

Tim Porteous
Acting Manager, Environmental Policy

Environmental Policy Department Report – March 2009

1. Proposed Regional Policy Statement – update

The proposed Regional Policy Statement has now been finalised and was approved by Council for public notification.

1.1 Section 32 reports

Eleven reports have been prepared by Greater Wellington to address the requirements in accordance with section 32 of the Act. These reports summarise the Council's evaluation of:

- the extent to which each objective is the most appropriate way to achieve the purpose of the Act; and
- whether, having regard to their efficiency and effectiveness, the policies and methods are the most appropriate for achieving the objectives.

Each section 32 report addresses a topic covered by the Regional Policy Statement (as listed in chapter 3).

The section 32 reports will be made available when the proposed Regional Policy Statement is publicly notified.

1.2 Communication

The consultation period for the proposed Regional Policy Statement will commence on 21 March and close on 25 May 2009.

A communication plan has been prepared, and the following is a brief outline of key elements in the communication plan.

1.2.1 Public notification

There will be a public notice in the newspapers on the week commencing 21 March.

Publication	Date
Dominion Post	Saturday 21 March
Hutt News	Tuesday 24 March
Kapi Mana News	Tuesday 24 March
Upper Hutt Leader	Wednesday 24 March

Wairarapa News	Wednesday 25 March
Wairarapa Times Age	Wednesday 25 March
Kapiti Observer	Thursday 26 March
The Wellingtonian	Thursday 26 March

1.2.2 Regional Policy Statement review newsletter

A newsletter (Regional Policy Statement review Newsletter No. 6) will be sent to a wide range of organisations and people on 19 March. The newsletter will discuss the role of a Regional Policy Statement, the content and let people know how they can request a copy and make a submission.

A newsletter will be enclosed with all copies of the proposed Regional Policy Statement, and bundles will be sent to information desks at all city and district councils and libraries.

1.2.3 Proposed document

The proposed Regional Policy Statement will be sent to chief executives, policy staff and councillors at each of the city and district councils. Full copies will also be sent to Ara Tahi representatives and a wide range of interested parties.

The document will be freely available to any person who requests a copy. Hard copy or CD versions will be available.

1.2.4 Web site

Electronic copies of the document will be available on the web site www.gw.govt.nz/rps. The site will also contain all the Section 32 reports, and other background information that has been prepared as part of the review process.

1.2.5 Information to city and district councils

A letter will be sent from the Chair to each Mayor following this meeting (copies can also be distributed to all city and district councillors). The letter will inform them of the upcoming release of the proposed Regional Policy Statement.

Copies of the full draft Regional Policy Statement and the newsletter will then be sent to all city and district council councillors on 19 March.

Arrangements are also being made so discussion between Greater Wellington and the region's city and district council elected representatives can occur during the consultation period.

Staff have meet with planning staff from each of the region's city and district councils and given staff an update of changes made and talked about how submissions have been responded to.

1.3 Process from here

Once submissions have been received, staff will prepare a summary of submissions. The availability of the summary of submissions will be then publicly notified and further submissions sought. Once further submissions have been received staff will prepare hearing reports and organise hearing dates. Hearings are expected to commence in October or November this year.

2. Resource Management (Simplifying and Streamlining) Amendment Bill

The Resource Management (Simplifying and Streamlining) Amendment Bill 2009 has been introduced into Parliament and referred to the Local Government and Environment Committee for consideration. Public submissions are being received until 3 April 2009. The Committee is to report back to Parliament on 19 June 2009.

Lucy Harper is in the process of coordinating a Council-wide response to the Bill.

Ted Taylor
Manager, Environmental Monitoring and Investigations

Environmental Monitoring and Investigations Department Report – March 2009

1. Hydrological monitoring

A summary of our rainfall, river and groundwater monitoring for February is set out in sections 2 to 5 below. This is based on the reports produced at the end of each month for inclusion on the Greater Wellington web site and for distribution with a media release. The full reports can be found at <http://www.gw.govt.nz/section2534.cfm>.

2. Rainfall and river flows

2.1 Rainfall

Following a very dry January, February 2009 had higher than average rainfall throughout the Wellington region. Some places, including the Hutt Valley, Wellington City, Kapiti Coast and the Wairarapa valley, had more than twice the long-term average rainfall for the month. In general it was the wettest February in five years – since February 2004 when there were severe floods in the lower North Island.

Several storm events brought regular rain to the Wellington region during February. The first significant storm occurred on 12 February, when a strong northwesterly airflow and then a southerly change brought heavy rainfall to most parts of the region. A second storm on 20 February brought rainfall that was particularly heavy in Lower Hutt, Wellington City, and the eastern Tararua Range. Over a six hour period from 7 am, Lower Hutt received 64.4 mm of rainfall – the most rainfall over this duration since January 2005. On the last day of the month, 28 February, a low from the tropics swept down over the country from the north, causing rainfall in many parts of the North Island. In the Wellington region it was more significant in eastern Wairarapa and on the Wairarapa plains, with between 40 and 60 mm over 24 hours. The generally unsettled weather during the second half of February was due to higher than normal pressure to the southwest of the country and more depressions than normal to the east of New Zealand

2.2 Rivers

At the start of February, river flows were becoming low – particularly in the Wairarapa where restrictions on water takes from rivers and streams were imposed. However, the high rainfall of February increased river flows significantly and overall for the month river flows were well above average. The highest river flows of the month occurred during the storms of 12 February and 20 February. The Hutt River had its highest flow (on 12 February) since November 2006, and the Waikanae River its highest flow since the flood of 8 January 2008. Although there was some surface flooding in Lower Hutt and Wellington City, there was no significant flooding due to high rivers.

3. Groundwater levels

Increases in water levels were recorded at groundwater level monitoring sites across the region in response to the wetter than average conditions during February. At the start of the month some of our monitoring sites had record-low groundwater levels, but this situation changed with the rainfall over the course of the month.

Water level recoveries were observed in both rainfall and river recharged aquifers. Monitoring data suggests that further extreme or record-low groundwater levels will not be experienced in the region this season.

3.1 Lower Hutt groundwater zone

Groundwater levels in the artesian Waiwhetu aquifer increased through the month. Levels at the McEwan Park monitoring site were above average for February.

3.2 Kapiti Coast groundwater zones

Groundwater levels in Kapiti Coast aquifers remained at average or above average conditions during February. Levels recorded at the Te Harakeke wetland monitoring site in Waikanae were at record high levels for this time of year.

3.3 Wairarapa groundwater zones

The rapid declines in water level recorded during January at many of our Wairarapa aquifer monitoring sites reversed during mid February, with groundwater level recoveries seen at most sites. While many sites were still below average some sites recorded above average conditions.

4. Soil moisture

Soil moisture in the Wairarapa increased during February due to the high rainfall. The increase was significant on the southern Wairarapa plains and in north eastern Wairarapa, but was more subdued in Masterton and at Longbush. By the end of the month soil moisture was considerably higher than at the same time last year.

5. Climate outlook

NIWA's climate outlook for March to May 2009 favours normal rainfall and temperatures in Wellington and Wairarapa. A moderate La Nina in the tropical Pacific is expected to continue through autumn.

6. Floodwarning

The Environmental Monitoring and Investigations department provides a flood warning and monitoring service for the Wellington region. Rainfall and river level recorders around the region automatically relay information to the Regional Council Centre and the Masterton office. When specified rainfall intensities or river levels are reached the system automatically alerts staff who implement response procedures.

There were two significant floods in February. A total of 18 river alarms were triggered in the western part of the region with seven alarms on the 12th and seven on the 18th of February. Thirteen river alarms were triggered on these two days in the Wairarapa.

The blocked outlet from Lake Onoke was opened on the 15th of February ending a 34 day closure period.

Water levels in Lake Wairarapa fluctuated around the February target, rising after the rain of the 12th as Ruamahanga River flood flows had to be backflowed into the lake because of the blocked opening to the sea at Lake Onoke.

7. Recreational bathing water monitoring

This programme that collects samples from selected rivers and beaches and tests these for bacterial contamination commenced in November. Results are displayed on the website as they are received.

Persistent contamination at the Porirua Harbour site near the rowing club has led to an investigation of potential contaminant sources in an adjacent stream catchment. This investigation is not complete but has identified the likely problem area.

Rainfall during the month has, not unexpectedly, led to a number of other bathing sites exceeding guideline values.

The rain has also led to flushing flows sufficient to remove toxic algae mats enabling warning signs to be removed.

Prior to this we took blue green algal samples for toxicity testing from Kiriwhakapapa (north-west Wairarapa) and the Hutt River at Melling. The Kiriwhakapapa sample was taken in response to a young girl becoming ill with stomach cramps after swimming in the stream there; toxicity results came back positive for anatoxin at concentrations that we were advised were high enough to be linked with the girl's illness. The sample from the Hutt River was taken in response to a dog becoming ill after swimming in the river; however, though some anatoxin was present it was at a very low concentration so no definitive link could be made between the dog's illness and the algal mats.

8. Didymo

We carried out surveillance monitoring in December with the results indicating the absence of didymo at the sites we monitor in the region.

9. Air quality monitoring

9.1 National environmental standard for air quality

There were no exceedances of the NES-AQ recorded during the period.

10. Project summary

Brief notes on some of the projects the Environmental Monitoring and Investigations department are working on:

- We have been working with the Porirua City Council on studies in the Porirua Harbour. This has included collecting sediment samples and installing tide gauges.
- We have carried out ecological sampling in the Mangatarere catchment as part of our project to find the reasons for poor water quality in the Mangatarere Stream.
- Samples of groundwater have been collected in the Kapiti area and tested for nitrate to gain an understanding on the effects of land use on groundwater quality.
- Work is progressing on a joint study, with the Kapiti Coast District Council, with the aim of understanding the relationship between the Te Hapua wetlands, groundwater and land use.

The results of a seismic investigation carried out as part of the Wairarapa Groundwater study have confirmed the fractured nature of the underlying geology. The implications of the complex geology are that there is no simple 'picture' of the Wairarapa aquifer structure or straight forward groundwater model.

Al Cross
Manager, Environmental Regulation

Environmental Regulation Department Report – March 2009

1. Consent statistics

The following consents processing data reflects the entire region. In the period from 1 to 28 February 2009 we have received 28 consent applications. This compares with 68 received for the same period last year.

Over the same period, we have processed 32 consents. This compares with 57 over the same period last year.

Our median processing time for non-notified consents (excluding s37 time extensions) was 14 working days for the last period. Our median processing time for the year from 1 July increases to 16 working days.

The later part of this period saw a considerable lift in notified processing workloads. Notified and limited notified consents are discussed in section 2, and a summary of those consents already notified or served on affected parties is also attached for information.

2. Major resource consents and other matters

2.1 Key notified consents update

Assessment, reporting and hearing work has remained high in this period, with Masterton Waste Water and decision work on Kelson Heights subdivision and NZ Forestry Group (bridge over South Makara Stream), and assessment and reporting on Western Link Road (Stage 5), T & T Landfill (landfill extension), and S & C Moran (water take bordering Lake Wairarapa). A number of applications lie in the mid to early stages of processing, with the possibility of a further hearing in late autumn.

Fully Notified

MDC – Masterton Wastewater Treatment Plant

The ‘replacement’ consent applications for continuing discharges from Masterton Waste Water Treatment Plant have been heard over 10 days in the last week of February and early March. The hearing has now been adjourned to 30 March for the applicant’s ‘right of reply’.

The applicant used the opening six days to present evidence, followed by a number of submitters including individuals, Sustainable Wairarapa, Iwi, Department of Conservation and Fish and Game NZ.

The officer's report raised a number of key issues including the method for land-based treatment, impacts on groundwater and the ecological and recreation values of Ruamahanga River and monitoring of potential adverse effects.

The applications involve discharging treated effluent to the Ruamahanga River at Homebush, and to 75 hectares of land (new proposal) in the general vicinity of Masterton Wastewater Treatment Plant. New ponds will be constructed in a less flood-prone location, a 100 year stopbank constructed to protect the ponds, and a landfill eventually developed to receive sewage sludge.

Kelson Heights Limited – Kelson subdivision

Applications to GW and Hutt City Council for a 143 lot subdivision in Kelson, Lower Hutt were heard in mid February. A decision is expected in late March.

GW-related activities include discharges from staged earthworks, and the reclaiming and diversion of 566 metres of tributaries to Speedy's Stream. We received 12 submissions, with eight opposing the proposal covering a range of issues including impacts of the earthworks primarily on the water quality of Speedy's Stream.

The officer's report considered the need for additional mitigation of stream reclamation works including headwater protective fencing or riparian planting, and also examined how adaptive management could be applied to site works. Adaptive management usually requires consent holders to manage works (delay progress or improve mitigation) if certain threshold impacts are reached, enabling flexibility for consent holders to continue with developments where uncertainties about environmental effects may prevail.

Meridian – Project Mill Creek

The panel's decision on Meridian Energy Limited's applications to establish a windfarm at Mill Creek (north of Makara) was released on 16 February, and re-released again on 6 March to fix a number of errors found in consent conditions.

The decision reduced to 29 (from 31) the number of turbines in response to potential amenity effects. The decision provides clear direction for erosion and sediment control specifications for ponds and flocculation, and the provision of site-specific supplementary environmental management plans. Meridian would also meet substantial monitoring and reporting requirements to monitor the effects of sediment discharges, including baseline aquatic ecological monitoring before construction commences and the establishment of acceptable construction sediment discharge and deposition limits and macro invertebrate levels. Monitoring requirements cover the 'core' site and Makara Estuary, downstream of the Mill Creek site.

The proposal involves applications to GW (nine separate applications) covering the culverting, piping and reclamation of streams, earthworks and discharges of sediment laden water (from over 800,000 cubic metres of earthworks to construct roads, fill sites and turbine platforms) to a number of water courses and eventually the Makara Stream and Estuary. The applications are being jointly determined together with the Wellington City Council and Porirua City Council, and heard by a fully independent panel.

Other notified applications active during the last period include:

- ***South Wairarapa District Council:*** Replacement applications for discharges from the Featherston wastewater treatment plant. Meeting with submitters confirmed acceptance of SWDC'S revised approach for a shorter term consent, focussing on providing monitoring information to better support the development of a long term effluent treatment upgrade option.
- ***T & T Landfill:*** An extension (by lifting) to the current landfill in Ohiro Road, Brooklyn. Applications were notified on 23 October and seven submissions received. Three-day hearing scheduled to commence on 30 March.
- ***WCC – contaminated stormwater discharges:*** Lodged prior to Christmas, these are replacement applications for the existing suite of consents covering sewage-contaminated discharges of stormwater to Wellington inner and outer harbour, and the South Coast. The focus of our consideration for new consent requirements may include more extensive monitoring of the impacts of these discharges over a longer term (lacking sufficient detail in the existing consents). Applications are expected to be notified post-July in order to incorporate more information from recent overflow events provided by recently installed monitoring equipment and certain outfalls.
- ***Transpacific Technical Services:*** Discharges to air from an industrial and hazardous waste processing facility in Seaview. A public health risk assessment to determine possible impacts of associated discharges on public health - has been received. Pre-hearing meeting expected to follow now in late March.
- ***Westchester Drive:*** A roading project connecting the current Mark Avenue extension in North Newlands. Notified jointly with WCC (including application to change an existing designation for new road alignment) – submissions closing 2 April.
- ***WCC/Capacity: UWI Sludge Dewatering Plant:*** Replacement applications for continued sludge dewatering plant operation (including discharges of odour from the plant and sludge land filling operations) at the Carey's Gully Complex. WCC has completed trialling sludge disposal at Southern Landfill over this summer. A third pre-hearing to report back to submitters is likely around April 2009, with a hearing later in the year.
- ***Juken Nissho Limited:*** Replacement applications for discharges contaminants from the woodwaste boiler, veneer driers and presses, and various kilns at their Waingawa, Masterton plant. Lodged in January 2008 with updated AEE provided in May. Applications were notified on 8

October. Currently assessing application with a view to forming draft conditions for a possible negotiated outcome with applicant and submitters.

- **Carterton District Council:** Replacement applications for discharges and upgraded treatment from the Carterton wastewater treatment plant, lodged in October 2008 and waiting for further information.
- **South Wairarapa District Council:** Replacement applications for discharges and upgraded treatment from the Greytown wastewater treatment plant, lodged in December 2007 and waiting for further information. A final decision on treatment options is expected soon, prior to a revised AEE in March.
- **Masterton District Council:** Masterton Landfill closure. Further information now provided and notification expected soon.
- **Wairarapa Aggregates Limited:** A proposed aggregate quarry and cleanfill operation, at Waingawa south of Masterton involving discharges of sediment and possibly taking groundwater adjacent Waingawa Wetland. Lodged in June 2008, and jointly notified with Carterton District Council on 4 March.
- **C n D Landfill:** Extension of the existing CnD demolition fill at Happy Valley, Wellington. Requiring further information with a focus on landfill stability and integrity issues.
- **Best Farms Ltd:** A subdivision and associated activities including 300,000 cubic metres of earthworks over nearly 15 hectares, and stream reclamation, at Best Farms, Churton Park. Applicant providing further information on ecological impacts and sediment control, and a strong possibility that the applications will not be notified.

Limited Notified

Limited notified applications active during the last period include:

- **New Zealand Forestry Group:** This application relates to a proposed bridge over South Karori Stream, which was finally heard on 30 January after a lengthy pre-application, assessment, and enforcement process. A decision was released on 23 February. Our concerns (and that of the one opposing submitter, GW Flood Protection) and assessment position related to the foundation strength/integrity of an existing illegally-constructed bridge abutment. These have been addressed through consent conditions.
- **Kapiti Coast District Council (KCDC) - Western Link Road (WLR) – Section 5:** A pre-hearing took place on 13 March, which has paved the way for possibly resolving outstanding submitters' issues through consent conditions. A hearing has been tentatively set down for early April. The proposal spans part of the alignment between Otaihanga and Te Moana Road in Waikanae. The application was limited notified in October 2007 and we received five submissions – with two in opposition. Key issues raised impacts on wahi tapu, water quality and flood conveyance and wetland effects. Peer review of wetland effects identified gaps in KCDC's assessment, which have subsequently been addressed.
- **M & C Moran:** Replacement application to take water from watercourse draining into Lake Wairarapa. Issues involve increased taking of water with potential impacts on levels in Lake Wairarapa. Served on affected

parties on 21 January 2008, with a single submission received from Forest and Bird Protection Society. Negotiated outcome reached and applications now earmarked for approval without requiring a hearing at the time of compiling this report.

- ***Davis Sawmilling Limited:*** This activity encompasses discharges of sediment and other contaminants from the site platform at Davis Sawmill, Featherston. A pre-hearing meeting was held in late January and as an outcome a likely revised short term approach will be put forward, which includes a shorter term consent to establish sediment ponds and monitoring inputs and discharges in order to determine a long term treatment and discharge solution.
- ***Ninness Funeral Home (Crematoria):*** Application to discharge particulates to air from a crematorium in Kenepuru Drive, Porirua.

2.2 Upcoming consent applications

South Waitohu Stopbank: A proposed 780m stopbank adjacent Mangapouri Stream in Otaki, by Greater Wellington, Flood Protection. Lodgement pending.

Hutt River stopbank, Boulcott: Applications by Greater Wellington, Flood Protection to construct a new stopbank in the vicinity of Boulcott and Hutt Golf Courses. Lodgement expected later in 2009.

Kaitoke abstraction - GW Water Group: Applications to increase water abstraction from the Hutt River at Kaitoke (to lower the minimum flow from 600L/sec to 400L/sec).

Windflow: Establishing a 30 (approx) two-blade turbine windfarm at Long Gully, Wellington.

Lincolnshire Cleanfill: A large cleanfill proposed for the Lincolnshire Farm area north of Newlands.

Horokiwi Quarries Ltd: Replacement consents for gravel and sand extraction from the coastal margin east of Pencarrow Head.

Aotea Block Stages 10 and 11: Earthworks associated with subdivision at Aotea, Porirua.

Silverwood Stages 3 and 4: Earthworks associated with subdivision at Silverwood, Whitby.

J Burrell: Establishing a cleanfill at Eastern Hutt Road in the vicinity of Silverstream bridges. Processing of GW applications deferred while UHCC process notified applications.

2.3 Other applications

Significant non-notified consents from the period will be reported in the March non-notified consents report.

3. Appeals and objections

3.1 Appeals

WCC (Wellington City Council)/Capacity: Moa Point Wastewater Treatment Plant

Joint witness statements were filed with the Court (via WCC) on 13 February following 'evidence caucusing' in January 2009. The Environment Court will now prepare a recommending report on the coastal permits (still required by the Act for Restricted Coastal Activities) to the Minister of Conservation.

This is an appeal by WCC regarding the decision on replacement applications for WCC/Capacity's ongoing operations at Moa Point Wastewater Treatment Plant; including fully treated effluent discharge to Cook Strait; a mixed disinfected, secondary treated and milli-screened effluent discharge; and discharges of odour to air. Wellington Marine Fishers' Association, the Moa Point Community Liaison Group, Betty Weeber, Department of Conservation and the Breaker Bay and Moa Point Progressive Association also joined the process as a section 274 party (a party to the appeal proceedings). The appeal covers a wide range of matters including consent duration, monitoring and reporting requirements, UV irradiation treatment requirements and pilot study reporting.

Capital Wharf Limited: Overseas Passenger Terminal (OPT)

The process of evidence exchange between parties and preparation of rebuttal evidence continues, prior to 'evidence caucusing' (designed to help narrow the appeal scope further) expected to conclude at the end of March. There has already been some narrowing of evidence with a particular focus on urban design, traffic effects and heritage. Meanwhile a hearing date has been set for two weeks commencing 4 May.

This is an appeal by Waterfront Watch against the hearing panel's decision to grant consents to redevelop the Overseas Passenger Terminal site at Clyde Quay Wharf. A number of section 274 parties have also joined the appeal, including Chaffers Marina Limited, Chaffers Marina Holdings Limited, John Spry, Grant Hodgson, Malcolm Small, Helene Ritchie, Tomas Huppert, Dennis Foot and John Moore.

The applications incorporated a six level residential apartment and retail development, incorporating under-wharf carparking, wharf structural strengthening, public space development and a low-level jetty extension at the Wharf's northern end. The applications incorporated modifications put forward at the hearing, including retaining more heritage elements, improved mitigation of construction effects on marina uses and additional provision for mariner services in the longer term.

Winstone Aggregates Limited – Belmont Quarry

The first round of mediation took place on 2 February, resulting in a narrowing of the scope of evidence to matters of noise from extended operations, dust effects and amenity. The next round of mediation is to be confirmed.

Six appeals including Western Hills Environment Foundation Incorporated (a group comprised of submitters and members of the community), Martha Swanepoel, Rachael Ford, Chris and Sera Solomon, and Stephen Arthur were lodged regarding the joint decision by Hutt City Council and Wellington Regional Council granting consents for the proposed Overburden Disposal Area (OBDA). The applicant has also appealed one condition of the discharge to air permit (controlling the discharge of dust to air from the proposed OBDA).

The proposal to develop an OBDA involved applications to reclaim and pipe over 500 metres of ephemeral and intermittent stream channel, and control sediment discharges from the working sites, and discharges of dust to air.

Wellington City Council/Capacity - Western Wastewater Treatment Plant

Following extensive mediation and ‘agreement’ by WCC on earlier-than-planned outfall pipeline replacement, a mediation agreement has been drawn up and approved by all but one party (initially due to opposing longer consent duration for storm weather coastal discharges). WCC continue discussions with West Wellington Environmental Protection Society in an attempt to resolve private land access issues to avoid a Court hearing. WCC will provide a progress report back to the Court later in March.

These are appeals against a decision (and recommendation to the Minister in regard to Restricted Coastal Activities) to grant consents to discharge treated effluent to the South Coast, and milliscreened or untreated effluent to both Karori Stream and the South Coast (also including discharges of odour).

3.2 Objections

Currently there are no objections before us.

4. Compliance and enforcement

4.1 Specific compliance

Dairy inspections progress: With dairying once again in the national headlines with the introduction of Fonterra’s new Effluent Indicator System (additional financial penalties imposed by Fonterra for serving infringements notices and prosecuting dairy farmers), it is timely to provide a progress report on summer dairy inspections. Without reporting specifically on the number of farms inspected I can tell you that the overriding indication is that the level of non-compliance has declined. However, we are still finding some unacceptable practices (such as effluent ponding) which have to date resulted in infringement notices being served on offending farmers.

4.2 Abatement notices

We issued 34 abatements between 24 October 2007 and 28 February 2008 (well up on eight for the previous period), for:

- unauthorised discharges of dairy and piggery effluent, agrichemicals, sediment and particulates from burning,
- hydrocarbons storage, and rubbish in riverbeds, illegal stream works and earthworks (requiring maintenance and ceasing works), and
- failure to meet odour management plans requirements.

Abatement notices served are detailed in the Environmental Protection Report (report 09.51).

4.3 Infringement notices

We have issued fifteen infringement notices between 24 October 2007 and 28 February 2008 (well up on the three issued for the previous period), for discharges of sediment, dairy effluent and odours, illegal stream works, and breaches of abatement notices. Notices included:

- Meridian Energy for failure to meet conditions of their resource consents relating to the operation and performance of sediment control measures at Project Westwind (Makara Windfarm). Four notices were issued relating to four separate catchments where measures failed to perform following a period of prolonged rainfall.
- Supreme Automotive Refinishers have been infringed for a second time for discharging offensive and objectionable odours from their Bentley Street, Masterton, spray painting operation. We are working with Supreme Automotive, neighbours, MDC and Wairarapa Public Health to find a long term solution to ongoing odour problems associated with this operator.
- Hill View Dairy Farm (two notices) for excessive pooling of effluent from irrigation operations.

Infringements issued are detailed in the Environmental Protection Report (report 09.51).

4.4 Appeals against notices served

Roddy Mckenzie: excavating a watercourse in Landsdown, Masterton

Mr McKenzie has sought a Court hearing which has been confirmed for early April. A Justice of the Peace will first 'hear' case facts from GW investigating officers and Mr Mckenzie, before confirming a hearing date likely to be April 2008.

Horokiwi Quarries Ltd (HQL): sediment discharges from Horokiwi Quarry to Wellington Harbour

A hearing has been sought although we will meet with HQL to discuss matters surrounding the infringements first, before confirming next steps in the process.

4.5 Prosecution and enforcement orders

Two prosecutions were before the Court in the last period, with monitoring of performance occurring on a further two sets of enforcement orders.

Lloyd Raynor: illegal stream works and diverting wetland water

After three call-overs, the defendant has indicated they will defend the charges and the case will go to Court possibly in March or April.

The prosecution resulted from 200 metres of watercourse adjacent to Lake Wairarapa (a nationally significant water body) being excavated, water being diverted from the Simmonds Lagoon (a Department of Conservation wetland), and the cull of hundreds of eels.

4.6 Take Charge

We are currently following up on the final set of audited Grenada North businesses to determine that they have completed recommendations.

4.7 Significant incidents

Significant incidents are reported in the Environmental Protection report (report 09.51).

5. Other Environmental Regulation Projects

5.1 Annual Report Cards

For the first time, we have prepared a series of five annual report cards (form the 2007-08) financial year, covering Environmental Regulation's core regulatory activities including: resource consents, compliance, enforcement, incidents, and our Take Charge business pollution prevention programme. It has been quite a process to deliver a full set of cards for the first time, which has been largely responsible for a delay in their production. The cards will be presented at the 24 March meeting, and are summarised in report 09.64.

5.2 Customer satisfaction survey

The results of the four-yearly customer satisfaction survey of our consent processing and environmental incident service were confirmed in the last quarter. In general our overall level of performance has declined slightly in higher level ratings (very good to excellent service) since 2004, although 2008 is higher than in some other survey years prior to 2004. Some major findings included (based on a good to excellent rating):

- 69% of respondents were happy with our overall service delivery, up 3% on 2004.
- Service contact (being helpful, easily contactable, providing advice etc) was perceived well by 75% of respondents, down from 80% in 2004.
- Requiring a realistic level of information was perceived favourably by 68% of respondents, up considerably from 48% in 2004.
- 79% of submitters indicated that they were treated fairly or very fairly by hearing panels, down slightly from 83% in 2004; while perceptions of how clearly we explain the hearing process and information requirements has generally improved since 2004.
- 59% felt we took environmental incident complaints seriously, and 38% felt they were kept adequately informed about the outcome of an investigation, down from 69% and 41%, respectively, in 2004. Overall, 56% of respondents were satisfied with our overall performance, up from 48% in 2004. While, traditionally, results on many aspects of our environmental incidents service score low, there is clearly still room for improvement.

In response to the results, in October we ran a departmental workshop to examine the results. While not explicit in the results, I suspect the change in our department functions (with typically less customer contact in some aspects of our work) has played a part in customer responses this year.

As a result of the workshop we have highlighted areas where we can improve our service delivery (for example, increasing feedback to pollution complainants, more personal contact with consent applicants, improving the quality of consents advice, and providing clearer explanations to customers at various stages of our processes).

5.3 Resource Management Charging Policy Review

We are reviewing our Resource Management Charging Policy again in 2009, with the following main changes proposed:

- A \$5 increase in our officer charge out rate, to \$105
- A basic State of the Environment monitoring charge to apply to all consent holders
- Clarifying charges for a range of differing compliance inspections (both consented and unconsented activities)
- Clarifying charges for the use of experts for to consents or compliance assessment work.

The draft policy will be released in late March as part of the round of consultation on the Long Term Council Community Plan.

5.4 Dairy Effluent Management Workshop

In early December GW, in partnership with Dairy NZ and Fonterra, ran a workshop for dairy effluent consent holders (one of our KPI requirements) to discuss practical dairy farm effluent management and compliance issues.

After we cancelled the initial workshop in June due to a lack of interest, it's fair to say the participation (around 50 dairy farmers) was at the other end of the spectrum!

Along with the participant numbers, the workshop was a resounding success for its participation. This was particularly marked by the fact that Dairy NZ covered our own key messages on expectations of compliance performance and enforcement implications, with minimal input from us. It was reassuring to see that level of buy-in within the industry and means a great deal more to consent holders coming from the industry rather than us!

Notified and limited notified consents – in progress

Applicant	Proposal	Date Consent Lodged	Date Submissions Closed	Number of Submissions Received	Pre-hearing Held	Hearing Held/ Process Delay	Hearing Committee Members	Date Decision Released	Granted or Declined
South Wairarapa District Council WAR970080	To discharge treated wastewater to land and to Donalds Creek, Featherston.	13/05/97		9	12/12/03 18/12/08	Hearing delayed as applications on hold. Updated AEE submitted in October 2008. Applicant and submitters have agreed in principle to work towards a negotiated outcome.			
Davis Sawmilling Co Ltd WAR 040165 (Limited Notified)	To discharge contaminants to land (which may enter water) associated with stormwater runoff from timber yard in Featherston.	29/11/04	10/12/08	2	27/1/09	Applicant to provide further information following pre-hearing meeting.			
Masterton District Council WAR 060047	To discharge contaminants to land and air associated with the operation of Masterton landfill, Homebush, Masterton.	30/03/06	Further information provided 19/2/09. Likely to be notified in early March 09.						

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Stronvar Properties Ltd WAR 060160	Various activities associated with subdivision including discharges of communal waste water, soil disturbance, taking water, and constructing an amenity and treatment dam, Stronvar, Masterton.	24/07/06	15/12/06	24	-	Further information supplied late February 2008. Information externally reviewed and further response provided by applicant. Applicant has now requested for application to be placed on hold indefinitely.			
Hutt City Council (Limited Notified) WGN070019	To undertake erosion mitigation works in Wainuiomata River, including disturbance and diversion work.	07/08/06	20/10/06	1	20/12/06 15/02/07	HCC revising plans (reducing the scope of the works). Amended proposal to be submitted.	-	-	-

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Wellington City Council WGN070230	To discharge contaminants to land and air from a sludge dewatering plant, Wellington.	27/04/07	13/07/07	95	16/10/07 Second pre-hearing held, 19/05/08	On hold at applicant's request to carry out trials of discharging sludge to land.	-		
Masterton District Council WAR 070077	To undertake various activities associated with the proposed long term upgrade and operation of the Masterton wastewater treatment plant at Homebush, east of Masterton.	16/05/07	01/08/07	69	12/11/07	New applications lodged 20/08/08. These applications likely to be withdrawn following new consent process.			
Kapiti Coast District Council (Limited Notified) WGN080150	To undertake various activities associated with the construction of Section 5 (Otaihanga Rd to Te Moana Road) of Western Link Road.	09/10/07	07/12/07	5		Peer review of wetland effects identified major gaps in applicant's assessment, which are currently being addressed. Resolution of issues raised by some submitters still outstanding.			

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Kelson Heights Ltd. WGN080187	143 lot subdivision	13/11/07	25/11/08	12		16-18 February 2009	Sally Baber (chair) Barbara Donaldson Christine Foster		
South Wairarapa District Council WAR 080254	To undertake various activities associated with the proposed long term upgrade and operation of the Greytown wastewater treatment plant at Papawai, east of Greytown.	28/12/07	On hold for further information. Agreed to timeline for updated AEE to be submitted by 31/03/09.						
Juken Nissho Ltd WAR 080250	To discharge contaminants to air from woodwaste boiler, veneer driers and presses, kilns at Waingawa, Masterton.	29/12/07	06/11/08	7	No	Negotiated outcome been progressed			

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Mill Creek (Meridian) WGN080368	To undertake stream works, land disturbance, discharge contaminated storm water to land/water and contaminants to air in association with constructing roads, fill sites and platforms for the establishment of a wind farm.	12/03/08	16/06/08			Commencing week beginning 11/08/08	David Hill, David McMahon, Pamela Peters		
Transpacific WGN080440	To discharge contaminants to air from the operation of a liquid and hazardous waste processing plant.	23/04/08	08/08/08	7	On hold awaiting public health assessment. Pre-hearing meeting possibly in March.				
New Zealand Forestry Group WGN050262	To construct a bridge over the bed of the Karori Stream	04/05	5/12/08	1 (and 1 late)	No	Hearing held 30/1/09	Roger Lane, Helen Tobin	23/2/09	Granted

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Wairarapa Aggregates Ltd WAR 080518	To discharge stormwater from a gravel extraction and associated cleanfill operation to water.	04/06/08	1/4/08						
T & T Landfill WGN070260 (joint with WCC)	Discharges associated with the operation of a demolition fill.	14/06/08	21/11/08	7		Hearing scheduled for 30, 31 March & 1 April, joint with WCC	Cnr Chris Laidlaw, Robert Armstrong (Chr), Clive Anstey		
Hunter Hills Ltd WGN080520	Earthworks associated with new car haulaway area, at Lincolnshire Farms, Newlands.	17/06/08	On hold for further information. Yet to be notified.						
Hunter Hills Ltd WGN090003	Earthworks associated with a 100 lot subdivision, at Lincolnshire Farms, Newlands.	03/07/08	On hold for further information. Yet to be notified.						

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JR's Orchards Ltd WAR 080557	To take and dam water from the Papawai Stream and to take groundwater from a bore for irrigation purposes at Papawai, east of Greytown.	30/06/08	On hold for further information. Agreed to timeline for updated AEE to be submitted by 14/01/09.						
CnD Landfill WGN080462	Extension of construction and demolition fill.	04/08/08	On hold for further information and affected party approval.						
R& B Steel Ltd	Eastern Hutt Road cleanfill	20/08/08	On hold, deferred under s91 until outcome of UHCC process.						

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Masterton District Council WAR 090066	To undertake various activities associated with the proposed long term upgrade and operation of the Masterton wastewater treatment plant at Homebush, east of Masterton.	20/08/08	15/10/08	30	No	Hearing scheduled for 24-27 Feb and 9-13 Mar 2009	Cr Baber Te Waari Carkeek Rob Van Vorthuysen		
Carterton District Council WAR 090120	To discharge contaminants to water, land, and air associated with the Carterton wastewater treatment plant at Dalefield Rd, Carterton	30/09/08	On hold for further information. Yet to be notified.						
Wearne & Jacobsen Ltd (Ninness Funeral Home) WGN090119	Discharge to air from a natural-gas fired cremator.	15/10/08	24/03/09						

Mike Pryce
Manager, Harbours

Harbours Department Report – March 2009

1. Harbour navigation aids

A meeting was held with CentrePort regarding some possible improvements/modifications to some Wellington Harbour navigation aids, with some simplification planned and possible new requirements.

2. Oil pollution

Four reports of “oil spills” were received; none required any clean-up.

3. Harbour events of interest

Significant events on the harbour:

- On 14 Feb the New Zealand 10km swimming championships were in Oriental Bay
- On 17 Feb a function was held in the Museum of Wellington boardroom for our Honorary Enforcement Officers, both as a tangible ‘thank you’ for their efforts in promoting safety over the year, and also an opportunity to discuss face-to-face any issues they see occurring around boating safety.
- On 21 Feb the ‘Portimao Ocean’ race restarted from Wellington, heading for Cape Horn
- On 21 Feb the Coastguard organised a Flare demonstration to give boaties practice in setting-off distress flares.
- Between 26 Feb and 1 March the Jet Ski Nationals were held off Freyberg Beach in Oriental Bay. These were held over four days and, despite some unfavourable weather, were a great success. The organisers put a lot of work into their safety plans and the event went off without any problems and without any complaints to us.
- Between 7 and 8 March the Wellington Water-ski Club hosted their national competition at Petone. The weather this year permitted a full weekend’s racing. The organisers experienced a couple of incidents with other boaties who ignored safety instructions and caused delays in racing by moving through the area declared for the events. These breaches are being followed up.

- On 14 March the National Triathlon champs were held in Wellington, commencing with the swim in Lambton Harbour.

4. General

On 9 March 2009 the amended Regional Navigation and Safety Bylaws 2009 were approved by Council and are scheduled to come into effect on 1 July 2009. This will give time for the Department of Internal Affairs to approve revised associated Infringement Notices.

On 12 March the freight-ferry formerly known as *Spirit of Competition* on the Wellington to Lyttelton service sailed from Wellington bound for Singapore. Laid up at Wellington since 5 November 2008, the ship had been sold to Turkish owners and renamed *Blacksea K*.

Hot Work Permits are regularly issued by the Department under the bylaws to approve Hot Work (burning and welding repairs) on ships in port. About 600 permits are issued each year. Many are issued to Cook Strait ferries to enable maintenance work to be carried out during weekend “lay-bys”. The purpose is to ensure that such work is carried out in a safe manner and does not risk the ship being accidentally set on fire. This requires that staff use their maritime experience when assessing risks, and possibly requiring appropriate precautions to be made, or procedures changed, if the vessel has not made the appropriate safety plan. Refusal to issue a permit for inappropriate work has resulted on a few occasions.

A revised Tier 2 Oil Pollution Response Plan was completed by us and approved by Maritime New Zealand in early March 2009.

A Tier 2 Oil Pollution exercise was held on 18 March 2009.