

## Regional Leadership Committee 22 May 2024

Meeting will be held in the ORC Council Chamber, Level 2, Philip Laing House,  
144 Rattray Street, Dunedin.

[ORC Official YouTube Livestream](#)



### Members:

Cr Michael Laws (Co-Chair)  
Cr Bryan Scott (Co-Chair)  
Cr Elliot Weir (Co-Chair)  
Cr Alexa Forbes  
Cr Gary Kelliher  
Mr Hoani Langsbury  
Cr Lloyd McCall  
Cr Kevin Malcolm  
Cr Tim Mepham  
Cr Andrew Noone  
Cr Gretchen Robertson  
Cr Alan Somerville  
Cr Kate Wilson

Senior Officer: Richard Saunders, Chief Executive  
Meeting Support: Trudi McLaren, Governance Support Officer

22 May 2024 10:00 AM

## Agenda Topic

## Page

1. WELCOME

2. APOLOGIES

No apologies received at the time of agenda publication.

3. PUBLIC FORUM

No requests were received to speak at Public Forum.

4. CONFIRMATION OF AGENDA

Note: Any additions must be approved by resolution with an explanation as to why they cannot be delayed until a future meeting.

5. DECLARATION OF INTERESTS

Members are reminded of the need to stand aside from decision-making when a conflict arises between their role as an elected representative and any private or other external interest they might have. [ORC Councillor interests](#) are published on the website.

6. PRESENTATIONS

No requests for presentations were received at time of agenda publication.

7.	CONFIRMATION OF MINUTES	3
	That the minutes of the Regional Leadership Committee meeting held on 21 February 2024 be received and confirmed as a true and accurate record.	
7.1	<a href="#">Minutes of the 21 February 2024 meeting</a>	3
8.	OPEN ACTIONS FROM RESOLUTIONS OF THE COMMITTEE	
	There were no open actions from resolutions of the Committee to be noted.	
9.	MATTERS FOR CONSIDERATION	7
9.1	<a href="#">REGULATORY GROUP UPDATE: QUARTERLY REPORT</a>	7
	The purpose of this report is to update the Committee on activities of the Regulatory Group between 1 February 2024 and 30 April 2024 and to approve the Compliance Audit and Performance Monitoring Schedule for the 2024-25 year.	
	9.1.1 <a href="#">Attachment 1 July 2023 to 30 April 2024</a>	19
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10.	CLOSURE	



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## Regional Leadership Committee MINUTES

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**Minutes of an ordinary meeting of the Regional Leadership Committee held in the Waitaki District Council Chamber, 20 Thames Street, Oamaru on Wednesday 21 February 2024, commencing at 10:32 AM.**

**PRESENT**

Cr Elliot Weir

*(Chairperson)*

Cr Alexa Forbes

Cr Gary Kelliher

Cr Michael Laws

Cr Kevin Malcolm

Cr Lloyd McCall

Cr Tim Mepham

Cr Andrew Noone

Cr Gretchen Robertson

Cr Alan Somerville

Cr Kate Wilson

### **1.1. Welcome**

Chairperson Weir welcomed Councillors, members of the public and staff to the meeting at 10:32 am and opened with a karakia. Staff present included Richard Saunders (Chief Executive), Anita Dawe (GM Policy and Science), Nick Donnelly (GM Corporate Services), Gavin Palmer (GM Operations), Amanda Vercoe (GM Governance, Culture and Customer) (online), Libby Caldwell (Manager Environmental Implementation), Jo Galer (Manager Communications and Marketing), Vicki Roach (Team Leader Brand and Marketing), Mike Roesler (Manager Corporate Planning), Hilary Lennox (Manager Strategy), and Trudi McLaren (Governance Support) and Natalie Richards (Versus Research) (online).

### **2. APOLOGIES**

**Resolution: Cr Forbes Moved, Cr McCall Seconded:**

*That the apologies for Bryan Scott and Hoani Langsbury be accepted.*

**MOTION CARRIED**

### **3. PUBLIC FORUM**

No requests to address the Committee under Public Forum were received.

### **4. CONFIRMATION OF AGENDA**

It was moved:

**Resolution: Cr Weir Moved, Cr Robertson Seconded**

*That the agenda be confirmed as published with the amendment of Item 8.3 Otago Regional Council Community Survey Results being taken before Item 8.1 Regulatory Quarterly Report.*

**MOTION CARRIED**

### **5. DECLARATIONS OF INTERESTS**

No changes to Councillor Declarations of Interests were noted. Councillors were reminded to signal to the Chair any conflicts of interest arising during the meeting.

### **6. CONFIRMATION OF MINUTES**

**Resolution: Cr Weir Moved, Cr Wilson Seconded**

*That the minutes of the Regional Leadership meeting held on 8 November 2023 be received and confirmed as a true and accurate record.*

**MOTION CARRIED**

### **7. OPEN ACTIONS FROM RESOLUTIONS OF THE COMMITTEE**

There were no open actions from resolutions of the Committee to be noted.

## 8. MATTERS FOR CONSIDERATION

### 8.1. Regulatory Quarterly Report

Alexandra King (Acting Manager Consents), Steve Rushbrook (Harbourmaster) and Tami Sargeant (Manager Compliance) were present to speak to the paper and respond to questions.

The purpose of this report is to update the Committee on activities of the Regulatory Group between 1 July 2023 and 31 December 2023.

*Cr McCall left meeting at 11.45 and returned at 11.48am*

#### **Resolution RLC24-103: Cr Kelliher Moved, Cr Somerville Seconded**

*That the Regional Leadership Committee:*

- 1) **Notes** the Quarterly Update Report from the Regulatory Group.

**MOTION CARRIED**

### 8.2. Farm Plan Implementation Update

The purpose of this paper was to provide an update on implementation activities related to the Freshwater Farm Plan (FWFP) rollout in Otago.

Libby Caldwell (Manager Environmental Implementation) and Richard Saunders (Chief Executive) were available to respond to questions.

*Cr Wilson left the meeting at 12.13pm and returned at 12.15pm.*

#### **Resolution RLC24-104: Cr Malcolm Moved, Cr Noone Seconded**

*That the Regional Leadership Committee:*

- 1) **Notes** this report.

**MOTION CARRIED**

### 8.3. Otago Regional Council Community Survey Results 2023 (taken ahead of 8.1)

The purpose of this paper was to present the results of the Otago Regional Council (ORC) Community Survey 2023.

Jo Galer (Manager Communications and Marketing), Vicki Roach (Team Leader Brand and Marketing) and Natalie Richards (Versus Research) were present to speak to the paper and respond to questions.

#### **Resolution RLC24-105: Cr Malcolm Moved, Cr Robertson Seconded**

*That the Regional Leadership Committee:*

- 1) **Notes** this report.
- 2) **Recommends** that Council approve the 2023 ORC Community Survey Action Plan to be implemented during 2024.
- 3) **Notes** that the Otago Regional Council Community Survey will be carried out again in two years at the end of 2025 and reported to Council at the end of that calendar year.

- 4) **Notes** that progress reports on the Community Survey Action Plan will be reported to the Regional Leadership Committee at six-monthly intervals during the 2024 year.

**MOTION CARRIED**

**9. CLOSURE**

There was no further business and Chairperson Weir declared the meeting closed at 12:30 pm with a karakia.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Date

DRAFT

### 9.1. Regulatory Group Update: Quarterly Report

**Prepared for:** Regional Leadership Committee  
**Report No.** REG2405  
**Activity:** Regulatory - Unplanned  
**Author:** Alexandra King, Acting Manager Consents; Tami Sargeant, Manager Compliance; Simon Wilson, Manager Regulatory Data and Systems and Steve Rushbrook, Harbourmaster.  
**Endorsed by:** Joanna Gilroy, Acting General Manager Regulatory.  
**Date:** 22 May 2024

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#### PURPOSE

- [1] To update the Committee on activities of the Regulatory Group between 1 February 2024 and 30 April 2024 and to approve the Compliance Audit and Performance Monitoring Schedule for the 2024-25 year.

#### EXECUTIVE SUMMARY

- [2] This report summarises the activity of the Regulatory Group which includes Consents, Compliance, Harbourmaster and Regulatory Data and Systems Teams.

#### RECOMMENDATION

*That the Council:*

- 1) **Notes** this report.
- 2) **Approves** the Compliance Audit and Performance Monitoring Schedule for the 2024-25 year included as Attachment Two.

#### DISCUSSION

- [3] The following report provides a summary of the activity of each team within the Regulatory Group. It also contains the proposed Compliance Audit and Performance Monitoring Schedule for the 2024-25 year for approval.
- [4] Attachment 1 contains statistics on Regulatory Group activity for the period 1 February to 30 April 2024. Attachment 2 contains the proposed monitoring schedule for the 2024-25 year.

## CONSENTS

### Consent Processing

- [5] Between 1 February 2024 and 30 April 2024 192 applications have been received, compared to 305 at the same time in the previous year. This decrease is due to less intensive winter grazing consents being applied for in comparison to this time last year. However, it is an increase on the number received in the previous reporting period.
- [6] Decisions were made on 254 individual consents (cumulative total) this quarter. For context, by the same time in the previous year decisions were made on 370 individual consents. This decrease is due to less intensive winter grazing consents being applied for in comparison to this time last year.
- [7] Map 1 in the Appendix shows the spread of consents granted for the period 1 July 2023 to 30 April 2024 throughout Otago. Of note are the discharge to land consents which are the discharge of effluent, discharge of sediment related to earthworks or related to intensive winter grazing. There has also been a number of surface water consents granted in North Otago after workshops were run in that area.
- [8] Applications for consents for surface water takes, bores, general land use activities and discharges to land were the main types of consents processed by the team during the reporting period.
- [9] Consent processing is predominantly undertaken by internal staff. Consultants are only used on an as required basis and still account for less than 10% of workload processing. This is generally for applications for large scale or long-term projects and where Council is the applicant.
- [10] One application was limited notified in the reporting period. This relates to a gravel take.
- [11] One application was publicly notified in the reporting period. This relates to a mining project in Millers Flat. The hearing for this was between 14 and 16 May 2024.
- [12] A summary of consents statistics is included in Figures 1 to 6 of Attachment 1.

### Deemed Permit Replacements

- [13] Deemed Permits and many water permits to take and use water in the region expired on 1 October 2021. Most of these permits are in Central Otago (including the Taieri catchment) and Queenstown Lakes Districts. Replacement applications for these permits were primarily lodged in 2020 and 2021.
- [14] Staff have been working collaboratively with consultants and applicants to process deemed permit related applications. Great progress has been made by all parties, with decisions made on 157 applications from 1 July 2021 to 30 April 2024. The status of the remaining application is shown in Table 1 below:

Table 1: Status of consent applications for deemed permit replacements:

Status	Number of applications



With applicant – resolving outstanding issues	1
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- [15] Table 2 shows the decisions that have been made since July 2021 for deemed/water permit replacements. There have been a steady number of decisions made in the reporting period this year.

Table 2: Number of consent decisions related to deemed permit replacements.

Month	Number of deemed permit and surface water replacement decisions on applications lodged pre-1 October 2021	Number of decisions on surface water permit replacement applications lodged post-1 October 2021	Total decisions
July 2021	0	0	0
August 2021	4	0	4
September 2021	6	2	8
October 2021	4	0	4
November 2021	3	0	3
December 2021	0	1	1
January 2022	2	1	3
February 2022	4	1	5
March 2022	7	1	8
April 2022	3	0	3
May 2022	3	1	4
June 2022	1	0	1
July 2022	13	0	13
August 2022	10	0	10
September 2022	6	2	8
October 2022	4	2	6
November 2022	5	1	6
December 2022	8	1	9
January 2023	5	2	7
February 2023	6	3	9
March 2023	0	1	1
April 2023	0	6	0
May 2023	5	4	9
June 2023	0	1	1
July 2023	0	0	0
August 2023	2	1	3
September 2023	2	2	3
October 2023	1	2	3
November 2023	0	2	2

December 2023	1	0	1
January 2024	0	0	0
February 2024	1	2	3
March 2024	1	5	6
April 2024	4	0	4
<b>Total</b>	<b>111</b>	<b>46</b>	<b>157</b>

### Appeals, objections, and reviews

- [16] No appeals or objections on consent decisions were received during the reporting period.
- [17] No formal cost objections were received under Section 357B of the RMA in the reporting period. Clearly communicating costs and being able to invoice as quickly as possible post a decision on an application remains a focus for the team. This includes working with Council's Finance team on invoicing.
- [18] One consent review is currently being processed. This relates to five wastewater discharge consents.

### Public Enquiries

- [19] Responding to public enquiries remains a significant part of the workload of the Consents Team. In the reporting period, 543 enquires have been received and responded to, with a peak of 214 in February. Most enquiries are resolved within two days of being received, with the remaining generally within the three to seven days. Information on these enquiries can be seen in Attachment 1. The large number of public enquiries responded to demonstrate the value of this service provided by ORC.
- [20] Requests for copies of documents, as well as information about discharges to land, farming activities and consent process are the most common enquiry types. The main method for requests is email.
- [21] The Public Enquiries team have been responding to requests for comments on applications that are seeking to use the 'Fast Track' process provided by the COVID-19 Recovery (Fast-Track Consenting). Proposals in Otago under this process (run by the EPA) that progressed in the reporting period included:
- a) Flints Park, Ladies Mile – Te Pūtahi – Stage 1 (reapplication); and
  - b) Workers Accommodation – Hansen Road Project
- [22] To enhance the public enquiries service, as well as the other projects reported to date staff have led, are working on or finalised:
- a) 14 intensive winter grazing sessions throughout Otago;
  - b) Water take consent workshops in North Otago;
  - c) Website review and update;
  - d) Regular catch ups with Catchment and Customer Experience teams;
  - e) Advising the public on navigating government reforms;
  - f) New Harbourmaster consultation form on website;
  - g) Updates to website and forms for the Regional Policy Statement decision;

- h) Updating gravel, contaminated land and earthworks application forms, templates and conditions; and
  - i) Working on new practice notes for variations, retrospective consents and application for hydro electric water take and use.
- [23] All the above projects help us deliver an improved customer experience for users of the consent or public enquiries services. This work is balanced against chargeable work and is completed within an existing work programme.

## **COMPLIANCE MONITORING AND ENFORCEMENT**

### **Performance Monitoring**

- [24] Performance monitoring returns include all information Consent Holders are required to submit by conditions in their resource consents. This includes photographs of work, water meter returns, complex annual reports, and management plans. Some consents require multiple submissions of performance monitoring per year, for example monthly water quality results, while others have no performance monitoring requirements. The grading of performance monitoring tends to be faster than a full audit and is used to help the Compliance Team prioritise which consents require audits.
- [25] In the period from 1 July 2023 to 30 April 2024, the Regulatory Data and Systems and Compliance teams graded 6,148 performance monitoring returns against a target of 4,500. This is down on the 7,102 returns graded in the same period last financial year. The volume of work completed is down partly because the team was carrying a vacancy, which has now been filled, and partly because the numbers reached in 2022/23 were well above normal levels. For comparison 5,452 PM returns were graded between 1 July 2021 and 30 April 2022 in the same period of 2020/21 that number was 4,645.
- [26] A summary of performance monitoring data for 2023/24 is set out in Figures 7 and 8 of Attachment 1. The geographic spread of monitoring can be seen in Map 4 of Attachment 1.

### **ORC compliance audits and inspections**

- [27] In the 2023/24 year to date, 1,229 on site audits and inspections were completed. The inspections relate to 800 consent audits, 379 dairy inspections and 50 forestry inspections. This is 145% of the planned compliance audits or field inspections programmed for the 2023/24 year.
- [28] A summary of the compliance field visits and inspections undertaken in 2023/24 year to date compared with the 2022/23 year and Annual Plan target is set out in Figures 9 and 10 of Attachment 1.

### **RMA consent audits**

- [29] In the 2023/24 year to date, 800 on site consent audits have been completed. Compliance with consent conditions can be considered high, with most consents being considered either fully compliant (42% consents), or low risk non-compliance (33% consents). Consents are graded as low risk non-compliance when there is a likely low risk of adverse environmental effects or is technical in nature (e.g., failure to submit a monitoring report).

- [30] All consent audits graded with moderate non-compliances (117 consents) and significant non-compliances (42 consents) have been followed up by staff and either appropriate action has been taken in line with the RMA Compliance and Enforcement Policy, or investigations are continuing. Formal enforcement action taken in relation to consent non-compliance in the 2023/24 year to date includes 20 abatement notices, 14 infringement notices and three formal warnings.
- [31] Map 3 of Attachment 1 shows the spread of consents that have been audited throughout Otago. A summary of RMA consent audit data in the 2023/24 year is set out in Figures 11 and 12 of Attachment 1.

### **Dairy Compliance Programme**

- [32] The 2023/24 Dairy Inspection Compliance Project commenced in October 2023, and year to date compliance staff have completed 379 dairy inspections. This is an increase of 86 inspections for the full 2022/23 year.
- [33] Overall compliance is very high with 248 farms graded fully compliant and 107 farms graded low risk non-compliance. 17 farms were graded moderately non-compliant and seven farms were graded significant non-compliance. Reasons for non-compliance related to unconsented effluent storage, effluent pond overflows, effluent ponding, offal pit and farm landfill mixing, setbacks and silage leachate discharges. These matters are being followed up by staff and either appropriate action has been taken, or investigations are continuing.
- [34] The 2023/24 dairy project monitors compliance with animal effluent systems and discharges and farm waste streams (offal pits, farm landfills). There has also been a focus on providing awareness and engaging with farmers on the requirements for animal effluent storage and discharge consents, and understanding when consents might be required.
- [35] A summary of 2023/24 dairy inspection data is set out in Figure 13 of Attachment 1.
- [36] A de-brief of the dairy project will be undertaken when the dairy season is completed, and learnings will be taken through to the 2024/25 season.

### **Commercial Forestry**

- [37] In the 2023/24 year to date, ORC received 134 forestry notifications and 68 management plans. This is under the National Environmental Standards. Most of the forestry notifications related to afforestation. A compliance risk assessment is undertaken on forestry management plans, and on-site inspections are undertaken where appropriate to check compliance on-the-ground. Compliance staff have undertaken 50 forestry inspections in the 2023/24 year to date. This is an increase of 13 inspections for the full 2022/23 year.
- [38] Overall compliance is high, with 30 forestry sites graded fully compliant and 16 forestry sites graded low-risk non-compliance. Three forestry sites were graded moderate non-

compliance, and one forestry site was graded significant non-compliance. Reasons for non-compliance related to limited sediment controls, slash left within flow paths and disturbing the bed of a waterway. These matters were followed up by staff and corrective actions were made by the forestry operators.

- [39] Compliance staff actively engage with the forestry sector to encourage best practice in forestry management. This includes regular correspondence and information on forestry rules and participating in a Southern Forestry Environmental Working Group.
- [40] Te Uru Kahika's Compliance Special Interest Group established a Forestry Working Group this year. The purpose of the forestry working group is to support consistent interpretation and implementation of the NES-CF, and standardisation of forestry inspection assessments. ORC compliance staff actively participate in the forestry working group, including undertaking a review of forestry inspection reports across regional councils who monitor forestry activities.
- [41] A summary of 2023/24 forestry notifications and inspections data is set out in Figures 14 and 15 of Attachment 1.

#### **Low flow monitoring**

- [42] This year was a busy season for Low Flows. In total 12 monitoring sites dropped below their low flow limits throughout the season this triggered low flow conditions for 110 water take consent holders.
- [43] Standard practice when a monitoring site drops below the low flow limit for the first time, the Regulatory Data and Systems team call all Consent Holders with a low flow condition linked to the site. These calls ensure the Consent Holder is aware the site is in low flow and to enquire about stock levels to help calculate reasonable use under the RMA. From there the team carry out daily checks on telemetered water meter data. Any concerns are escalated to the Compliance Team for a field visit.
- [44] Overall rates of compliance with low flow limits were high across Otago. There were also positive examples of communities collaborating to ensure catchments did not reach low flow. This included engagement from several Consent Holders who do not currently have low flow restrictions.

#### **Environmental pollution incidents**

- [45] In the 2023/24 year to date, 1,199 service requests were received on the pollution response hotline, resulting in 936 incidents being generated. This is down slightly from 1,187 service requests in the same reporting period in the 2022/23 year. The most common reasons for requests related to water pollution (262), outdoor burning (204), and odour (187).
- [46] The 24/7 pollution response service was maintained throughout the Easter break. Compliance staff responded to seven pollution incidents, including wastewater discharges, odour complaints, outdoor burning and a vehicle in a waterway.

- [47] Map 5 of Attachment 1 shows pollution incidents have occurred throughout the Otago region.
- [48] The majority (59%), of the pollution incidents required a field inspection to assess compliance and investigate, and 41% of the pollution incidents were resolved through desktop analysis.
- [49] Further details on pollution incidents and responses in the 2023/24 year to date can be found in Figures 16 and 17 of Attachment 1.

**Investigations and enforcement action**

- [50] In the 2023/24 year to date, ORC issued 89 formal enforcement actions, including three prosecutions, 35 infringement notices, 41 abatement notices and ten formal warnings.
- [51] Map 6 of Attachment 1 indicates the location of the incidents related to the formal enforcement action. It should be noted that some incidents resulted in multiple enforcement actions. For example, issuing multiple infringement notices to multiple parties; and issuing an abatement notice and infringement notice for the same incident.
- [52] In the 2023/24 year to date, ORC issued 35 infringement notices. 33 infringement notices were paid within time limits and two infringement notice were withdrawn after reviewing additional evidence provided by the alleged offender. Geographically the spread of infringement notices across the districts is as follows: Central Otago (3), Clutha (6), Dunedin (11), Queenstown Lakes (13) and Waitaki (2).
- [53] In the 2023/24 year to date, ORC issued 41 abatement notices. Geographically the spread of abatement notices across the districts is as follows: Central Otago (5), Clutha (14), Dunedin (6), Queenstown Lakes (7) and Waitaki (9).
- [54] 15 abatement notices have been cancelled due to compliance being met. ORC staff continue to monitor compliance with the conditions of abatement notices, and work with the parties to achieve compliance and improved environmental outcomes.
- [55] The most common RMA breaches that led to formal enforcement action in the reporting period related to, contaminant discharges to water (section 15(1)(a)), contaminant discharges to land when it may enter water (section 15(1)(b)), contaminants discharge to air (section 15(2A)) and contravention of abatement notice (section 338).
- [56] In the reporting period, formal enforcement actions were taken against 29 companies, eight individuals, five territorial authorities, with two trusts and a corporate body. Some parties received multiple enforcement actions for the same incident (e.g., infringement notice and abatement notice, and some parties were involved in multiple incidents).
- [57] Three new prosecutions have been authorised in the 2023/24 year to date, relating to an outdoor burning, tyre storage and waterway disturbance. There are still two prosecution cases at various stages in the Court proceedings process.

[58] A summary of formal enforcement action in the year to date can be found in Figures 18 and 19 of Attachment 1.

### **Compliance engagement and education activities**

- [59] To support and enable compliance, ORC compliance staff work proactively with landowners, consent holders, and the community to engage on compliance matters and educate on good practices.
- [60] Some of the engagement and education activities that have been undertaken by the Compliance team since the last Regulatory Update report include:
- a) Compliance staff participated in Cross Agency Drinking Water Hui with representatives from Taumata Arowai, Public Health South, and all local authorities in Otago and Southland regions.
  - b) Proactive communications advising intensive winter grazing consent holders on the process for submitting their 2024 grazing plans.
  - c) ORC hosted the Southern Environment Working Group for forestry in Dunedin on 27 February 2024.
  - d) Compliance staff supported IWG workshops across the region, encouraging good management practice and consent application support.
  - e) ORC hosted, in collaboration with the International Erosion Control Association Australasia, an Earthworks Field Day in Queenstown on 10 April 2024 with over 200 people attending.
  - f) Compliance staff supported Tomahawk Lagoon Stormwater Community Day on 17 April 2024.
  - g) Sending out educational letters to alleged offenders in relation to domestic chimney and outdoor burning complaints.

### **Compliance Audit and Monitoring Schedule for 2024-2025**

- [61] The draft ORC Long Term Plan 2024-2034 includes performance measures for compliance monitoring:
- a) Percentage of performance monitoring returns, as per the Compliance Audit and Performance Monitoring Schedule targets (90%); and
  - b) Percentage of programmed inspections/audits completed each year, as per the Compliance Audit and Performance Monitoring Schedule targets (90%)
- [62] A draft monitoring schedule for the 2024/25 year has been prepared, with the same number of inspections and monitoring returns as the 2023/24 year. This schedule is attached as Appendix 2. Activity against the approved Compliance Audit and Performance Monitoring Schedule will be measured as reported in quarterly reports to the Regional Leadership Committee and reported through ORC Annual Report processes.

## **HARBOURMASTER**

### **Major Incidents**

- [63] ORC's long -term plan metrics include a requirement for major incidents to be reported to Council. This incident reporting is included as part of the quarterly update reports.



Major incidents can be considered incidents which have the potential to result in one or more of the following:

- a) Significant adverse effects to the environment.
- b) Pose significant risks to health and safety; and
- c) Significant navigational safety issues.

- [64] There are no major incidents to report for this period.
- [65] An oil spill exercise was held on 3<sup>rd</sup> April and 18 staff attended. Three staff attended a Senior Responder Course at the end of April, with a further three attending Regional Responder course in September 2024.
- [66] The Harbourmaster team attended the Sail GP event in support of Environment Canterbury Harbourmaster's team. This was a fantastic opportunity to support another Council and see how a large scale event is managed.
- [67] Following collaboration with our internal communications team and the local community groups new signage at Taieri Mouth, has been completed. It is expected this will be placed once delivered in the next few weeks.
- [68] Media campaigns have continued through this period, with great output into TV, Radio and social media. Lots of positive feedback received. The Harbourmaster Facebook page continues to grow from strength to strength and is providing a great avenue for specific boating information sharing.
- [69] The Harbourmaster Team attended the Dunedin Street Festival. Another busy day and lots of interactions with the public.
- [70] In conjunction with both DCC and Port Otago, staff helped to placed three wave monitoring buoys, one at Taiaeroa Heads, one off St Clair and one off Taieri Mouth. All with the intention to share live wave height data across those areas.
- [71] Staff continue to support the environmental monitoring team with sampling and buoy maintenance on Lake Wakatipu, Lake Wānaka, Lake Hawea, Lake Hayes, and Lake Dunstan.

## **OPTIONS**

### **Option one (recommended option)**

- [72] The Committee approves the proposed Compliance Audit and Performance Monitoring Schedule for the 2024-25 year at Attachment Two.
- [73] This schedule enables clear direction for the Compliance Team and supports the implementation of the Compliance Plan from 2023-26 that has been approved by Council.
- [74] There are no disadvantages with this option.

### **Option two**

[75] The Committee does not approve the proposed Compliance Audit and Performance Monitoring Schedule for the 2024-25 year at Attachment Two.

[76] There are no advantages with this option.

[77] Not approving the proposed schedule would mean no direction from the Committee and would not support the implementation of the Compliance Plan from 2023-26 that has been approved by Council.

## **CONSIDERATIONS**

### **Strategic Framework and Policy Considerations**

[78] There are no policy considerations.

### **Financial Considerations**

[79] There are no financial considerations.

### **Significance and Engagement Considerations**

[80] As this is a report for noting consideration of the Significance and Engagement Policy is not required.

### **Legislative and Risk Considerations**

[81] A number of legislative requirements govern the activities of the Regulatory Group.

[82] There are a number of legal and reputational risks associated with the delivery of ORC's regulatory functions.

### **Climate Change Considerations**

[83] There are no climate change considerations associated with this report.

### **Communications Considerations**

[84] Communication with the Otago community occurs on a regular basis to educate and inform people on regulatory matters. This includes a quarterly regulatory newsletter which is aimed at informing RMA professionals on technical matters and relevant updates.

## **NEXT STEPS**

[85] Regulatory activity and progress against the Compliance Audit and Performance Monitoring Schedule will continue and will be reported quarterly to the Regional Leadership Committee.

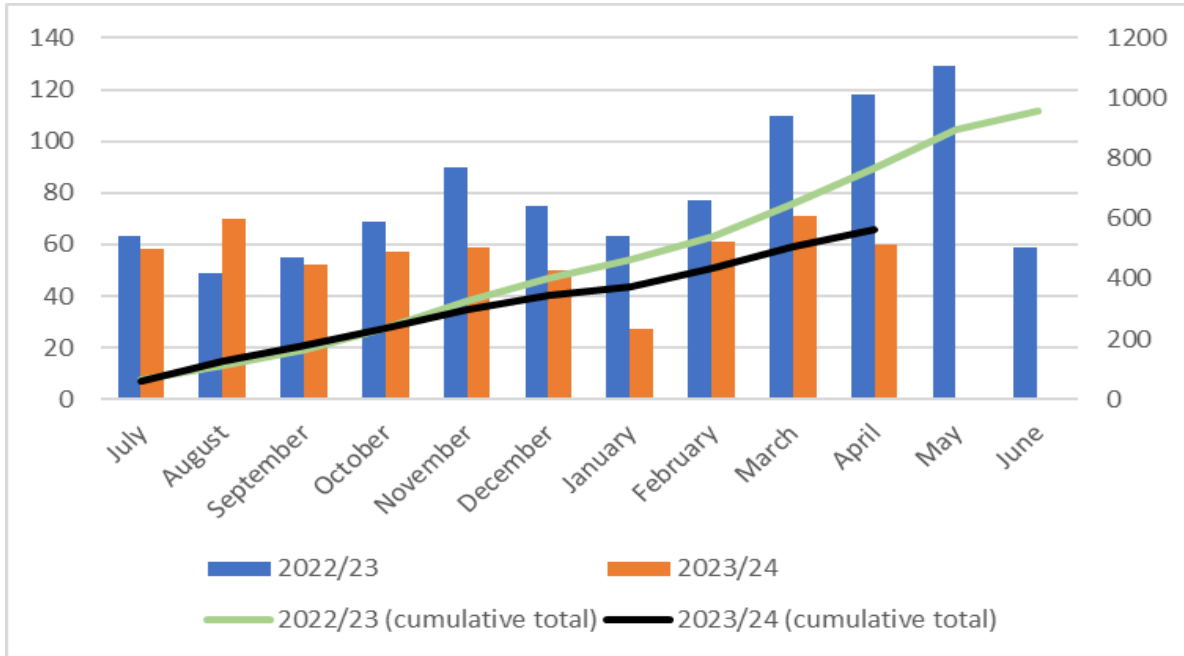
## **ATTACHMENTS**

1. Attachment 1 July 2023 to 30 April 2024 [9.1.1 - 17 pages]
2. Operational Compliance Audit and Performance Monitoring Schedule 202 [9.1.2 - 1 page]

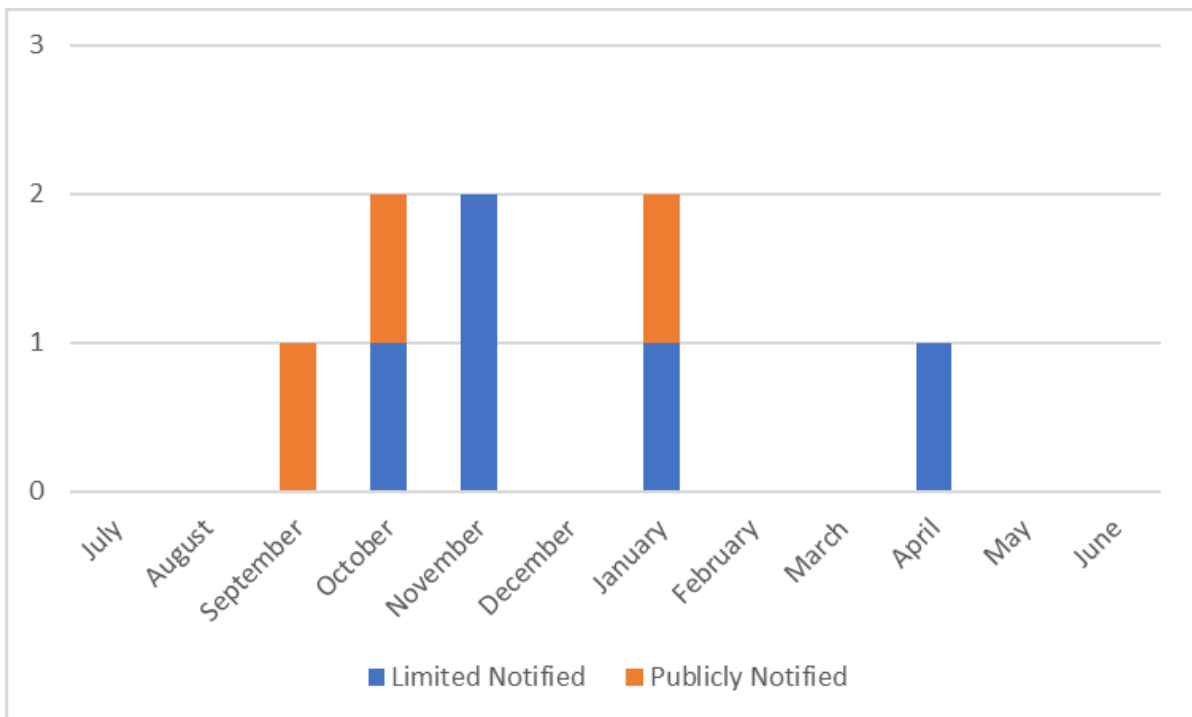
**Attachment 1: REGULATORY REPORT FOR THE PERIOD 1 JULY 2023 TO 30 April 2024**

**Consents**

**Figure 1: Resource Consent Applications Received**

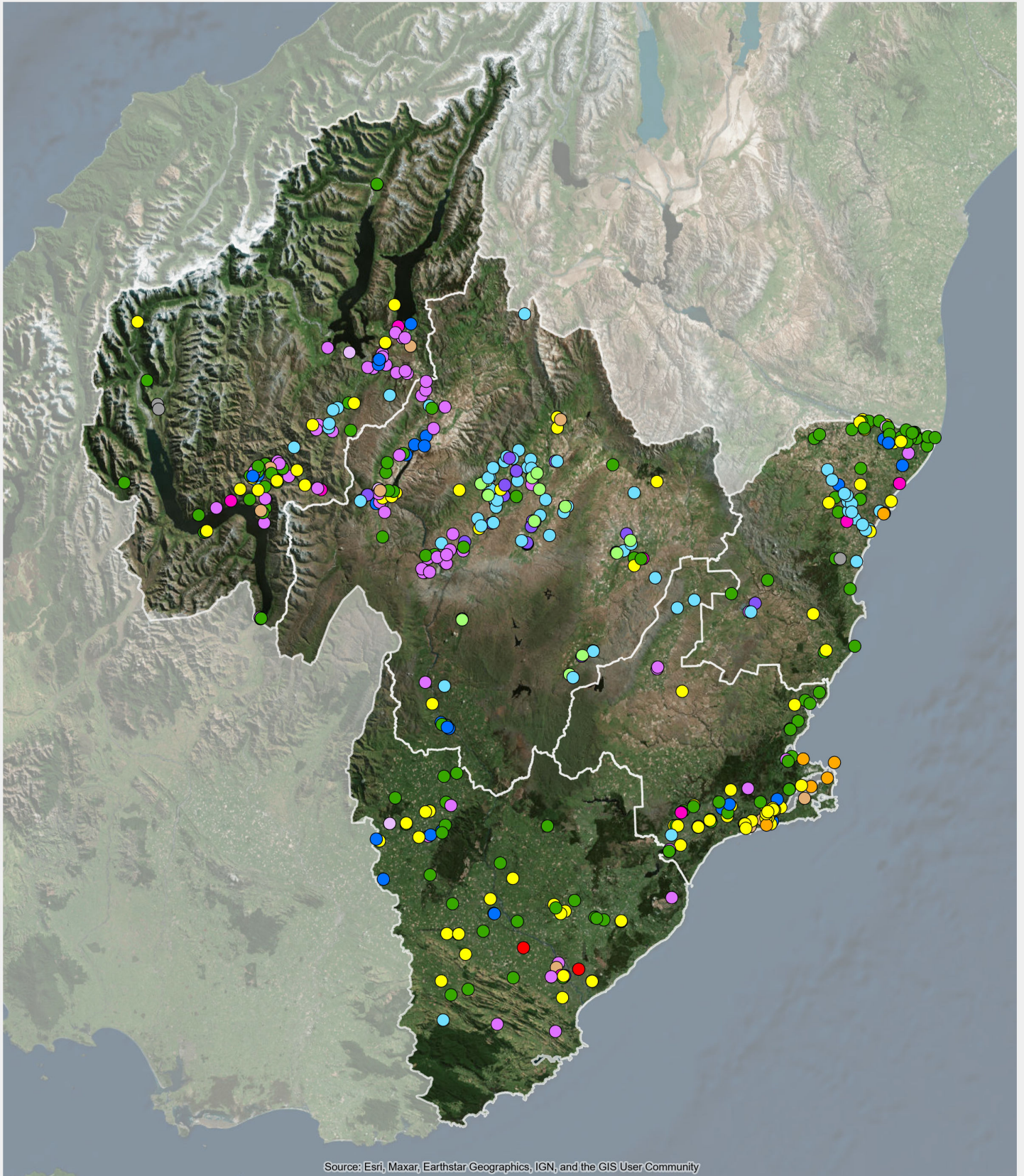


**Figure 2: Notified Applications**



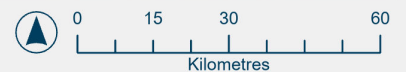
# Map 1 – Consents Issued

From 1 July 2023 to 30 April 2024



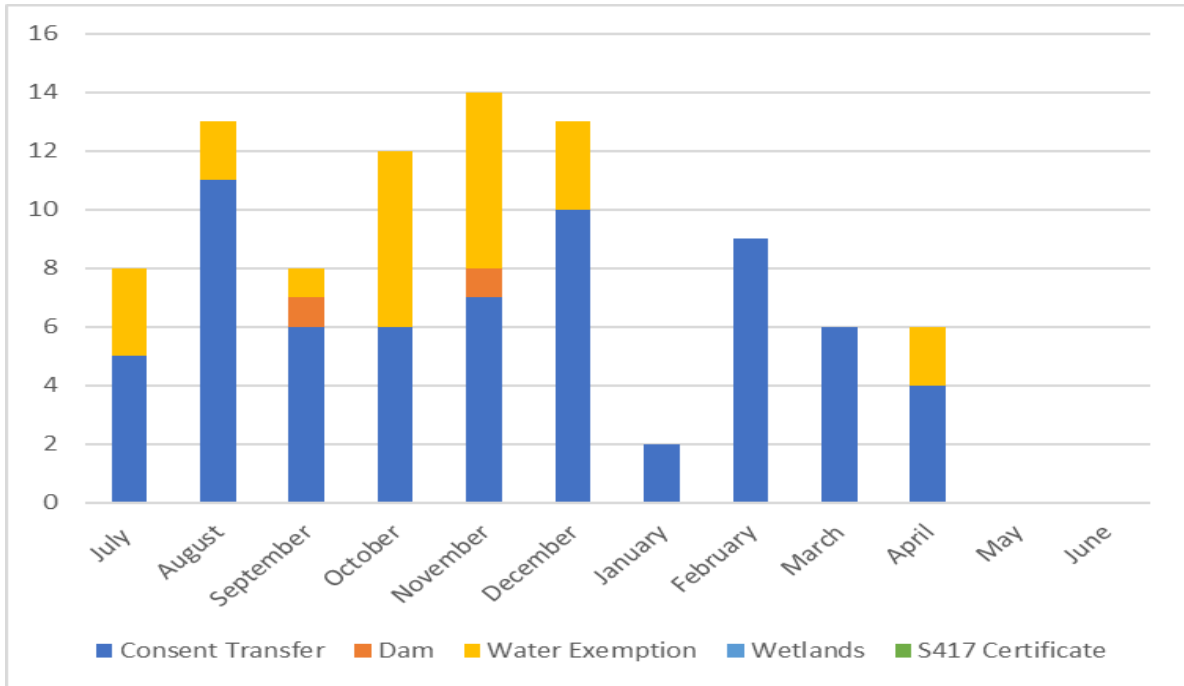
Source: Esri, Maxar, Earthstar Geographics, IGN, and the GIS User Community

- |  |  |   |
|--|--|---|
| <span style="color: purple;">●</span> Bore Construction Consent (75) | <span style="color: magenta;">●</span> Discharge to Air Permit (19)  | <span style="color: red;">●</span> Effluent Storage Consent (3)         |
| <span style="color: orange;">●</span> CMA Use Permit (16)            | <span style="color: green;">●</span> Discharge to Land Permit (159)  | <span style="color: grey;">●</span> Gravel Extraction Consent (3)       |
| <span style="color: cyan;">●</span> Coastal Discharge Permit (1)     | <span style="color: purple;">●</span> Discharge to Water Permit (29) | <span style="color: blue;">●</span> Groundwater Take Permit (34)        |
| <span style="color: olive;">●</span> Coastal Water Permit (2)        | <span style="color: pink;">●</span> Divert Water Permit (9)          | <span style="color: yellow;">●</span> Land Use Consent (144)            |
| <span style="color: lightgreen;">●</span> Dam Water Permit (27)      | <span style="color: brown;">●</span> Earthworks Consent (36)         | <span style="color: lightblue;">●</span> Surface Water Take Permit (90) |

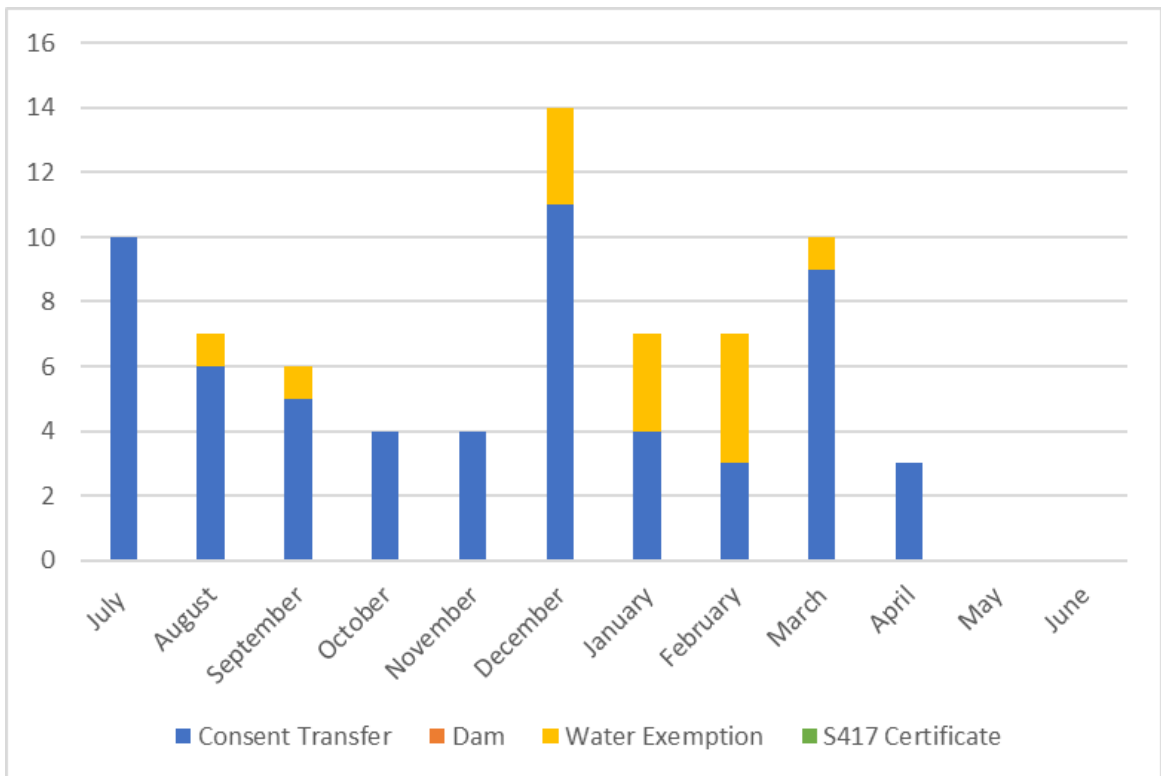


Information on this map may not be used for the purposes of any legal disputes. The user should independently verify the accuracy of any information before taking any action in reliance upon it. This map was generated for A4 printing on 1/05/2024 at the scale of 1:1,400,000.

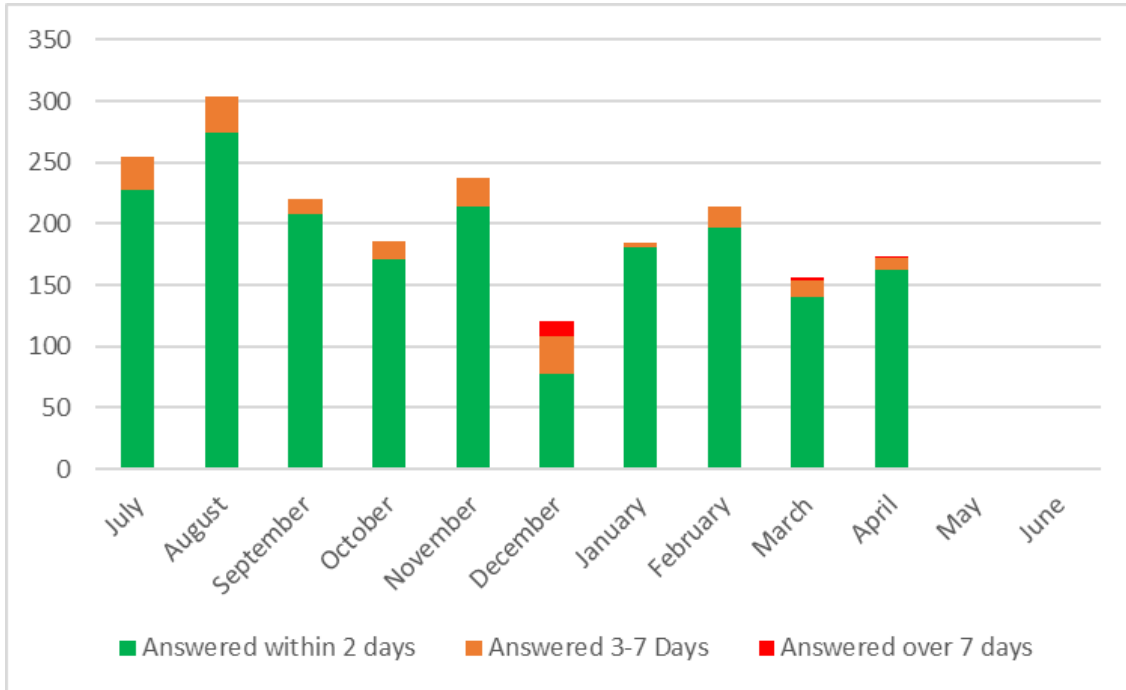
**Figure 3: Other Applications Received**



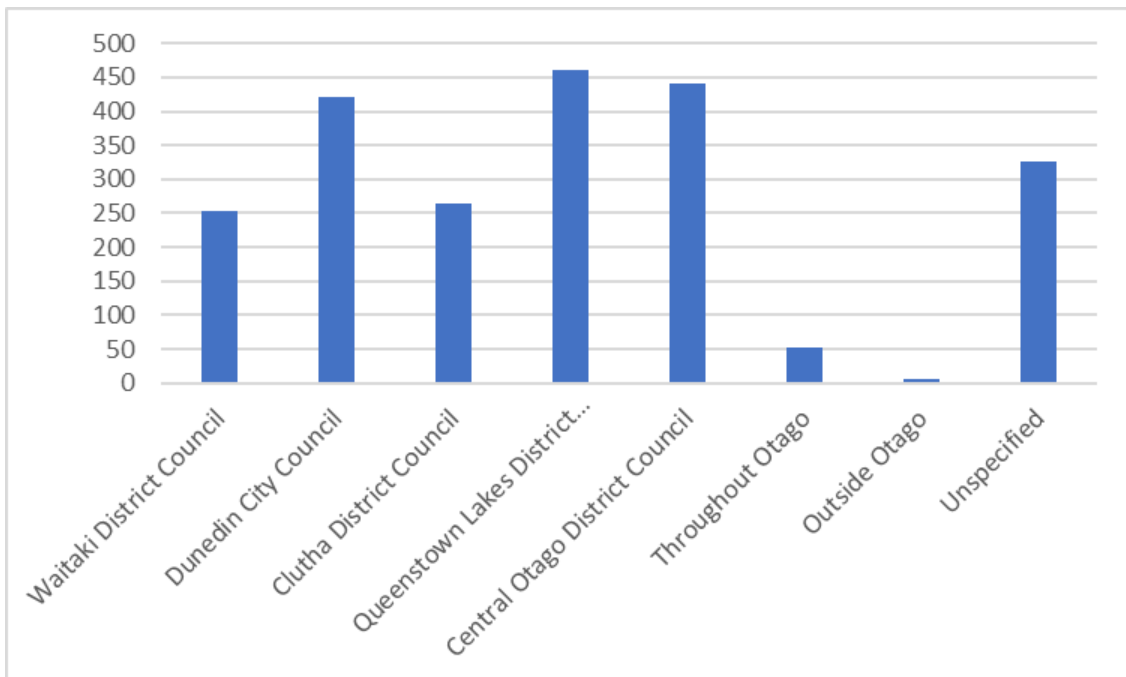
**Figure 4: Other Applications Processed**



**Figure 5 Consent Enquiry Response Times**

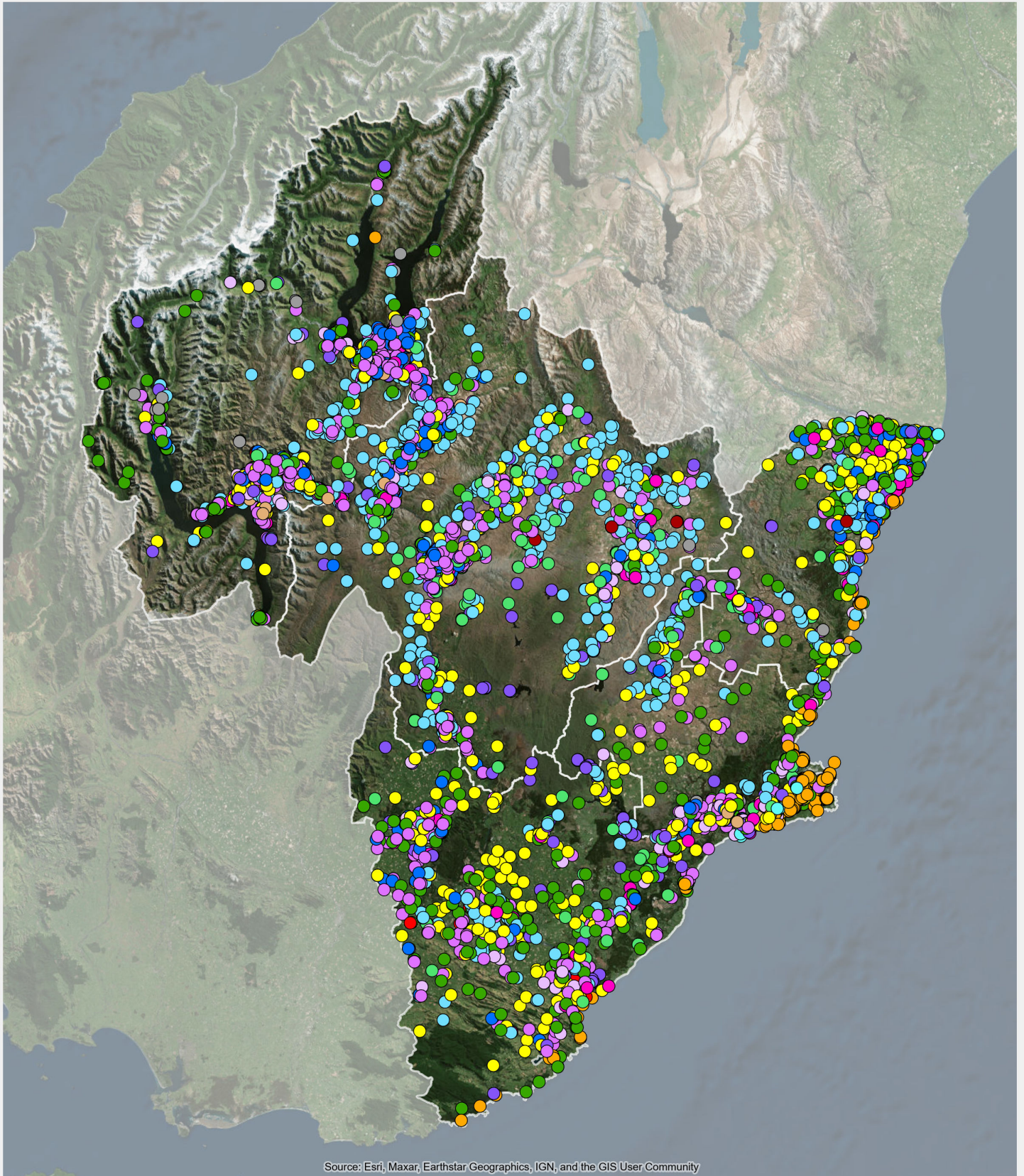


**Figure 6: Consent Enquiries by Location**



# Map 2 – Current Consents

1/05/2024



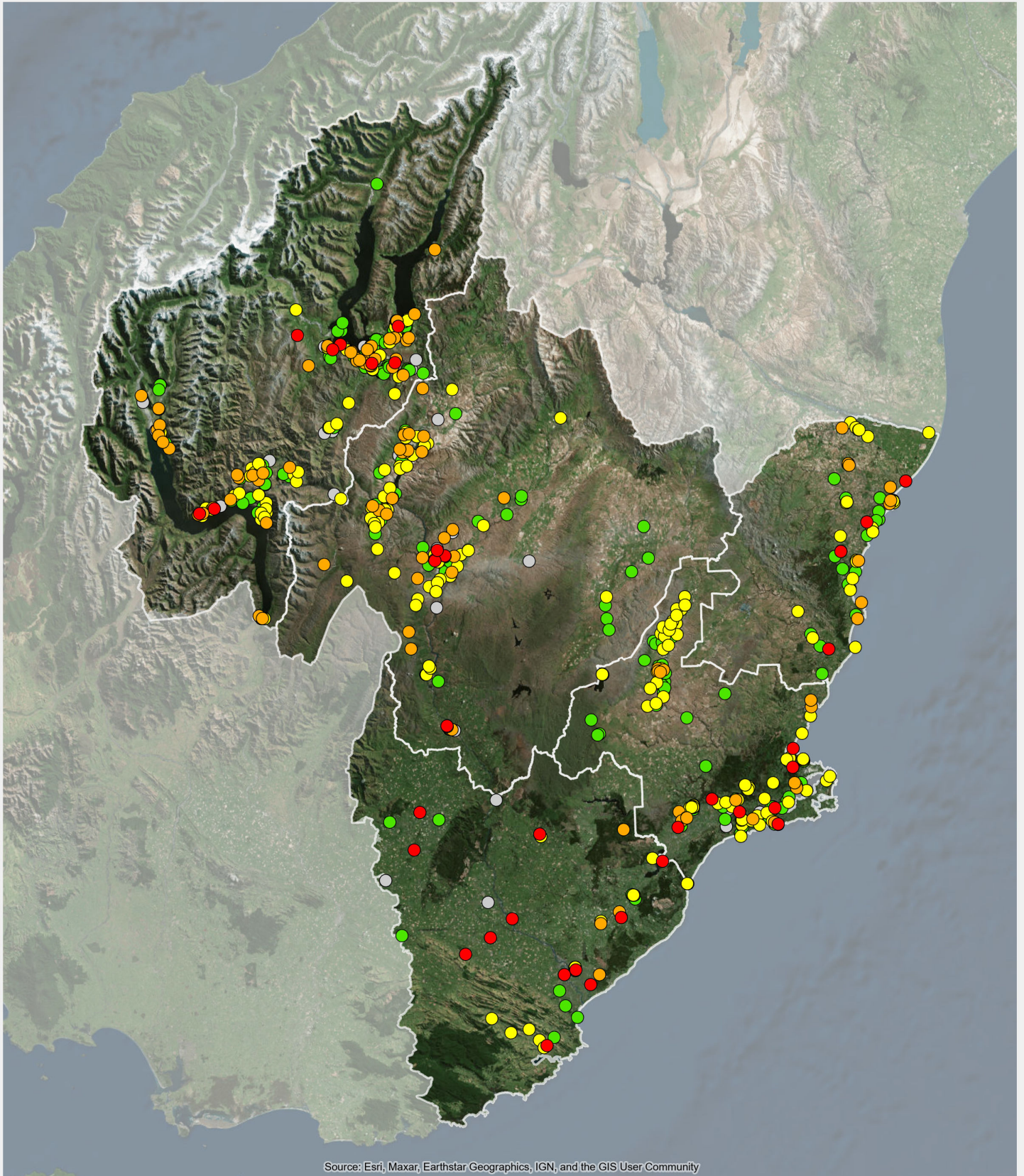
Source: Esri, Maxar, Earthstar Geographics, IGN, and the GIS User Community



Information on this map may not be used for the purposes of any legal disputes. The user should independently verify the accuracy of any information before taking any action in reliance upon it. This map was generated for A4 printing on 1/05/2024 at the scale of 1:1,400,000.

# Map 3 – Consent Audits

From 1 July 2023 to 30 April 2024



Source: Esri, Maxar, Earthstar Geographics, IGN, and the GIS User Community

- Consent Not Yet Exercised (43)
- Full Compliance (334)
- Low Risk Non-Compliance (263)
- Moderate Non-Compliance (117)
- Significant Non-Compliance (42)

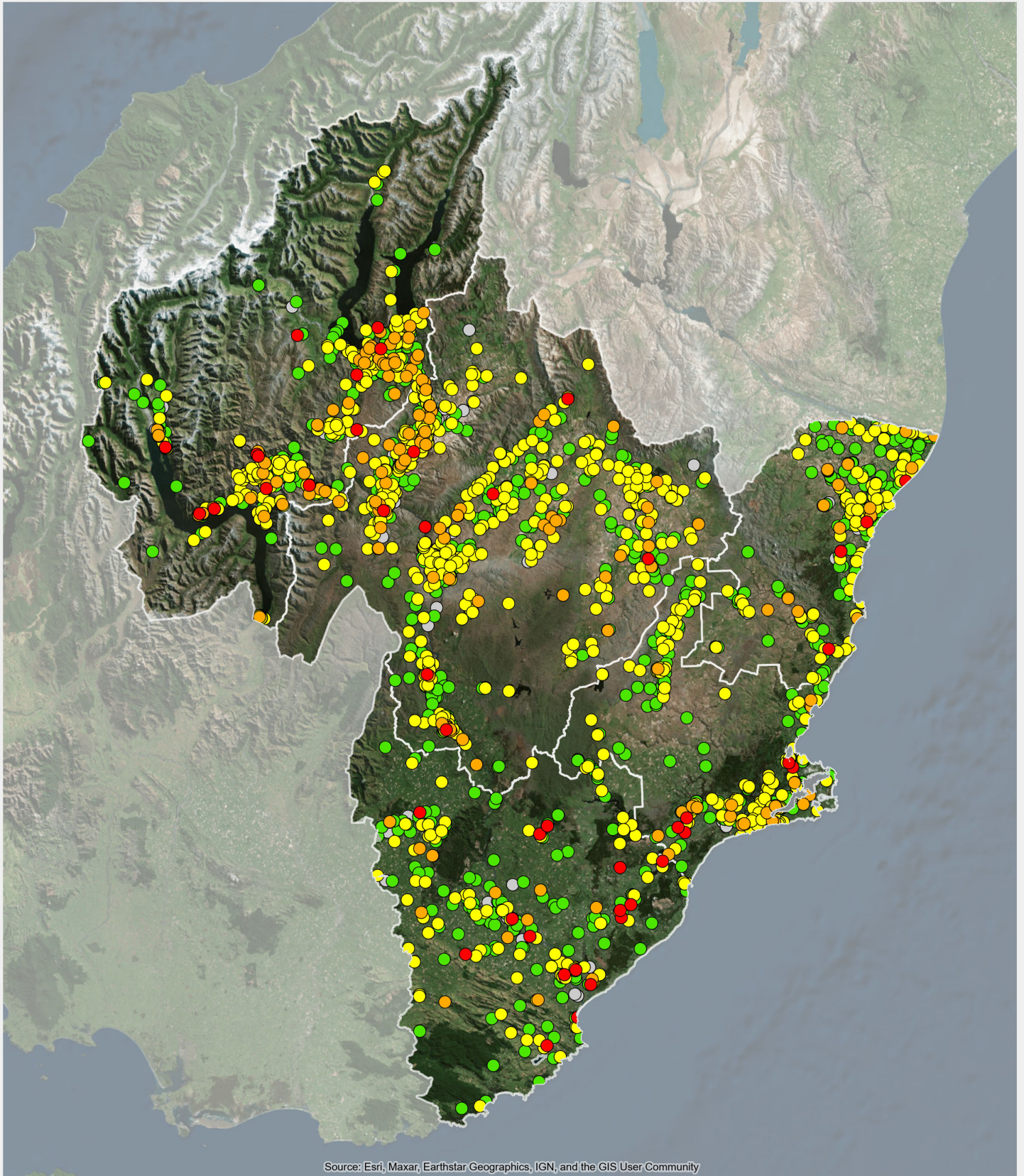


Information on this map may not be used for the purposes of any legal disputes. The user should independently verify the accuracy of any information before taking any action in reliance upon it. This map was generated for A4 printing on 1/05/2024 at the scale of 1:1,400,000.



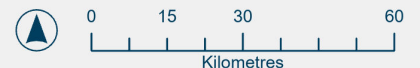
# Map 4 – Consent Performance Monitoring

From 1 July 2023 to 30 April 2024



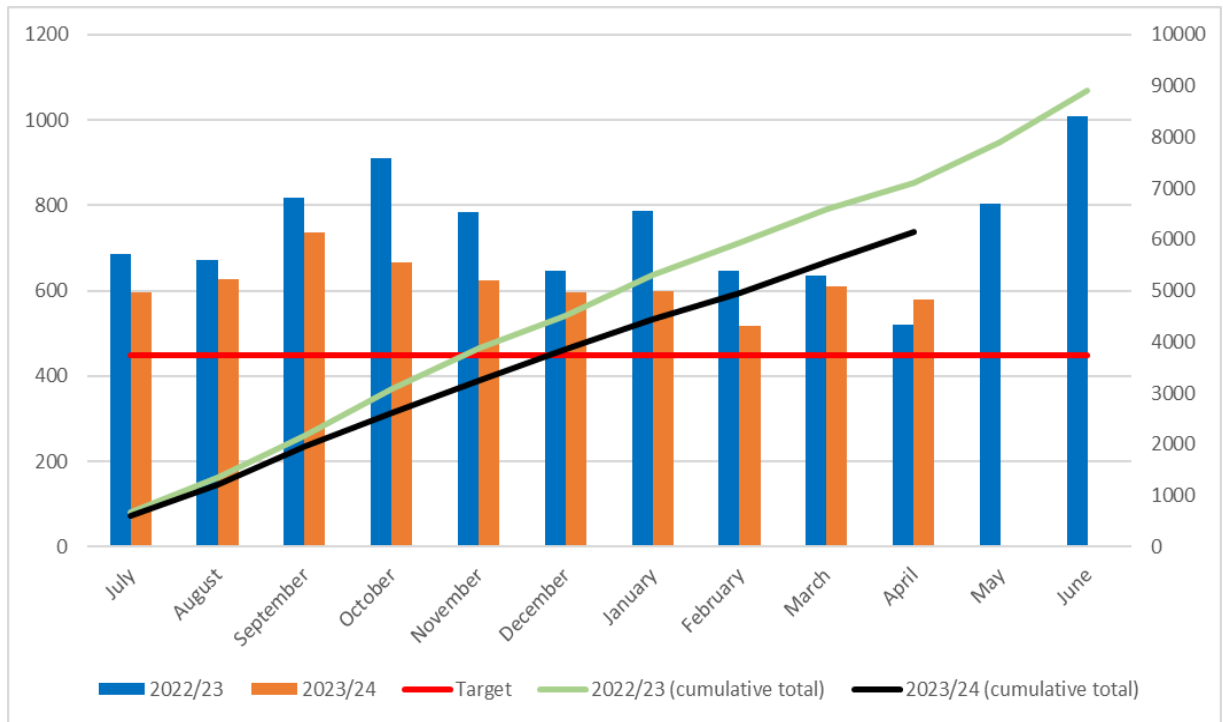
Source: Esri, Maxar, Earthstar Geographics, IGN, and the GIS User Community

- Consent Not Yet Exercised (360)
- Full Compliance (3564)
- Low Risk Non-Compliance (1843)
- Moderate Non-Compliance (274)
- Significant Non-Compliance (107)

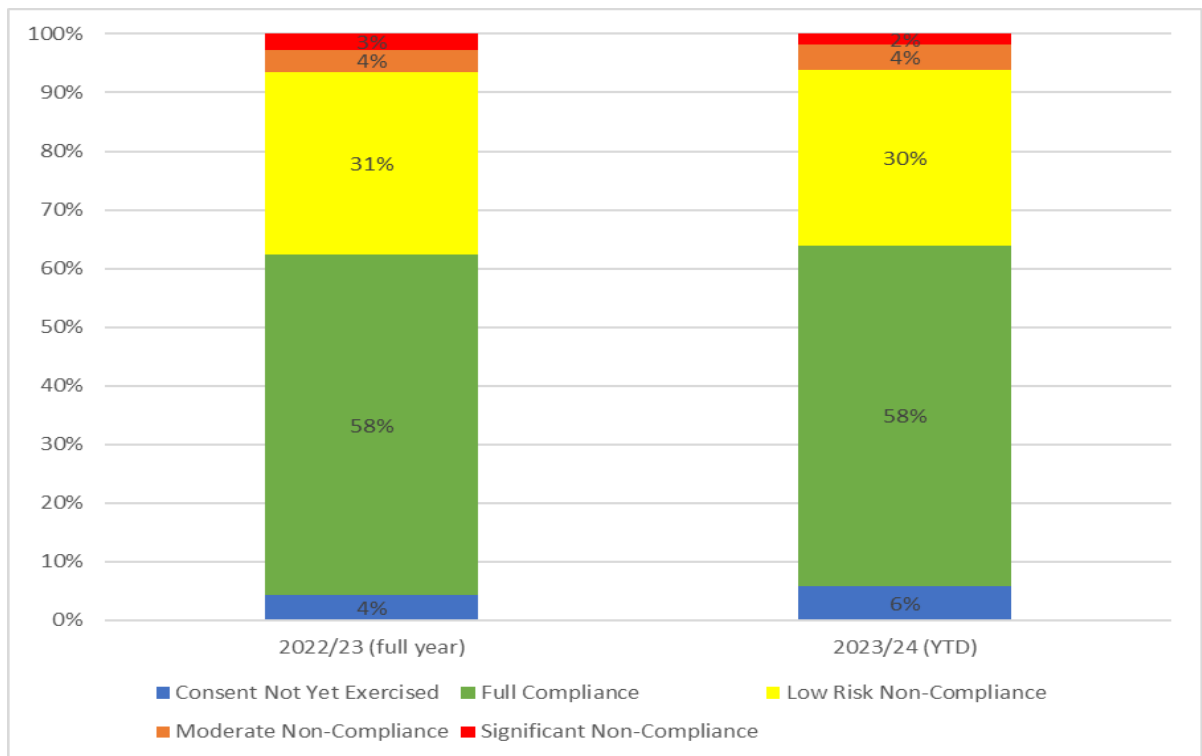


Information on this map may not be used for the purposes of any legal disputes. The user should independently verify the accuracy of any information before taking any action in reliance upon it. This map was generated for A4 printing on 1/05/2024 at the scale of 1:1,400,000.

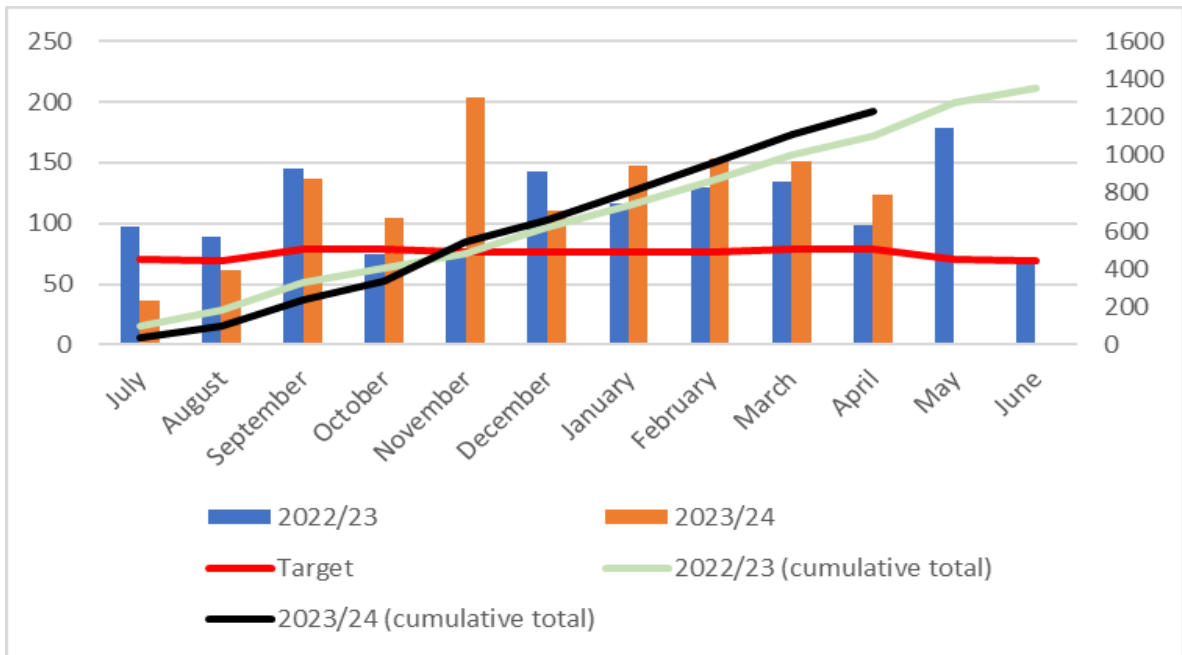
**Figure 7: Performance Monitoring Returns Completed**  
**LTP Performance Measure**



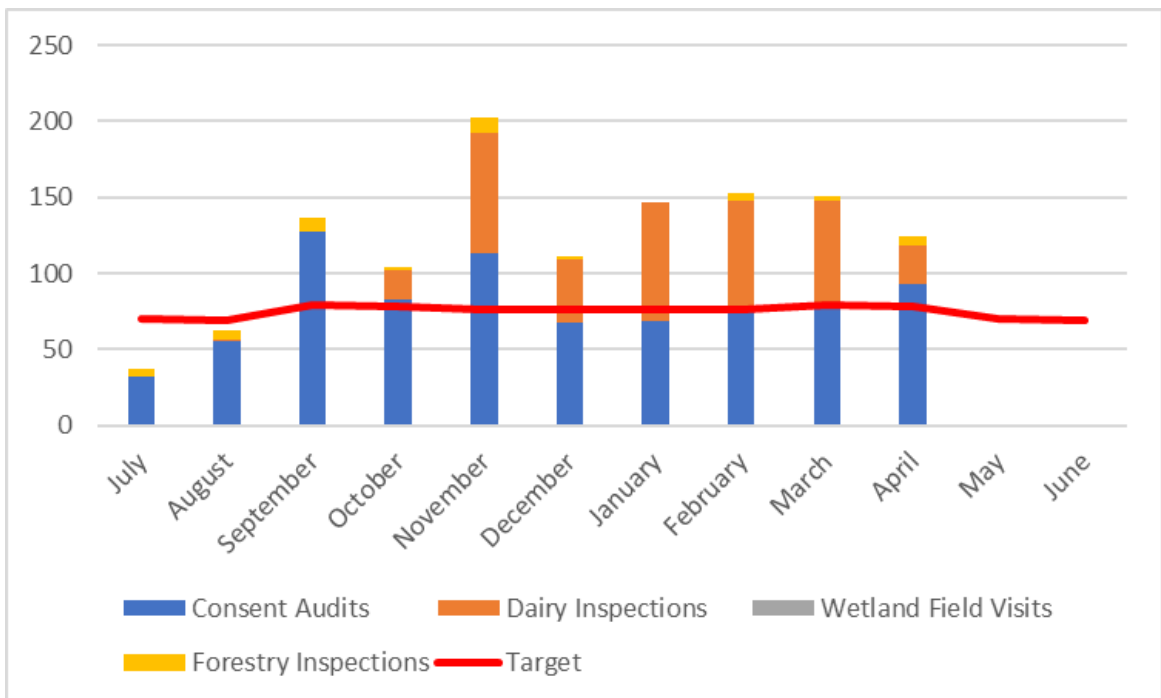
**Figure 8: Performance Monitoring Grades Year on Year**



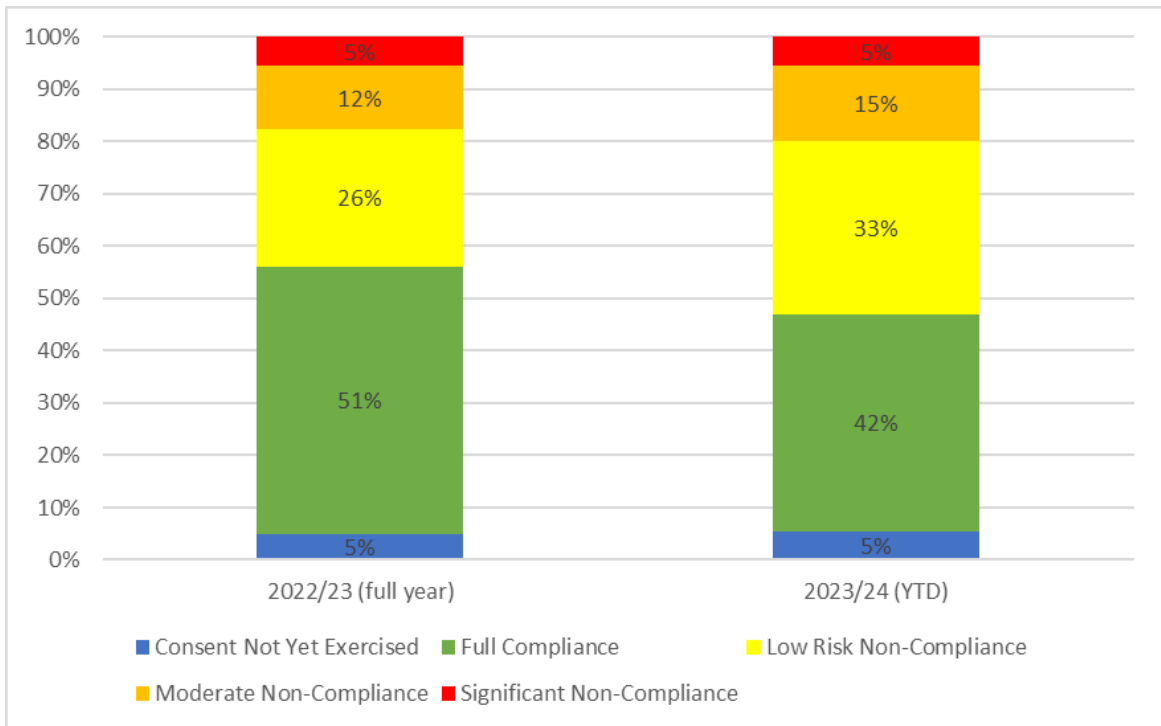
**Figure 9: Compliance Audits and Field Inspections Year on Year**  
**LTP Performance Measure**



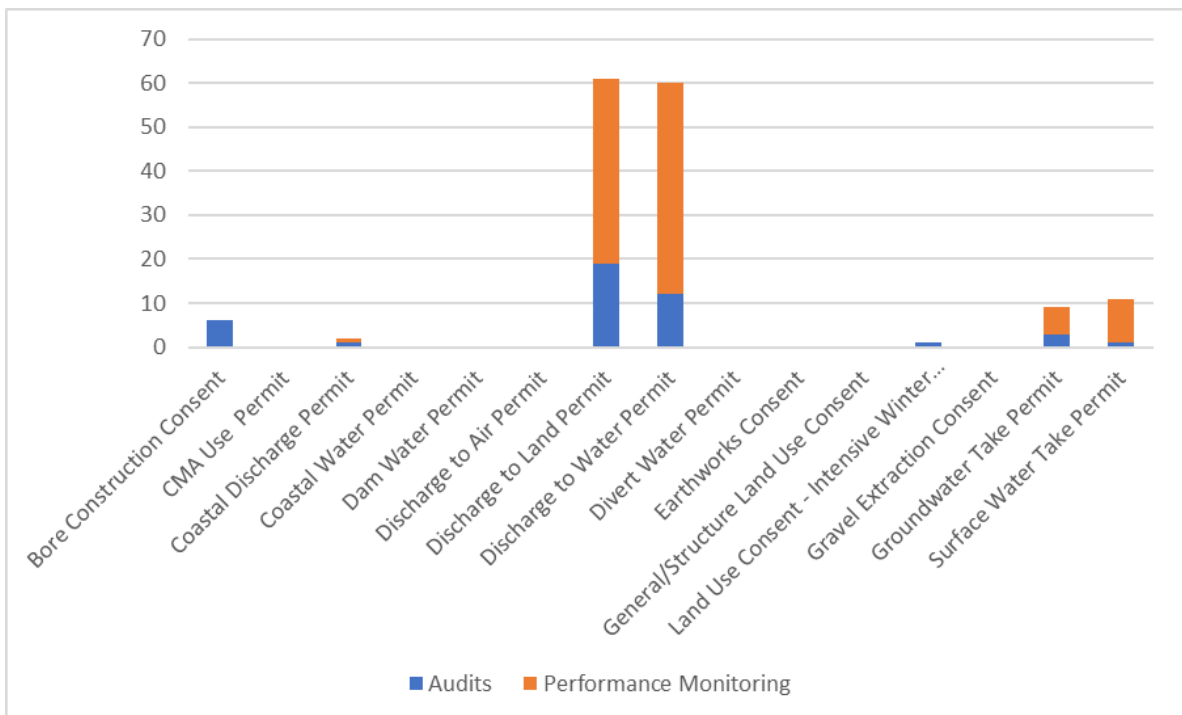
**Figure 10: Compliance Audits and Field Inspections by Type**



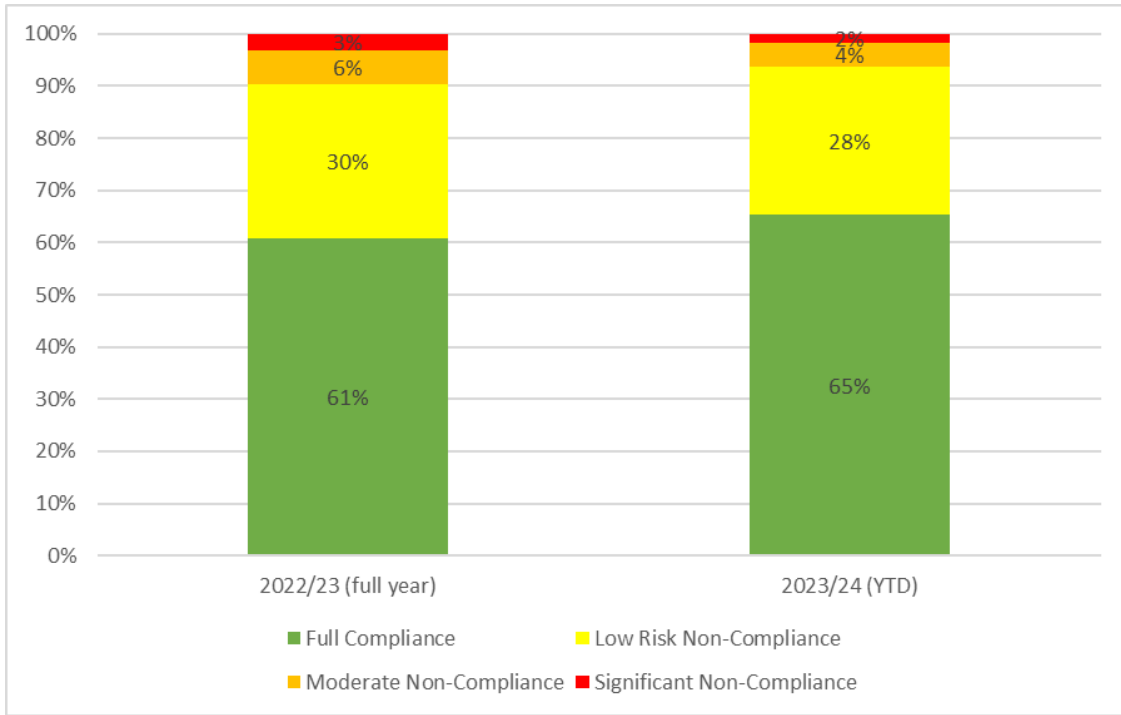
**Figure 11: Consent Audit Grades Year on Year**



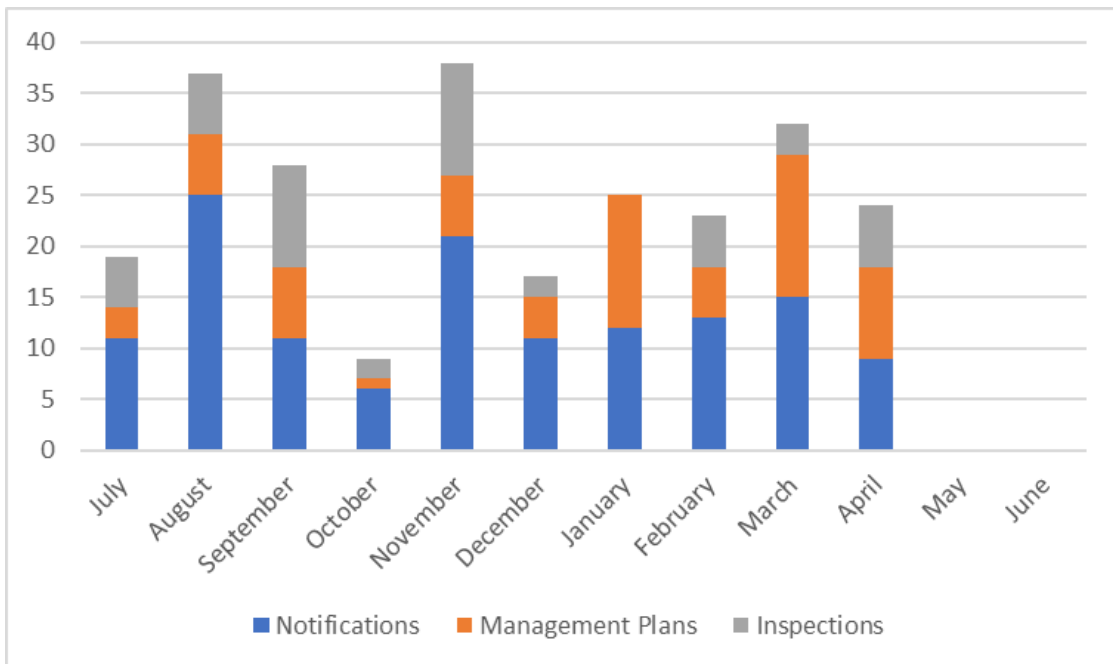
**Figure 12: Significant Non-Compliance by Consent Type**



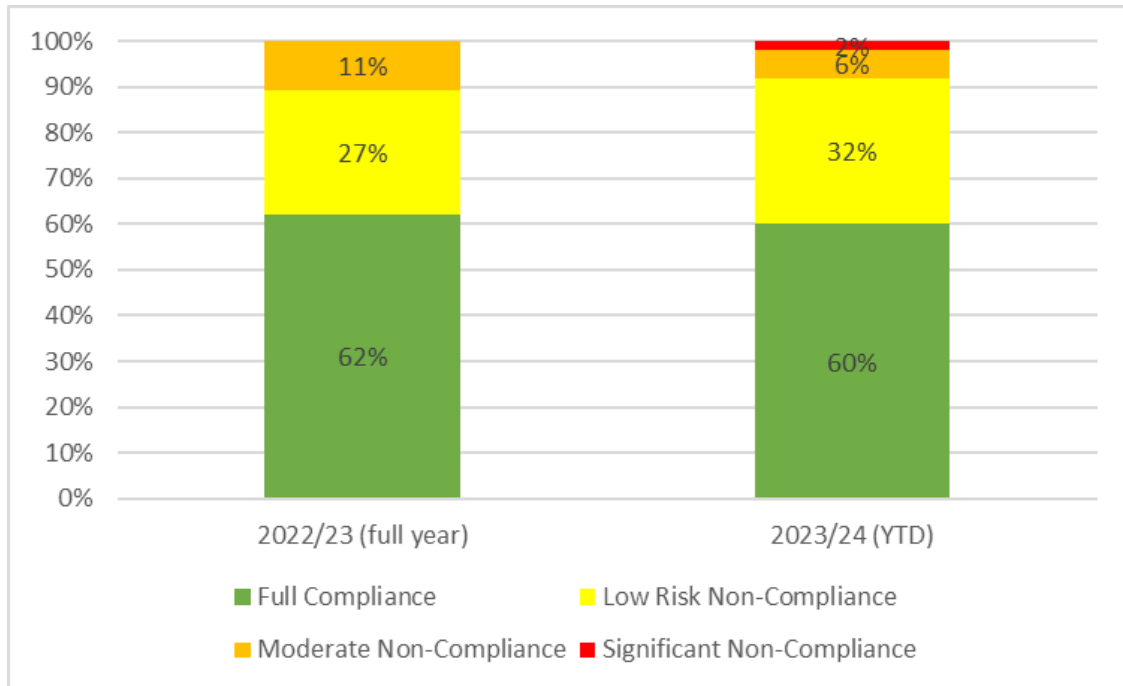
**Figure 13: Dairy Inspection Grades Year on Year**



**Figure 14: Forestry Notifications and Inspections**

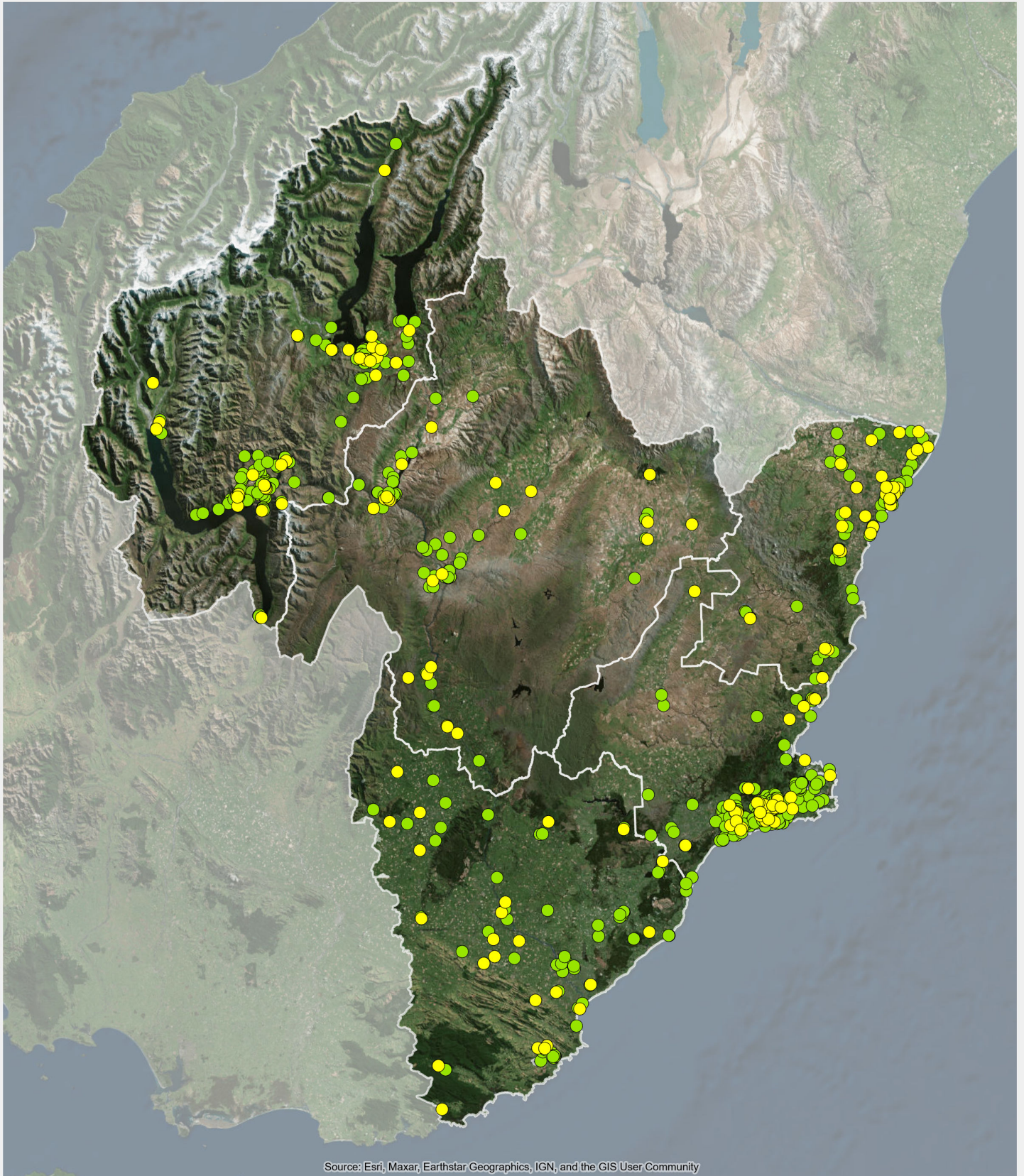


**Figure 15: Forestry Inspection Grades Year on Year**



# Map 5 – Incidents

From 1 July 2023 to 30 April 2024



Source: Esri, Maxar, Earthstar Geographics, IGN, and the GIS User Community

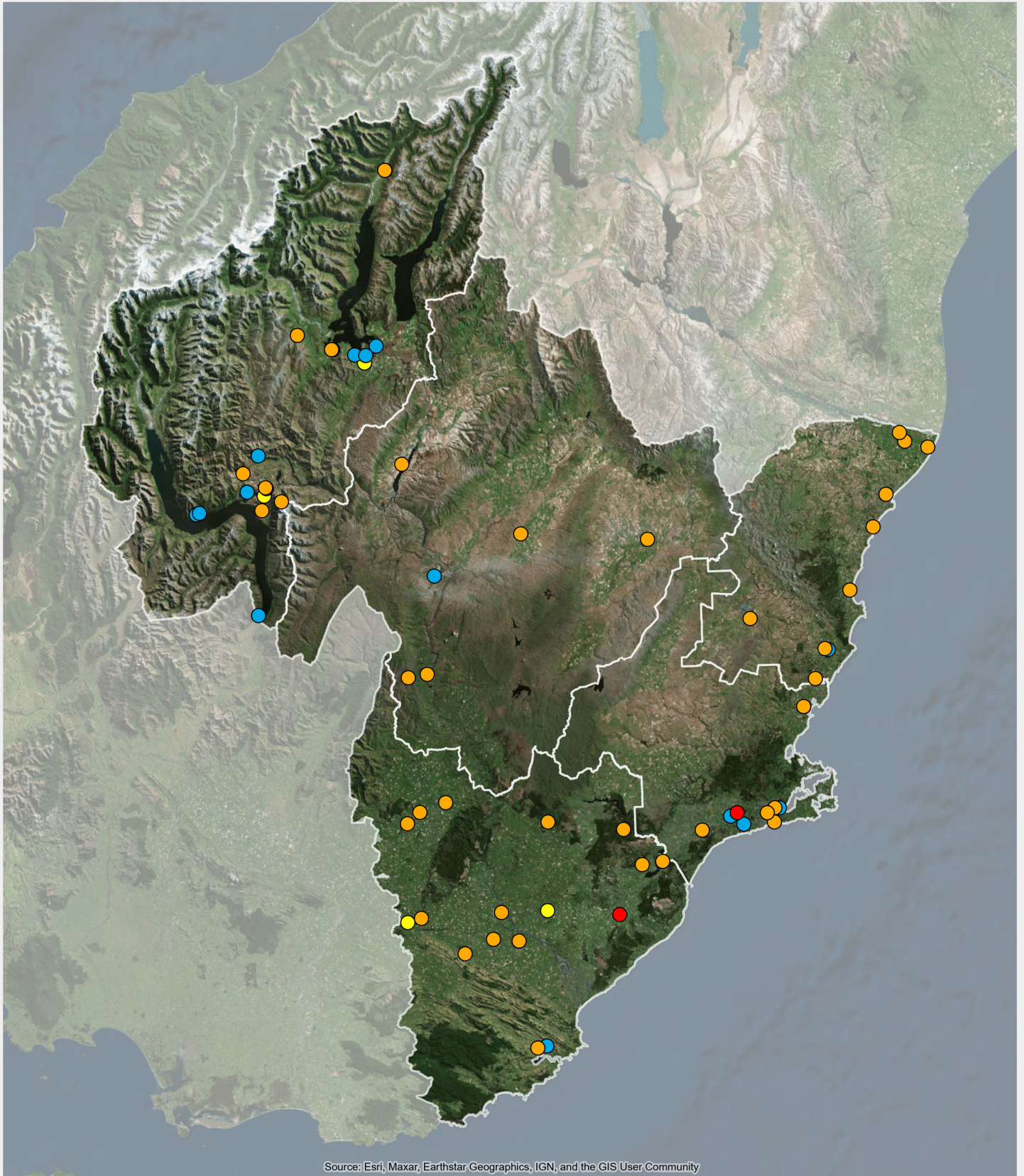
- In Progress (198)
- Completed (738)



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# Map 6 – Enforcement Actions

From 1 July 2023 to 30 April 2024



Source: Esri, Maxar, Earthstar Geographics, IGN, and the GIS User Community

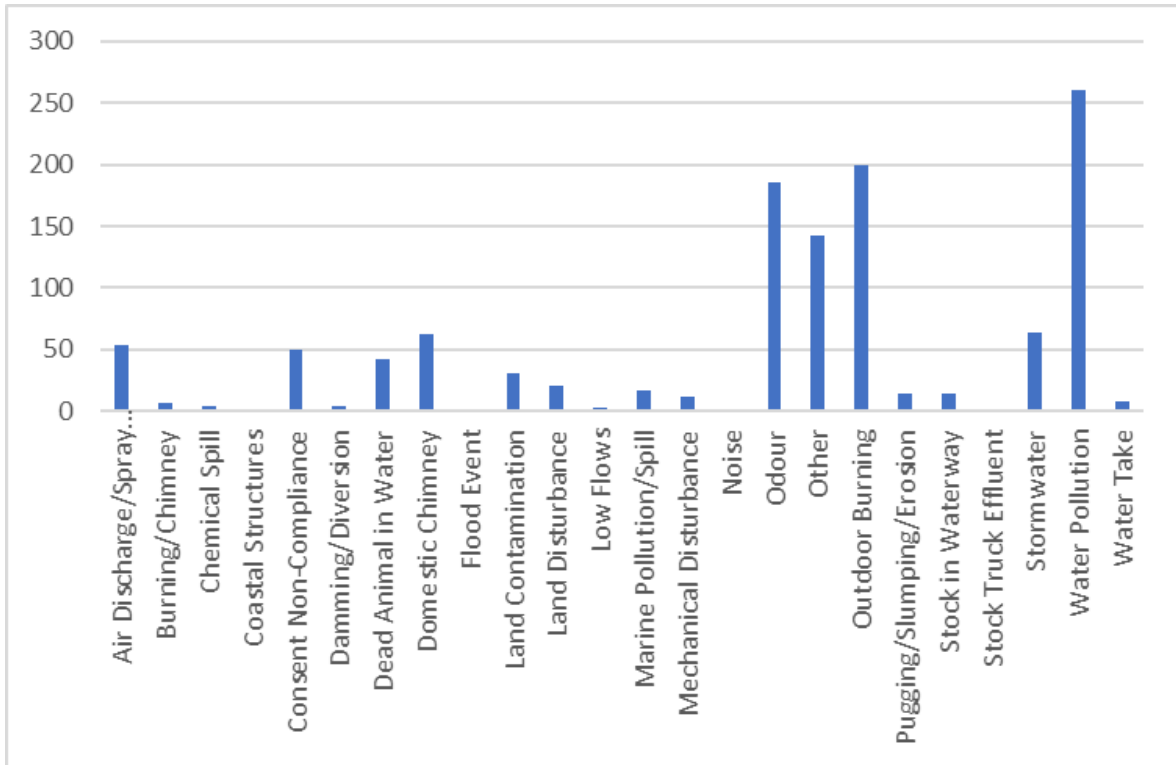
- Prosecution (3)
- Infringement (35)
- Abatement Notice (41)
- Warning (10)



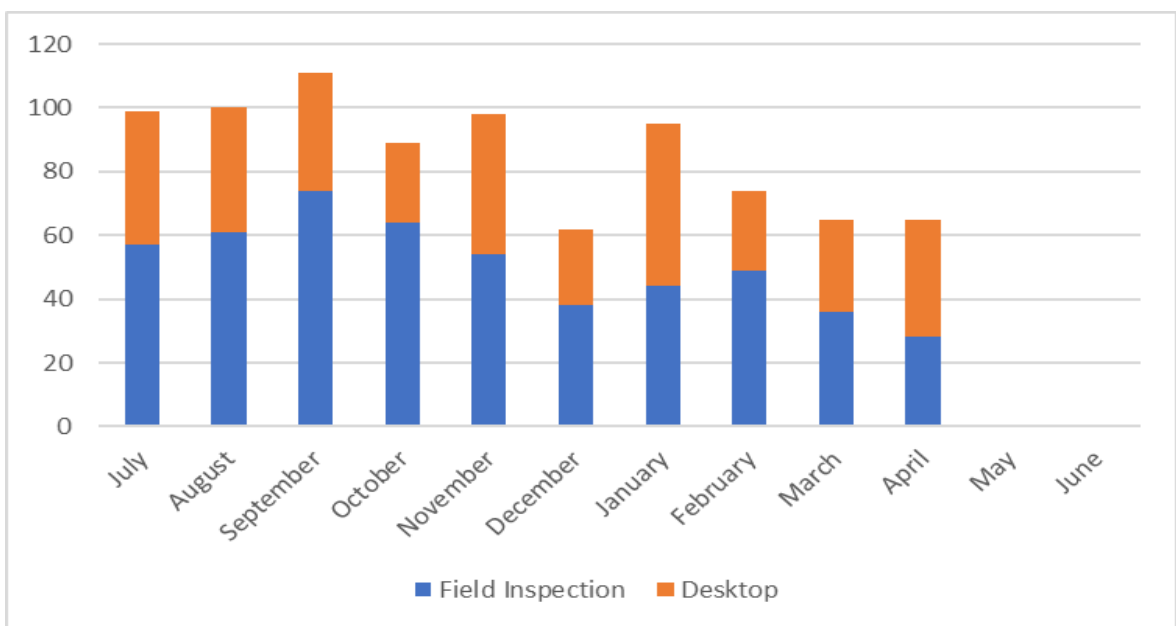
Information on this map may not be used for the purposes of any legal disputes. The user should independently verify the accuracy of any information before taking any action in reliance upon it. This map was generated for A4 printing on 1/05/2024 at the scale of 1:1,400,000.



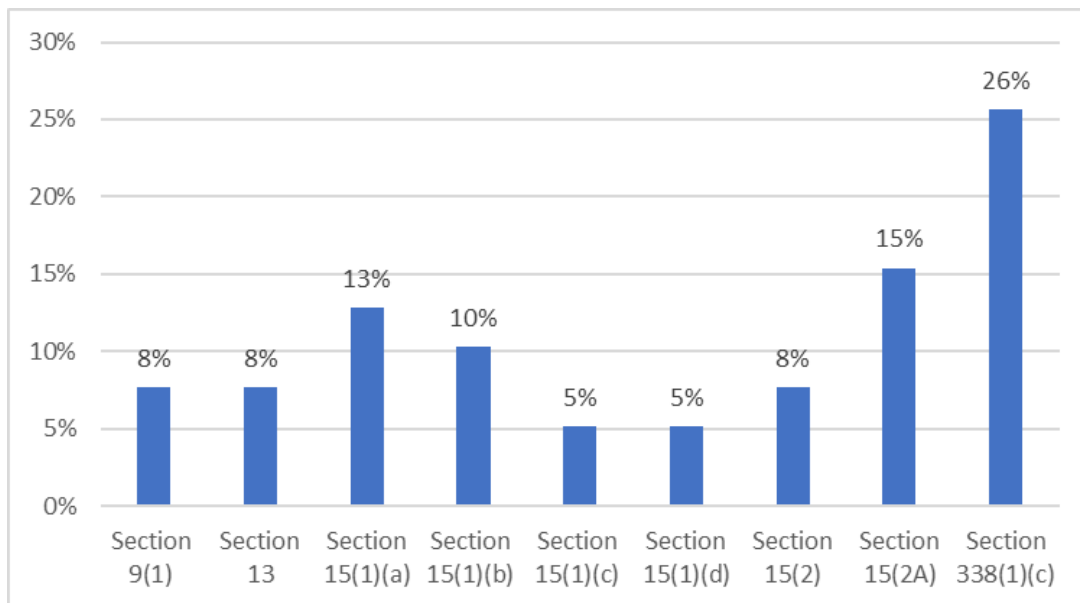
**Figure 16: Pollution Complaints by Type**



**Figure 17: Incident Response Type**

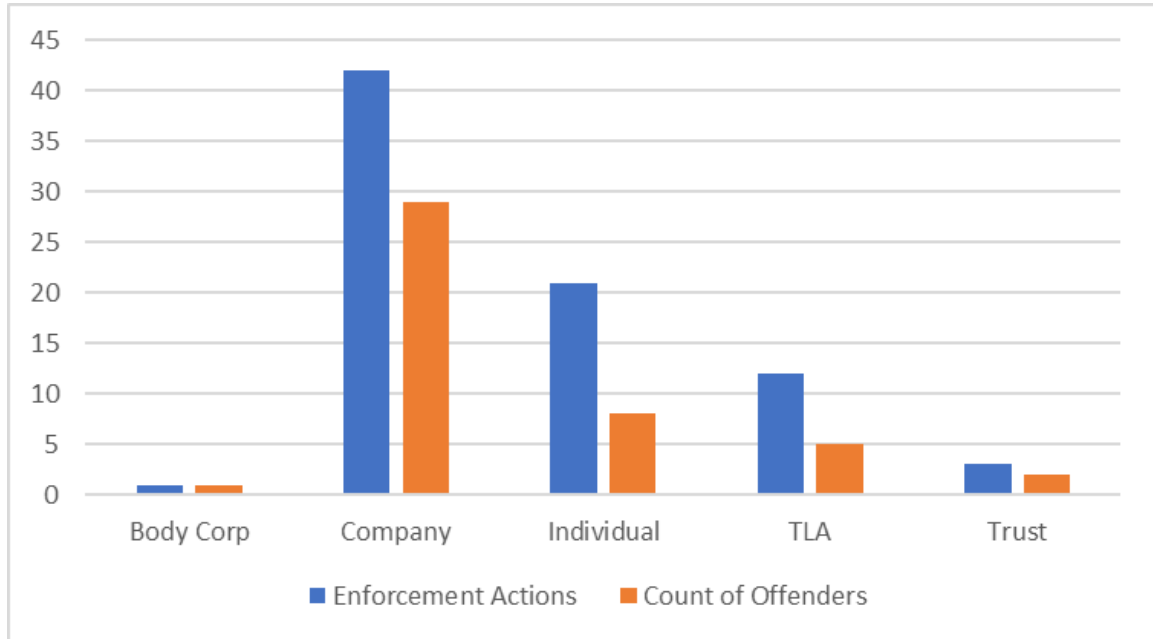


**Figure 18: Enforcement Offences**



Offence Description	RMA Section
Breach Restrictions On Land Use e.g Disturbance of land/discharge of contaminant to land	9
Breach Restrictions-Lake/River Bed Uses e.g. Disturb riverbed	13
Breach Water Restrictions e.g. Water take breach/Ground water take	14
Discharge Of Contaminants Water e.g. Sediment to water/WWTP discharge breaches	15(1)(a)
Discharge of Contaminants onto-into land that may result in that contaminant entering water	15(1)(b)
Discharge of Contaminates into the environment from industrial and trade premises into air	15(1)(c)
Discharge of Contaminates into the environment from industrial and trade premises onto land	15(1)(d)
Discharge Of Contaminant In On To Air Or Land e.g. Outdoor Burning	15(2) & 2A)
Duty to avoid, remedy, or mitigate adverse effects	17
Contravention Of Abatement Notice	338(1)(c)

**Figure 19: Enforcement by Offender Type**



## Compliance Audit and Performance Monitoring Schedule 2024-25

	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
<b>Planned performance monitoring grades</b>	<b>500</b>	<b>500</b>	<b>500</b>	<b>500</b>	<b>500</b>	<b>500</b>	<b>500</b>	<b>500</b>	<b>500</b>	<b>500</b>	<b>500</b>	<b>500</b>	<b>6,000</b>
<b>Audits/inspections</b>	<b>78</b>	<b>77</b>	<b>88</b>	<b>87</b>	<b>85</b>	<b>85</b>	<b>85</b>	<b>85</b>	<b>88</b>	<b>87</b>	<b>78</b>	<b>77</b>	<b>1,000</b>
<b>Type of audits/inspections by priority as identified in the Compliance Plan 2023-26</b>													
<b>Priority 1:</b> Permitted activity dairy programme and forestry, discharges to water, earthworks, winter grazing	20	20	35	35	35	35	35	35	35	35	20	20	<b>360</b>
<b>Priority 2:</b> District council consents, landfills, power generation and other large-scale activities	40	40	40	40	40	40	40	40	40	40	40	40	<b>480</b>
<b>Priority 3:</b> Water take consents and water flows during dry periods	10	10	10	10	10	10	10	10	10	10	10	10	<b>120</b>
<b>Priority 4:</b> Monitoring regionally significant wetlands, culverts and dams/other structures	3	2	3	2					3	2	3	2	<b>20</b>
<b>Priority 5:</b> Monitoring industrial air discharges	5	5									5	5	<b>20</b>
<b>Priority 6:</b> Monitoring coastal structures													<b>0</b>

\*Total consents planned for monitoring (including grading of information, audits and inspections) in 2024-25 is 2,750.