

## OTAGO REGIONAL COUNCIL

### Minutes of a meeting of the Regulatory Committee held in the Council Chamber, 70 Stafford Street, Dunedin on Wednesday 20 July 2016 commencing at 1:18pm

**Membership:**

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

**Leave of Absence:** Cr Sam Neill

**In attendance:**

- Peter Bodeker
- Nick Donnelly
- Fraser McRae
- Scott MacLean
- Gavin Palmer
- Caroline Rowe
- Gerard Collings
- Lauren McDonald
- Suzanne Watt
- Nineva Vaitupu
- Martin King (item 2-3)
- Lisa Minhinnick

Cr Eckhoff chaired the meeting in Cr Neill's absence,

#### CONFIRMATION OF AGENDA

There were no changes to the agenda

#### CONFLICT OF INTEREST

There were no conflicts of interest noted.

## **PUBLIC FORUM**

No public forum.

## **MINUTES**

The minutes of the meeting held on 8 June 2016, having been circulated, were adopted on the motion of Cr Bell and Cr Robertson.

### **Matters arising from minutes**

There were no matters arising from the minutes.

## **PART A – ITEMS FOR NOTING**

### **Item 1**

2016/0887 **Biosecurity and RMA Monitoring Report. DEMO, 1/7/16**

Report on water, air, pest, and contaminated site environmental monitoring and incidents for the period 21 May to 1 July 2016.

*Wallabies* - More detail was requested on the reported sighting by tourists of wallabies on the Rail Trail. Mr MacLean advised that Alexandra staff investigated but had only observed a number of hares in the location of the sightings. An extensive search of the area did not find anything and it was thought the sighting was potentially of hares and not wallabies. Mr MacLean confirmed that sightings have been advised this week in North Otago, including in the coastal area.

Mr Bodeker advised the committee that there may be the need to spend significantly more on operational response activity in this financial year and that budget costings were being prepared for the Finance and Corporate Committee.

Cr Woodhead confirmed that Council was in the financial position to be able to fund some extra work, in this case for operational response for wallabies. He advised he did not believe Council should not take action because the funding was not in the Annual Plan and that Council would be in support of this stance. He commented that good spatial awareness was being developed up on this pest and that it was better to incur some financial costs now, rather than ongoing costs every year, if this pest becomes established.

A question was asked on the degree of the contact, relationship ORC held with the South Canterbury Council in identifying sites and co-ordinating with this Council before the wallabies get in our region.

Mr MacLean advised that ORC is in regular contact with Environment Canterbury and both councils are working closely on wallabies sightings south of the Waitaki on the Canterbury side of the Hawkdun.

*Velvetleaf* – Mr MacLean confirmed that the 51 affected property owners have been contacted directly and of those people who can't make it to workshops will receive a one-on-one visit.

Moved Cr Bell  
Seconded Cr Kelliher

*That the report be received.*

**Motion Carried**

Item 2

2016/0925 **Summary of Dairy Farm Inspections for 2015/16. DEMO, 27/6/16**

This report describes the findings of the 2015/16 annual inspection of dairy farms in the Otago region.

Mr MacLean advised that the report provided a summary of the detail reported through to the Regulatory Committee every six weeks. He confirmed not all dairy inspections were able to be completed for the year and this was due in majority to the staff resourcing required for the Velvetleaf incursion response.

Clarification was sought on the enforcement actions as the data seemed to indicate that historically there were less infringements and more prosecutions and that in the last couple of years this had reversed, so that there were more infringement actions and fewer prosecutions.

Mr MacLean advised it was just that way the data had displayed as each enforcement file must meet certain tests to see if it is up to a prosecution standard or if it warranted other enforcement action to be taken. He added that at times it is useful to work with the landowner to ensure they are mitigating the situation rather than fine them.

The question was asked if ORC specifically asked when completing dairy farm surveys if lab testing in the waterways was occurring and if not, should this information be requested.

Mr King advised that this was not something ORC proactively asked but that this could be taken on board for next year and that he had noted the comment for action. He confirmed if a farmer asked about water sampling they would be advised.

It was confirmed that the prosecution protocol remained unchanged.

Moved Cr Woodhead  
Seconded Cr Kelliher

*That the report be noted*

**Motion carried**

Item 3  
2016/0926

**Consents Compliance Monitoring and Incident Summary Report for the year 2015/16 year. DEMO, 5/7/16**

The report summarised the compliance activities and consent conditions for the 2015/16 year for all major consent holders and prohibited activities.

A concern was expressed at that percentage of non-compliance grading at grade 4 and 5 levels.

Mr MacLean advised that grade 5 percentage figures related to performance monitoring not being provided or being provided late, i.e. until ORC receive the data a grade 5 level is applied. If water meters were not installed, or installed incorrectly, they also received the grading of 5 by default, due to the potential environmental impact. He confirmed non-compliance with environment effects would go through the same enforcement process as any dairy farm.

Mr Bodeker commented that the area of resourcing of field work in Mr MacLean's directorate needed to be reviewed. The reason being that for events such as the Velvetleaf incursion (where there is a need to mobilise a group of people quickly) which impacts on the Environmental Monitoring and Operations directorate in particular. This will be brought to Council to workshop for discussion to reflect that an increased level of service will have an effect on targeted rate etc.

A question was raised on where the cost for the monitoring rests, i.e. general rate or targeted rate.

Mr Bodeker advised that consent monitoring cost is with consent holder. Funding for dairy monitoring is not under the RMA and comes out of generalised targeted rate.

Moved Cr Brown  
Seconded Cr Kelliher

*That the report be noted.*

**Motion carried**

Item 4  
2016/0928

**Consent processing, consent administration and Building Control Authority update.** DPPRM, 6/7/16

The report detailed consent processing, consent administration and building control authority activity for the period 23 May to 30 June 2016.

Moved Cr Croot  
Seconded Cr Kelliher

*That the report be noted.*

**Motion carried**

Item 5  
2016/0920

**RMA, Biosecurity Act and Building Act Enforcement Activities.**  
DPPRM, 4/7/16

The report detailed Resource Management Act 1991, Biosecurity Act 1993 and Building Act 2004 enforcement activities undertaken by the Otago Regional Council for the period 21 May to 30 June 2016.

Moved Cr Croot  
Seconded Cr Deaker

*That the report be noted*

**Motion carried**

Item 6  
2016/0929

**Progress Report 1C Deemed Permit Replacement Project.**  
DPPRM, 6/7/16

This report noted progress on Project 1C implementation of the RPW policies

*Cr Scott left the room at 1:53pm*

Cr Woodhead commented that it was good to see the progress being made, noting that some of the permits had lapsed or were not being used, which showed as a reduction in the total number.

Moved Cr Woodhead  
Seconded Cr Croot

*That the report be noted*

**Motion Carried**

Meeting closed at 1:54pm

**Chairperson**

