

Consents Management Department Report

Rob Forlong, Manager

June 2000

1. Consent Statistics

The Department's median processing time for non notified consents is 10 working days (214 consents). There have been no late consents so far this financial year.

2. Appeals

The Castrol discharge to air decision has been appealed by two submitters. One of the appeals has since been resolved, and hopefully the other will be resolved without needing to go to either formal mediation or a hearing.

Medical Waste Limited appealed the commissioners' decision on the review of conditions. We have reached agreement with Medical Waste and a consent order has been drafted and is waiting to be signed by the Environment Court.

The Environment Court struck out the Owhiro Bay Boat ramp appeals after an adjournment request by the Southern Environmental Association and the Island Bay Residents Association was denied. The Associations have since appealed, to the High Court, the Environment Court's decision to deny the adjournment. Our application for costs has yet to be determined.

The appeals against the PCC Sewage decision have been resolved through mediation.

We have been offered mediation on the Promall appeals which may resolve at least some of the issues relating to those consents. We are likely to have some preliminary hearings to deal with jurisdictional matters before the substantive appeals are dealt with.

3. Compliance

3.1 Abatement Notices

We have not issued any Abatement Notices since the last Committee meeting.

3.2 Enforcement Orders

Anglian Water International (NZ) Limited and Wellington City Council (Moa Point Sewage Treatment Plant).

Our solicitors have written to the Environment Court to formally withdraw the Enforcement Order applications.

3.3 Prosecution and Interim Enforcement Orders

The Burrell Demolition prosecutions are working their way through the system. We still await a court date for depositions. We have lodged our application for a declaration on the interpretation of one consent condition. The interpretation of the consent condition may affect the process for some of the charges.

4. Other

4.1 ISO Registration

Telarc visited on 23 and 24 May 2000. We are seeking to extend the scope of our accreditation to include our consent processing, compliance monitoring and incident response. From their visit, we have a small list of conditions and recommendations that we need to show how we are going to implement or document, before our ISO registration can be validated. We are on target to have an implementation plan for the conditions and recommendations completed by 30 June 2000.

4.2 Overnight Stays in Boatsheds

We have received ten applications to use boatsheds for overnight stays. It is interesting to note that two of the ten applications are for permanent residential use, rather than replacing the present consents, which allow the holders to stay overnight for a maximum of 35 nights per year.

4.3 Compliance Cost Reduction Group

The Compliance Cost Reduction Group (CCRG) has been put into abeyance. The Group was a joint initiative between the WRC and Wellington Regional Chamber of Commerce. The CCRG was intended to be a forum where resource users and consent authorities could work through issues in order to minimise the costs of complying with the Resource Management Act 1991. It would appear that compliance costs are less of an issue than we had thought as the Group struggled to get people to attend our meetings.

If the Chamber of Commerce is interested in re-establishing the Group then we can do that at a later date.

4.4 Staffing

I have just received Stephanie Livick's resignation. Steph and her husband Noel are moving to Sydney. Steph has been with the Consents Management Department since shortly after we were formed in 1996. I want to record my personal gratitude to Steph for her contribution to the department, over the past four years. As well as being a fine Account Manager, she played a major part in setting and maintaining our customer service culture. Steph is a valued colleague and we will all miss her.

Applicant	Proposal	Date Consent Lodged	Date Submissions Closed	Number of Submissions Received	Pre-hearing Held	Hearing Held	Hearing Committee Members	Date Decision Released	Granted or Declined
Porirua City Council	Consents associated with the Porirua Wastewater Treatment Plant	20/12/97	27/05/98	7	Applicant chose not to have a pre hearing	07/12/98 Interim decision released Hearing reconvened on 23/4/99	Councillor Buchanan, Councillor McDavitt, Ian Stewart (Minister of Conservation appointee)	Final Decision released on 03/06/99	Appeal resolved, waiting for Minister of Conservation final approval
Peter Hunt ²	Consents associated with the development and operation of a cleanfill	13/02/98	15/09/98	3	Application has been stopped at applicant's request				
ProMall ³	Consents associated with the development of a new shopping mall. Regional Council consents consist of several bridges, realignment of part of a stream and construction of artificial lakes	05/02/99	25/06/99	250+		13/12/99-17/12/99	Upper Hutt City Councillors	24/12/99	Granted with conditions Now under appeal
Lambton Harbour Management ¹	Consents associated with the development of the Taranaki Street Wharf and Lagoon area	09/04/99	21/05/99	77		04/08/99 05/08/99 06/08/99	Councillor Buchanan, Tony Town (Commissioner)	06/09/99	Granted with conditions. WCC consents now under appeal
Medical Waste	Review of consent conditions for the discharge of contaminants to air arising from		17/12/99	24		14/02/00 and 16/02/00	Commissioners Russell Howie and Christine Foster	03/03/00	Changes to conditions 11 and 13 and condition 7 confirmed Now Under Appeal

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Castrol	To discharge combustion gases from a Transformer Oil Regeneration Plant to air.	29/11/99	04/02/00	14	17/02/00	15/03/00	Councillors Allen, Buchanan and McDavitt		Consent Granted with Conditions Now Under Appeal
GNB Technologies	Discharge to air of contaminants arising from a battery recycling facility	01/03/00	19/04/00	20	10/05/00	Application place on hold at applicants request			
Wellington City Council	Review of consent conditions on Southern Landfill to deal with the odour problems occurring	06/03/00	16/05/00	11	Scheduled for 21 June 2000				
Kapiti Coast District Council	Water take from Wainui Stream for Paekakariki town supply	20/04/99	15/05/00	2	No pre hearing required	Issued resolved with out need for a hearing. See report 00.414			
Eastern Bays Little Blue Penguin ⁴	Consents associated with the development of a bird rehabilitation facility	12/04/00	30/05/00	727	Applicant chose not to have pre hearing				
Mana Volunteer Coast Guard	Consents associated with the construction of a new Coast guard and training facility	01/05/00	07/06/00						
Telstra Saturn Limited	Consents associated with the installation and maintenance of a submarine fibre optic telecommunications cable.	24/05/00	05/07/00						
J Goodwin	Overnight stays in boatshed	11/05/00							
S and M Julian	Overnight stays in boatshed	29/05/00							
B and S Pidford	Overnight stays in boatshed	31/05/00							
D Scott	Overnight stays in boatshed	01/06/00							
M Ambrose	Overnight stays in boatshed	02/06/00							

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M Ambrose	Consents associated with the construction of a new boatshed	02/06/00							
L Ramsey	Overnight stays in boatshed	02/06/00							
A and N Johns	Overnight stays in boatshed	06/06/00							
O and K Martin	Residential use of boatshed	06/06/00							
R and P Lewis	Residential use of boatshed	06/06/00							
C Feast	Overnight stays in boatshed	06/06/00							
Wellington Regional Council (Utility Services Division)	Consents associated with the Orongorongo River water take	06/06/00							
Wellington Regional Council (Utility Services Division)	Consents associated with the Wainuiomata River water take	06/06/00							
Wellington Regional Council (Utility Services Division)	Consents associated with the Hutt River water take	06/06/00							

- 1 These applications were heard jointly with Wellington City Council
- 2 These applications will be heard jointly with Porirua City Council
- 3 These application were heard jointly with Upper Hutt City Council
- 4 This application will be heard jointly with Hutt City Council