

REGULATION OVERVIEW COMMITTEE

TO THE CHAIRPERSON AND MEMBERS
OF THE COMMITTEE

MEMBERSHIP OF THE COMMITTEE

Cr A G Neill (Chairperson)

Cr T K Burke	Cr B S Murray
Cr J T Demeter	Cr M E Oldfield
Cr C J Evans	Cr E M Sage
Cr J M Kane	Cr D P Sutherland
Cr R M Kirk	Cr R M G Tindall
Cr R I R Little	
Cr A R McKay	

A meeting of the Committee will be held on

Thursday, 24 September 2009 at 1.30 p.m.

VENUE: Council Chamber
First Floor
Pegasus Building
58 Kilmore Street
CHRISTCHURCH

BUSINESS: As per Order Paper attached.

Ken Taylor
ACTING CHIEF EXECUTIVE

**RECOMMENDATIONS IN REPORTS ARE NOT TO BE TAKEN
AS COUNCIL POLICY UNTIL ADOPTED BY THE COUNCIL**

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COMPLIANCE WITH LOCAL GOVERNMENT ACT 2002 DECISION-MAKING REQUIREMENTS

Except as below, a statement of compliance and a completed decision checklist is required for any agenda item on a council committee or the council recommending that a decision be made. This will be the responsibility of the person signing off the agenda item.

The compliance statement and checklist will not be used for:

- Recommendations that information be received or that the Council make a decision.
- Decisions taken under the Resource Management Act 1991 or the Biosecurity Act 1993 in relation to resource consents, decisions required when following the procedures set out in Schedule 1 of the Resource Management Act 1991, other permissions, submissions on plans, or references to the Environment Court.
- Decisions taken to proceed with enforcement procedures under various primary or secondary legislation or regulations, including procedures under the Resource Management Act 1991, the Biosecurity Act 1993, the Local Government Act 2002, and Environment Canterbury Bylaws.
- Administrative and personnel decisions that are entirely internal to Environment Canterbury.
- Other decisions where the procedures to be followed are set out in Legislation.

COMPLIANCE STATEMENT

The council committee (or the council) must formally certify that:

- (a) It is satisfied that it has sufficient information about the options and their benefits and costs, in terms of the region's social, economic, environmental and cultural well-being and the effects on community outcomes, bearing in mind the significance of the decisions.
- (b) It is satisfied that it knows enough about and has given adequate consideration to the views and preferences of affected and interested parties bearing in mind the significance of the decision.

INFORMATION CHECKLIST

(a)	A Statement of the Proposed Decision
(b)	A Statement of the Objective of the Proposed Decision and the Issue or Problem being addressed
(c)	A list of all reasonably practicable options, (including doing nothing).
(d)	For each option in (c): An evaluation of the Benefits and Costs, in terms of the region's social, economic, environmental and cultural well-being.
(e)	For each option in (c): A statement of the extent to which community outcomes would be promoted or achieved in an integrated and efficient manner.
(f)	For each option in (c): A statement of the Impact, if any, on Environment Canterbury's capacity to undertake its statutory responsibilities
(g)	If the Proposed Decision is a significant decision in relation to land or a body of water, a statement of how Maori values have been taken into account
(h)	A Statement of significant inconsistencies, if any, with any Existing Policy, Plan or Legislation arising from the Proposed Decision.
(i)	A statement how the views and preferences of affected or interested persons have been given adequate consideration during the definition of the problem or issue, the objective, the assessment of options and the development of the proposed decision, including the particular contribution of Maori to the decision-making process.

Notes:

The significance of proposals and decisions determines how much time, money and effort is put into exploring and evaluating options and obtaining the views of affected and interested parties. The significance of proposals and decisions is determined through reference to criteria contained in the policy on significance.

The policy on significance together with Section 76 of the Local Government Act 2002 set out the Council's requirements in relation to decisions. Some decisions can only be made through the Long-Term Council Community Plan, or after the Special Consultative Procedures set out in the Act have been used, (refer to the policy on significance and the Act).

All decisions of Environment Canterbury are subject to the decision-making requirements of section 76 of the Act unless inconsistent with specific requirements of other legislation.

ENVIRONMENT CANTERBURY
REGULATION OVERVIEW COMMITTEE

ORDER PAPER

1. APOLOGIES
2. CONFLICTS OF INTEREST
3. MINUTES MEETING – 29 APRIL 2009
4. MATTERS ARISING
5. DEPUTATIONS AND PETITIONS

MATTERS FOR INFORMATION

6. CONSENTS SECTION PERFORMANCE REPORT
- 6A. REVISED COMMISSIONER CONTRACT
7. RESOURCE MANAGEMENT ACT AMENDMENTS UPDATE
8. CONSENT REVIEWS SECTION PERFORMANCE REPORT
9. SCHEDULE OF RECENT AND PENDING RESOURCE CONSENT HEARINGS
10. TERRITORIAL AUTHORITY LIAISON'S EXPENDITURE JULY – SEPTEMBER 2009
11. STATUS OF RESOURCE CONSENT DECISIONS SUBJECT TO APPEAL TO THE ENVIRONMENT COURT
12. RESOURCE MANAGEMENT ACT ENFORCEMENT AND COMPLIANCE MONITORING ACTIVITIES
13. BIOSECURITY COMPLIANCE INSPECTIONS
14. NAVIGATION AND SAFETY ACTIVITIES UNDERTAKEN IN MARINE AND INLAND WATERS

15. GENERAL BUSINESS
16. NOTICES OF MOTION
17. QUESTIONS
18. EXTRAORDINARY AND URGENT BUSINESS
19. NEXT MEETING – TO BE CONFIRMED
20. CLOSURE

REGULATION OVERVIEW COMMITTEE

**MINUTES OF THE MEETING HELD IN THE COUNCIL CHAMBER,
ENVIRONMENT CANTERBURY, 58 KILMORE STREET, CHRISTCHURCH,
ON WEDNESDAY, 29 APRIL 2009 COMMENCING AT 9.30 A.M.**

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1. APOLOGIES - Cr P C R Harrow
2. CONFLICTS OF INTEREST
3. MINUTES MEETING – 26 NOVEMBER 2008
4. MATTERS ARISING
5. DEPUTATIONS AND PETITIONS

MATTERS FOR INFORMATION

6. CONSENTS SECTION PERFORMANCE REPORT
7. CONSENT REVIEWS SECTION PERFORMANCE REPORT
8. SCHEDULE OF RECENT AND PENDING RESOURCE CONSENT HEARINGS
9. TERRITORIAL AUTHORITY LIAISON'S EXPENDITURE JULY 2008 – OCTOBER 2008
10. STATUS OF RESOURCE CONSENT DECISIONS SUBJECT TO APPEAL TO THE ENVIRONMENT COURT
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13. NAVIGATION AND SAFETY ACTIVITIES UNDERTAKEN IN MARINE AND INLAND WATERS
14. GENERAL BUSINESS
15. NOTICES OF MOTION
16. QUESTIONS
17. EXTRAORDINARY AND URGENT BUSINESS
18. NEXT MEETING – 24 September 2009
19. CLOSURE

PRESENT

Cr A R McKay (Chairperson), J T Demeter, C J Evans, J M Kane, R M Kirk, R I R Little, B S Murray, A G Neill, M E Oldfield, D P Sutherland and R M G Tindall.

MANAGEMENT AND STAFF PRESENT

Kim Drummond (Director Regulation), Don Rule (Director Resource Planning and Consents), John Boraston (Consents Manager), Tania Harris (Consents Review Manager), Vin Smith (Territorial Authority Liaison and Coasts Manager), Graham Sullivan (Biosecurity Manager), Evan Walker (Navigation Safety Manager), Vikki Wilmore (RMA Compliance and Enforcement Manager), Marie Dysart (Solicitor), Brett Aldridge (Environmental Protection Manager Strategy/Implementation) and Donald Fraser (Consents Hearings Officer).

1. APOLOGIES

Cr T K Burke.

2. CONFLICTS OF INTEREST

There were no conflicts of interest.

3. MINUTES OF PREVIOUS MEETING

Resolved

That the minutes of the meeting held on 26 November 2008, as circulated, be confirmed as a true and accurate record and be adopted.

Cr Evans/Cr Kirk

5. DEPUTATIONS AND PETITIONS

There were no deputations and petitions.

MATTERS FOR INFORMATION TO COUNCIL

6. CONSENTS SECTION PERFORMANCE REPORT

This report was presented by John Boraston (Consents Manager).

Mr Boraston referred to the applications in progress (totalling 1630 at march 2009), which had been a reduction from 2046 in February 2008. Mr Boraston noted the number of applications being lodged had been reducing.

Mr Boraston commented on the status of several major hearings including Central Plains Water Trust and the Ashburton Community Trust joint hearing where a decision on the ACWT applications was expected by may 2009.

Mr Boraston noted the large number of applications (up to 120) where a hearing would be scheduled to decide them.

7. CONSENTS REVIEWS PERFORMANCE REPORT

This report was presented by Tania Harris (Consents Review Manager).

Ms Harris updated the Committee with the continuation of the Rakaia Selwyn zone groundwater consents, of which there were currently 532 consents under review, with the hearings due to commence on 2 June 2009.

Ms Harris commented on the alternate annual volume method released by Aqualinc, which was a method for calculating seasonal irrigation water requirements as an alternative to the WQN9v3 method used by Environment Canterbury. Ms Harris said that Environment Canterbury had agreed to set up a working party to view the current methods and discuss options for a way forward in the process.

8. SCHEDULE OF RECENT AND PENDING RESOURCE CONSENT HEARINGS

This report was presented by Donald Fraser (Consents Hearings Officer).

Mr Fraser commented on issues for highlight including the proposed workshop for councillors on writing decisions.

Mr Fraser thanked the councillors for their commitment in terms of their availability as decision makers on resource consent hearings.

9. TERRITORIAL AUTHORITY LIAISON'S EXPENDITURE JULY 2008 – OCTOBER 2008

This report was presented by Vin Smith, Territorial Authority Liaison and Coasts Manager.

Mr Smith's report set out the expenditure and details of activities carried out including staff resource associated with the consent process to establish a wind farm at Mt Cass and staff involvement with the Banks Peninsula landscape Environment Court decision being appealed to the High Court.

10. STATUS OF RESOURCE CONSENT DECISIONS SUBJECT TO APPEAL TO THE ENVIRONMENT COURT

This report was presented by Marie Dysart, Solicitor.

Ms Dysart referred to court proceedings which had arisen from 21 matters, including 16 new appeals received. The table provided in the report set out the various matters and their current status, including the setting down of the hearing to consider the appeals in relation to the North bank Tunnel Concept (was due to commence on 22 June 2009).

11. RESOURCE MANAGEMENT ACT ENFORCEMENT AND COMPLIANCE MONITORING ACTIVITIES

This report was presented by Vikki Wilmore., RMA Compliance and Enforcement Manager.

Ms Wilmore referred to the tables set out in her report which covered the November 2008 – February 2009 period.

During that time period, staff visited a total 369 of the 20,495 current consent, with 1.8% of all consent conditions showing significant or major non compliance.

Staff continued to find non-compliance with dairy operations, and a programme of liaison work to aid farmers had been instigated.

The report set out the various prosecutions carried out by Environment Canterbury staff, including the prosecution of March Construction Limited for discharging sediment into the Avon River from a construction site.

With respect to building consent authority matters, Ms Wilmore commented to the invitation from IANZ to become an accredited BCA. ECan registered with the department of Building and Housing and on 10 March 2009 became a BCA for large dams and appurtenant structures within the Canterbury region.

With respect to issues, Ms Wilmore noted grading of significant non compliance of the Christchurch City Council overflow consents. A new consent had been lodged by the CCC and was currently in process.

12. BIOSECURITY COMPLIANCE INSPECTIONS

This report was presented by Graham Sullivan, Biosecurity Manager.

Mr Sullivan summarised the activities undertaken during the reporting period, listing the number of property inspections undertaken and notices of direction served on parties.

The budgeted cost for the 2008/09 financial year was \$616,515 with actual expenditure at 28 February 2009 being \$95,697.00.

Of the compliance inspections undertaken on the 1668 properties, 763 or 45% had not complied with the Pest management Strategy at the time of first inspection.

Regarding nassella tussock inspections, 876 properties in the Hurunui district had been identified as having infestations. A total of 335 properties were inspected, with 15 properties falling short of meeting the 40% target. Mr Sullivan noted that the failure to meet the target was due to the discovery of Chilean needle grass on a North Canterbury property in November 2008, diverting resources at a critical period to deal with the outbreak.

The Committee noted that prior to November 2008, Chilean needle grass was not known to occur in Canterbury. \$45000 had been spent so far on the initial response to the outbreak and a further \$50000 would be spent on controlling and containing the infestation over the next two years.

13. NAVIGATION AND SAFETY ACTIVITIES UNDERTAKEN IN MARINE AND INLAND WATERS

This report was presented by Evan Walker, Navigation safety manager.

Mr Walker referred to the seven oil spills reported during the reporting period , including the oil spill on 29 November 2008 when an estimated 150 litres of black fuel oil was found in the harbour. Staff were following up as to who had caused the oil spill.

Mr Walker noted the 12 cruise ship visits to Akaroa over the summer period and commented on the final draft regarding the requirement or otherwise of compulsory pilotage. The draft was due for release in June 2009.

With respect to harbour and inland water patrols, Mr Walker noted the reduction in boating in the early part of the summer season overall (possibly due to the high petrol prices); the continuation of the Lyttelton contract with Canterbury Coastguard; the reduction in boating activities in the Avon Heathcote estuary and Sumner bay due to high winds and rough seas, and the problems with enforcing the five knot speed Limit for powered craft in the Waimakariri Harbour and Brooklands Lagoon.

Resolved

That items 6 to 13 be received.

Cr Demeter/Cr Tindall

14. GENERAL BUSINESS

Nil.

15. NOTICES OF MOTION

Nil.

16. QUESTIONS

Nil.

17. EXTRAORDINARY AND URGENT BUSINESS

Nil.

18. NEXT MEETING

Scheduled for 24 September 2009.

19. CLOSURE

The Chairman closed the meeting at 1.24 p.m.

CONFIRMED

DATE _____ CHAIRPERSON _____

AGENDA ITEM NO: 6	SUBJECT MATTER: CONSENTS SECTION PERFORMANCE REPORT
REPORT: Regulation Overview Committee	DATE OF MEETING: 24 September 2009
FILE REFERENCES:	PORTFOLIO: PROJECT: OUTPUT:
REPORT BY: John Boraston Consents Manager	ENDORSED BY: Don Rule Director Resource Planning and Consents

Consent Processing

The period has seen continuing progress being made in reducing the number of consent applications in process and an improvement in timeframe performance for decided applications. This has been assisted by a slowing in the number of applications received.

Two key areas are being worked on currently around process improvement.

- Implementation of amended RMA
- Revision of Hearings procedures

Both of these items will be covered separately.

Processing Workload

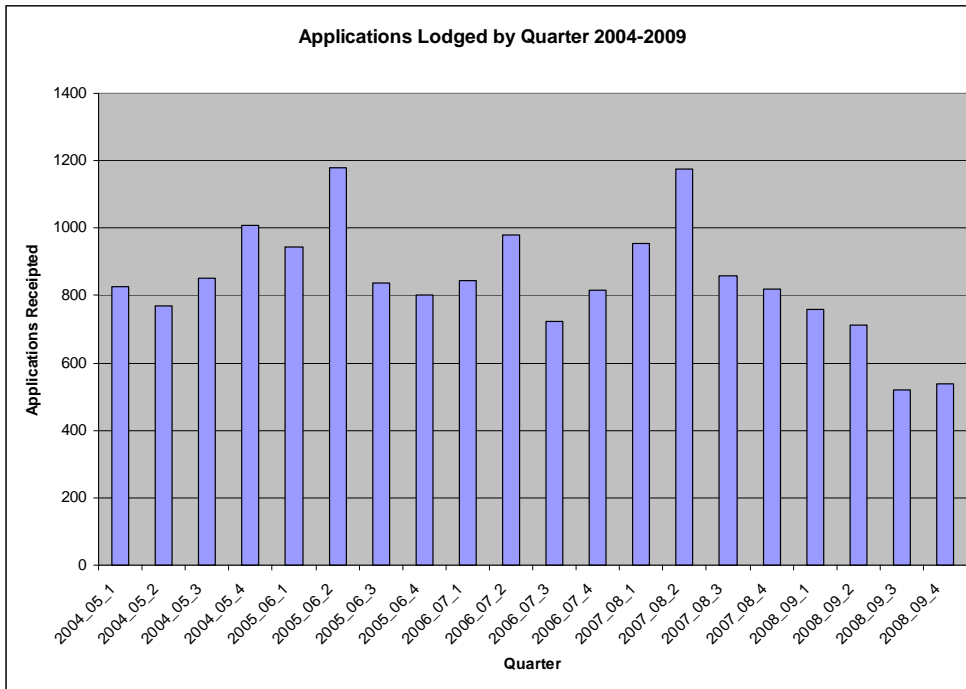
Applications in Process

At the end of August there were 1549 consent applications in process. This continues the steady decrease from a peak of 2046 applications in February 2008, and about 1900 one year ago.

Looking forward we anticipate this trend will continue as we continually refine our processes and reach the conclusion of a number of the large time consuming hearings.

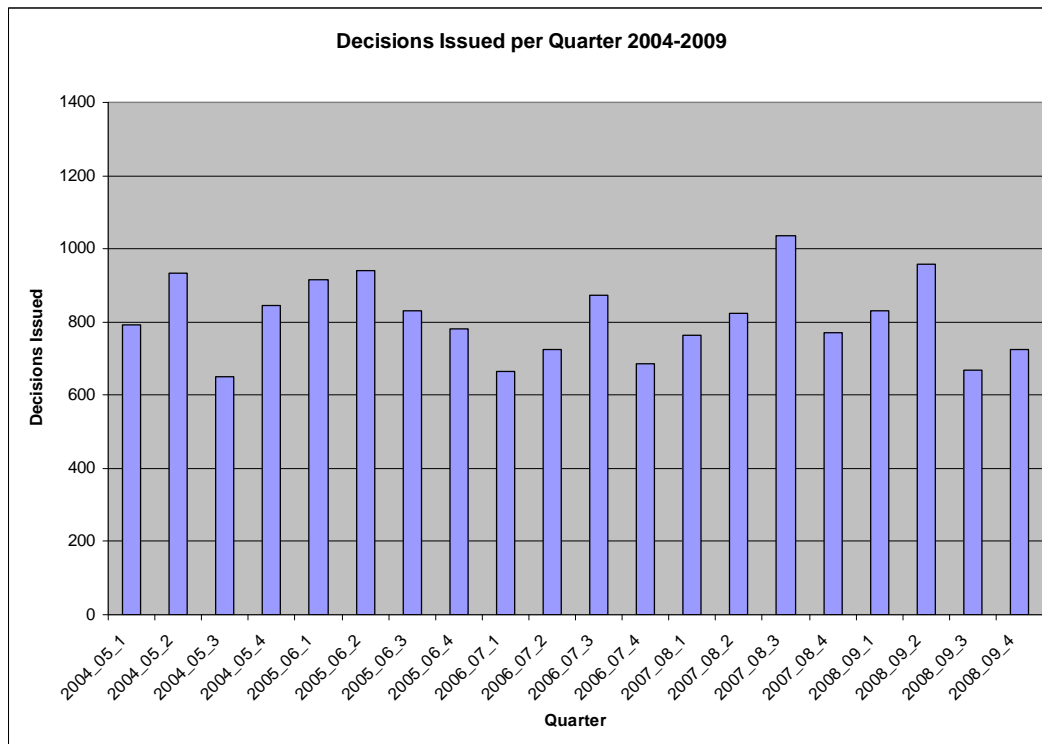
Applications Lodged

The total number of applications now seems to have levelled off at about the 2500 p.a. level, and in line with economic forecasts we predict only a small increase in applications again over the next year.

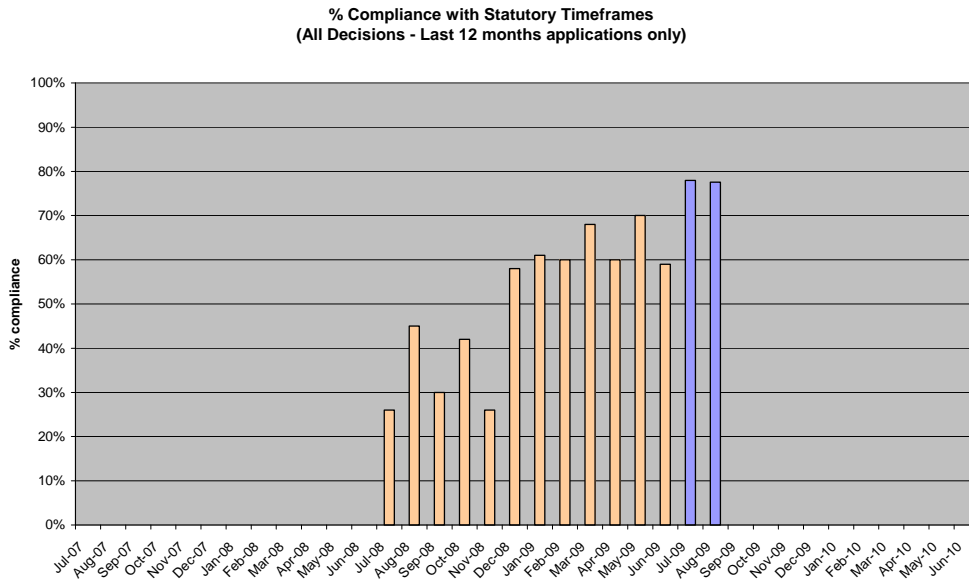


Applications Decided

The number of decided applications are now regularly exceeding the number of new applications.

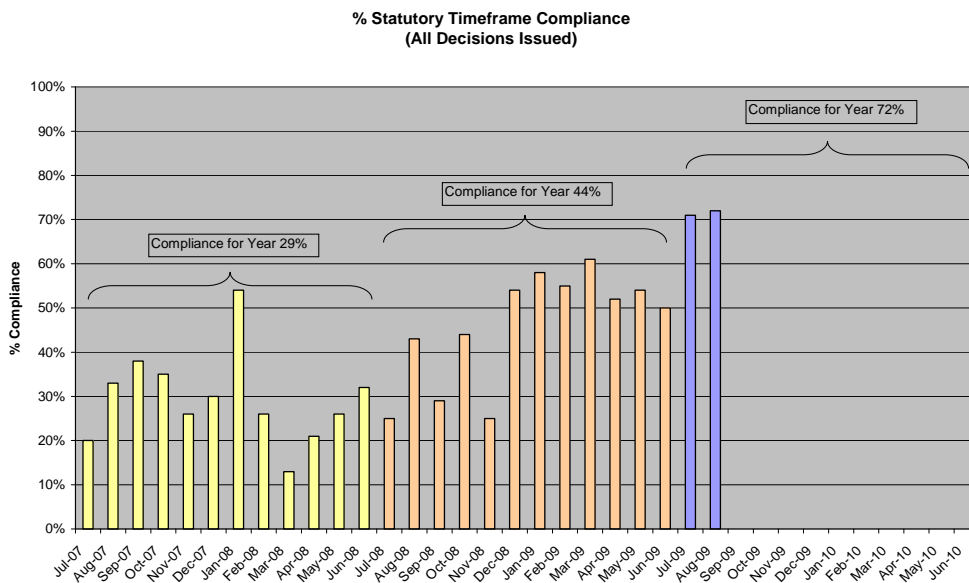


Statutory Timeframes – All Decisions (received in last twelve months)



This chart represents is our “management” measure which best demonstrates current timeframe performance month on month for decisions issued. This isolates any backlog applications from the analysis. This shows that timeframe performance for recent consents is significantly improving. Consents lodged in the last year, and being processed through to a decision are now meeting timeframes about 80% of the time.

Statutory Timeframes – All Decisions (MfE/LTCCP Measure)



This chart represents to measure that is presented for LTCCP and MfE reporting purposes. Timeframe performance for the 2008-09 year improved from 29% to 44% compliance. In the early part of this year we are achieving 72% timeframe compliance for all decisions issued to date.

Quality Audit

An independent audit was carried out of a random selection of 36 non-notified consent decisions to assess consistency with the Resource Management Act requirements. The audit looked at compliance with relevant objectives and policies specified in the RPS, and operative and proposed regional plans; and the extent to which specific adverse effects were identified and addressed by consent conditions.

The audit identified a very high (94%) level of compliance with standards and identified issues for remaining 6% that are being reviewed. The audit concluded that decisions to grant were in all cases appropriate and generally appropriate conditions are being applied.

In addition, we have hosted a group of consents staff from other consenting authorities around New Zealand, to carry out a common “best practice” audit of a sample of consents issued from each Council. The results are currently being collated, but benefits are gained in comparing methods for processing consents, and gaining consistency between different authorities.

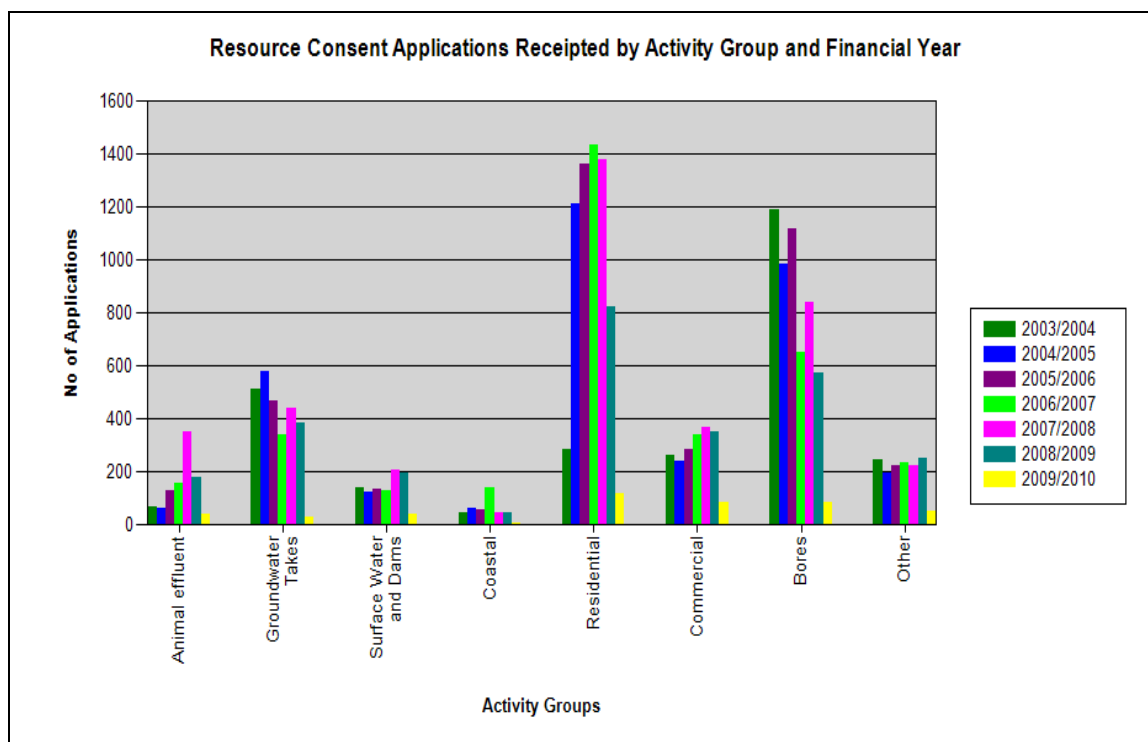
What we are Processing

Application Types in Process

<i>Type of Application</i>	<i>Notified</i>	<i>Non Notified</i>	<i>Total in Process</i>	<i>% of Total</i>
New activities	628	632	1260	81%
Renewals of existing consent	18	83	101	7%
Change of conditions	12	135	147	9%
Site to site water transfers	2	39	41	3%
Total in Process	660	889	1549	
% of total	43%	57%		

43% of applications currently in process have been notified. The number of notified applications each year is expected to be 5% -10% of all applications, so this demonstrates the significant backlog of notified applications to get through the process. Many are now being pushed into a hearing stage; however these are constrained by available hearings resource.

Activity Types



In the 2008/09 year, there were substantial declines in residential related consent applications (mostly storm water & sewage), a decline in animal effluent applications, and bores, however other activities have remained steady.

Major Consent Applications & Hearings

Central Plains Group

The commissioners released further minutes on the Waimakariri River and proposed dam. The hearing will reconvene on 12 October to hear from parties in relation to further information. It is expected that the final decision will be released in the first 6 months of 2010.

Waitaki Catchment Applications

The substantive hearings for the Lower Waitaki and Hunter Downs groups have been completed and the Commissioners are preparing their decisions.

Hearings for the 110 agricultural & horticultural applications in the upper catchment are due to commence on September 21st.

Valetta/Ashburton River Groundwater Group

The applicant's right of reply has been exercised. The decision is now being prepared.

Lyttelton Port Company

LPC have applied for consent to expand the coal port through reclamation. Staff are working closely with the applicant though the early part of the process. Public notification is imminent.

Hurunui Dam Project

The public notification submission period has closed and staff are processing about 1000 submissions, with about 250 submitters requesting to be heard.

Christchurch City Council South West Area ICMP

A hearing is set for November 16. Prior to the hearing ECan and CCC staff will be meeting to discuss proposed conditions as per the protocol that has been agreed between the two councils.

Christchurch City Council Sewage Overflow

The applicant is supplying further information, expected by the end of September 2009. A hearing will be scheduled thereafter. The protocol process is also occurring with this application.

Other Hearings

There is a very heavy hearings workload for 2009/2010, with a further 20 hearings currently being scheduled for the remaining calendar year, with at least another 60 to be scheduled over and above that.

3. Financial Performance

YTD to 30 August 2009

	Surplus / (Deficit)
Consent Processing	\$52,000
Consents Advisory (Con Section Only)	\$12,000
Objections & Appeals	(\$20,000)
Solid Fuel Burners	\$4,000
Total all Section Projects	\$48,000

The section is running satisfactory surpluses for the year to date, although workload on objections and appeals has been heavy. Implementation of the RMA reforms will eat into the consent processing surplus, and pressure for increased consent processing advice driven by the RMA amendments will ensure that the project budget for Advisory services is fully utilised.

4. Other

4.1. Staff

Total staff numbers are approximately on budget, with minimal turnover occurring.

4.2. Cost Objections

At the end of August Environment Canterbury is dealing with 40 smaller cost objections totalling \$129,520.22 including GST.

In addition we have three large Group Objections to be dealt with:

- Rakaia-Selwyn group has 60 applicants with additional charges of \$887,110.52 including GST (currently in negotiation).
- Selwyn-Waimakariri group has 35 applicants with additional charges of \$319,768.37 including GST.
- Central Plains have lodged an unspecified objection to all costs, although the applications are still in process.

In July and August we decided four objections through a formal hearing and negotiated a settlement on another four objections.

Write offs from objections were \$2,968.76 plus GST, Negotiated write-off were \$1,771.33 plus GST

AGENDA ITEM NO: 6A	SUBJECT MATTER: REVISED COMMISSIONER CONTRACT
REPORT: Regulation Overview Committee	DATE OF MEETING: 24 September 2009
FILE REFERENCES:	PORTFOLIO: PROJECT: OUTPUT:
REPORT BY: Donald Fraser Consents Hearings Officer and James Palmer Senior Business Analyst	ENDORSED BY: Don Rule Director Resource Planning and Consents

The purpose of this report is to advise Councillors of work staff have been carrying out in relation to the management of public hearings for notified resource consent applications.

The reasons for this work are:

1. To improve the timeframes taken to process resource consents
 - a. To recognise the new requirements of the amended Resource Management Act
 - b. To recognise public concern over the time taken to process consents
2. To better control the output and cost of hearings
 - a. To address the problem we are having in providing certainty of costs for applicants

1. Improved Timeframe Performance

The revised RMA restricts timeframe extensions, imposes new timeframes for hearing processes, and imposes penalties for late processing of resource consents.

We have attached a timeline which shows the timeframes for processing a notified application under the amended RMA, and a supplementary timeline which sets out the working day process required from the notification closing date until when a hearing is required to commence as per RMA timeframes. These demonstrate that there are very tight timeframes before a hearing must commence, and that the risk of timeframe failure is high.

Areas that are being reviewed are:

The appointment process for decision makers

Currently, the delegation to appoint decision makers sits with the Regulation Hearing Committee who are delegated by Council to appoint both hearing panels of Councillors and also external decision makers. This committee is scheduled to meet once a week (normally on a Friday), based on a rostered membership of three Councillors, however the committee normally only meet when there are resource consent applications to decide, which means that decision maker appointments can take some time to be made if no meeting is held.

Councillors may wish to consider alternative models for the appointment of decision makers which could reduce this risk to timeframe compliance.

Staff have looked at the procedures carried out by some other large consent authorities (ORC, CCC and Greater Wellington). With respect to ORC and Greater Wellington, their delegations enable the Chairperson of their Regulatory Hearing Committee to be able to decide appointments, in consultation with Council staff.

The Commissioners Contract

Staff are in the process of completing a revised contract for external decision makers. The substantive changes are:

- Strengthening and clarification of the required timeframe performance (including new provisions for the closure of hearings)
- Withholding the delegation to make decisions around timeframes (and any applicable extensions)
- Possibly implementing a penalty clause for the contractor where their actions may cause a timeframe failure resulting in liability for the Council

Increasing the pool of Commissioners

We are identifying what steps we can take to increase the available pool of decision makers to increase the number of consents that can be heard concurrently.

2. Better Control of Output and Costs

Staff are conscious of concerns raised by consent applicants as to the perceived high level of costs, their uncertainty and the variability between hearings.

Areas that are being reviewed are:

Required decision template use

A review of the various written decisions made by appointees has indicated a wide variance in the length, content and format of written decisions prepared by hearings decision makers.

While a basic template is currently available, staff, with assistance from Councillors, have been working on an improved template for use by decision makers (both Councillors and external commissioners) for writing decisions.

A template for use by all decision makers would ensure the comparable format necessary for consistency and would result in a more streamlined cost effective decision making process.

The Commissioners Contract

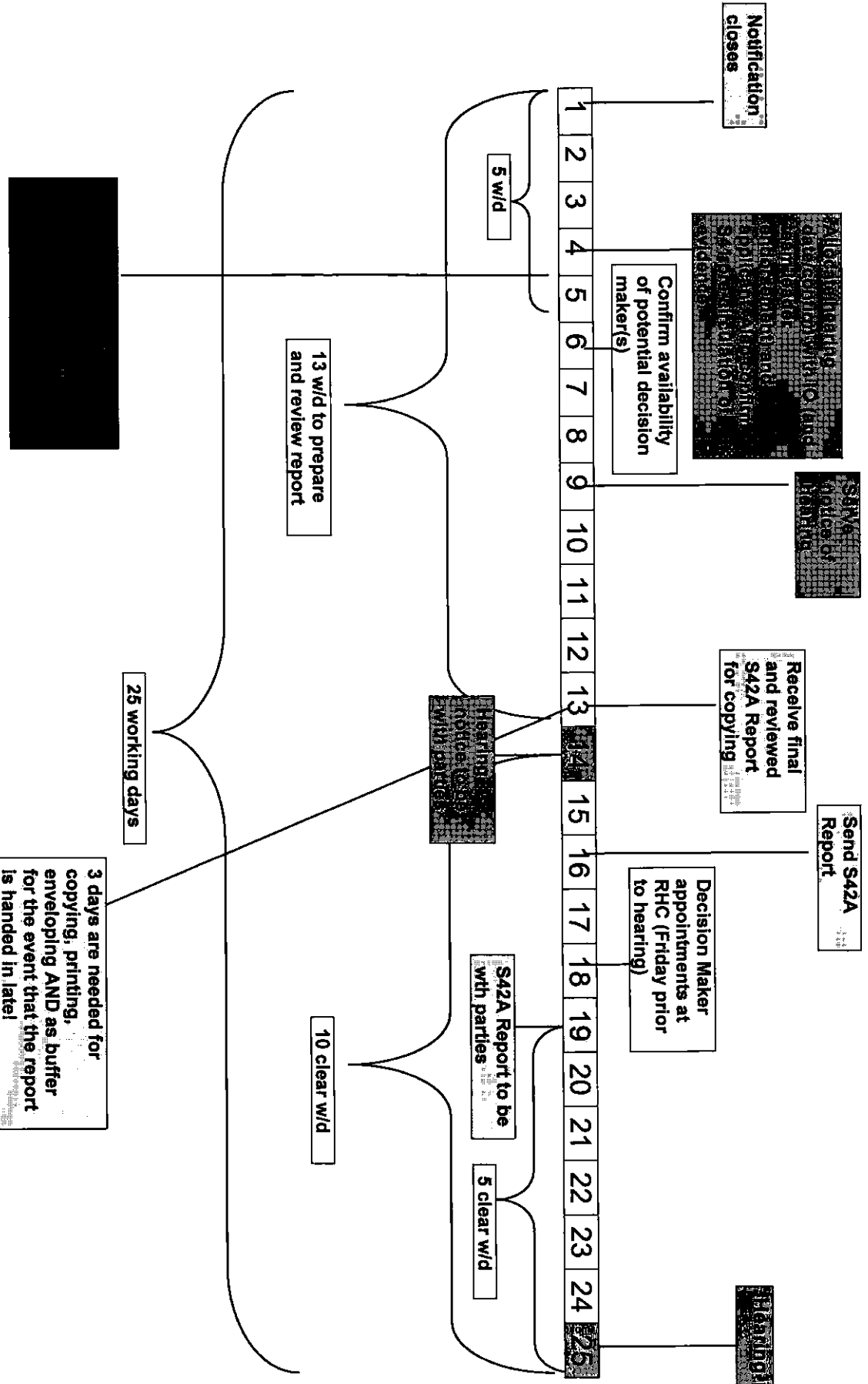
Further changes are being considered to improve cost transparency and predictability:

- Clearer requirements for the standard of billing required to provide better and more consistent explanation of the work being completed.
- Setting a maximum number of charged hours that cannot be exceeded without further negotiation with the Council
- Setting capped reimbursements for accommodation and meals
- Consideration is being given to setting fixed prices payable to Commissioners for the most routine hearings

Statutory Timeframes: Under Amended RMA

Notified Applications - Hearing required					
Total Stat Days Allowed	S92 Period	S88 Period	S87 Period (For the applicant)	Stat Days per Stage	Statutory Events
1		1		1	Lodgement (S88)
2		2		2	
3		3		3	
4		4		4	
5		5		5	
6				6	
7				7	
8				8	
9				9	
10				10	Notification Decision Made (S95) / Notification Made (S95)
11				1	
12				2	
13				3	
14				4	
15				5	
16				6	
17				7	
18				8	
19				9	
20				10	
21				11	
22				12	
23				13	
24				14	
25				15	
26				16	
27				17	
28				18	
29				19	
30				20	Submissions closed (S97)
31				1	
32				2	
33				3	
34				4	
35				5	
36				6	
37				7	
38				8	
39				9	
40				10	
41				11	
42				12	
43				13	
44				14	
45				15	Notice of hearing issued (S101)
46				16	
47				17	
48				18	
49				19	
50				20	Officers & Other Reports circulated (S42A(3))
51				21	
52				22	
53				23	
54				24	
55				25	Hearing Commenced (S101)
					Hearing Held
					Right of Reply Exercised (S103A)
56				1	
57				2	
58				3	
59				4	
60				5	
61				6	
62				7	
63				8	
64				9	
65				10	Hearing Closed (S103A)
66				1	
67				2	
68				3	
69				4	
70				5	
71				6	
72				7	
73				8	
74				9	
75				10	
76				11	
77				12	
78				13	
79				14	
80				15	Decision Issued (S115)

Refer to supplementary diagram to break down the critical events within this period



AGENDA ITEM NO: 7	SUBJECT MATTER: RESOURCE MANAGEMENT ACT AMENDMENTS UPDATE
REPORT: Regulation Overview Committee	DATE OF MEETING: 24 September 2009
FILE REFERENCES:	PORTFOLIO: PROJECT: OUTPUT:
REPORT BY: James Palmer Senior Business Analyst	ENDORSED BY: Don Rule Director Resource Planning and Consents

The purpose of this document is to advise Councillors on the changes that have been introduced to the Resource Management Act that will affect the consenting process and the response that Environment Canterbury is making.

The RMA (Simplifying & Streamlining) act was passed by Parliament on September 9, and is to be enacted on 1 October 2009.

In relation to consent processing there have been a number of changes from the initial proposed amendments, although many of these were to make the proposed change more workable. The opportunity has been taken to have a general tidying up of many of the existing provisions

Main Changes to the RMA

- Applicants with notified applications can request that they be decided by the Environment court.
 - The council will make the decision, although no criteria for that decision are provided.
- Applicants with activities of national significance can apply directly to the new EPA and seek a call in
 - A called in consent may be heard by a Board of Enquiry, or may be referred directly to the Environment Court. The EPA would act as administrators of the Board of enquiry process.
 - The regional authority will still be required to supply a report on “planning matters”
- The definition of an affected person is changed.
 - “The activities adverse effects on the person **are** minor or more than minor (but are not less than minor)”
 - Activities can have more of an effect on a person before they are considered affected.
- Public Notification test requires more certainty. There is no default to notification if uncertain.
 - “Where the adverse effects on the environment **will have** or are likely to have more than minor effects on the environment”
- Limited notification rules are clarified, but require certainty
 - Must limit notify if there **are** affected parties

- Rules for requests for additional information are revised
 - Limited time frame holds – one for non notified, two for notified
 - Right of objection removed
 - Failure to comply with request must result in public notification
- Revises best practice for officers reports by reducing required content.
- Slight changes around when a rule in a proposed plan has legal effect
- New time frames introduced for the closure of hearings
- Reduced ability to extend timeframes
 - Can double only if special circumstances exist or applicant agrees
- Penalty regime to be imposed by regulation for “late” consents, where the consent authority is at fault.
- Restricted Coastal Activities now decided by council (no longer Minister of Conservation)
- Existing act applies to existing consents; amended act applied to new consents
 - Requires two different processes to occur in parallel
- Greater provision for the use of electronic means for submissions, and internet for notifications etc
- Greater circulation of information now required before hearings

Work Program being undertaken by Consents Section

The lead in time is very short, and there will be some uncertainty around interpretation of some key enactments. A small project team has been identifying the specific changes, and setting out work streams for completion:

- Update of written procedures
- Revision of documentation (standard letters & templates)
- Revision of advisory information
- Decision making about new criteria to apply for Notification/Affected parties etc
- Recommending revision of formal delegations as appropriate
- Setting up training for staff
- Revising RMA dBase systems to reflect changes to stages, events and timeframes to be recorded
- Revision of standard performance reporting

Items that will be brought before the council for direction at different stages will be:

- A revision of or addition to existing staff delegations (required before 1 October)
- The setting up of appropriate projects and funding for consents that will potentially be subject to a discount for timeframe failure (when the form of the regulations is better known)

Councillors will be updated on implementation progress at future ROC meetings.

AGENDA ITEM NO: 8	SUBJECT MATTER: CONSENT REVIEWS SECTION PERFORMANCE REPORT
REPORT: Regulation Overview Committee	DATE OF MEETING: 24 September 2009
FILE REFERENCES:	PORTFOLIO: PROJECT: OUTPUT:
REPORT BY: Tania Harris Consent Reviews Manager	ENDORSED BY: Don Rule Director Resource Planning and Consents

Reporting Period: April – August 2009

Progress - summary

- The consent review hearing was held during July and August to hear and decide the 523 groundwater consent under review.
- Evidence was given at hearing on 264 of the consents.
- Environment Canterbury staff along with Jacqui Todd from Golder & Assoc (leading officer) are currently preparing the council response to the hearing evidence heard which is due for circulation to all parties on 18 September 2009.
- Those parties heard at the hearing then have a 10 working day period for a final written right of reply.
- If the commissioners do not require any further information a decision is expected by the end of November 2009

At the hearing

Environment Canterbury is seeking by way of conditions on the reviewed consents:

- An annual volume based on WQN9v3
- Installation of water meters on all takes plus telemetry to be installed on those consents with a moderate or high degree of stream depleting effect to a surface water way and telemetry to be installed on those consented takes with a total annual volume of greater than 357,000m³
- Inclusion of a minimum flow restriction on those consents with a moderate or high degree of streaming depleting effect to a surface water way (lowland stream)

Consent holders (various) at hearing proposed the following alternates:

- An annual volume based on a plan compliant version of the Irricalc model plus a supplementary volume (also Irricalc) while efficiencies were reached and for a 5 year duration while water use data was gathered. After which time 'confirmed' volumes would be established from actual measured data.
- A 3 year rolling average of the annual volume.
- A change to the irrigation season to 1 January to 31 December
- Removal of telemetry requirement on all consents other than those with a stream depletion effect.

- Removal of review condition to allow for future review for the implementation of seasonal allocation.
- Minimum flows to not become operative until 2014 and only if by then the consent holder has not proven a stream depleting effect is not occurring or the effect has not been mitigated (shifting or deepening the bore) and only by way of another review to place the minimum flow conditions on the consents.

A working party was established with Environment Canterbury and members of the cluster groups to consider the alternate annual volume proposal mentioned above. While Ecan continues to pursue an annual volume using the WQN9 model it was agreed that Environment Canterbury would support the proposing of an alternate condition but the final decision is of course with the appointed commissioners.

The Council's response to the hearing evidence does not support any of the other alternates proposed above.

Financials to August 2009

Project Expenditure vs Budget

		Expenditure YTD Actual	Expenditure YTD Budget	Surplus/ Deficit
076202	Adverse Effects Investigations – Land	\$195	\$350	-\$155
No reviews for Land have yet been identified				
076302	Adverse Effects Investigations – Waste	\$11	\$370	-\$359
No reviews for Waste have yet been identified				
076102	Adverse Effects Investigations – Coasts	\$10	\$367	-\$357
No reviews for Coasts have yet been identified				
076000	Adverse Effects Investigations – Air	\$120	\$4,411	-\$4,291
No reviews for Air have yet been identified				
076400	Advisory - Water	\$30,773	\$11,604	\$19,169
The processing of the Rakaia Selwyn reviews continues but is slowly decreasing pending the decision. Some limited work has commenced on identifying the next zone for possible review				
076401	Plan Implementation - Water	\$186	\$3,106	-\$3,020
No plan reviews for Water are yet possible				
076402	Adverse Effects Investigations – Water	\$6,575	\$48,406	-\$41,831
Work has commenced on investigating the next possible zone for consent review but only in a limited amount until the Rakaia Selwyn review is completed.				
076403	Adverse Effects Processing – Water	\$18,967	\$28,747	-\$9,780
Work continues on the processing of the Rakaia Selwyn consent reviews. A decision is expected by end of November 2009 at which time invoicing for costs can occur.				

AGENDA ITEM NO: 9	SUBJECT MATTER: SCHEDULE OF RECENT AND PENDING CONSENT HEARINGS
REPORT TO: Regulation Overview Committee	DATE OF MEETING: 24 September 2009
FILE REFERENCES:	PORTFOLIO: PROJECT: OUTPUT:
REPORT BY: Donald Fraser Consent Hearings Officer	ENDORSED BY: Kim Drummond Director Regulation

Schedule of recent and pending resource consent hearings attached.

Applicant Name	CRC Number	Status	Hearing Start	Venue
Valetta GW	ICLR037	ADJOURNED	21-Jul-08	Waiau Theatre
Clifden Holdings	CRC051187	ADJOURNED	10 February 2009	Waiau Theatre
Lower Waitaki Irrigation	ICLR042	ADJOURNED - deliberating until late October	20 April 2009	Waiau Theatre
Amberley WWTP	CRC091016 CRC091868	ADJOURNED - comments and further info circulated	21 April 2009	Amberley Council Chamber/ Hurunui DC
Okuku Range Forestry	CRC090279 CRC084396 CRC084393 CRC091578 CRC091579 CRC091580	deferred at request of applicant, on hold	5 May 2009	Council Chamber
CCC Wainui Discharge JOINT (CCC)	CRC091608 CRC062533.1 CRC080608.1 CRC042698	ADJOURNED -Further Info requested of the applicant	18 May 2009	Council Chamber
Wairewa Runanga HDC/Hanmer Springs Thermal Reserve	CRC080608.1 CRC042698	(pre-hearing) adjourned, minutes sent (pre-hearing) adjourned - s92	29 May 2009 30 June 2009	Waitaki Room Waimak Room
Waimakariri District Council	CRC092413 CRC092809 CRC092810	ADJOURNED - Further info requested of the applicant and applicant to meet with IO's and then provide revised set of conditions	30 July 2009	Waimak District Council St John's Ambulance Hall (Amberley)
John Curtis Ltd	CRC073069 CRC011993, CRC011996, CRC012001, CRC970986, CRC970987, CRC972765 & CRC010976 CRC093738 CRC062093 CRC082192 CRC084651	CLOSED	10 August 2009	
SDC Stockwater Race Allied Concrete Limited	CRC093738	ADJOURNED - ROR to be provided by 11 September (pre-hearing) adjourned	17 August 2009 4 September 2009	Waiau Theatre (Rakaia Room) Spicers L2
Canterbury Meatpackers Rakaia Ltd	CRC062093 CRC082192 CRC084651	At hearing	14 September 2009	Waiau Theatre (Rakaia Room)
ADC Stockwater	CRC012030	ADJOURNED further reply circulated, hearing to reconvene	21 September 2009	Waiau Theatre (Rakaia Room)
Upper Waitaki	ICLR046	Hearing confirmed	21 September 2009	Boater's Restaurant/Town Hall

Lincoln Land Development Limited JOINT (SDC) Central Plains Water Trust	CRC092128 CRC092129 CRC092130 CRC092131 CRC092582 ICLR047	Hearing confirmed ADJOURNED resumption confirmed	28 September 2009 12 October 2009	Council Chamber (Ashley Room) Holiday Inn
	CRC093111 CRC093112 CRC093113 CRC093101 CRC093102 CRC093103 CRC093104 CRC093105 CRC093108 CRC093109 CRC093110 CRC061380.1 CRC012224.1 CRC054402.1			
Ashburton Aquatic Park Charitable Trust		On hold	12 October 2009	Waiau Theatre
Gilman Wheelans Holdings Ltd	CRC080102	Deferred at applicant's request , new dates tbc	15 October 2009	Waitaki/Council Chamber (Rakaia Room)
Lowe Corporation Limited	CRC094136	Hearing confirmed	19 October 2009	Waiau Theatre (Ashley Room)
Fulton Hogan JOINT TDC	CRC073777 CRC073778 CRC061986 CRC072867	Hearing confirmed	22 October 2009	Pukaki Room, Timaru Ecan
Taggart	CRC072868 CRC072869	DEFERRED on hold	27 October 2009	Waitaki Room
CCC (South West Area - ICMP)	CRC091721 CRC092016, CRC092017, CRC092018	Hearing confirmed	16 November 2009	Council Chamber/Waiau (Ashley Room)
Mr & Mrs IV & BM Paterson	CRC092019	Hearing dates tbc with applicant	17 November 2009	Waitaki Room (Rakaia)
Ruby Views Limited	CRC083449 CRC100100 CRC100101 CRC100099	Hearing dates tbc with applicant	8 December 2009	Council Chamber (Rakaia)

Synlait (Rakaia take-Band 5 water) Selwyn District Council - Glentunnel Holiday Park	CRC054384 CRC070525 CRC054385 CRC054383 CRC064154	DEFERRED at applicant's request, waiting for new dates from applicant
Fernwood Dairies Limited	CRC091331 CRC083091, CRC100067	On hold ON HOLD - s92
Propad Investments Ltd	CRC052358 CRC082092 CRC081950 (CRC094311 non- notified but to be decided with other 2)	On hold ON HOLD AGAIN. May need a 4th consent. 094311 on hold under S92.
Pukaki Downs/Tibby Lancorp Farming	CRC081037 CRC084691 & CRC090611	On hold On hold under s92
Fowler Developments		waiting for Meridian to give derogation approval
Mackenzie DC - Twizel Water Supply	CRC042741	
Chertsey/Ashburton Lyndhurst		On hold
Brooklands Properties 2000 Limited Glass	CRC072681 CRC084137 CRC080777 (CRC082783)	On hold, Waiting to hear back from applicant On hold
Homebush Estate Ltd Cribb Farming Ltd	CRC082645	On hold until 31 October 2009 On hold S91
CCC (overflow into Heathcote and Avon) Broadfield Estates JOINT (SDC)	CRC092692 CRC071552 CRC071555 CRC091571 CRC091572 CRC091573 CRC091574	On hold S92 On hold
Mackenzie DC-Ashwick Stockwater		On hold
Island Glen Dairies MacPhail Reworks New Zealand	CRC090713 CRC092334 CRC092778	On hold On hold S91 On hold

Morven Glenavy & Ikawai Irrigation	CRC897381C.2	
	CRC091997 CRC091998	
	CRC093391 CRC093392	On hold
Hurunui Water Project	CRC094168 CRC094169	
	CRC094170 CRC094171	
	CRC094172 CRC094173	
	CRC094347 CRC094350	On hold
	CRC082842	
CDL Land NZ Limited	CRC030445.3	On hold

**DETAILS OF COUNCILLOR INVOLVEMENT IN RESOURCE CONSENT HEARINGS
FROM OCTOBER 2007**

COUNCILLOR	NO. OF HEARINGS SCHEDULED AND AVAILABLE	NO. OF HEARINGS OFFERED BUT UNAVAILABLE*
Cr Demeter	4	
Cr Evans	1	
Cr Harrow	3	1
Cr Kane	5	3
Cr Kirk	N/A (on NRRP duties)	
Cr Little	5	
Cr McKay	4	1
Cr Murray	3	1
Cr Neill	8 (2 of these were as a late replacement)	
Cr Oldfield	N/A (on NRRP duties)	
Cr Sage	5 (#)	2
Cr Sutherland	5	1
Cr Tindall	3	

* *Reasons for unavailability were commitments to other Council Committee meetings or a declared conflict of interest.*

ISSUES TO HIGHLIGHT

1. Writing decisions

This workshop attended by councillors and staff was well received. Some councillors who attended that course have now commenced or will shortly commence writing a decision from a formal hearing. We will approach other councillors who attended the workshop during the course of the next 9-12 months as part of the ongoing process of councillors drafting a decision from a formal hearing.

AGENDA ITEM NO: 10	SUBJECT MATTER: TERRITORIAL AUTHORITY LIAISON'S EXPENDITURE JULY – SEPTEMBER 2009
REPORT: Regulation Overview Committee	DATE OF MEETING: 24 September 2009
FILE REFERENCES:	PORTFOLIO: Land PROJECT: Territorial Authority Liaison OUTPUT: Reporting
REPORT BY: Vin Smith Regional Planning Manager	ENDORSED BY: Don Rule Director Resource Planning and Consents

PURPOSE

To report Territorial Authority Liaison's expenditure: July – September 2009.

COUNCIL RESOLUTION

From 1 July 2008 Territorial Authority Liaison (TAL) record expenditure to identify:

- (i) *costs and details of activities requested by Territorial Authorities and any other parties,*
- (ii) *any major items of expenditure occurred, eg, environment court action, and that staff report to Council through the Regulation Overview Committee (ROC) for Annual Plan Considerations (21 February 2008).*

COSTS AND DETAILS OF ACTIVITIES REQUESTED BY TERRITORIAL AUTHORITIES AND ANY OTHER PARTIES

Annual Costs – 2008/2009

	Labour & Over Heads	Goods & Services	Total
Budgeted (YTD)	\$503,258	\$276,747	\$780,005
Actual (YTD)	\$514,847	\$268,963	\$783,814

Costs – July / September

9/07	Lucas Associates	CCC - Russley Camp site assessment	\$2,971.07
9/07	Lucas Associates	CCC - Sez-Zias Investments assessment	\$1,914.14
3/07	RMG	CCC - Variation 48	\$1,750.25
13/08	CPG New Zealand Ltd	CCC - Final evidence on PC22 & 28	\$7,633.00
13/08	RMG	CCC - Var48	\$3,535.00
13/08	Wynn Williams & Co	HDC - Mt Cass Windfarm Appeal	\$2,743.15
31/08	Wynn Williams & Co	HDC - Mt Cass Windfarm Appeal	\$982.80
9/09	Liz Briggs Consulting Ltd	HDC - Mt Cass Windfarm Appeal	\$770.00
			\$22298.00

Major items of expenditure

HDC, Mt Cass Wind Farm – Resource consent appeal
CCC, Russley Holiday Park – Resource consent appeal

To be reported at the Council meeting of 29 October.

South Canterbury highlights

Waitaki District Council (WDC) – WDC has concluded its hearings on Proposed Plan Change 2 and Variations 2 and 3 to the Waitaki District Plan. These changes have been under progress for 3 years, the first hearing having been held in 2007. ECan is a submitter on these changes, which identify important landscapes and provide controls to protect significant biodiversity in the district. Submissions were drafted in collaboration with Otago Regional Council to ensure consistency in approach, and decisions on submissions are expected within the next two months. This will be a further important step in the completion of the Waitaki District Plan.

Ashburton District Council (ADC) – during August ADC released its decisions on the Private Plan Change providing for the extension (doubling in size) of Lake Hood, and the development of an additional 350 residential sites. ECan's submission on this Plan Change identified issues with flooding hazard, transport and stormwater management. Through a very productive process of pre-hearing discussions with the applicant, all points of submission were settled in advance of the hearing. This has resulted in a collective agreement to resolve issues of concern being adopted by the Ashburton District Council; this will in turn lead to a more durable and sustainable development of this important recreational area and reinforces the benefits of maintaining dialogue between parties.

Christchurch City Council (CCC) - ECan and CCC have developed a Variation to the City Plan to address land use activities between the primary and proposed secondary stopbank for the Waimakariri River. Consultation with affected land owners is due to commence October – November 2009.

Waimakariri District Council (WMDC) – A council workshop was attended at WMDCs request to provide guidance and direction pertaining to the management of Waimakariri and Ashley River flooding, along with localised floodplain management issues. Regional Policy was highlighted along with identifying historic WMDC decisions (Moorecroft, Pegasus Town & Kaiapoi Area E) so as to assist.

Hurunui District Council (HDC) – discussions commenced with HDC concerning Mainpowers resource consent appeal and the sharing of witnesses. Mediation also commenced on this matter.

TAL team members continue to provide input to the RPS review process along with assisting in the engagement of the TLAs. In this way, the group is able to get a feel for particular TLA-specific issues, while identifying areas where consistency may be improved ahead of second generation plan reviews. Some involvement has also occurred in tenure review proposals, where issues of regional policy are identified.

AGENDA ITEM NO: 11	SUBJECT MATTER: STATUS OF RESOURCE CONSENT DECISIONS SUBJECT TO APPEAL TO THE ENVIRONMENT COURT
REPORT: Regulation Overview Committee	DATE OF MEETING: 24 September 2009
FILE REFERENCES:	PORTFOLIO: PROJECT: OUTPUT:
REPORT BY: Faye Collins Solicitor	ENDORSED BY: Don Rule Director Resource Consents and Planning

APPEALS ON RMA CONSENT DECISIONS SECTION 120 RESOURCE MANAGEMENT ACT 1991 AND MISCELLANEOUS MATTERS

This report refers to Court proceedings arising from 23 matters. Since the last ROC meeting 2 new resource consent appeals have been received. Eleven appeals are continuing. Six appeals have been completed, four by mediation and two appeals were withdrawn. One new declaration has been filed, one is continuing and one declaration has been completed.

NEW APPEALS RECEIVED SINCE APRIL 2009

APPLICANT(S)	COUNCIL DECISION	APPELLANT(S)	CURRENT STATUS
Cameron, W N Applied 25 August 2005	On 25 May 2009 Commissioners Demeter and Milligan granted resource consent to change condition 2 of consent CRC020744, to take and use groundwater, to read "the taking of water in terms of this permit shall cease whenever the flow in the Wainui Stream, as estimated by the Canterbury Regional Council, falls below 200 litres per second".	<u>SUBMITTER APPELLANT</u> ENV-2009-CHC-125 • P F McIlraith Relief Sought: Changes to minimum flow conditions.	Reply filed. Court-assisted mediation being arranged. Faye Collins acting.

<p>Department of Conservation</p> <p>Applied 18 Sept 2008</p>	<p>On 2 July 2009 Commissioner Barry Loe granted resource consent application CRC091153 to discharge sodium fluoroacetate (1080) and pindone onto land in circumstances where these contaminants may enter water in the areas of the Mackenzie Basin, upper Waitaki Valley and Aoraki/Mount Cook National Park to the Department of Conservation for a duration of 10 years.</p>	<p><u>SUBMITTER APPELLANT</u> ENV-2009-CHC-230</p> <ul style="list-style-type: none"> • P A Paterson <p>Relief Sought:</p> <ul style="list-style-type: none"> • Different pest control method. • Different poison • Pest carcasses be recovered <p>Mr Paterson seeking public authorities to fulfil their statutory obligations for protection of public health and wild life.</p>	<p>Reply filed. Set down for pre-hearing conference at Oamaru on 23 September 2009.</p> <p>Kristy Rusher acting.</p>
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ONGOING APPEALS

APPLICANT(S)	COUNCIL DECISION	APPELLANT(S)	CURRENT STATUS
<p>Ashburton Community Water Trust</p> <p>Applied 2 March 2007</p>	<p>On 2 April 2009 Commissioners Milne, Fenemor and O'Callaghan released their decision <u>granting</u> various applications to use and divert water from the Rakaia River for the purposes of hydro electricity generation.</p>	<p><u>Submitter Appellant</u> ENV-2009-CHC-005</p> <ul style="list-style-type: none"> • Synlait Ltd <p>Relief Sought: That the interim decision be overturned.</p>	<p>Adjourned for decision of Court of Appeal Central Plains Water Trust v Synlait Limited.</p> <p>Marie Dysart acting.</p>
<p>Eggleton, N B</p> <p>Applied 14 December 2007</p>	<p>On 30 January 2009 Commissioners Nixon and Bowden <u>declined</u> resource consent application CRC082186 to take and use groundwater from proposed bore J39/0705 for the irrigation of 141 hectares of crop and pasture at Cannington, South Canterbury.</p>	<p><u>Applicant Appellant</u> ENV-2009-CHC-041</p> <p>Relief Sought: Decline of consent.</p>	<p>Appellant supplied evidence for Council review which is in progress.</p> <p>Marie Dysart acting.</p>

<p>Freyberg Developments Limited</p> <p>Applied 25 June 2007</p>	<p>On 16 February 2009 Commissioners McGarry and Sage <u>declined</u> resource consent application CRC074090 by Freyberg Developments Limited to discharge stormwater containing contaminants from a residential subdivision onto land in circumstances where it may enter surface water.</p>	<p><u>Applicant Appellant</u> ENV-2009-CHC-034</p> <p>274 Party:</p> <ul style="list-style-type: none"> • Rossendale Holdings Limited • D & P Foster Family Trust • Lansdowne Resource Ltd • Jordan Family Trust • The Barclay Trust <p>Relief Sought: That the decision be cancelled and consent granted.</p>	<p>Matter on hold pending the submission of a resource consent application.</p> <p>Kristy Rusher acting.</p>
<p>Meridian Energy Limited</p> <p>Applied 20 December 2006</p>	<p>On 19 December 2008 Commissioners Skelton, Bowden and Ryder <u>granted</u> resource consent applications CRC071903, CRC071139, CRC071096 and CRC071878 to Meridian Energy Limited to take, use and discharge water for the North Bank Tunnel Scheme subject to conditions for a period of 12 years.</p>	<p><u>Submitter Appellants</u></p> <p>ENV-2009-CHC-018</p> <ul style="list-style-type: none"> • G W Dovey <p>ENV-2009-CHC-020</p> <ul style="list-style-type: none"> • Lower Waitaki River Management Society Inc <p>ENV-2009-CHC-022</p> <ul style="list-style-type: none"> • Te Runanga o Ngai Tahu <p>ENV-2009-CHC-023</p> <ul style="list-style-type: none"> • Ngai Tahu-Mamoe Fisher People Inc <p>ENV-2009-CHC-24</p> <ul style="list-style-type: none"> • Waitaki Protection Trust <p><u>274 Parties</u></p> <ul style="list-style-type: none"> • Lower Waitaki irrigation Co Ltd • Central South Island Fish & Game Council • North Otago Irrigation Co Ltd • Kikoamo Farm Ltd • K & D Farms Ltd • Wainui Station • Maraewhenua District Water Resource Co <p>Relief Sought: That consents be declined.</p>	<p>Matter heard. Decision reserved.</p> <p>Marie Dysart / Faye Collins acting.</p>

<p>Ravensdown Fertiliser Co-operative Limited</p> <p>Applied 11 September 2003</p>	<p>On 27 February 2009 Commissioner McLernon <u>granted</u> resource consent application CRC040505 to discharge stormwater onto and into land associated with a fertiliser storage and handling facility at 56 Dominion Road, Seadown subject to conditions.</p>	<p><u>Applicant Appellant</u> ENV-2009-CHC-068</p> <p>Relief Sought: Amendment to conditions.</p>	<p>Consent Order pending.</p> <p>Faye Collins acting</p>
<p>Andrew, Jane Limited</p> <p>Applied 27 March 2006</p>	<p>On 15 February 2008 Commissioners Tasker and McGarry <u>granted</u> resource consent application CRC063378 to divert, take and use water from the Conway River, subject to conditions.</p>	<p><u>Applicant Appellant</u> ENV 2008-CHC-71</p> <p>Relief Sought:</p> <ul style="list-style-type: none"> • Amendment to conditions. 	<p>Strike Out application declined. Consent Order declined. Applicant undertaking additional hydrology investigation. Matter adjourned until March 2010.</p> <p>Faye Collins acting.</p>

<p>Applicants to take water from the Selwyn-Waimakariri Groundwater Allocation Zone (17 appeals)</p> <p>Various application dates</p>	<p>On 7 October 2008 Commissioners Ryder, Russell and Paul <u>granted</u> consents to take and use water in the Selwyn-Waimakariri Groundwater Allocation Zone subject to conditions.</p>	<p><u>Submitter Appellants</u> ENV-2008-CHC-</p> <ul style="list-style-type: none"> • Selwyn Plantation Board Limited (CRC062512, CRC062513, CRC062823, CRC062824 and CRC062825) • Gammack Estate (CRC050062) • G J Marshal Trust Limited (CRC052658) • J E Korostchuk (CRC060214) • SG & DJ Lill (CRC050608) • Meadow Mushrooms Limited (CRC050655) • K T Opie (CRC060192) • RD & LJ Potts (CRC050933) • AG & JR Redmond (CRC061232) • WA & JT Scarlett (CRC071440) • R H Simpson (CRC052361) • P E Streeter (CRC061902, CRC061905) • White Gold Limited (CRC050463) • Craufurd Farm Limited (CRC050388) • PJ & LJ Pankhurst (CRC042619, CRC050789)) • GR & HJ Wilson (CRC042798) • Manaroa Farm Limited (CRC061458) <p>Relief Sought: Amendment to conditions.</p>	<p>Matter being mediated.</p> <p>Marie Dysart acting.</p>
<p>Kaikoura Investment Trust Limited (2 appeals)</p> <p>Applied on 21 Dec 2006</p>	<p>On 5 February 2008 Commissioners Nixon and Cowie <u>granted</u> consents CRC079100 to undertake earthworks for the construction of roads and building platforms and CRC071901 to discharge contaminants onto land and into water on a property known as Acacia Downs south of Kaikoura.</p>	<p><u>Applicant Appellant</u> ENV 2008-CHC-62</p> <p>Relief Sought:</p> <ul style="list-style-type: none"> • Amendment of various conditions. <p><u>Submitter Appellant</u> ENV 2008-CHC-54</p> <ul style="list-style-type: none"> • P Stemmer & ors <p>Relief Sought:</p>	<p>Consent memorandum signed and filed with Court. Currently awaiting resolution of an associated appeal.</p>

<p>Wilding, Timothy Applied 16 Dec 2005</p>	<p>On 15 February 2008 Commissioners Tasker and McGarry <u>granted</u> resource consent application CRC062213 to divert, take and use water from the Conway River subject to conditions.</p>	<p><u>Applicant Appellant</u> ENV 2008-CHC-70</p> <p>Relief Sought:</p> <ul style="list-style-type: none"> • Amendment to conditions. 	<p>Strike Out application declined. Consent Order declined. Applicant undertaking additional hydrology investigation. Matter adjourned until March 2010.</p> <p>Faye Collins acting.</p>
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APPEALS COMPLETED SINCE APRIL 2009

APPLICANT	COUNCIL DECISION	APPELLANT(S)	CURRENT STATUS
<p>Ashburton District Council Applied 28 May 2007</p>	<p>On 28 November 2008 the Regulation Hearing Committee <u>granted</u> resource consent application to take groundwater at Rakaia for the Rakaia Town Community Water supply, subject to conditions.</p>	<p><u>Applicant Appellant</u> ENV-2009-CHC-002</p> <p>Relief Sought: Amendment to condition 10.</p>	<p>Consent Order issued 29 April 2009.</p> <p>Faye Collins acted.</p>
<p>Daley, Bernard and Margaret Applied 20 June 2008</p>	<p>On 5 January 2009 resource consent CRC050195.2 was granted to take and use water subject to conditions at Rakaia Barhill Methven Road, Rokeby.</p>	<p><u>Applicant Appellant</u> ENV-2009-CHC</p> <p>Relief Sought:</p> <ul style="list-style-type: none"> • Approval of the Appellant's application to transfer the resource consent for a period of five years. • A declaration that the Council erroneously concluded that the Appellants' resource consent would not be given effect to if it was used by the transferee without first having been used by Appellants. 	<p>Consent Order issued 4 September 2009.</p> <p>Marie Dysart acted.</p>

<p>Hurunui District Council</p> <p>Applied 11 December 2007</p>	<p>On 29 January 2009 Commissioners Cowie, Sutherland and Little <u>granted</u> resource consent applications CRC081872, CRC081875, CRC081876, CRC081879 and CRC081880 to undertake works in the bed of a river, coastal hazard zone and Coastal Marine Area (CMA) to dam and divert Leithfield Stream and to discharge water and contaminants into the CMA.</p>	<p><u>Submitter Appellant</u> ENV-2009-CHC-047</p> <ul style="list-style-type: none"> G J Bennett <p>Relief Sought: That consents be declined.</p>	<p>As a result of mediation, the appeal was withdrawn.</p> <p>Faye Collins acted.</p>
<p>Kendall, G F</p> <p>Applied 3 October 2007</p>	<p>On 23 March 2009 Commissioners J Kane and S McGarry <u>granted</u> resource consent application CRC081181 to discharge stormwater containing contaminants from a residential subdivision onto land in circumstances where it will enter surface water at Peninsula View, Scarborough, Christchurch.</p>	<p><u>Applicant Appellant</u> ENV-2009-CHC-093</p> <p>Relief Sought: Change to conditions.</p>	<p>Consent Order issued 30 June 2009.</p> <p>Kristy Rusher acted.</p>
<p>New Zealand Transport Agency</p> <p>Applied 12 February 2008</p>	<p>On 23 February 2009 Commissioners Batty and Freeman <u>granted</u> resource consent applications CRC082943, CRC082945, CRC082946, CRC082969, CRC082970 and CRC082971 to New Zealand Transport Agency subject to conditions.</p>	<p><u>Applicant Appellant</u> ENV-2009-CHC-067</p> <ul style="list-style-type: none"> New Zealand Transport Agency <p>Relief Sought: Amendment to conditions.</p> <p><u>Submitter Appellant</u> Env-2009-CHC-071</p> <ul style="list-style-type: none"> P Anderson and K Armour <p>Relief Sought: That consents be declined.</p>	<p>Consent Order issued 4 July 2009.</p> <p>Consent Order issued 17 July 2009.</p> <p>Faye Collins acted.</p>

<p>Patoa Farms Limited</p> <p>Applied 28 August 2007</p>	<p>On 19 November 2008 Commissioners Kane and Iseli <u>granted</u> resource consent application to discharge contaminants into air from pig raising and compositing of organic waste subject to conditions for a duration of 10 years.</p>	<p><u>Submitter Appellant</u> ENV-2008-CHC-309</p> <ul style="list-style-type: none"> • Oakland Securities Ltd <p>Relief Sought: Amendment to conditions.</p>	<p>As a result of mediation, the appeal was withdrawn.</p> <p>Faye Collins acted.</p>
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DECLARATIONS

APPLICANT / APPELLANT	APPLICATION	OTHER PARTIES	CURRENT STATUS
<p>Central Plains Water Trust CA315/2008</p>	<p>Appeal against decision of High Court C45/2007 dated 27 April 2007. The High Court made declarations including that Synlait's applications CRC054384 and CRC062085 to take water from the Rakaia River had priority over CPWT's joint application with Ashburton Community Water Trust CRC021091.</p>	<p><u>Respondents</u></p> <ul style="list-style-type: none"> • Canterbury Regional Council • Synlait Limited 	<p>Heard on 25 and 26 August 2009. Decision reserved.</p> <p>Marie Dysart acting.</p>
<p>W R Hampton</p> <p>Filed in Environment Court 24 July 2008</p>	<p>Application for declaration by W Hampton seeking consent be issued in name of S Hampton and W Hampton.</p>	<p><u>Respondents</u></p> <ul style="list-style-type: none"> • Canterbury Regional Council • S Hampton 	<p>Preliminary matter raised as to jurisdiction and determination made that Environment Court has jurisdiction. Matter remains adjourned.</p> <p>Marie Dysart acting.</p>
<p>NZ Maori Council CIV 2009-485-1048</p>	<p>Application filed 11 June 2009 to High Court Wellington to "revive" abandoned Supreme Court Ngai Tahu Central Plains appeal.</p>		<p>Application for Strike Out filed by A G and other parties and matter struck out 21 August 2009.</p> <p>Marie Dysart acting.</p>

DECLARATIONS COMPLETED

APPLICANT / APPELLANT	APPLICATION	OTHER PARTIES	CURRENT STATUS
<p>Central Plains Water Trust SC15/2008</p>	<p>Appeal against the decision of the Environment Court dated 21 August 2006. The Environment Court made a declaration that Ngai Tahu Properties Ltd's applications CRC052033</p>	<p><u>Respondents</u></p> <ul style="list-style-type: none"> • Canterbury Regional Council • Ngai Tahu Property Limited <p><u>274 Parties</u></p> <ul style="list-style-type: none"> • Malbon Dairy Holdings 	<p>Appeal to Supreme Court abandoned after hearing but before decision given.</p>

APPLICANT / APPELLANT	APPLICATION	OTHER PARTIES	CURRENT STATUS
	and CRC054601 to Environment Canterbury for the grant of "A" permit water from the Waimakariri River, have priority over the application by Central Plains Water Trust CRC021091 for water allocation from the same resource.	Ltd <ul style="list-style-type: none"> • Glenroy Community Irrigation Company Ltd 	Marie Dysart acted.

AGENDA ITEM NO: 12	SUBJECT MATTER: RESOURCE MANAGEMENT ACT ENFORCEMENT AND COMPLIANCE MONITORING ACTIVITIES
REPORT: Regulation Overview Committee	DATE OF MEETING: 24 September 2009
FILE REFERENCES:	PORTFOLIO: PROJECT: OUTPUT:
REPORT BY: Vikki Wilmore RMA Compliance and Enforcement Manager	ENDORSED BY: Kim Drummond Director Regulation

General Reporting for Period March 2009 – June 2009

Compliance Monitoring

Over this reporting period the level of consent monitoring was impacted upon by the number of field staff vacancies in the section (4 FTE down). These vacancies are now being filled. Long standing odour issues at Makikihi Fries appear to have been resolved; however a dust issue at Washdyke from a trucking yard is causing a large number of complaints from a neighbouring residential property. Ambient levels of SO₂ in Woolston have exceeded the NES and investigations are underway to identify the possible source(s). Dust from the Bromley composting plant has resulted in several complaints and staff are working with the consent holder to resolve the problem. Downloading of data loggers started during the period and has continued through the winter period and into spring. We continue to try and resolve the outstanding issues from last year's Rakaia/Selwyn aquifer tests.

The ocean outfall project was behind schedule and is not expected to be completed before the consent to discharge into the estuary expires. There are on-going discussions with the CCC and community groups on this matter. Redruth landfill has had problems with windblown litter which are being investigated.

Enforcement

During the reporting period the number of complaints has reduced but that is consistent with previous years as we go into the winter. There has been a reduction in outdoor burning complaints in Christchurch possibly due, at least in part, to the introduction of the weekly green waste collection. It is also possible that reduced activity across the region associated with the current economic situation may be influencing the number of complaints received.

Complaints per month:

Month	Complaint Numbers
March 2009	343
April 2009	278
May 2009	245
June 2009	220

Currently the Enforcement team are involved in various stages of investigations for several serious breaches of the RMA. These incidents involve industrial sites where contaminants

have been discharged to land, into ground and to groundwater, and various works in waterways.

Environment Canterbury took the following prosecutions during this period.

1. Peter Warwick Hurst for dumping foundry waste, from his factory on Maces Road in Bromley, at sites on the Glen Colwyn Station in North Canterbury that borders the Conway River.
Fine \$3000, Regional Council's investigation costs \$13 892, court costs \$130
2. Neil Kerr Ltd for causing air pollution from the illegal burning of tyres.
Fine \$2500, Regional Council's investigation costs \$820.05, court costs \$130

Charges were withdrawn for two cases:

1. A high country burn at Awakino Station. Charges were withdrawn following extensive discussions between legal counsel and further information provided by the defence that indicated the potential for a defence against the charges for the offence. The defendant paid the costs for expert assessments of the environmental effects of the burn of \$8000, and organised and chaired a public meeting to educate other high country farmers regarding burning requirements.
2. Damage to the bed of Gunns Bush Stream due to the unauthorised installation of a pipe to channel stock and domestic water by a farmer - Mark Engelbrecht. This case was used to trial a hybrid restorative justice/diversion system. The process involved Ecan meeting with the defendant and identified affected parties (DoC, Fish and Game, runanga, community members) to discuss potential remediation/compensation and for the parties to state their concerns. Ecan entered the process with 4 key objectives to be met before charges would be withdrawn. These were:
 - i. Remediation of compensation for effects
 - ii. Admission of guilt
 - iii. Payment of costs to Ecan
 - iv. Coverage of the general deterrent to others.

The outcome of the process was that the defendant paid for an ecologic and geomorphic assessment of the stream, all exposed sections of pipe were removed, \$8500 was paid in costs, and a media release was made. Feedback from all participants in the process was positive, and all expressed appreciation at being able to be involved in the process. Significant positive feedback was also received through the media.

Regulation Advisory

It has been a relatively quiet period for the Regulation Advisory and Implementation Team with attendance at the National Air Quality working Group meeting in May. This highlighted some challenges for our Section in terms of implementation of the new air rules in Kaiapoi (and shortly Rangiora), particularly the point of sale component of the rules. Work has begun on coming up with acceptable wording for the Waimakariri DC to put on all property LIMs.

The domestic wastewater maintenance booklets are now sent to all applicants for permitted activity status and to those who apply for consents. This will hopefully result in an increase in on-site maintenance by septic tank owners.

A major challenge for the team has been identified with the imminent operative nature of the changes to the Regional Environmental Coastal Plan, specifically swing moorings within designated swing mooring areas becoming permitted activities (to be managed by the Regional Harbourmaster) and more specifically all existing lawfully established structures such as boatsheds/slipways, bridges, jetties etc becoming permitted activities subject to conditions. The most significant condition is the requirement to notify ECan of the structure's location and spatial dimensions within the Coastal Marine Area. This will be a labour intensive exercise for the team that is not currently resourced nor budgeted for. Diversion of labour to this task will result in other tasks being reprioritised or taking longer to complete, such as the processing domestic wastewater applications or external regulatory queries.

Building Consent Authority

Since the 30th March 2009, the BCA has received 4 applications for building consents. One from Electricity Ashburton (plus 3 originally lodged with ADC which we inherited when we registered as a BCA in March) for the Barhill Chertsey Irrigation Scheme, these have all since been withdrawn at the applicants request before being granted due to significant changes proposed to the schemes intake location. The main reason was to avoid the levy payments to the Department of Building and Housing & the Building Research Act of NZ (BRANZ) of just over \$30,000, which is normally paid on granting.

We also received applications from Kaituna Pastures for three dam sites. These are currently on hold waiting further information, and one from the Des Conlan Trust for a dam at Duntroon (14m high & 250,000m³ of storage) which is also on hold awaiting further information.

The BCA has also issued two notices to fix, one to the Hurunui District Council (HDC) for the construction of the Amberley Wastewater Treatment Plant new treatment pond; specifically, for building a large dam without first obtaining a building consent. We subsequently received information from HDC which has satisfied our consultant that the pond isn't a large dam so doesn't require a building consent but still needs to meet the building code. The other was issued to Silvacrest Farm Trust for a large dam in Oxford that is three quarters constructed. The owner has not applied for any consents, including the RMA consents required. They have asked that they be given time to apply for the RMA consents first, the notice to fix was extended until 12 October 2009.

We have also completed one inspection on a dam in the Rangitata area originally issued by the Timaru District Council in February 2009.

Since implementation of the Building Act functions began in March 2009 it has become clear that the breakdown of work is not fitting the budget model used at the time. These budgets were modelled on the RMA consent processing model. In reality we are spending less time on processing and inspecting building consents (user pays) and more time on the following:

- Building Act Enforcement
- Advisory work associated with the Building Act
- Liaison with the Department of Building and housing regarding implementation and interpretation
- Liaison with Environment Canterbury's technical experts and other regional authorities regarding BCA and Building Act functions
- Administration of the Dam Safety requirements of the Building Act.

Financial Summary (year to date)

Project Income and Expenditure

Year to date ending: June 2009		Income YTD Actual \$	Expenditure YTD Actual \$	Surplus/Deficit Actual \$
656	Resource Consent Compliance Monitoring			
	- Total	1,751,307	1,907,922	- 156,614
	RMA Enforcement			
657	- Land	424,593	602,909	- 178,315
663	- Air	468,873	412,288	56,585
664	- Coastal	55,577	49,754	5,823
665	- Water	800,618	758,232	42,386
668	- Hazardous Subs & Waste	22,218	6,639	15,579
	- Total	1,771,879	1,829,822	- 57,942
670	Permitted Activities Compliance Monitoring	330,590	276,946	53,644
654	Land Improvement Agreement Management	58,653	59,942	- 1,290
684	Compliance Monitoring & Enforcement Reports	57,809	105,651	- 47,842
685	Consent Review Investigations	0	0	0
	Total for Section:	3,970,238	4,180,283	- 210,045

We had an unfavourable financial result for the year end 08/09 with a total deficit of \$210K. There were three main areas that contributed to this deficit:

- Compliance Monitoring was in deficit \$157K due to under recovery of chargeable hours (actual time monitoring). This was caused by two factors, firstly, total staff vacancies for the year were approximately 1050 hours/\$94K. Secondly, where staff become involved in other council work/projects the \$90 per hour is not recovered, this increases our overheads/expenditure without adding any revenue.
- RMA Enforcement had a budget overspend of \$58K due to increased enforcement investigations and prosecution work. This is not an entirely unfavourable result as we doubled the number of prosecutions taken from 12 in the 07/08 year to 23.
- Monitoring and Enforcement Reporting was overspent by 50% with a \$48K deficit. More work and reporting (most notably the work done with industry producing the Dairy report and the LIA audit presented at a council workshop) was undertaken than anticipated. However this situation will not reoccur in this financial year.

The implementation of the new monitoring charges structure introduced 1 July 09 will provide a better model for our user pays work.

Operating Statistics

(a) Monitoring and Enforcement Activity

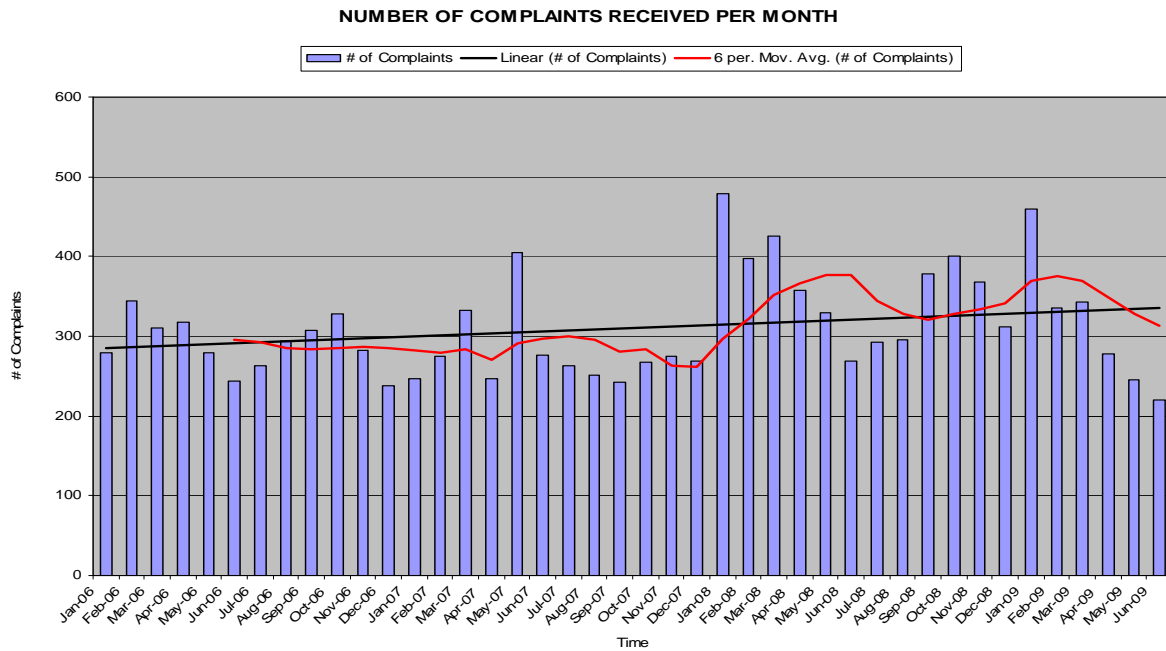
Monitoring

REPORT ON RESOURCE MANAGEMENT ACT ENFORCEMENT AND COMPLIANCE MONITORING ACTIVITIES

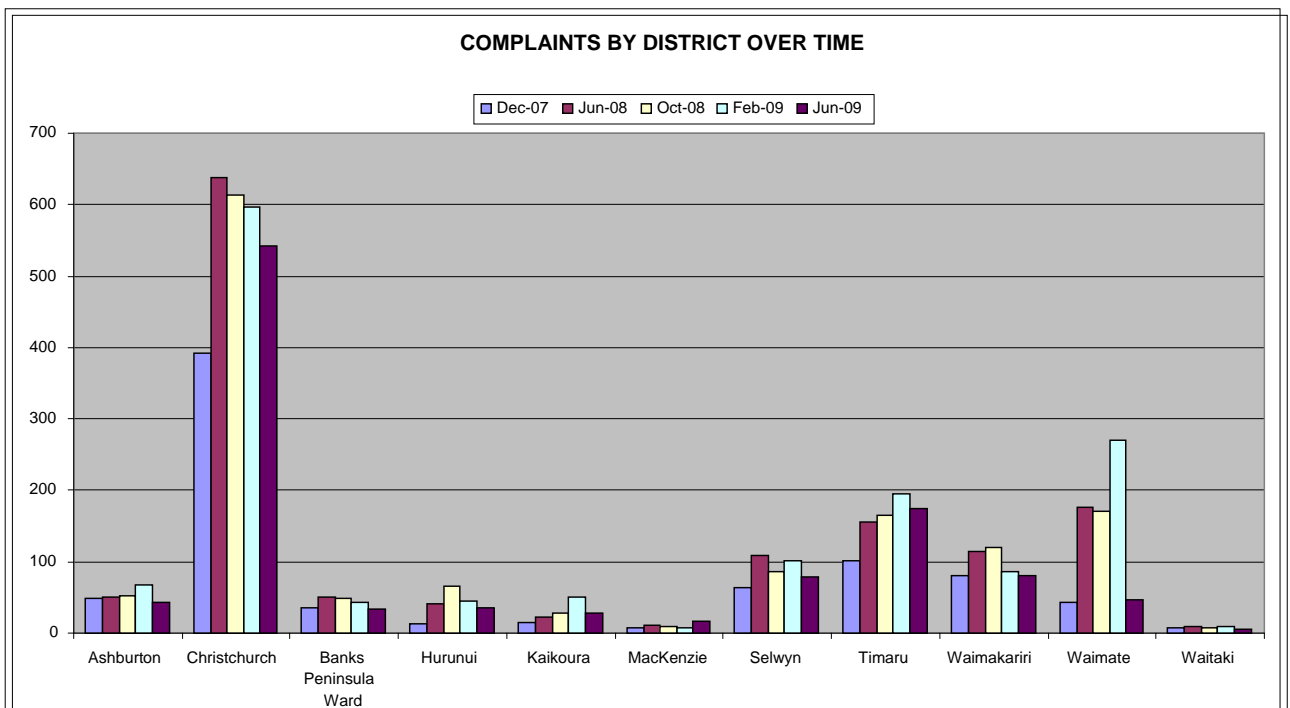
Reporting Period 1 March 2009 – 30 June 2009

Monitoring Class	Total Consents	Consents Monitored	Monitoring Events	Conditions Grade 3*	Conditions Grade 4*	Conditions Grade 10*
Agricultural Discharge	1135	329	537	42	0	34
Chemical Discharge	24	8	14	1	0	0
Human Discharge	4393	558	1159	48	4	1
Industrial Discharge	1859	304	573	14	1	6
Storm water Discharge	2587	441	1111	103	23	2
Vegetation Burns	15	3	3	0	0	0
Development and Grazing of River Berms	15	3	4	0	0	0
Flood Control	30	0	0	0	0	0
Gravel Excavation	308	254	518	14	1	2
Waterway Structures	1204	117	291	8	0	0
Earthworks	154	47	153	15	0	1
Contaminant Storage	199	15	33	3	0	0
Bores	2406	514	826	9	0	1
Groundwater Abstraction	4947	495	706	20	0	0
Surface Water Abstraction	1848	566	805	27	0	0
Surface Water Use	22	9	9	0	0	0
TOTAL	21146	3663	6742	304	29	47
Percentage		17.3%	31.9%	1.44%	0.14%	0.22%
Grade 1 - Full Compliance Grade 2 - Minor non-compliance (no or minor short term adverse environmental effects) Grade 3* - Significant/repeated non compliance (actual or potential adverse effects moderate) Grade 4* - Major and/or persistent non compliance (actual or potential adverse effects serious or Persistent) Grade 5 - Not Monitored Grade 6 - Not Operational Grade 7 - Not Given Effect to Grade 8 - Not being Exercised Grade 9 - Enforcement Action Recommended Grade 10* – Formal enforcement action taken						

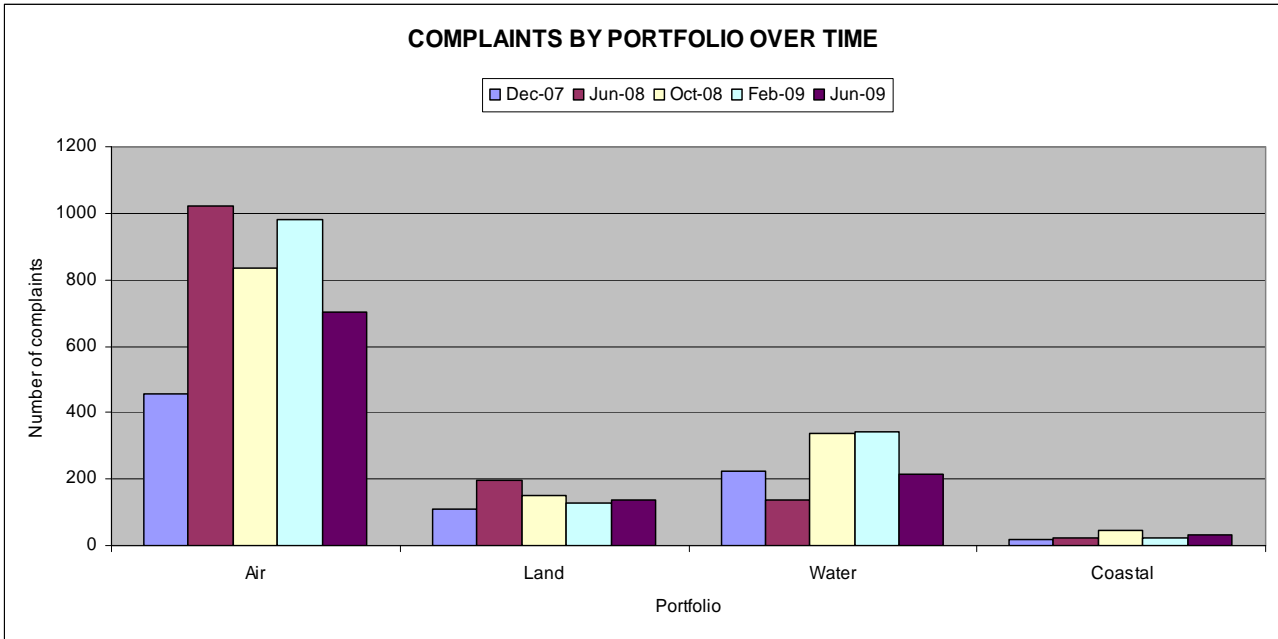
Enforcement



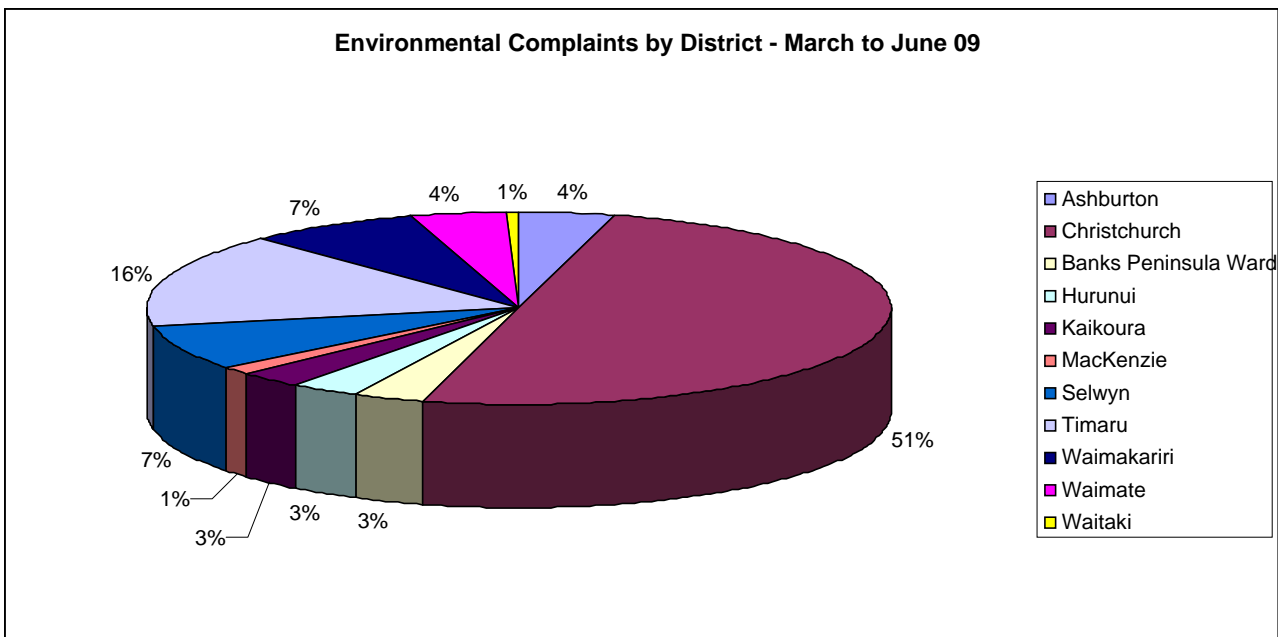
This graph depicts the total number of complaints received since January 2006. While the linear trend continues to show an increase in the number of complaints received, it is worth noting the rapid decline in complaints since March 2009. This period has traditionally seen a decline in complaints, but not to the extent experienced this year.



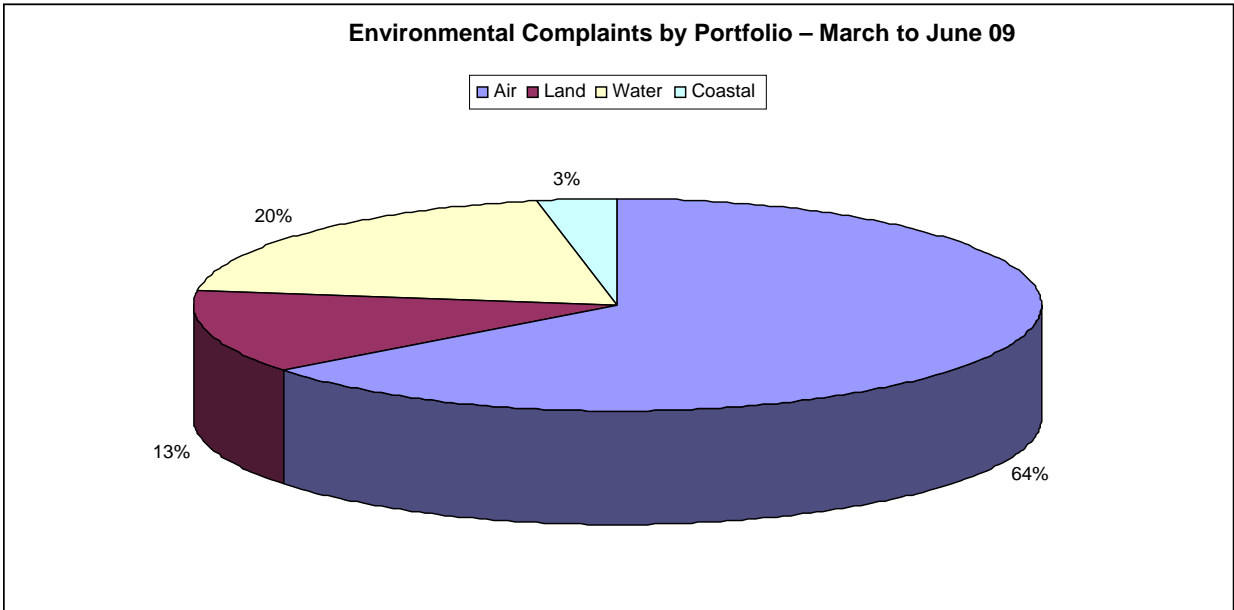
With the exception of Mackenzie District the reduced numbers of complaints being received has been experienced across all districts for the reporting period. While it is difficult to draw conclusions regarding the reasons for these decreases it is clearly due to factors with no geographic variation. In this way it seems likely that the results are a reflection of the effects of the current economic environment.



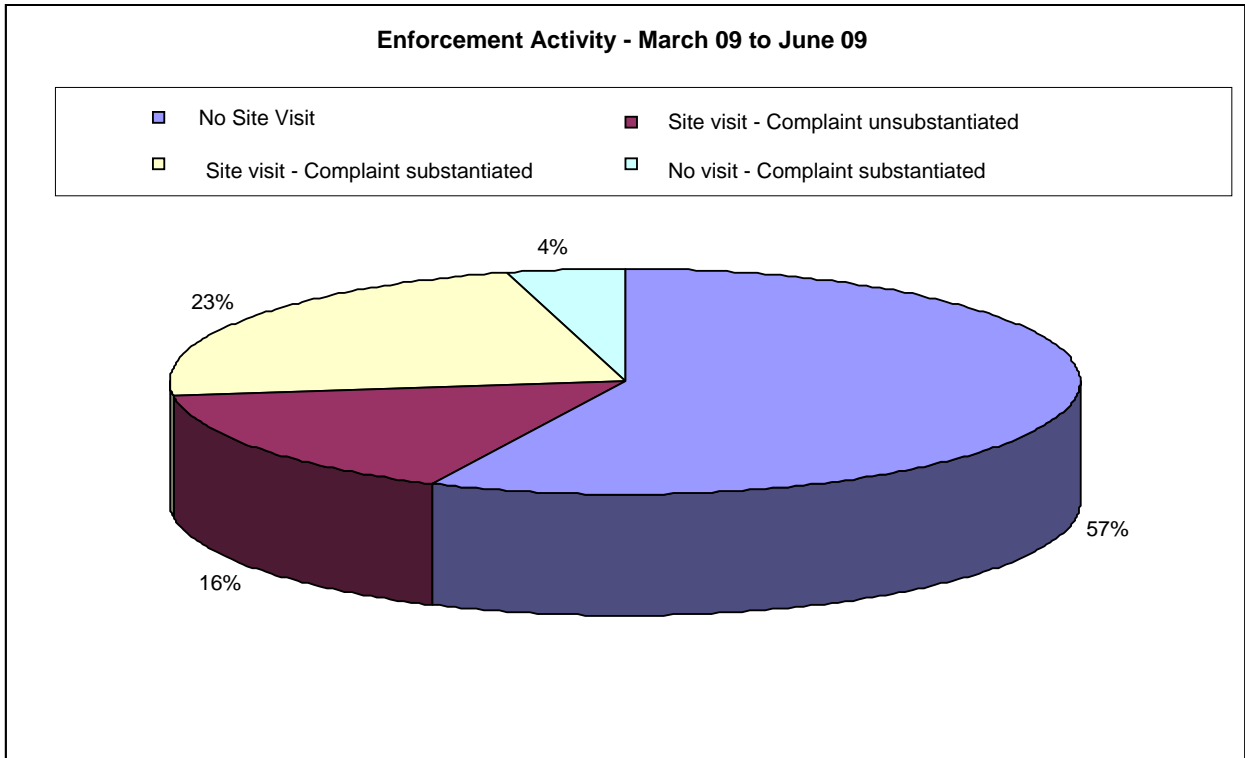
The drop in the number of complaints has been experienced in the Air and Water portfolios. Although, as seen in the first graph, the number of complaints has steadily decreased every month since March 2009, the total number for the reporting period remains greater than the same period last year in all portfolios.



The main centres of Christchurch and Timaru continue to receive the greatest number of complaints at 51% and 16% respectively. Waimakariri and Selwyn Districts received the next largest number of complaints at 7% each. The other districts tend to receive complaints based upon individual environmental issues. An example of this is Waimate where complaints have been lodged in the past due to odour from the Makikihi fires operation.

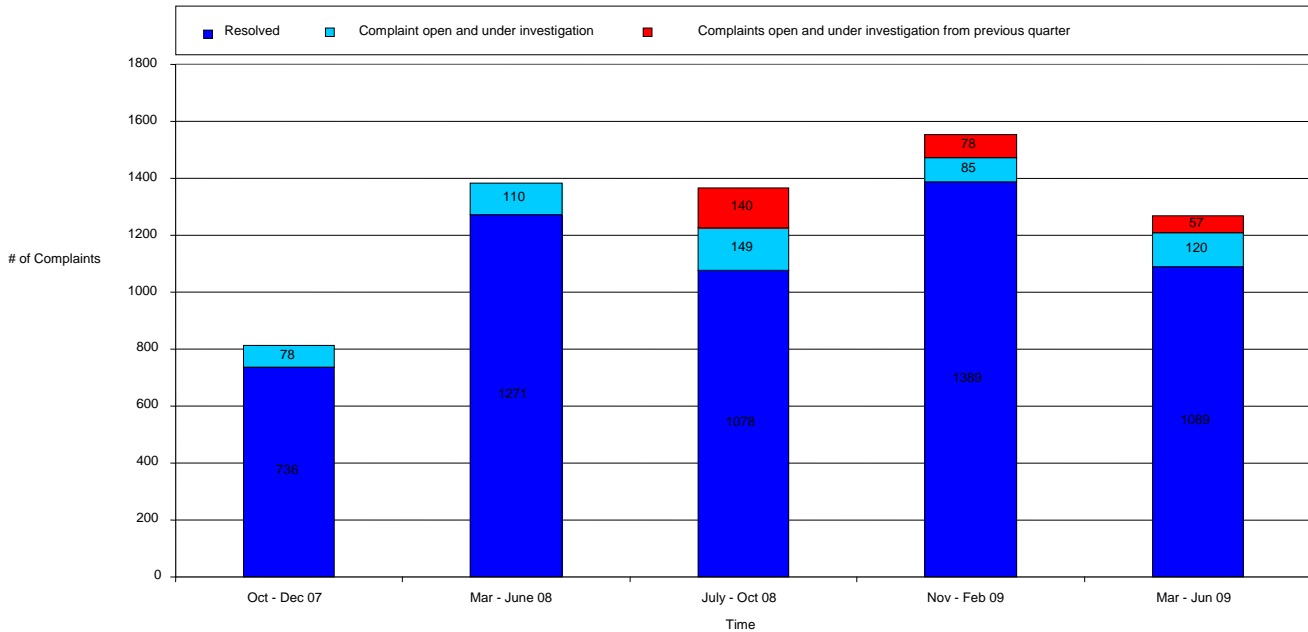


Complaints regarding issues in the Air Portfolio (dust, odour and smoke) continue to dominate on a portfolio basis. The relative split between the portfolios has remained consistent with the previous period.



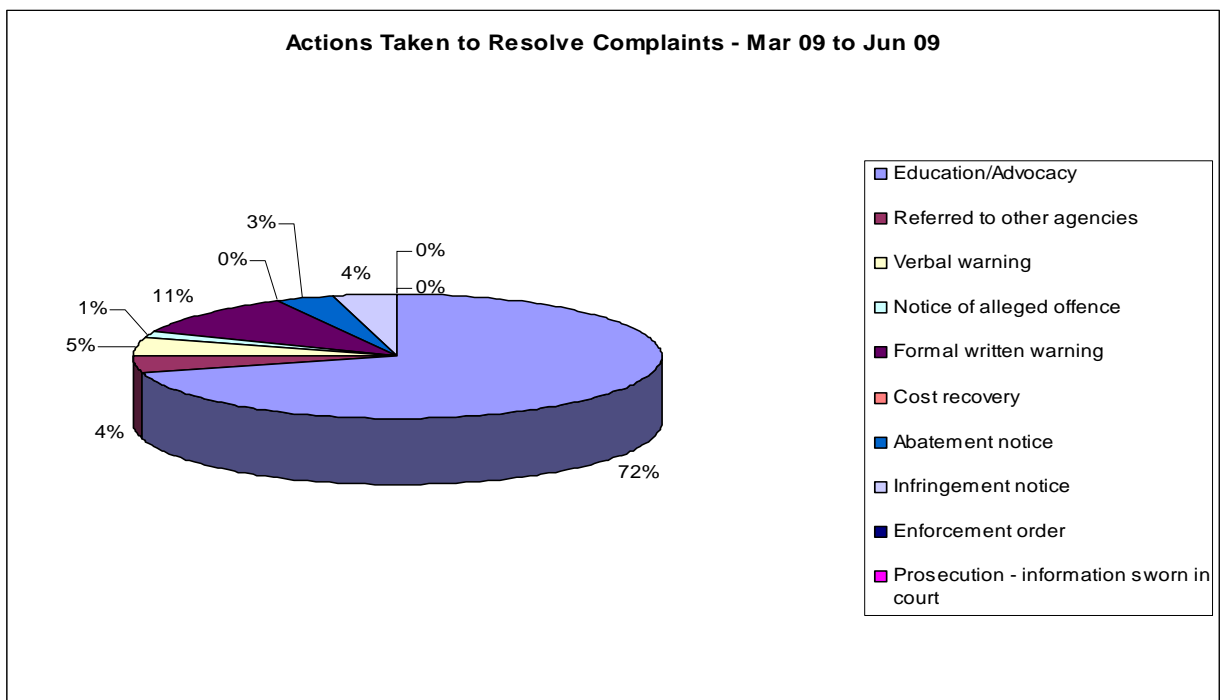
(b) Results

COMPLAINTS RESOLVED BY QUARTER



The level of service set out in the Long Term council community plan is that 95 percent of all environmental incidents are resolved. This graph shows that 95.5% of all incidents were resolved in the March to June 2009 period. Previous periods show resolutions of 95% (November to February) and 90% (July to October).

(c) Actions Taken to Resolve Complaints – Mar 09 to Jun 09



As with previous periods the minority of action taken to resolve environmental incidents involves the use of formal enforcement tools. Formal action (abatement notices, infringement notices, enforcement orders and prosecutions) are only used in just over 7% of all incidents.

Portfolio Comments

Air Quality

- (1) Over last summer a vegetable process plant at Makikihi had a problem with odour from the factory waste water treatment ponds. As a result of ECAN intervention, the design of the ponds was re-configured, mains power was reticulated to a pump shed nearby which enabled the installation and running of pond aerators. This has seen a considerable improvement in the management and quality of the treatment of the vegetable processing waste water.
- (2) A long continuing dispute at Washdyke over dust coming off a long established contracting and trucking yard between an adjoining property owner and the owners of this Industrial/rural site has come to a head. Despite considerable effort by ECAN staff and District Council staff the matter of establishing proof has been difficult. One officer has been assigned to oversee the investigation, to liaise with the key players and to continue the investigation as the need arises.
- (3) Scientists alerted the Industrial Team in Christchurch that ambient sulphur dioxide (SO₂) concentrations at the Woolston air quality monitoring station had breached the National Air Quality Environmental Standard twice. A Senior EPO and the Team Leader have been working to identify the source of the SO₂. Scientists have identified that the concentration spikes do not appear to be associated with combustion processes, whether industrial or domestic. We are evaluating all potential processes in the area that may result in high concentrations of SO₂ being discharged. We are aware that there may be problems with SO₂ in other parts of the Christchurch air shed and are considering how this is to be investigated and if necessary resolved. The team is increasing its work with air quality scientists to explore the potential problem more fully.
- (4) There have been repeated problems with particulate discharged from shredding & handling processes at the Bromley composting plant. Poor control of particulate has caused the deposition of discharged material beyond the site boundary to the extent that members of the public have identified it as offensive. Efforts by a Senior EPO have seen the non-compliance improve, however further effort is required to ensure that particulate control remains effective.

Pollution Prevention Guide

Industrial and Stormwater Environmental Protection Officers have worked with industry groups and Pollution Prevention Officers to develop a sustainable solution for the disposal of spent casting sand waste from the foundry industry. The need for an industry wide solution arose during an investigation of unlawful dumping of the hazardous material and the difficulty of such waste being disposed of at Kate Valley. At the moment a solution has almost been reached –that the waste will be used as a base-course under roads.

Environmental Protection Officers continue to promote the Pollution Prevention Guide to Canterbury business. A number of businesses have taken up the offer of such advice and begun working with Pollution Prevention Officers to reduce their environmental risks.

Water Quality

Water Quality – Northern area

Dairy Discharge Monitoring:

The last few months of the 2008/2009 dairy season were uneventful. Many farmers and herd managers in this part of the region dried off cows up to a month or more before the traditional end of season early to mid May. This was due to a drier autumn and cooler nights which reduced milk production. Ironically when the rain did come in late May there was significant flooding associated with the event. Coupled with the drier conditions and lower production yield during the reporting quarter, fewer issues with dairy effluent management were observed.

Industrial discharges:

No significant Industrial discharge issues were reported or observed during this reporting quarter in the Southern area. It is pleasing to report that the new South Canterbury By-Products plant at Washdyke is now nearing completion at the new location on Aorangi Road.

Silver Fern Farms' discharge to the Waimakariri River has resulted in a relatively small number of unsubstantiated complaints to the hotline. The discharge itself has been complying with the conditions of the resource consent.

EPOs are focusing on monitoring all resource consents in the Hayton stream catchment to check that industrial activities are not causing a reduction in water quality in the downstream water way. A small number of issues have been identified. Consent holders have been alerted where these exist and follow-up work is underway.

Storm water:

EPOs have been attempting to ensure that a number of resource consent non-compliance issues are resolved including:

The development of a new subdivision with major waterway works near Takamatua is considerably outside of resource consent limits and has resulted in significant non-compliance. Repeated inspections of the waterway works have been necessary after an initial inspection found that works were grossly at variance from the resource consent. The result of the EPO's effort has been that the consent holder and contractor has taken out all faulty work and replaced it, so that what was constructed was safe, would not cause damage to neighbours' properties and was in accordance with the authorised stream works. Further inspections are anticipated to ensure the remainder of the work complies.

EPOs have been carrying out work to ensure that long-standing non-compliance held by CCC is resolved, including where stormwater infiltration basins were constructed in such a way that groundwater seeps in. Hydraulic connection to groundwater prevents the proper functioning of the basin or swale and may pose a risk to groundwater quality.

Prioritisation of stormwater discharge monitoring:

Stormwater resource consents are prioritised according to a number of risk criteria, including whether the site is under construction, the sensitivity of the receiving environment (spring-fed streams/drinking water supply protection areas), the nature of activities on the site and the level of treatment prior to discharge. The system helps the team ensure that its efforts are directed towards LTCCP objectives.

Sewage:

Christchurch City

Ocean Outfall Discharge – The ocean outfall was to be operating before 30 September 2009 when the discharge to Estuary consent expires. Recently we were informed that this deadline will not be achieved. Weather has been the main cause of delay in the marine section of the construction works, in addition, two major accidents and pipe string breakages has delayed progress further. ECan has discussed this matter with the CCC, if they do not make the deadline we will allow continued discharge into the Avon-Heathcote Estuary for an additional three months (with no enforcement action being taken) while construction is completed. However, an abatement notice will be issued to ensure the extended deadline date is complied with.

CCC Overflow consent – The application for new resource consent is on-hold awaiting further information, with a hearing tentatively scheduled for early 2010. The current consent is significantly non-compliant with no enforcement action being taken until the new consent is determined.

Belfast WWTP – The wastewater plant has been decommissioned and the consent surrendered. The land which belongs to Environment Canterbury has been turned over to the property division and they are working with the CCC to ensure it's suitably rehabilitated.

Banks Peninsula

Akaroa Wastewater – Investigation into disposal options for the future are underway. Tenders have gone out and closed and a working party has been established to represent the community to decide on which option is preferred.

Ashburton

Ocean Farm – Non compliances identified in late 2008 are still in the process of being resolved. An application to change a number of conditions to their consents has been submitted to ECan.

Rakaia WWTP – A consent held to process and apply sludge to land is non-compliant with a number of its conditions. ADC has given ECan an undertaking to complete works to upgrade the sludge application system and to improve how the process is being managed by 31 August 2009.

Selwyn

Leeston WWTP – The nitrogen loading of the land disposal field continues to be too high. The SDC were going to apply for further area, but have decided against it and instead are trying to improve pasture management. This is being followed up by compliance officers.

Lake Coleridge WWTP – The application to change consent conditions for some of the effluent parameters (ammonia, nitrogen and total phosphorus) that they can't comply with has been submitted.

Rakaia Hutts Camping Ground WWTP – Due to lack of capacity to handle high occupancy rates during the peak season the camping ground owners have installed a flow meter to

monitor discharge, they are waiting to see what the flows are like over Labour weekend before a decision will be made about the levels of discharge.

Ardlui and Bleakhouse Septage Disposal – The SDC have identified that the activities authorised by this consent are not going to be sustainable in the long-term as the sites are too small to enable compliance with the conditions of both consents. The SDC is currently looking into options for the sustainable disposal of septage from the district.

Hurunui

Cheviot WWTP – Two abatement notices have been issued on the HDC for failing to provide information that is required by consent conditions. The hearing for the replacement discharge consent is on Monday 3 August.

Greta Valley WWTP – During the previous site visit it was noted that a pipe had become detached. This has been mentioned by the monitoring officer and HDC are in the process of fixing it up.

Hanmer Springs WWTP – The application for the new wastewater treatment ponds is due in August 2009.

Amberley WWTP – The current non-compliances (distance to boundary and storage volume) are outside the range for a variation to consent conditions, therefore the HDC are applying for a new consent to authorise what is currently on site. This application is in progress.

Waimakariri

Oxford WWTP – There are still on-going non-compliance issues with ponding in the disposal field. This issue will be upgraded to repeated non-compliance following a recent site visit and the monitoring officer will be asking the WDC to address this issue immediately.

Kaikoura

Ludstone road pumping station – The Kaikoura district council is in the process of applying for consents to occupy, store raw sewage and to discharge contaminants to air. There have been no recent complaints of odour emanating from this pump station.

Kaikoura WWTP – Have indicated they are looking to expand and upgrade the current wastewater treatment system, and will be applying for new resource consent in the near future.

Southern Area

Tekapo WWTP – During late May the ponds were inundated with storm water. This contributed to a failure of the land disposal system which in turn caused overloading and ponding on the Tekapo River terraces. MacKenzie District Council was advised and the matter was rectified.

Landfills/Transfer Stations:

Hurunui

Kate Valley – Waste tonnage has dropped by almost 30,000 tonnes year to date, compared to this time last year. This drop in waste has been attributed to the recession. The infringement system that Kate Valley has initiated on transfer stations that deliver prohibited waste to Kate Valley has had a positive effect. The amount of prohibited material has decreased dramatically and only one Transfer Station was fined in the last quarter. All resource consents are compliant.

Ashburton

Ashburton Resource Recovery Park – A number of issues of non-compliance with the storm water system at the Ashburton Resource Recovery Park are being dealt with, they mainly pertain to plans that have never been received for the whole facility, and its maintenance.

Ashburton Landfill – The southern face of the landfill mound exceeds gradient as set out in post closure management plan. ADC needs to amend the plan and explain how it intends to mitigate increased risk of erosion and capping failure in this area.

Hinds Landfill – Bitumen has been dumped at this site without authorisation; the ADC has agreed to remove this material by 30 October 2009.

Methven Landfill – There are some on-going issues relating to the discharge of storm water from site that requires follow up.

Waimakariri

The significant long-term non-compliances at the Cust and Oxford closed landfills for rubbish dumping and unsuitably graded capping have been resolved.

Banks Peninsula

The Barry's Bay transfer station have undertaken an upgrade on the site and are required to apply for three new resource consents to authorise the works. A deadline of October 2009 has been given to have the resource consents submitted.

Southern Area.

A complaint from a member of the public was received about the Redruth Landfill at Timaru. Issues with odour from composting and wind blown plastics were addressed with both Timaru District Council and the onsite contractors.

Quarries/Hard fills/Mines:

Christchurch

Christchurch Road Metals – Have excavated too far in one corner of the quarry and too deep in the base. We met with them to discuss the significant non-compliances and they have backfilled the base of the quarry to the depth authorised on the resource consent and have re-surveyed the depth. Road metals are planning to get consent for the adjacent property and the area where they have excavated too far they are proposing to break through when

authorised. We have told them that we won't take any enforcement action if they lodge the consent application and have given them a deadline.

Selwyn

Transform Minerals Limited – The consent holder has not provided information that has been requested to ensure that the sediment control structures have been installed in accordance with the consent conditions. In addition, they have still not built the overburden containment facilities.

Works in Waterways and Coastal Marine Area / Gravel Extractions:

Banks Peninsula

Wairewa /Birdlings Flat – The variation to resource consents (for access way around the cliffs and design and certification of the groyne) is in the final stages. There will probably be another opening of the groyne in the next three months, and the Runanga are working with the CCC to get joint resource consent to open Lake Forsyth.

Gravel Extractions

Southern Area

The Southern Gravel users Memorandum of Understanding continues to work well. Good work is being achieved by the contractors under the direction of the Southern Rivers Engineering officer to remove bed material in a structured way as to assist with improving the flood capacity of local water courses. Of particular note is the work that has been done, and is continuing on the Opihi River between Hanging Rock and River Road.

Water Quantity

Water Quantity – Northern area

General:

The extent of water use

Water take and use consents continued to be monitored as stipulated in the risk management strategy. Over winter data loggers will be downloaded and the data processed which will provide a large amount of information on water use. Enforcement action will be taken against those who are taking in excess of their consented amount or who do not have the required functional data loggers installed as per procedure.

Rakaia-Selwyn Groundwater zone:

Aquifer tests were not carried out in the last few months of the 2008-09 reporting period. A new round of aquifer tests are starting to be carried out and we are continuing to try to resolve outstanding issues from last year's tests.

Selwyn-Waimakariri Groundwater zone:

There is no compliance monitoring work to report regarding the newly issued consents. Other water takes in the zone are subject to the usual risk management strategy.

Southern Region

For this reporting quarter, the irrigation season was pretty much over. The precipitation events that occurred in late May were welcome and timely to flush winter green feed and pasture.

HOT ISSUES

DISTRICT	ACTIVITY	STATUS	ISSUES
Kaikoura	Ludstone Pumping Station	Resolved	Authorisation of discharge to air and storage of effluent.
Hurunui	Cheviot WWTP	Ongoing	Abatement notices issued Application to authorise oxidation ponds is required. Application to authorise increase in volume of pond and distance to boundary required.
	Hanmer WWTP	Ongoing	
	Amberley WWTP	Ongoing	
Waimakariri	Oxford WWTP	On-going	Significant non-compliance with ponding in the discharge field.
Christchurch	Ocean Outfall	Ongoing	Discharge to Estuary consent expires in September 09; construction is not finished on outfall. Discharge will continue until construction is finished, but abatement notices will be issued holding them to a date.
	CCC overflow consent.	On-going	The CCC will not be applying for the other 77 identified discharge points in the reticulation as no modelling has been done on the catchment to be able to determine how often if at all they discharge. Also, they will not be applying as it would have to be notified. The consent to authorise the other 23 overflow points is on-hold awaiting further information.
	Burwood Landfill	On-going	Non-complying waste was discovered on site and an abatement notice was issued. Discussion has been had regarding the use of lightly contaminated soil as capping.
Selwyn	Transform Minerals	On-going	Information required to be provided to ECan to ensure compliance with consent conditions has still not been received. A deadline has been given and if not received by that date, we will be contracting an expert to go on site and assess.
Ashburton	Rakaia WWTP	On-going	ECan has set a deadline by which the ADC has to provide us information on how they are going to manage the

			disposal of sludge on site.
Timaru	Redruth Landfill	Intermittent	Recent high winds events have highlighted problems with windblown rubbish, particularly plastics. Discussions have been held with both TDC and the land fill management contractors to avoid such events reoccurring.
Mackenzie	Eversley Reserve	On-going	Domestic sewage and waste water disposal systems at Eversley Reserve west of Fairlie are causing some concern. Discussions have been held with MDC, a deadline for reticulation has been set.
Waimate	Makikihi Fries	On-going	The outstanding issues at Makikihi Fries seem to be over come. However, the test will come when the weather warms again.
Waitaki	Waitaki River	On-going.	Issues have arisen with landowners adjoining the river clearing flood protection vegetation from the flood hazard zone. This issue is being watched closely.

Monitoring and Enforcement Activity

Summary of Grade 3 Non-Compliances

Due to the number of records in this grade, details are not provided. Explanation can be provided on request.

Consent Number	Consent Holder	
Discharge of Agricultural Contaminants		
CRC001638.1	x 1	Mr D D & Mrs V J Chalmers
CRC002002	x 1	Mr P J Saywell
CRC010457	x 2	Mr A M Palmer
CRC011547.1	x 1	Donald Brothers Limited
CRC011712.3	x 2	Afresco Limited
CRC012572.1	x 2	Mr A C Sherriff
CRC021875	x 3	Muritai Company Farm Limited
CRC021897	x 1	Mangin Dairying Limited
CRC022043	x 2	Poplar Farming Limited Partnership
CRC030371.2	x 1	McArthur Dairy Farm Limited
CRC032209.1	x 1	Dromore Dairies Limited
CRC042464	x 1	Kairoma Farm Limited
CRC051546	x 1	Mr D R McIntyre
CRC054033	x 1	Mr & Mrs D & J G Symons
CRC062157.1	x 1	Brinks South Island Limited
CRC071051	x 2	Mr I G & Mrs G M Moore
CRC071186	x 1	Messrs J G & D J Reeves
CRC071351	x 1	Dairytrac Trust
CRC073738	x 1	Mr G A Derrick
CRC073795	x 2	Decade Dairies Limited

CRC080935	x	1	Letham Farms Limited
CRC083248	x	2	Tipperary Farms Limited
CRC083832	x	1	Hurunui District Council
CRC084550	x	2	Messrs M W, P A & G F Donald
CRC952139.2	x	1	Winchmore Dairy Farms Limited
CRC952565.1	x	1	Allison Investments Limited
CRC961577.1	x	2	G & G Coats Limited
CRC970659.1	x	1	Mr & Mrs P R & R F Mossman
CRC970728.2	x	2	Beith Farm Limited
CRC971418.1	x	1	Woods Dairy Holdings Limited
Discharge of Chemicals			
CRC070936	x	1	Four Peaks Station Homestead Limited, Four Peaks Dairy Limited, Mr B R & Mrs K Hammond, Mr R J & Mrs J M Robinson
Discharge of Human Contaminants			
CRC000169	x	2	Waimate District Council
CRC000372.1	x	1	Weedons School Board Of Trustees
CRC000425	x	1	Waitaki District Council
CRC012180	x	1	Waitaki District Council
CRC021635.1	x	1	Fulton Hogan Limited (Timaru Office)
CRC031230	x	1	Glenburn Youth Camp Trust
CRC032058	x	2	Aoraki Mount Cook Airport Limited
CRC040007.1	x	1	Ryal Bush Transport
CRC042872.1	x	2	South Pacific Meats Limited
CRC042914	x	2	MacKenzie District Council
CRC052974	x	2	Hurunui District Council
CRC054067	x	4	Ashburton District Council
CRC061158	x	1	Synlait Milk Limited
CRC950606	x	1	Hurunui District Council
CRC950619	x	1	Hurunui District Council
CRC950620	x	2	Hurunui District Council
CRC950968	x	2	Hurunui District Council
CRC951176	x	3	Hurunui District Council
CRC951179	x	1	Hurunui District Council
CRC951182	x	2	Hurunui District Council
CRC951188	x	1	Hurunui District Council
CRC951247	x	2	Christchurch City Council
CRC952068.2	x	1	Ashburton District Council
CRC962596.2	x	2	Rooney Holdings Limited (Waimate)
CRC970792.4	x	1	Ohoka Utilities Limited
CRC971347	x	1	Waimakariri District Council
CRC971353	x	1	Waimakariri District Council
CRC972163.1	x	1	Paul Smith Earthmoving 2002 Limited
CRC980783.2	x	3	Elmwood Storage Limited
CRC991222	x	1	Christchurch City Council (City Water & Waste Unit)
CRC991367	x	1	Canterbury Kennel Association Inc
Discharge of Industrial Contaminants			
CRC012735.1	x	1	Mr & Ms V B & M P Scully & Shanahan
CRC020515.2	x	2	Sea Products Limited
CRC020748	x	1	Designline Engineering Limited
CRC022067	x	2	MacKenzie District Council
CRC040964	x	2	Parklands Southland Limited
CRC063907	x	1	McCain Foods (NZ) Ltd, Timaru Office

CRC921760	x	2	New Zealand Breweries Limited
CRC981411.4	x	2	Elmwood Storage Limited
CRC992174	x	1	Solvent Rescue (1999) Limited
Discharge of Stormwater			
CRC000893.1	x	1	Ashburton District Council
CRC011902	x	1	Levels Plain Irrigation Company Limited
CRC021246.1	x	1	Waimate Timber Processing Limited
CRC021697	x	2	Christchurch City Council (Greenspace Unit)
CRC040421.1	x	7	Worsley Farm Limited
CRC042263.2	x	5	Lake Tekapo Enterprises Limited
CRC054036.1	x	1	Mark Butler & Motunau Properties Limited
CRC054402	x	1	Ashburton Aquatic Park Charitable Trust
CRC060341	x	1	Orion New Zealand Limited
CRC060834.1	x	1	Cedar Properties Kaikoura Limited
CRC061136.1	x	1	Risah Trustee Limited
CRC061137	x	4	Mr & Mr J J & L L McDougall & HTT 2004 Limited
CRC061218	x	7	Pegasus Town Limited
CRC061885	x	3	Oxford Park Developments Limited
CRC062179	x	3	Pegasus Town Limited
CRC062883.1	x	2	Shane's Company Limited
CRC064080	x	2	Five Star Beef Limited
CRC070304	x	7	Tudor Developments Limited
CRC072297	x	2	Zermatt Holdings Limited
CRC073248	x	3	Beachway Enterprises Limited
CRC080095	x	1	AMC Construction Limited
CRC081925	x	1	Transform Minerals Ltd
CRC083107	x	5	Foodstuffs South Island Limited
CRC083600	x	1	Carlin Enterprises Limited
CRC083926	x	3	Beachway Enterprises Limited
CRC084118	x	1	Mr N Shaw
CRC084680	x	3	Beachway Enterprises Limited
CRC084681	x	3	Beachway Enterprises Limited
CRC084682	x	3	Beachway Enterprises Limited
CRC084686	x	3	Beachway Enterprises Limited
CRC084687	x	3	Beachway Enterprises Limited
CRC090076	x	3	Russley Business Park Investments Limited
CRC091364	x	2	Woodhams Properties Limited
CRC091972	x	2	Fowler Developments Limited
CRC941210.2	x	1	Waimakariri District Council
CRC951246	x	3	Christchurch City Council
CRC962529.2	x	2	Waimakariri District Council
CRC970301	x	1	Orion New Zealand Limited
CRC970402	x	1	University of Canterbury
CRC971547	x	2	Canterbury Jockey Club Inc
CRC971971	x	2	Canterbury Jockey Club Inc
CRC981853	x	1	Ashburton District Council
CRC991863.2	x	1	Goldpine Properties Limited
Gravel Excavation			
CRC010089	x	1	K B Quarries Limited
CRC030002	x	1	Glassey Contracting Limited
CRC042149	x	1	The Isaac Construction Company Limited
CRC071605	x	1	J D & P A Hood Limited
CRC081511.1	x	5	Tresta Holdings Limited

CRC083223	x	1	Ashburton Contracting Limited
CRC093099	x	4	Fulton Hogan Limited - Ashburton
Structures in Waterways (including seabed)			
CRC050137.1	x	2	Neil Construction Limited
CRC073495	x	2	Mr A G Woodley
CRC080608	x	4	Wairewa Runanga Incorporated
Earthworks			
CRC050469	x	2	Road Metals Company Limited
CRC054459.2	x	1	Cedar Properties Kaikoura Limited
CRC072733	x	8	Mr M Bothman
CRC081429	x	3	Mr W Stone
CRC085033	x	1	Christchurch City Council (Capital Delivery)
Contaminant Storage			
CRC091731	x	2	Mobil Oil New Zealand Limited
CRC971163	x	1	B J Dakin & Company Limited
Bore Installation/Alteration			
CRC061229	x	1	Messrs A G & J R Redmond
CRC063671	x	1	Mr & Mrs G M & J A Prattley
CRC083336	x	1	Mr B J Taylor
CRC084747	x	1	Dawe Contracting Limited
CRC084748	x	1	Dawe Contracting Limited
CRC092010	x	1	D M & H M McLorinan & P C & H F Merritt
CRC092854	x	2	Mr M A Peters & Ms A C Besley
CRC093016	x	1	Mr U Van Nek
Take Groundwater			
CRC001335	x	1	Mr A J H McNab
CRC020319.3	x	2	Mr A G Redmond
CRC020321.1	x	1	Mr M F & Mrs D M Slee
CRC042120.1	x	1	Roger Hood Limited
CRC042462	x	1	Mr C B Murdoch
CRC042738.2	x	1	Roxburgh Dairies Limited
CRC050129	x	2	D C & L J Redmond Limited
CRC050352	x	1	Colony Park Partnership
CRC051397	x	2	Mr P N Butterick
CRC052348	x	1	Mr & Mrs M L & A C Schrader
CRC070201	x	3	Hurunui District Council
CRC080283	x	1	Mr P R & M I Kidd
CRC082932	x	1	Mr A J Madeley
CRC090557	x	1	Killarney (Culverden) Farming Limited
CRC971333.2	x	1	Phibra 1 Limited
Take Surface Water			
CRC000354.3	x	1	Acerna Pastures Limited
CRC011997	x	1	Christchurch City Council
CRC011998	x	1	Christchurch City Council
CRC011999	x	1	Christchurch City Council
CRC020436.2	x	1	Eagle Hill Partnership
CRC030246.2	x	2	Colt Trustee Limited & Waifora Trustee Limited
CRC050944	x	1	Mr P L Brustad

CRC062046.1	x	1	Kiwi Green Properties Limited
CRC063062	x	1	Mr B J Johns
CRC072368	x	1	Tweed Farming Limited
CRC072495	x	1	Clarevale Farming Company Limited
CRC073082	x	1	Cloverdene Dairy Limited
CRC073341	x	5	Taylor Smith Holdings Limited
CRC073953	x	1	Kintore Farm Limited
CRC074198.1	x	1	Mr & Mrs C W M & D Shannon
CRC080013	x	2	Rangitata Dairies Limited
CRC081575	x	3	Beith Farm Limited
CRC082393	x	1	Carr Group Investments Limited
CRC992792.2	x	1	Glenire Farm Limited

Summary of Grade 4 – 10 Non-Compliances

Agricultural Contaminants Discharge

Consent Number		ConsentHolder	Grade	Note	Comment
CRC002002	x 1	Mr P J Saywell	10	Ongoing	To be re-visited at start of dairy season.
CRC011712.3	x 2	Afresco Limited	10	Ongoing	To be re-visited at start of dairy season.
CRC012572.1	x 1	Mr A C Sherriff	10	resolved	cows dried off for winter so no further discharge
CRC021875	x 1	Muritai Company Farm Limited	10	resolved	cows dried off for winter so no further discharge/company abated
CRC021947.1	x 1	Mr C J & Mrs P M Prattley	10	ongoing	????
CRC022043	x 2	Poplar Farming Limited Partnership	10	Ongoing	To be re-visited at start of dairy season.
CRC030273	x 1	Synlait Farms Limited	10	Resolved	Re-inspection undertaken - no ponding observed
CRC030402	x 1	Mr R G and Mr R C Spark	10	Ongoing	in EDP
CRC032209.1	x 3	Dromore Dairies Limited	10	resolved	Abatement and infringement notices issued. Property revisited and only minor ponding observed on this visit
CRC041258	x 1	Oscar Farming Company Limited & Tinley Holdings Limited	10	resolved	
CRC051546	x 2	Mr D R McIntyre	10	resolved	farm manager infringed.
CRC071051	x 1	Mr I G & Mrs G M Moore	10	resolved	site revisited and found to be compliant
CRC071351	x 1	Dairytrac Trust	10	Ongoing	To be re-visited at start of dairy season.
CRC071532	x 1	Kokura Holdings Limited	10	Resolved	
CRC072731	x 1	Mr N O Dogterom	10	ongoing	cows dried off for winter so no further discharge at present
CRC074000	x 4	Braelyn Farm Limited	10	Resolved	
CRC080770	x 1	Geoff Wallace Holdings Limited	10	resolved	certificate submitted
CRC081378	x 2	Oliver K Limited	10	Resolved	Anna Rhodes
CRC082899	x 2	Island Glen Dairies Limited	10	Resolved	

CRC090726	x 2	Mr & Mrs J W K & E A Mathers	10	Resolved	
CRC952565.1	x 2	Allison Investments Limited	10	Resolved Anna Rhodes	
CRC970728.2	x 1	Beith Farm Limited	10	Resolved	Re-inspection undertaken - no ponding observed

Discharge Human Contaminants

Consent Number		ConsentHolder	Grade	Note	Comment
CRC000095.2	x 1	Selwyn District Council	4	Resolved	Follow up site visit showed no ponding.
CRC042872.1	x 1	South Pacific Meats Limited	4	Ongoing	Infringement notice issued. Consent variation submitted. Follow up site visit required.
CRC042914	x 1	MacKenzie District Council	4	Resolved Lydia Carr	No longer ponding at the site. Irrigation area has been extended to cope with additional flow volumes.
CRC972163.1	x 1	Paul Smith Earthmoving 2002 Limited	10	Ongoing	Unauthorised material was observed in the hard fill pit. The consent holder was given till mid July to remove it but did not. An abatement notice has been issued and a follow up visit will be conducted in early August.
CRC981550.1	x 1	Hurunui District Council	4	Ongoing	Abatement notice issued 22/7/09

Industrial Discharge

Consent Number		ConsentHolder	Grade	Note	Comment
CRC020748	x 1	Designline Engineering Limited	4	Resolved Mark Tipper	Maintenance schedule established, scrubber cleaned and filter replaced.
CRC020748	x 2	Designline Engineering Limited	10	Resolved Mark Tipper	Abatement notice issued
CRC960218.1	x 1	Canterbury Meat Packers Limited	10	Resolved Dale McEntee	Information supplied, Abatement notices withdrawn.
CRC962111	x 2	Canterbury Meat Packers Limited	10	Resolved Dale McEntee	Information supplied, Abatement notices withdrawn.
CRC992777	x 1	Standeven Timber Limited	10	Resolved Nathan Dougherty	No further complaints received.

Discharge of Storm water

Consent Number		ConsentHolder	Grade	Note	Comment
CRC021697	x 1	Christchurch City Council (Greenspace Unit)	4	Ongoing	Abatement notice being prepared, enforcement order an option, in discussion with legal team.
CRC040421.1	x 1	Worsley Farm Limited	4	ongoing	Remedial works are being undertaken in west basin. East basin has been mown. Plateau basin channel grassed
CRC050132	x 1	Englefield Limited & Skipio Limited	4	Ongoing	Recent correspondence with CCC indicates intent to comply. Some non-comps being resolved.
CRC050132	x 1	Englefield Limited & Skipio Limited	10	Ongoing	Recent correspondence with CCC indicates intent to comply. Some non-comps being resolved.
CRC052882	x 11	Diggalink Limited	4	Ongoing	Consent holder installing complying system
CRC061218	x 2	Pegasus Town Limited	4	ongoing	All filter strips planted, wetland planting to occur in Sept due to frost damage over winter, rock weirs to be installed in August. Letter sent in July indicating enforcement action will be taken if action not taken within 7 weeks of last site meeting.
CRC061331	x 1	Christchurch City Council (Transport and Greenspace)	4	Resolved	action taken in 2009
CRC062305.1	x 2	Catholic Diocese of Christchurch	4	Resolved	Action has been taken on approximately half the lots with houses constructed. A letter has been drafted indicating enforcement action will not be taken until the outcome of a variation application has been decided. Site visit early in Aug to confirm individual lot compliance.
CRC070304	x 3	Tudor Developments Limited	4	Resolved Duncan Harvest	confirmation recd that sampling to occur soon
CRC080095	x 1	AMC Construction Limited	4	Ongoing	Awaiting written response to these issues from the consent holder. Response should include measure taken to resolve, and a date of completion.
CRC971971	x 1	Canterbury Jockey Club Inc	10	Resolved Mark Tipper	Abatement notice issued, slumps cleaned out, maintenance schedule adopted.

Gravel Extraction

Consent Number	ConsentHolder	Grade	Note	Comment
CRC040595 x 2	McCormick Transport Limited	10	Ongoing	Abatement notice will be left in place for a while and further site visits will be undertaken.
CRC041699.1 x 1	J D & P A Hood Limited	4	Resolved	Site visit established restoration work had been done.

Earthworks

Consent Number	ConsentHolder	Grade	Note	Comment
CRC050469 x 1	Road Metals Company Limited	10	Ongoing	Road Metals intend to apply to excavate their land on the eastern boundary. If an application is submitted within 3 months we will not take enforcement action on this issue.

Bore Installation/Alteration

Consent Number	ConsentHolder	Grade	Note	Comment
CRC092854 x 1	Mr M A Peters & Ms A C Besley	10	Ongoing	Enforcement file is in process.

AGENDA ITEM NO: 13	SUBJECT MATTER: BIOSECURITY COMPLIANCE INSPECTIONS
REPORT: Regulation Overview Committee	DATE OF MEETING: 24 September 2009
FILE REFERENCES:	PORTFOLIO: PROJECT: OUTPUT:
REPORT BY: Graham Sullivan Biosecurity Manager	ENDORSED BY: Kim Drummond Director Regulation

Attached is a Table summarising the regulatory activities of the Biosecurity Section from 1 July 2008 to 30 June 2009. This table is a summary of compliance inspections undertaken for the period.

A description of the column and row headings for the Table is defined below.

It is important to note that the figures in the table refer to properties that have been inspected initially during the reporting period. Numbers of non-compliance refer to those inspections. Further actions (NOD or AOD) refer to those properties subsequently re-inspected.

The following keys to the column and row headings may help in understanding the table.

Property Inspections Number of properties that have been inspected as the start of compliance checking during the period. A number of them may have been visited more than once.

Non Compliance Number of those properties inspected that were non-compliant at the time of the initial inspection.

NOD Number of those properties that have subsequently been issued with Notices of Direction.

AOD Number of those properties that have subsequently been given notice that the work will be done at the occupier's cost.

AOD Action Number of those properties on which the work has actually been done by contractors or staff.

The plant pest inspections are reported in the plant groups used in the Regional Pest Management Strategy.

Cont. Control (excl. OMB) Containment Control Plant Pests - Broom, Gorse, Nodding Thistle and Ragwort.

OMB Old Man's Beard.

Nassella Tussock Progressive Control Plant Pests - Nassella Tussock

The abbreviations for the Pest Districts are:

Kk =	Kaikoura	Am =	Amuri
Wa =	Waikari	Ay =	Ashley
BP =	Banks Peninsula	Se =	Selwyn (which includes Christchurch City)
Ab =	Ashburton	SC =	South Canterbury
Mac =	Mackenzie	Om =	Omarama
Ku =	Kurow/Haka	Hu =	Hurunui Nassella

ENFORCEMENT

The budgeted cost for Regional Pest Management Strategy (RPMS) enforcement related activities in the 2008/09 financial year was \$616,515 the actual expenditure to 30 June 2009 was \$95,697. Note that \$549, 898 of the enforcement budget relates specifically to RPMS requirements for rabbits and that expenditure, if required, was to be recovered through user charges, it was not rated for.

The funding source for enforcement, as specified in RPMS 2005, is that user charges apply wherever possible and from general rate where it is not possible. The funding formula is based on a recovery of 75% of expenditure as "user charges". Revenue was \$87,331 or 72%.

A total of 3,961 compliance inspections were undertaken for the year involving 2,514 properties for the reporting period, of which 1,095 or 44% did not comply with Regional Pest Management Strategy rules at the time of the first inspection.

Notices of Direction were served on 331 occupiers. Of the 331 Notices served, 64 relate to non compliant rabbit populations, 65 to nassella tussock, 19 to Old man's beard and 178 to the containment control category of plants (primarily broom/gorse).

For the year ending 30 June 2009, Action on Default Notices were served on 17 land occupiers for outstanding control work estimated to cost \$56,400 in total.

There has been a high level of land occupier commitment to implementing rabbit control programmes this autumn/winter throughout the region. This support for the user pays/ user does model, the rural community's preferred option for managing rabbit populations, will result in most Notices of Direction being cancelled.

A summary of compliance inspections and enforcement action compared to figures from previous years appears below.

	2009	2008	2007	2006
Compliance Inspections	3961	4045	4012	3780
Properties	2514	2933	2944	2329
NODs	331	287	418	216
AOD	17	27	21	37
Acted On	4	5	7	16

Details of the compliance inspection work can be found in the table attached to the back this report.

HURUNUI NASSELLA TUSSOCK LAND OCCUPIER SURVEY

In June 2009 a questionnaire was sent to almost 3,500 land occupiers in the Hurunui Pest District of which we received 522 responses (15%). The survey area included properties known to have nassella tussock present as well as those not known to have ever had nassella tussock infestations.

The Regional Pest Management Strategy (RPMS) places strict requirements on land occupiers to control all nassella to prevent seeding by 31 October each year within the Hurunui nassella zone and by 30 September each year elsewhere in Canterbury.

With the review of RPMS underway there was an opportunity to gauge community support for the current approach to managing nassella. These surveys also identify areas where we can focus education / awareness campaigns and what the content of such efforts should include.

A summary of the survey results is appended to the back of this report.

WALLABY

Wallabies have been confirmed living in an area on the south bank of the Waitaki river opposite the Aviemore dam. The south bank is outside the wallaby feral range as defined in the RPMS. An aerial search of a much larger area during the winter did not find any evidence of wallabies further afield. An eradication attempt of the wallabies first located will be undertaken with the support of the land occupier.

PHRAGMITES

Two shipping containers of phragmites have been removed from a property at Kaiapoi and relocated to Kainga where the contents are being destroyed. An area of the Kaiapoi property has been declared a "restricted area" under the Biosecurity Act and this status will remain for a minimum of two years.

EXEMPTIONS


The Biosecurity section has received 36 exemption applications for an extension of time to complete nassella tussock control operations, of which 22 met the criteria set by Council and were approved, 14 were declined.


Reporting on Pest Regulation for 1 July 2008 to 30 June 2009

Table 1.

District		Kk	Am	Wa	Ay	Hu	NORTH	Bp	Se	Ab	CENT	SC	Mac	Om	Ku	SOUTH	TOTAL	Properties	Non Compl	NOD	AOD	AOD Act
Rabbit	Properties Insp.	51	26	35	69		181	31	50	51	132	51	10	4	38	103	416	416				
	Non Compl	7	17	11	5		40	0	2	2	4	0	7	2	18	27	71		71			
	NOD	7	9	9	6		31	0	4	2	6	0	7	2	18	27	64			64		
	AOD issued	0	1	0	0		1	0	0	0	0	0	0	0	0	0	0	1				1
	AOD Action	0	1	0	0		1	0	0	0	0	0	0	0	0	0	0	1				
Wallaby	Properties Insp.						0				0	15	3		2	20	20	20				
	Non Compl						0				0	6	1		0	7	7		7			
	NOD						0				0	5	0			5	5			5		
	AOD issued						0				0	0	0			0	0					0
	AOD Action						0				0	0	0			0	0					
Rook	Properties Insp.	1		2			3		3		3					0	6	6				
Cont Control (excl.OMB)	Properties Insp.	29	30	19	179		257	99	240	36	375	109	50	38	14	211	843	843				
	Non Compl	22	17	14	143		196	95	178	19	292	75	44	38	6	163	651		651			
	NOD	5	3	2	126		136	11	10	0	21	6	6	9	0	21	178			178		
	AOD issued	0	1	1	0		2	2	3	0	5	3	1	0	0	4	11					11
	AOD Action	0	0	0	0		0	0	1	0	1	1	0	0	0	1	2					
OMB	Properties Insp.	52	26	36	78		192	4	233	15	252	0	0	0	0	0	444	444				
	Non Compl	32	12	5	38		87	3	181	11	195	0	0	0	0	0	282		282			
	NOD	13	0	0	2		15	0	4	0	4	0	0	0	0	0	19			19		
	AOD issued	0	0	0	0		0	0	1	0	1	0	0	0	0	0	1					1
	AOD Action	0	0	0	0		0	0	1	0	1	0	0	0	0	0	1					
Nassella Tussock	Properties Insp.	25	1	0	33	352	411	30	158	43	231	13	2	0	20	35	677	677				
	Non Compl	19	0	0	0	53	72	2	8	0	10	0	0	0	0	0	82		82			
	NOD	8			2	53	63	2	0	0	2	0	0	0	0	0	65			65		
	AOD issued	0			0	4	4	0	0	0	0	0	0	0	0	0	4					4
	AOD Action	0			0	0	0	0	0	0	0	0	0	0	0	0	0					
Nurseries	Property Insp.	2	4	1	15	0	22	3	66	7	76	10	0	0	0	10	108	108				
	Non Compl	0	0	0	0	0	0	0	1	1	2	0	0	0	0	0	2		2			
																	3,961	2,514	1,095	331	17	4

Nassella Tussock Survey Results 2009

Nassella is known to occur on the property = % 

Nassella is not known to occur on the property = % 

Section 1. Nassella tussock on your property

1) How many plants are grubbed annually on your property?



2) What percentage of plants are grubbed annually on your property?



3 Do you think that the level of Nassella tussock control currently being carried out on your property is reducing annual plant numbers?



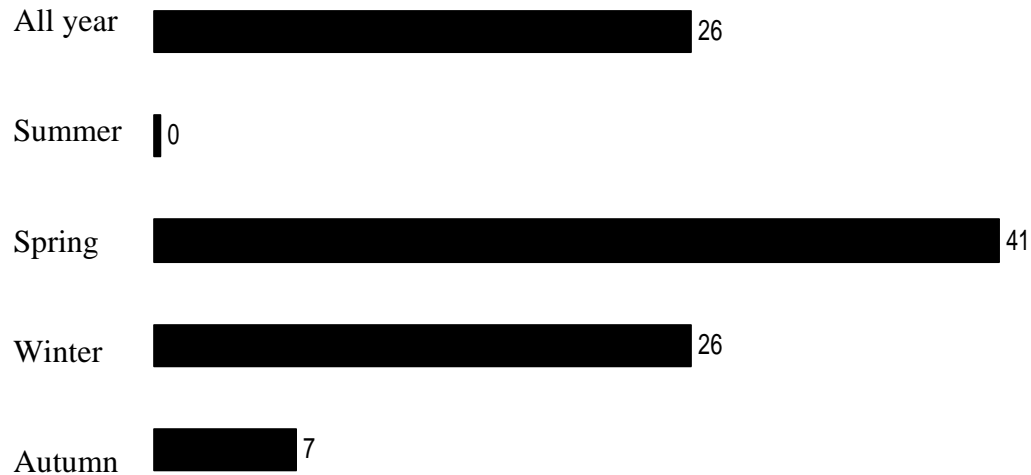
4) Do you think Nassella tussock should be grubbed annually?



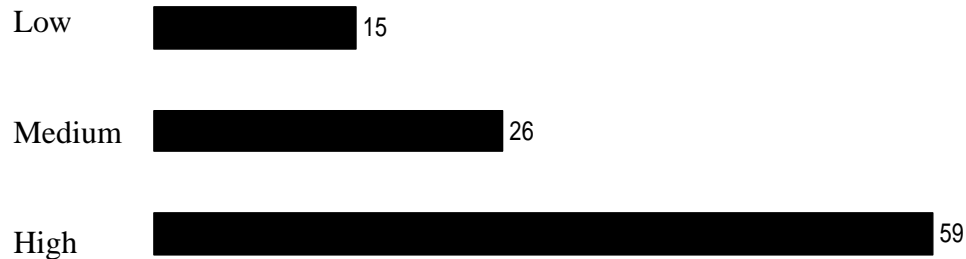
5) How much impact do you believe your neighbour's Nassella tussock has on your property's Nassella tussock population?



6) When do you grub the majority of your Nassella tussock?



7) How do you rate the importance of the control of Nassella tussock compared to other tasks on your property?



8) Do you grub your property yourself or use a contractor?



9) Does your contractor guarantee their work in writing?



10) Do you check the quality of your contractors work prior to Environment Canterbury's inspection?



Section 2. Compliance and Enforcement

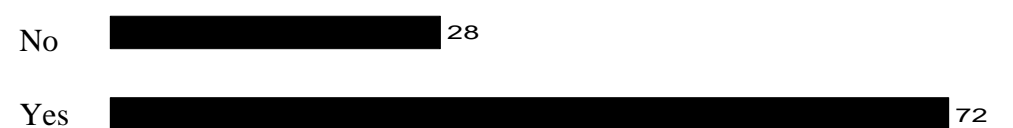
11) Has your property been found non-compliant within the past two years?



12) Are you satisfied with the standard of control Environment Canterbury is asking you to achieve?



13) Are you aware of what the "grubbing standard" is?



Section 3. *Nassella tussock* ecology

14) When are *Nassella tussock* seeds viable?

Panicle fully extended, feathery and drooping to ground, straw coloured



Panicle fully emerged, spikelet's extended above leaves, fully opened, green in colour



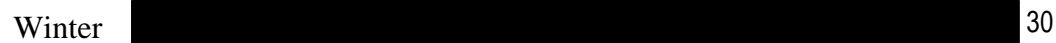
Panicle emerged, not yet extended above leaves, partly opened, green in colour



Panicles beginning to emerge, unopened green in colour



15) When is the best time of year to grub?



16) Do the plants that emerge each year come mostly from:

Wind borne seed



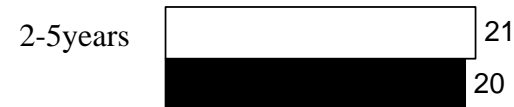
Existing seed



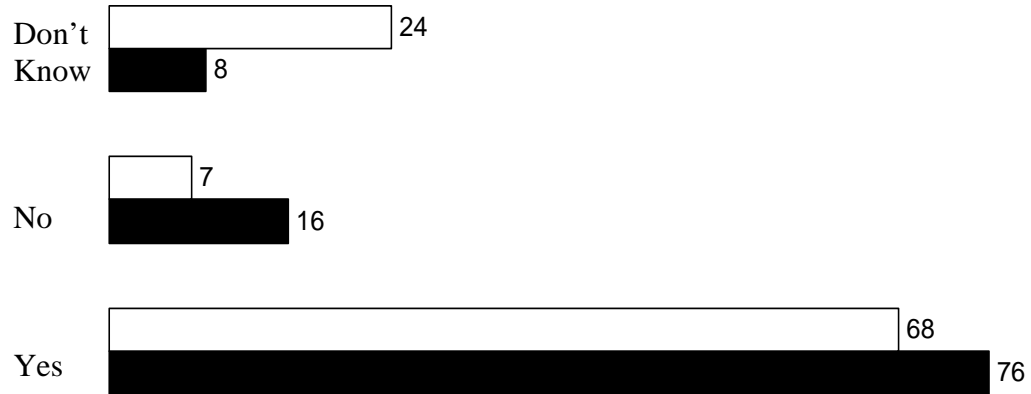
Old seed



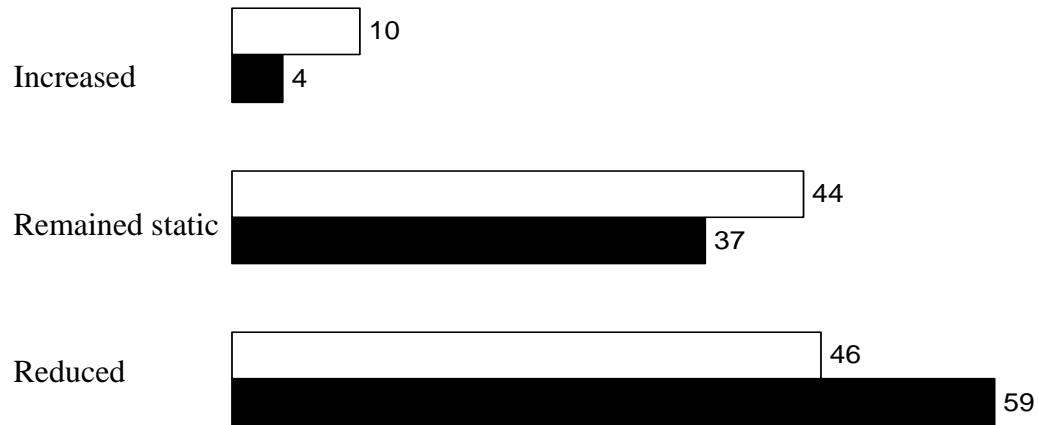
17) How long do you think most of the seed remains viable for in the ground?



18) Most people in Canterbury are required to complete their Nassella tussock control work by 30 September each year, with the exception of some larger properties in the Hurunui District. Would you agree that everyone should be required to finish their control work by the end of September with larger hill properties being able to gain an exemption to grub until the end of October provided they have a good compliance history?



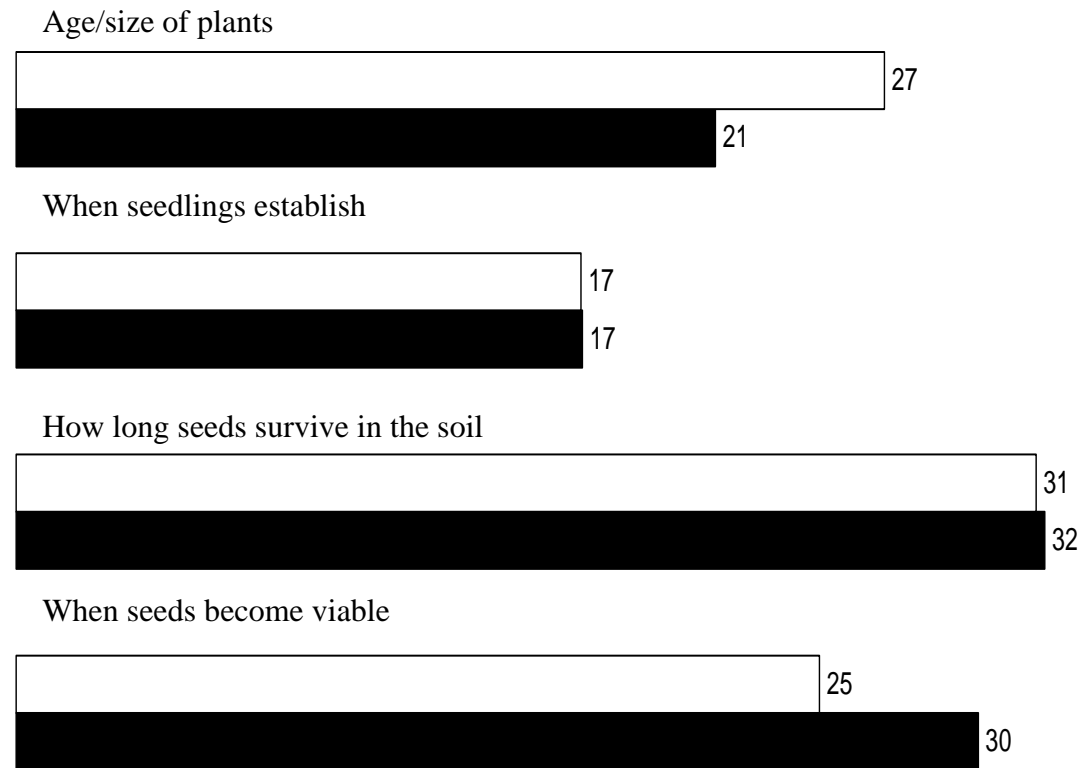
19) Over the past 10 years do you believe Nassella tussock numbers in the Hurunui District have:



20) Do you think it is possible to completely eradicate Nassella tussock?



21) Which of the recent scientific studies / findings are you aware of?



Section 4. Publicity and community involvement

22) Do you believe people would grub Nassella tussock to the same standard and on time if Environment Canterbury did not carry out compliance inspections?

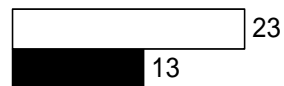


23) Do you support Environment Canterbury searching land not known to have had Nassella tussock?

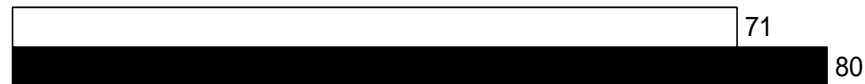


24) Who should pay for extra inspections on non-compliant properties?

The regional community



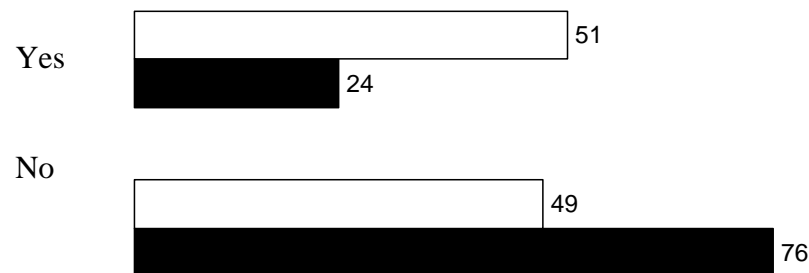
The individual concerned



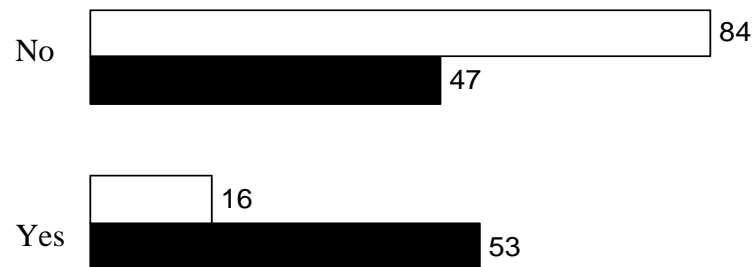
The district rate payers.



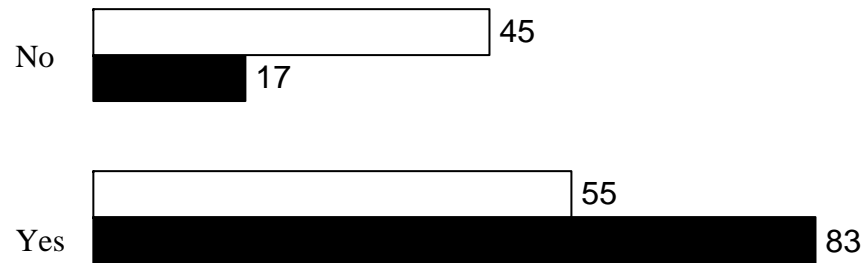
Are you aware there is a Nassella tussock liaison committee?



31) Do you know who the local representatives are?



32) Do you feel there is enough information available on Nassella tussock?



AGENDA ITEM NO: 14	SUBJECT MATTER: NAVIGATION SAFETY ACTIVITIES IN MARINE AND INLAND WATERS
REPORT: Regulation Overview Committee	DATE OF MEETING: 24 September 2009
FILE REFERENCES:	PORTFOLIO: Navigation Safety PROJECT: Various OUTPUT: Various
REPORT BY: Evan Walker Navigation Safety Manager	ENDORSED BY: Kim Drummond Director Regulation

The following is a summary of the Navigation Safety activities in Canterbury harbours and inland waters during the period 1 April 2009 to 31 August 2009.

MARITIME OIL SPILLS

During the period there were seven oil spills reported, two in Timaru, five in Lyttelton. Five of these were minor (less than 10 litres), with two larger but still relatively small events in Timaru, and all but one occurred between 23 June and 7 July. This continues the trend of the last two years of fewer oil spills, largely as a result of reduced fishing vessel activity, and in particular less bunkering (refuelling) in Lyttelton.

The incidents were:

- **23 June Discharge of hydraulic oil from Container Crane Timaru.** A broken hydraulic line resulted in 50 – 60 litres of oil discharged to the wharf, with about half of that finding its way into the harbour through the wharf. As fresh hydraulic oil disperses no clean up action was taken and as it was a minor accident with little environmental impact enforcement action was considered unnecessary.
- **2 July Diesel oil from fire pump basin, Oil wharf Lyttelton.** Diesel leaked from diesel fire pump fuel system into a bund surrounding the pump, but the bund stormwater outlet was not properly plugged, resulting in about 10 litres of diesel discharged. Cleaned up by operator and immediately fixed. Too minor for enforcement action.
- **3 July Light Fuel Oil ex San Discovery during bunkering Lyttelton.** 5 – 10 litres of LFO was spilt during refuelling at the oil wharf, due to the bunker line discharging at the forward bunker station, because it had either not been capped, or the cap blew out. The crew cleaned up with their own booms and pads and a small amount of dispersant was used. While the quantity was small the incident was caused by carelessness, and an Infringement Notice has been issued.
- **5 July Oil near oil wharf Lyttelton.** A small quantity of oil in the water adjacent to the wharf was reported and investigated, but no culprit found. Probably residual oil from earlier spills. No further action
- **7 July Discharge of oily bilge water MV Albatross No 4 wharf Lyttelton.** Human error during pump-out of oily bilge water resulted in overflow of a drum on the wharf, spilling 5 – 10 litres of oil into the harbour. Oil dispersed by use of jet workboat. Cost charged, no further action.
- **23 July Spill during bunkering Sureste Timaru** During refuelling of this vessel from a road tanker at about 10 at night, LFO discharged from tank breathers, with 20 – 30 litres escaping into the harbour. The crew and shore staff and crew from an adjacent vessel immediately started clean up with booms and pads utilising a new response trailer, and

later under Ecan staff supervision a small amount of dispersant was used. While the impacts were low, the incident was again careless and an Infringement Notice has been issued and paid.

- **14 August Oil wharf Lyttelton Discharge of Bitumen tank heating oil.** During repair of a valve in the bitumen tank heating system, increased pressure caused a failure of a weld on another part of the line at the wharf, resulting in about 10 litres of heating oil escaping into the water. Most was absorbed on the wharf but due to the thin nature of the oil any in the water was left to disperse naturally. No further action.

Heavier fuel oils (black oils) are now available in Timaru, and more fishing vessels will be refuelling there with these oils. Although the fishing companies have good spill equipment, it is difficult to confine and clean up spills in the harbour. After the *Sureste* incident the Primeport Marine Manager expressed concern, and for the time being, night time refuelling is not permitted. This may be reviewed when it is clear that the systems are working well.

Oil Spill Response Trailers Timaru

In May, South Eastern Resources Ltd in cooperation with The Front Store, launched a new spill response trailer. This joins another trailer owned by Sanfords already available in the Port. This was widely publicised and reflects the fishing companies' responsible attitude to having equipment available on site to enable rapid response in the vent of spills.

Oil Spill Exercises and Training

Because of the two ports in the region Environment Canterbury is required by contract with Maritime New Zealand (MNZ) to hold two equipment exercises and one desk top planning exercise each year. The two field exercises were carried out in Timaru on 21 April and Lyttelton on 22 April. In each case, a scenario of a significant oil spill was developed, a response plan formulated, and the Maritime New Zealand booms and oil recovery equipment deployed accordingly. In Lyttelton, every single piece of equipment was used, including all booms and recovery equipment.

A desktop exercise based on a spill off Sumner which would enter the Estuary, was held on 22 June. This had significant wildlife implications and showed that further work on the Regional Contingency Plan is needed to expand on forward planning for this eventuality.

TIMARU - Primeport

The announcement of much reduced container volume through Primeport as a result of Fonterra diverting their export container traffic through Lyttelton Port of Christchurch, has serious implications for Primeport, and the full effects of that have not yet been worked through.

In the meantime, regular contact between the Regional Harbourmaster and the Primeport marine manager and pilots (who act as local harbourmasters) continues.

The Marine Manager is continuing to develop the Port and Harbour Marine Safety Code for Timaru, and further joint work on this document is required.

There were no reported safety incidents in the period.

LYTTELTON Port of Christchurch

Regular meetings and day to day contact continues with the Lyttelton Port of Christchurch Marine Manager and pilots.

The first formal phase of development of the Safety Management System for Lyttelton, in accordance with the national Port and Harbour Safety Code, has been achieved with the publication and approval of the **Lyttelton Harbour Risk Assessment**. Formal approval was granted by the Director of MNZ on 13 August 2009. This is a significant technical document developed by the Regional Harbourmaster with his counterparts in the Port, which has undergone very thorough auditing by MNZ as the national agency. Although it has taken some time, it has been produced in-house, at a very considerable saving. The usual consultant's charge for preparing a risk assessment is about \$50,000.

The CCC sewage outfall pipeline project still continues on very much delayed and there continues to be ongoing issues with the contractor's use of barges etc. The first of several court cases have also begun over the various accidents through the project.

There were no reported safety incidents in the period.

AKAROA - Harbour

A Navigation Safety Management System for Akaroa Harbour, required as a result of increased cruise ship visits, is now in final draft and has been submitted to MNZ for comment.

The recommendation is that the risks are not high enough to justify the harbour becoming a compulsory pilotage area, and a number of controls have been recommended in the form of Harbourmaster's Directions for the harbour and a compulsory requirement for ships to provide a passage plan before entry. Servicing the harbour with pilots would have been a logistical problem for all concerned.

The new Akaroa chart which has been developed from the Hydrographic survey done last year, has been released.

REGIONAL BOATING SAFETY

The reporting period is the low season for boating activity, and few incidents have been reported.

- **Motunau.** There were three incidents of boats overturning off Motunau in late April early May. All three had gone out in rough conditions. All people were rescued by the local S & R with no serious injuries.
- **Brooklands.** Two people aboard a runabout were thrown out and the boat continued around in a circle at high speed. The Coastguard were unable to board for safety reasons and eventually it ran ashore. The two were shaken but unhurt.
- **Vessels off moorings.** There were fewer incidents of breakaways this winter. One yacht from a Monks Bay mooring went aground near Shag Rock and made front page news; there were several in Akaroa but all were retrieved before going aground.

Swing Moorings/Coastal Plan Change

The plan change which allows all existing swing moorings authorised by either licences or consents to continue on, but under permitted activity authorisation, was recently endorsed by Council. This has resulted in a significant administrative workload for the Navigation Safety

section to change processes, and review a range of consented and licenced moorings to make sure they meet the permitted activity standards.

Signs and Buoys

Signs and buoys have survived the winter intact apart from the Motunau markers, two of which have been driven ashore and will need to be repositioned

Additional 5 knot buoys were deployed in Church Bay, and Purau following community concerns about speed of vessels close inshore.

Further work is due shortly to position buoys off Corsair Bay, additional ski lane buoys, and a buoy marking a shallow area adjacent to the Inner Harbour Moorings, and a start is to be made on pre-summer buoy cleaning.

Canterbury Boatshow 2009

The Boatshow has just been held (5/6 September) rather than in July, and over two days rather than three, reflecting the financial situation. Attendance was higher on the two days although lower overall. This year a larger stand was taken, again shared with Biosecurity and DOC. A very professional display was mounted with excellent support from the Communications and Publications teams on the theme of a "5 knot zone" with posters, video displays, handouts and our usual brochure stand. A lot of material was handed out and we estimate that we had contact with over 1,000 people.

Lake Ruataniwha Temporary Regulation

Following the recommendation from the Waitaki Lakes Shoreline Authorities Committee and South Island Rowing's submission to the Annual Plan which Council supported, progress has been made on putting in place changes to the rules for the Lake for this coming summer. Draft rules have been prepared and a revised map setting out the new reserved areas is in preparation. A plan for targeted consultation and publicity has been drawn up. The results and the final form of the temporary changes will be reported to the Council in due course.

HARBOUR AND INLAND WATERS PATROLS

The only continued patrols over winter are in Akaroa, under an all year contract held by Tony Rodgers.

Boating activity continued at a high level into April while the good weather held, with no incidents, but then reduced markedly for the rest of the winter period despite some good weather weekends. The main issues were a few boats lost off moorings, and ongoing supervision of installation of new moorings and checking on the occasional problem.

RECOMMENDATION

That items 6 to 14 be received.