

### 11.1. General Manager's Report on Progress

**Prepared for:** Regulatory Committee  
**Report No.** GOV1837  
**Activity:** Governance Report  
**Endorsed by:** Peter Winder, Acting General Manager Regulatory  
**Date:** 29 May 2019

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#### PURPOSE

- [1] To update the Committee on regulatory activity undertaken during the period 13 April 2019 to 29 May 2019.

#### STAFF RECOMMENDATION

*That the Council:*

- 1) **Receives** this report.

#### COMPLIANCE

##### Consent Inspection Audits

- [2] 21 Water permit inspections to assist the science team with CHES modelling in the Omakau area were completed over this reporting period. Four permits were graded as non-compliant minor. One permit's water measuring device has not been set up in a way that measures the water take, rather the measuring device has been placed in such a way that it measures the flow of the water way from which water is taken. Three non-compliant permits showed abstraction in excess of consented allowances but have been considered minor and two permits are overdue for verifications of their measuring devices.
- [3] Some structures installed within water ways either to measure water or to increase the height of the water to allow the take into a race have been identified as potentially posing a barrier to fish passage. When these structures have been identified, where the structure is a legal structure, consent holders have been asked to take fish passage into consideration and make modifications to the structure to allow for fish passage.
- [4] 47 other Audit inspections were conducted on discharge to land permits including closed landfills in the CODC area and other waste discharge permits. Three were graded as non-compliant with two of these being considered significant. These are being followed up with enforcement actions where required.

##### Forestry

- [5] During the reporting period, five forestry inspections were completed. Three were graded as compliant with two as minor non-compliant due to lack of best practice site management which may result in environmental effects. Re-inspections will take place at these sites.

- [6] Forestry sites which have fish spawning areas within the area of work are being prioritised for inspections, to ensure operators comply with the NES.
- [7] Forestry sites in areas of higher risk, or where management plans have been submitted with insufficient detail or not supplied within appropriate timeframes are also being prioritised for inspections. 34 Management plans for forestry work were assessed over this reporting period. 4 were deemed not to meet the standard and were assessed as non-compliant minor.
- [8] Over this reporting period the ORC received 45 notifications of forestry works. Once notification and management plans have been received an assessment of risk is made to determine whether an audit site visit is required.

### **Dairy**

- [9] Dairy inspections have continued over this period with the primary focus on properties identified as high risk due to insufficient infrastructure, being in a poor water quality catchment, and drainage risk of effluent reaching water. Properties assessed as medium risk have also been inspected. No non-compliance has been identified over this reporting period.

Approximately 12 dairy properties in South Otago remain to be inspected and are expected to be completed by the end of the month.

### **Contaminated Sites**

- [10] In April, the Ministry for the Environment advised that our recent application to the Contaminated Sites Remediation Fund was declined. The project was intended to assist the Waitaki District Council with remediation planning for two landfills South of Oamaru exposed by coastal erosion. The Ministry advised that the fund was oversubscribed and that other sites were ranked as having higher risk. The assessment panel did consider that the application had merit and good social benefits; however, as there are many more coastal landfill sites in a similar situation, they felt consideration of a national approach was required before committing funds. Waitaki District Council have taken steps to stabilise the sites and will continue to monitor the landfills in accordance with an interim management plan while further options are considered.

### **Compliance Improvement Plan and Actions**

- [11] Progress with the compliance improvement plan has continued over the last month. In addition to the actions reported to the last meeting our focus has been on:
- Induction and training of the four new compliance staff that have now started work in Dunedin and Alexandra
  - Recruitment activity for a new Team Leader Compliance, who will be based in Alexandra and the three additional staff that are provided for in the 2019/20 budget
  - The development and roll out of the training programme in relation to assessments, investigation and enforcement activity scheduled for later in the year.
- [12] Our work on the full risk-based approach to compliance and enforcement is due to accelerate in June as the prime management focus of the Regulatory group shifts from

implementing the recommendations of the Consents review to progressing the compliance improvement plan.

- [13] The other key compliance focus of the group is on implementing the provisions of plan change 6A. We are currently gearing up to commence checking compliance with the initial requirements for farm managers to hold OVERSEER® related information. The approach that we are taking is fully integrated with the Rural Liaison and Communications and Engagement teams.

## **HARBOUR MASTER ACTIVITY**

### **Navigational Safety Bylaws**

- [14] Navigational bylaws came into force on the 1<sup>st</sup> May 2019, they are available in hard copy and on the newly developed Harbourmaster page on the ORC website. Next steps are to align the infringement and enforcement tools to compliment the bylaws. This is likely to take a month or so.

### **Harbour Safety**

- [15] We have had 4 mooring breakouts involving small boats from swing moorings around Otago Harbour. Harbourmaster sent a letter to all mooring consent holders reminding them of their obligations to maintain moorings that they have consents in place for.
- [16] ORC are now the proud owners of a vessel! Kaitiaki was delivered to ORC on Tuesday, 21 May, and a naming ceremony was held on the 22<sup>nd</sup>. The vessel will go into full service once certification has been achieved.

### **Harbourmaster General**

- [17] We have appointed a deputy harbourmaster, due to start with ORC on 4 June 2019. We had a strong field to choose from and I'm sure the person selected will add a considerable skill set to the harbourmaster's department.
- [18] A Harbour Security meeting was held with Port Otago and the second meeting of the Harbour Community Advisory Group was held on 28 May.

## **KAIKORAI STREAM CASE STUDY**

- [19] At its meeting of 17 October the Regulatory Committee requested a case study of the Kaikorai Stream to inform future work on urban waterways and other waterways of concern. The case study is Attached to this report. It sets out an overview of the catchment, the nature of the shared management responsibilities for the area, water quality issues, flood hazards, and consent and compliance information in relation to the Kaikorai Stream and its catchment.

## **CONSIDERATIONS**

### **Policy Considerations**

[20] There are no policy considerations arising from this report.

### **Financial Considerations**

[21] There are no financial considerations arising from this report

### **Significance and Engagement**

[22] No matters in this report trigger the Council's significance policy or require additional or specific consultation.

### **Legislative Considerations**

[23] There are no legislative considerations arising from this report.

### **Risk Considerations**

[24] There are no risk considerations arising from this report.

## **ATTACHMENTS**

1. Kaikorai Stream Case Study Committee report final **[11.1.1]**