



Minutes of a meeting of the
Regulatory Committee held in the Council Chamber,
Philip Laing House, Dunedin on
Wednesday 17 October 2018, at 9:00am

Membership

Cr Bryan Scott	<i>(Chairperson)</i>
Cr Sam Neill	<i>(Deputy Chairperson)</i>
Cr Graeme Bell	
Cr Doug Brown	
Cr Michael Deaker	
Cr Carmen Hope	
Cr Trevor Kempton	
Cr Michael Laws	
Cr Ella Lawton	
Cr Andrew Noone	
Cr Gretchen Robertson	
Cr Stephen Woodhead	

Welcome

Cr Scott welcomed councillors, members of the public and staff to the meeting.

1. APOLOGIES

No apologies were advised.

2. LEAVE OF ABSENCE

No Leave of Absence advised.

3. ATTENDANCE

Sarah Gardner	<i>(Chief Executive)</i>
Nick Donnelly	<i>(Director Corporate Services)</i>
Tanya Winter	<i>(Director Policy, Planning and Resource Management)</i>
Sian Sutton	<i>(Director Stakeholder Engagement)</i>
Gavin Palmer	<i>(Director Engineering, Hazards and Science)</i>
Scott MacLean	<i>(Director Environmental Monitoring and Operations)</i>
Sally Giddens	<i>(Director People and Safety)</i>
Ian McCabe	<i>(Executive Officer)</i>
Lauren McDonald	<i>(Committee Secretary)</i>
Simon Beardmore	<i>(Senior Environmental Officer) Item 11.2</i>

For our future

4. CONFIRMATION OF AGENDA

The agenda was confirmed as tabled.

5. CONFLICT OF INTEREST

No conflict of interest was advised.

6. PUBLIC FORUM

No public forum was held.

7. PRESENTATIONS

No presentations were held.

8. CONFIRMATION OF MINUTES

Resolution

That the minutes of the meeting held on 13 September 2018 be received and confirmed as a true and accurate record.

Moved: Cr Scott
Seconded: Cr Hope
CARRIED

9. ACTIONS

Status report on the resolutions of the Regulatory Committee

11.3 Managing the use of coal for domestic heating in Otago and New Zealand (Technical Committee)	31/1/2018	<i>That the matter of the ability to enforce the current Regional Air Plan Air Zone 1 provisions be considered by the Regulatory Committee</i>	In process
Director's Report - Wallaby Control		<i>Arrange a meeting with governance and staff of Environment Canterbury re wallaby control issues</i>	CLOSED Meeting held with Environment Canterbury on 3/10/18. It was agreed to establish an MOU.

10. MATTERS FOR COUNCIL DECISION

10.1. Review of Council's Consents Function

The report sought Council approval for the intended review of Otago Regional Council's resource consents function. Ms Winter outlined the review's key focus areas for improvement and confirmed the changes were un-budgeted expenditure.

Feedback was provided to Ms Winter, including the need for:

- simplification of the resource consent application process
- provision of clarity on process for applicants
- effective integration of consent information through to regulatory

Ms Winter was asked to action suggested edits to the review:

- Review ORC's best practise as measured against other councils
- Amend the application process to identify if consent applications are being made without legal assistance
- Provide more detail for shared services within section 7 - Capacity and Capability
- Provide a report back on the processing of consents in current framework and deemed permits to the November committee meeting
- Add Best Practise for consistency of consenting processing for the region.

Resolution

Staff appoint a consultant/s to undertake the review.

Moved: Cr Robertson
Seconded: Cr Deaker
CARRIED

Resolution

a) *That the Committee approves the brief attached as Appendix 1 for the Review of Council's Resource Consents Function, subject to the suggested edits outlined.*

Moved: Cr Woodhead
Seconded: Cr Deaker
CARRIED

11. MATTERS FOR NOTING

11.1. Compliance Activity for 2017/18

The report summarised the compliance activities and consent conditions for the 2017/18 year for all major consent holders and prohibited activity monitoring.

Environmental Incidents

Discussion was held on freshwater complaints and incidents for the Kaikorai Stream and improved monitoring of the waterway. A suggestion was made for a case study to be undertaken on the Kaikorai stream.

Motion:

Move that the Director present a paper on the Kaikorai Stream particularly its surveillance and ability to respond quickly to incidents that occur in the Kaikorai stream and other urban waterways

Moved: Cr Deaker

Seconded: Cr Kempton

Amended motion:

That a case study be undertaken on the Kaikorai Stream with a view to informing future work on urban waterways and other waterways of concern.

CARRIED

An additional recommendation was moved for the report

That this paper be re-framed and represented with analysis of trends and of highlights and issues governance should be addressing.

Resolution

- a) *That this report be noted.*
- b) *That this paper be reframed and represented with analysis of trends and of highlights and issues governance should be addressing.*

Moved: Cr Laws

Seconded: Cr Deaker

CARRIED

11.2. Director's Report on Progress

The report described regulatory activity during the period 30 August 2018 – 3 October 2018. Compliance, forestry, regionally significant wetlands, dairy, contaminated land, incident response, harbour master activity, harbour safety, biosecurity, national wilding conifer control programme, winter poisoning season for rabbits, rook monitoring, community meetings.

Mr Beardmore in attendance as ORC's contaminated land specialist.

A request was made for a list of contaminated sites in the region and the contaminants identified at those sites. Mr Beardmore responded to questions on permitted activities and monitoring undertaken within the Waste Plan.

Resolution

- a) *That this report be noted.*

Moved: Cr Neill

Seconded: Cr Lawton

CARRIED

Lagarosiphon control for Lake Dunstan

A request was made for a report back on the effectiveness of the work being undertaken on Lake Dunstan. Mr MacLean advised he would be able to provide the information for the last financial year as the effectiveness of the current spraying programme would not be known before summer. He confirmed that NIWA and LINZ also provide reports on activity.

Resolution

That an effectiveness review of lagarosiphon control on Lake Dunstan be brought to next committee round

Moved: Cr Lawton
Seconded: Cr Laws
CARRIED

11.3. Enforcement Activities from 20 August to 5 October 2018

The report detailed Resource Management Act 1991, Biosecurity Act 1993 and Building Act 2004 enforcement activities undertaken by the Otago Regional Council during the period 20 August 2018 to 28 September 2018.

Resolution

a) *That this report be received and noted.*

Moved: Cr Woodhead
Seconded: Cr Brown
CARRIED

11.4. Consents and Building Control

The report detailed consents and building control and deemed permit replacement progress for the period 18 August 2018 to 14 September 2018.

Resolution

a) *That this report is noted.*

Moved: Cr Woodhead
Seconded: Cr Deaker
CARRIED

12. RESOLUTION TO EXCLUDE THE PUBLIC

That the public be excluded from the following parts of the proceedings of this meeting, namely:

Item Enforcement – Current Matters

Section 6 (a) to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial

Also move that staff be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of current enforcement matters. This knowledge, which will be of assistance in relation to the matter to be discussed.

Moved: Cr Lawton

Seconded: Cr Noone

CARRIED

13. NOTICES OF MOTION

No Notices of Motion were advised.

14. CLOSURE

The meeting resumed in public session on the motion of Crs Hope and Deaker.

The meeting was declared closed at 11:14 am.

Chairperson

