

Regulatory Committee - 21 March 2018 Attachments

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Minutes of a meeting of the Regulatory Committee held in
the Cargill Room, Scenic Circle Southern Cross Hotel,
Dunedin on Wednesday 31 January 2018,
commencing at 3:30pm

Membership

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

1. APOLOGIES

No apologies were tabled.

2. LEAVE OF ABSENCE

No Leave of Absence requested.

3. ATTENDANCE

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

4. CONFIRMATION OF AGENDA

The agenda as tabled was confirmed.

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The agenda as tabled was confirmed.

5. CONFLICT OF INTEREST

No conflicts of interest were advised.

6. PUBLIC FORUM

No public forum was held.

7. PRESENTATIONS

No presentations were held

8. CONFIRMATION OF MINUTES

Cr Scott requested a correction to the minutes of the 29 November 2017 meeting to note there was agreement to establish a meeting with Environment Canterbury for governance and staff to pursue discussion on wallabies and other matters.

Resolution

That the minutes of the meeting held on 29 November 2017 be received and confirmed as a true and accurate record with the correction as noted.

Moved: Cr Scott
Seconded: Cr Noone
CARRIED

9. ACTIONS (Status report on the resolutions of the Regulatory Committee)

No current items for action.

10. MATTERS FOR COUNCIL DECISION

NIL.

11. MATTERS FOR NOTING

11.1. Director's Report on Progress

The report detailed the Regulatory activity for the reporting period 11 November 2017 to 11 January 2018, including: low flows of rivers in Otago; Predator Free 2050; biosecurity and compliance activity.

Mr MacLean confirmed that a letter had been drafted to Environment Canterbury in regard to wallaby activity from the Office of the Chairperson. Cr Woodhead advised the letter would be finalised and sent in early February.

A request was made for an update on Mycoplasma bovis, including Council's role in support of the Ministry for Primary Industry lead response. Mr MacLean confirmed an update would be provided to the March committee round.

Mrs Sutton advised a communications strategy would be prepared ready for the central government decision on the release of the K5 virus, which was expected by the end of February.

Resolution

That this report is received.

Moved: Cr Neill
Seconded: Cr Brown
CARRIED

11.2. Resource Management Act 1991, Biosecurity Act 1993 and Building Act 2004 Enforcement Activities from 11 November 2017 to 11 January 2018

The report detailed Resource Management Act 1991, Biosecurity Act 1993 and Building Act 2004 enforcement activities undertaken by the Otago Regional Council during the period 10 November 2017 to 11 January 2018.

A request was made for a report on the principles and policies for the communication of Council enforcement actions, also legal costs and recovery to be provided to the March committee round.

Agreed: A report be provided on a draft policy for communication of ORC prosecutions for Council consideration to the 21 March committee round.

Resolution

That this report is received.

Moved: Cr Hope
Seconded: Cr Noone
CARRIED

11.3. Consents and Building Control

The report provided consents and building control progress for the period 13 November 2017 to 11 January 2018.

Resolution

That this report is noted.

Moved: Cr Deaker
Seconded: Cr Hope
CARRIED

11.4. Report on Deemed Water Permit Replacement

The report outlined progress on the replacement of deemed and water permits for the reporting period 11 November 2017 to 11 January 2018.

Resolution

That the report is noted.

Moved: Cr Robertson
Seconded: Cr Hope
CARRIED

12. NOTICES OF MOTION

No Notices of Motion were tabled.

13. CLOSURE

The meeting was declared closed at 04:10 pm.

Chairperson

Memorandum of Understanding

Working together to build a nation that has healthy nature, strong economy and vibrant communities.

Regional Councils and Unitary Authorities and the Department of Conservation.

PURPOSE

Through this Memorandum of Understanding (MOU), the Regional Chief Executives (RCEOs) and the Director-General of Conservation (DG) recognise the importance of the relationship between councils and the Department of Conservation and commit to working together more effectively. Specifically, it will record the principles and objectives that will underpin the ongoing relationship.

CONTEXT

Both the Department and Councils are mandated by a variety of legislation to fulfil their respective roles including across biodiversity, biosecurity and conservation management. These roles often overlap, which creates a range of opportunities for collaboration and partnership to enhance outcomes for the public of New Zealand.

Closer collaboration and co-operation at all levels (management, strategy, policy and planning, technical and operations) is likely to result in better outcomes for the environment, economy and regional communities. It will also result in improved stakeholder, community and iwi engagement, cost-effectiveness, and enable operational management efficiencies.

OBJECTIVES

- Where it makes sense to do so, align priorities, strategies and business planning where roles overlap.
- Develop, prepare and implement joint work programmes as standard practice for managing collaborative projects at national and regional level.
- Improve biodiversity outcomes at key sites.
- Deliver demonstrable benefits to ratepayers and taxpayers by taking all practicable steps to avoid litigation.

PRINCIPLES

- Communicate in a regular, open and transparent manner at all times, 'no surprises'.
- Work together co-operatively on matters of common interest; commit to establishing an interactive, effective, efficient and positive relationship.
- Recognise the statutory functions, commercial drivers, regulatory powers and duties of each other.
- Respect the independence of each party and their individual mandates, roles and responsibilities.
- Recognise and take into account time obligations of the other party.
- Proactively work through matters of conflict openly and honestly.

Nothing in this MOU or any actions arising from it, will avoid or undermine either the parties obligations under legislation, including obligations to mana whenua.

IMPLEMENTATION PROCESS

Progress will be reviewed and principles affirmed by the:

- DG and Biodiversity DDG meeting bi-annually with the RCEOs Bio Sub-Group
- Department's Directors of Operations and Planning meeting quarterly with the BioManagers Special Interest Group (BioManagers)
- parties agreeing to use these principles and strategic projects and establishing other opportunities of mutual advantage at the national and regional level.

Collaborative work programmes:

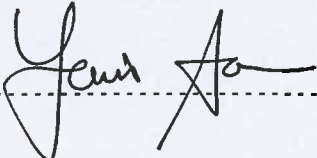
- Representatives of the Department's Operations team, including Directors of Operations and Planning, will meet with a BioManagers sub-committee quarterly (offset with the BioManagers meeting). Note: At this meeting an Environmental Scan will be run to identify emerging opportunities, trends, patterns or issues.
- An annual work plan will be developed, which will identify projects where collective action is agreed.
- The annual work programme will be reported and reviewed annually.

The parties agree that all intellectual property brought to the relationship by each party will remain vested in that party.

Unless otherwise agreed by the parties, all costs and contributions under this MOU shall lie where they fall.

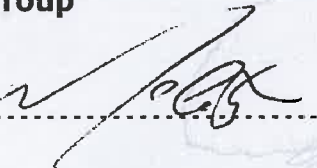


**Director-General
Department of Conservation**

Signed: 

Date: 18 October 2017

**Chair of Regional Chief Executive
Officers Group**

Signed: 

Date: 18 October 2017

*Memorandum of
Understanding*



THE PARTIES

Regional Councils and Unitary Authorities ("Councils"):

