2017/0594 **Consent processing, consent administration and Building Control Authority update.** DPPRM, 20/01/17

The report provided the consent processing, consent administration and building control authority activity for the period 5 November 2016 to 20 January 2017.

Mr McRae advised there have been two appeals received for Oceana Gold Ltd consent decisions.

Moved Cr Deaker
Seconded Cr Robertson

That this report is noted.

Motion carried

Item 6
2017/0599 **Progress Report 1C - Deemed Permit Replacements and Water Groups, DPPRM, 23/01/17**

The report provided the progress on Project 1C implementation of the Regional Plan: Water policies for the period 5 November 2016 to 20 January 2017.

A question was raised on the progress made since the previous report in November 2016.

Mrs Weaver advised that there were still 400 outstanding deemed permits to date. The timing of the receipt of these renewals was unknown but that work continued to encourage deemed permit holders to apply for consent. She advised that she anticipated slow progress until 2019, due to the 2020 deadline for permit holders.

A question was raised on what statistics could be provided on the access made to the information on the ORC website for Project 1C. Mrs Rowe advised she would review this information and respond.

A question was raised regarding the estimated workloads and resources required between now and the 2020 deadline to process the consents.

Cr Laws left the room at 11:39am

Mr Bodeker advised that a resource review was underway at moment and the Terms of Reference would be circulated to councillors when completed.

Moved Cr Hope
Seconded Cr Robertson

That this report is noted.

Motion carried.

The meeting was declared closed at 11:42am.

Chairperson

REPORT

Document Id: A986431

Report Number: 2017/0709

Prepared For: Regulatory Committee

Prepared By: Scott MacLean, Director Environmental Monitoring and Operations

Date: 10 March 2017

Subject: **Biosecurity & RMA Monitoring Report 21 January 2017 to 3 March 2017**

Précis

This report describes the Regulatory activity for the reporting period 21 January to 3 March 2017.

1. Pollution Response – Oil spill

On Thursday 9th February at approximately 2100hrs the Pollution Hotline received a call from the Fire Service, alerting ORC to an incident in the Oamaru Harbour in which a fishing vessel had run aground. It was estimated to be carrying approximately 500 litres of diesel and an unknown quantity of hydraulic oil. A marine oil spill response was initiated.

Statutory notifications were made by the Regional On-scene Commander through the Rescue Coordination Centre NZ to the national Oil Spill Duty Officer where the situation and initial action plan was discussed.

The Oamaru Harbour is home to a significant Little Blue Penguin colony and also to the Otago shag. Staff worked closely with the Department of Conservation and the penguin colony manager from the outset of the response.

A total of 14 trained marine oil spill responders from the Environmental Monitoring and Operations directorate and supported by the ORC Communications team worked in shifts throughout the incident. A range of equipment was deployed with the aim of minimising the impact on the marine environment of any fuel or oil spilt. There were three active response sites. These were the stricken vessel at the harbour entrance, the main ingress and egress point for the penguins and Sumpters Wharf, where the Otago shag roosts. Shoreline assessments were also undertaken continuously throughout the response.

Local commercial vessel owners, business owners and the local yacht club commodore rallied behind the response with offers of assistance and conveyance of local knowledge which was greatly appreciated. The incident ran continuously through until Sunday afternoon and was declared over once the threat to the marine environment had been removed.



Rapid deployment boom secured around the *Jane Marie*

ORC oil spill responders are trained by Maritime New Zealand's Marine Pollution Response Service and undertake up to four exercises each year exercising a variety of scenarios. ORC maintains a regional stockpile of oil spill response equipment, owned by Maritime New Zealand for the purposes of responding to regional marine oil spills.

2. Harbour Master activities

The Harbour Master function is currently being undertaken by suitably qualified consultants.

The second round of recruitment for a permanent Harbour Master commenced this reporting period. Recruitment channels include extensive international coverage.

New public boating safety signage has been developed for Taieri Mouth in accordance with maritime regulations. The interim Harbour Masters have also been working with the VHF Association and the Coastguard regarding VHF coverage "weak spots" along coastal Otago with a view to finding suitable solutions.

Following on from consultation with Otago harbour users last year, safety improvements have been made to the Eastern Channel pile beacons with the installation of reflective markers. This will enable users, particularly early morning rowers, to more easily see the markers in the low light.

The Harbour Masters investigated the grounding and subsequent loss of MV Jane Marie at the entrance to the Oamaru harbour. The investigation was with regards to Otago Regional Council's function of ensuring maritime safety for its area of jurisdiction. A number of recommendations were made regarding improving the navigational aids at the entrance to the harbour and updating the relevant nautical charts. (Note: Maritime

New Zealand is understood to also be investigating this incident looking into the vessel itself and the operation of it, which falls outside of Council's remit).

The Harbour Masters attended a recent Cruise Ship emergency response exercise organised by the NZ Police.

In response to a small recreational fishing vessel being abandoned off the coast of Karitane this reporting period, the Harbour Masters placed a temporary "warning to mariners" on the relevant marine radio channels, warning mariners in the area of a possible navigational hazard with the vessel adrift.

Preparation of a maritime safety improvement plan for the Otago harbour is underway. In addition to this piece of work, preliminary work is underway in preparation for drafting new harbour bylaws.

The Harbour Masters continue to have dialogue with harbour and waterway users gathering their values and hearing concerns in order to better facilitate the safe use of our waters.

3. Biosecurity response – Velvetleaf

The biosecurity response for velvetleaf has entered its second season. The emphasis during this phase of the response is around the completion and implementation of Velvetleaf Farm Management Plans (FMP's) as part of the long term management strategy for Velvetleaf. ORC is contracted to the Ministry for Primary Industries to undertake the preparation of the FMP's for all farms in Otago that received affected fodder-beet seed lines last year.

The FMP's focus on crop planning and management and the importance of good on-farm biosecurity practices. This includes machinery hygiene, in particular the movement of contractors' machinery between properties. Vigilance and surveillance is critical to ensure the best possible chance of preventing the weed from establishing itself in Otago.

In late February 2017, a Teviot farmer discovered a Velvetleaf plant while undertaking crop surveillance and immediately sought advice and destroyed the plant. This is excellent and commendable farmer behaviour and highlights the importance of the FMP process. Farmer cooperation throughout Otago in the preparation of the FMP's has been very positive. This work is funded by the Ministry for Primary Industries.



Farmers and ORC staff search a fodder-beet crop during the initial Velvetleaf response in 2016. Photo ODT.

4. Aquatic pest activity

In response to the increasing threat of Lagarosiphon incursion into Lake Wakatipu, Land Information New Zealand (LINZ) is establishing a new formal collaborative management group, the Lake Wakatipu Aquatic Weed Management group. Agencies represented are LINZ, ORC, QLDC, DOC and MPI, along with NIWA providing the technical input. The group is being established to develop a long term management plan for the lake. The intention is to incorporate the new Kawarau River three-year management plan into a wider long-term exclusion/eradication programme for Lake Wakatipu. The first meeting of the group is planned for mid-March.

ORC staff set up and ran a Check, Clean Dry aquatic biosecurity station at the Wanaka Challenge. The aim was to ensure competitors washed their gear at the station upon exiting the lake, to prevent the spread of aquatic pests.

While this activity was outside the normal ORC summer freshwater biosecurity advocacy activity, it was an important event to be represented at to further promote the Check, Clean, Dry message and reinforce the importance of good aquatic biosecurity practices for all water users.

Feedback from the event organisers and the Ministry for Primary Industries was extremely positive and appreciative.



Freshwater biosecurity wash station at the Wanaka Challenge

Staff also attended the Motatapu multisport event running a Check, Clean, Dry biosecurity station. This is a positive sign that freshwater biosecurity is now an important part of the planning process for these large event organisers.



Freshwater biosecurity wash station at Motatapu event finish line

5. Dunedin City Council drinking water bores

ORC staff have been working with DCC staff to look at the integrity of bore structures surrounding the DCC's drinking water bores in the Mosgiel / Taieri area. This work has involved both desktop investigations and site visits.

There are numerous historical bores that are no longer in use in the Mosgiel area and the majority of these have had developments built over them. The City is following up with their Building Control department to see what information they have with regards to sealing of bores prior to land and subdivision development. This collaborative work with the Dunedin City Council will continue as necessary.

6. Wallaby activity

On Sunday 12th February, staff received a call from the Maniototo Pest Company (MPC) to inform us that they had just shot a wallaby on the Ranfurly Golf Course.

A local landowner had observed the wallaby near the golf course and immediately called MPC who promptly deployed staff.

The staff member located the wallaby and dispatched it. Credit must be given to the local resident that initially spotted the animal and put the call through to the pest company and to MPC for their swift response.

ORC staff autopsied the animal. It was a young male that showed no sign of a parasite burden. It is possible the animal was associated with the female wallaby shot late last year near the Kyeburn diggings. At that time, it was evident from the autopsy that the female had recently had a joey in her pouch and sign found nearby indicated that there may have been up to three wallabies.

This highlights the importance of the awareness and surveillance aspects of our wallaby programme. Collaborative surveillance work is planned with MPC in the coming months.



MPC employee with the wallaby shot at the Ranfurly golf course in February

7. Bio-control of pests

RHDV1-K5 Update:

In February, the Environmental Protection Authority determined that the Korean strain of the RHDV1 rabbit virus is not a new organism as defined under the Hazardous Substances and New Organisms Act 1996, nor is it a hazardous substance as defined in the Act. The application is now being assessed by the ACVM group (Agricultural Compounds and Veterinary Medicines).

The legal definition of an agricultural compound, as defined under the ACVM Act 1997 (with regards to the Korean strain of the rabbit haemorrhagic disease virus) is “any substance, mixture of substances, or biological compound, used or intended for use in the direct management of plants and animals, or to be applied to the land, place, or water on or in which the plants and animals are managed, for the purposes of managing or eradicating pests, including vertebrate pests.....”.

The ACVM process for considering such applications is 70 days. It is likely that the process will run the full allocation of time. Should the approval to import be granted, it puts the planned release outside the window of opportunity that the associated science tells us is the optimum time for release of the virus, being autumn. In light of this, the New Zealand Rabbit Coordination Group collectively made the prudent decision to delay the release until next autumn.

Staff are planning to hold targeted community meetings to discuss the K5 project and stress the need to remain patient. It is crucial any importation and subsequent release is carried out in a controlled manner using the commercially prepared product, in order to ensure the optimum efficacy. Land occupiers will still need to carry out primary control of rabbits this winter where numbers exceed 3 on the Modified McLean Scale.

In the meantime, blood serum sampling for RHDV1 antibodies is continuing at strategic locations throughout Otago. This work adds to our understanding of existing virus immunity levels in Otago and will help inform the future assessment of the effectiveness of the K5 strain on the feral population post release should statutory approval be granted for its importation.

Broom Gall Mite:

In November 2012, the biological control agent Broom Gall Mite was released by the Otago Regional Council at three locations in East and Central Otago. Observations indicate that although it takes some time to establish and spread of its own accord, the mite when established in high numbers is very visual, and most damaging to host plants.

While it has taken some time for this agent to become established, it is now evident at all three sites to the point of now being able to be harvested and release at new sites around the region. Staff released the mite at six new sites in Eastern and Central Otago this reporting period. Monitoring of these sites will take place and new sites will be identified for future releases.

8. Recommendation

That this report is received.

Scott MacLean

Director Environmental Monitoring and Operations

REPORT

Document Id: A983223

Report Number: 2017/0670

Prepared For: Regulatory Committee

Prepared By: Peter Kelliher, Legal Counsel

Date: 3 March 2017

Subject: **Resource Management Act 1991, Biosecurity Act 1993 and Building Act 2004 Enforcement Activities from 21 January 2017 to 3 March 2017**

1. Précis

This report details Resource Management Act 1991, Biosecurity Act 1993 and Building Act 2004 enforcement activities undertaken by the Otago Regional Council during the period 21 January 2017 to 3 March 2017.

2. Resource Management Act 1991

a) Permitted Activity - Inspections

Table 1. Infringement Notices

Details	Period – 21 January 2017 to 3 March 2017	Total – from 1 July 2016
Discharge of contaminants to land in breach of a regional rule - effluent	0	21
Discharge of contaminants to land in breach of a regional rule - silage	0	1
TOTAL	0	22

Table 2. Authorised Legal Proceedings

Details	Period – 21 January 2017 to 3 March 2017	Total – from 1 July 2016
Discharge of contaminants to land in breach of a regional rule - effluent	5	5
TOTAL	5	5

Complaint Response

Table 3. Infringement Notices

Details	Period – 21 January 2017 to 3 March 2017	Total – from 1 July 2016
Disturbing the bed of a wetland	0	1
Disturbing the bed of a river	0	2
Discharge of contaminants to land where it may enter water – petrol	0	2
Discharge of contaminants to land where it may enter water – sediment	0	3
Depositing sediment on the bed of a river	0	1
Discharge of contaminants to land where it may enter water – wastewater	6	6
TOTAL	6	15

Table 4. Authorised Legal Proceedings

Details	Period – 21 January 2017 to 3 March 2017	Total – from 1 July 2016
Discharge of contaminants to land in breach of a regional rule - effluent	1	2
Discharge of contaminants to land where it may enter water – sediment	0	1
Discharge of contaminants to land where it may enter water – sediment; and Damming of water in breach of a regional rule	0	1
Discharge of contaminants to air – burning prohibited materials	1	1
Discharge of contaminants to land where it may enter water – wastewater	1	1
TOTAL	3	6

Table 5. Abatement Notices

Details	Period – 21 January 2017 to 3 March 2017	Total – from 1 July 2016
To cease discharging a contaminant in breach of a regional rule	0	2
To remove rubbish, material and debris from the head of a gully	0	1
TOTAL	0	3

3. Building Act 2004

One Notice to Fix was issued with respect to an earth embankment dam in Otago. The Notice required the dam's owner to make an application for a certificate of acceptance for the construction of the dam.

4. Recommendation

That this report be noted.

Fraser McRae

Director Policy Planning and Resource Management

REPORT

Document Id: A985114

Report Number: 2017/0685

Prepared For: Regulatory Committee

Prepared By: Marian Weaver

Date: 6 March 2017

Subject: Consent and Building Act Report 23 January to 3 March 2017

1. Consent Processing

1.1 Notified Applications

RM16.179 Port Otago Limited

These applications are to renew the consents for the three near shore maintenance dredging dumping sites at Heyward Point, Aramoana Spit and Shelly Beach. The applications were publicly notified and there were seven submissions: one opposing, one neutral, four in support and one in support subject to conditions. The hearing was in November and the decision was given granting the permits on 16 February. Appeal period closes 9 March.

2. Objections and Appeals

RM16.138 Oceana Gold Limited

These applications are for a new pit, waste rock stack and water dam near the location of the existing Coronation site. This was a joint process with consents also required from Waitaki District Council and Dunedin City Council. The decision to grant the permits subject to conditions was given on 19 December and two appeals were received. Dates for mediation are being sorted.

RM16.309 and RM16.308 Waitaki District Council

These are water permits for the Hampden-Moeraki and Herbert water supply schemes. The objections are about water measuring conditions and are being resolved and finalised by staff under delegation.

3. Consent Statistics

Table 1. Consents Statistics Summary

Reporting Period	Lodged			Rejected	Decision Given		
	Consents	Variations			Consents	Variations	
		Regular	Water reporting date			Regular	Water reporting date
15/16 year totals	415	40	11	6	353	46	11
1 July to 19 Aug 2016	45	12	1	0	55	10	0
22 Aug to 4 Nov 2016	89	12	3	0	91	13	2
7 Nov 16 to 20 Jan 17	80	6	5	0	69	5	5
23 Jan to 3 March 2017	45	20	4	0	61	13	4
16/17 Year to date	259	50	12	0	276	41	11

All decisions on consents were given within RMA allowed timeframes.

4. Consent Administration

Table 2. Consent Administration Statistics

Reporting Period	Transfers Received	Transfers Issued	S417 Certs Received	S417 Certs Issued
15/16 totals	125	125	4	1
1 July – 19 Aug 2016	31	7	2	5
22 Aug to 4 Nov 2016	31	22	0	0
7 Nov 16 to 20 Jan 17	35	62	1	3
23 Jan to 3 March 2017	105	48	5	1
16/17 year to date	96	91	3	8

5. Building Consent Authority (BCA) Administration

Table 3: Building Act Statistics

	Building Permits		Certificate of Acceptance		Code Compliance Certificate	
	received	issued	received	issued	received	issued
15/16 totals	6	6	2	10	2	4
1 July – 19 Aug 2016	1	1	0	0	1	0
22 Aug to 4 Nov	1	0	1	1	1	0
7 Nov 16 to 20 Jan 17		2			1	2
23 Jan to 3 March 2017	1	0	0	1	0	0
16/17 year to date	3	3	1	2	3	2

6. Public Enquiries

Appendix 1 shows that 341 enquiries were received during the reporting period.

Table 4. Public Enquiries Statistics

Period	Number of Enquiries
15/16 year total	2495
1 Jul - 19 Aug 16	295
22 Aug to 4 Nov 16	559
7 Nov 16 to 20 Jan 17	443
23 Jan to 3 March 17	341
16/17 year to date	1638

8. Recommendation

That this report is noted.

Fraser McRae
Director Policy Planning and Resource Management

Appendix 1 Public Enquiries 23 Jan to 3 March 2017

Total-Number-of-Enquiries		341
Enquiry-Type	No.	%-of-Total
Current-Consents	104	30.5%
Mining-Privileges	1	0.3%
Other	42	12.3%
Permitted-Activities	120	35.2%
Pre-application	32	9.4%
Property-Enquiries	32	9.4%
TLA-Enquiries	2	0.6%
Transfers	8	2.3%

Enquiry-Location	No.	%-of-Total
Central-Otago-District-Council	111	32.6%
Clutha-District-Council	17	5%
Dunedin-City-Council	50	14.7%
Queenstown-Lakes-District-Council	49	14.4%
Throughout-Otago	9	2.6%
Unspecified	87	25.5%
Waitaki-District-Council	18	5.3%

Enquiry-Method	No.	%-of-Total
Counter	7	2.1%
Email	203	59.5%
Fax	1	0.3%
Internet	4	1.2%
Letter	2	0.6%
Telephone	124	36.4%

REPORT

Document Id: A985166

Report Number: 2017/0688

Prepared For: Regulatory Committee

Prepared By: Marian Weaver, Resource Manager Procedures and Protocols

Date: 6 March 2017

Subject: **Deemed Permit Replacements and Water Groups for the reporting period 23 January to 3 March 2017**

1. Background

The Water Plan promotes the replacement of deemed permits and other water permits that expire in 2021 to be held by water management groups. This project implements the Plan policies and this report notes progress.

2. Promotion of Group Formation

A prime focus of the project is to meet with clusters of deemed permit holders based on catchments, in order to outline the steps required for deemed permit replacement and encouragement to form water management groups.

The following meetings were held with water management groups and other related organisations during the reporting period:

Meetings	
Hawea	1 February
Lowburn	14 February
Gibbston	15 February
Amisfield/Parkburn	28 February
Arrowtown	1 March
Strath Taieri	4 May

Further to the above listed upcoming meetings, contact was made to organise first round meetings with the Albert Burn and Queensbury (Poison Creek) catchments, and the Pisa Irrigation Company. The meetings did not proceed as consultants are already involved in preparing permits for replacing these water takes, negating the need for the initial 'kick-start' meeting. It is excellent to see groups being proactive and engaging consultants to help them through the process.

The group in the Upper Manorburn have requested to delay their round 1 presentation to a later date because of scheduling difficulties.

Forum

Preparation for a Deemed Permit Forum is underway with the forum scheduled in Alexandra on 29 March. This forum is targeted primarily at permit holders who have not yet been contacted with our work with priority groups.

Fish & Flow Information

The portal that shows fish and flow information is now available on ORC’s website under this icon:



3. Objectives

Performance Measure 1:

Water taken under deemed permits are replaced by resource permits (water permits) by 2021, less any permits cancelled or surrendered.

Performance Target 2:

50% of the volume of water taken in Otago under consents is being managed by groups at 1 October 2021; 50% of water permits are managed through groups or water allocation committees.

All deemed permits are replaced or have applications lodged by 31 March 2021.

Progress on Objectives:

For reporting purposes a “group” includes existing irrigation companies and Territorial Authorities.

Table 1. Allocated Surface Water

	Total	Groups	TLA	Other	%Held by Groups & TAs
l/sec	322,154	69,508	5,685	246,961	23.3%
No. Permits	1,152	131	71	950	17.5%

No change since last report.

Due to the impact of the water measuring regulations, (some cancellations and surrenders and consent replacement) the number of deemed surface water permits is slowly decreasing. In April 2014 there were 458, and on 3 March 2017 there were 390 deemed permits.

7. Recommendation

That this report is noted.

Fraser McRae

Director Policy Planning & Resource Management