

Consents Management Department Report

Rob Forlong, Manager

February 2000

1. Consent Statistics

The Department's median processing time for non notified consents is 10 working days (128 consents). There have been no late consents so far this financial year.

2. Appeals

The appeal by Robert Logan, on behalf of the Southern Environmental Association (SEA), against the Living Earth Joint Venture (LEJV) variation was struck out by the Court. LEJV then applied for costs against SEA and Mr Logan but have since withdrawn the costs claim.

SEA are also the appellants for the Owhiro Bay Boat ramp. That appeal is due to be heard on 27 March 2000, although SEA is still to provide a full set of witnesses. These consents were granted in September 1998 and spent a year in mediation. The Wellington City Council (as applicant) have signalled to the Environment Court that they may be seeking costs against SEA.

We are due back in Court on 13 March 2000 for the Paraparaumu and Waikanae sewage appeals. My understanding was that we had reached agreement with all parties last year. However, KCDC have not provided us with the consent order to sign off so there may be a problem from their perspective.

Mediation on the outstanding appeal against the PCC Sewage decision continues.

As expected, the Promall decision has been appealed. One of the grounds for appeal is that the WRC delegation to UHCC to decide the consent was faulty because the entire Upper Hutt City Council did not sit on the hearing committee!

3. Compliance

3.1 Medical Waste Limited

Over the past few weeks we have had a number of complaints about Medical Waste Limited. We have confirmed three breaches of their resource consent conditions relating to excessive discharges of smoke and/or odour. We are presently determining whether further enforcement action is required.

3.2 **Abatement Notices**

On 1 December 1999 we issued an abatement notice against Louis and Carolyn Vasta, requiring them to remedy unauthorised stream works in the Moonshine stream. The works have since been completed.

3.3 **Enforcement Orders**

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

The application remains adjourned.

3.4 **Prosecution and Interim Enforcement Orders**

We still do not have a hearing date for depositions in the C&D Landfill prosecution. However, I anticipate we will receive a date in the next few weeks.

4. **Other**

4.1 **ISO Registration**

We have completed our application for ISO registration and we are to be audited by Telarc on 6 March 2000. If we are successful, consent processing and compliance monitoring will be added on to the existing registration which is held by the Resource Information Section of the Resource Investigations Department.

4.2 **Workshops**

We are presently organising a number of workshops. The first will be a Councillor workshop on running resource consent hearings. The other workshops will be with consultants and will deal with specific consent processing and compliance monitoring matters.

The workshops we have held in the past with submitters and consultants have been very useful for all parties. We are able to explain why we do things, and they often provide excellent feedback and ways we can improve our service.

4.3 **Customer Satisfaction Survey**

The preparation for the biannual Customer Satisfaction Survey has begun. The results of this survey will be very interesting, particularly when we compare ourselves to the last survey.

4.4. **Staffing**

We were pleased to find out that Tamsin Mitchell is expecting her first baby in August. Tamsin will be working for a while yet and her pregnancy means that we are looking for maternity field gear!

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
Kapiti Coast District Council	Consents associated with the Paraparaumu Wastewater Treatment Plant	12/03/98	28/05/98	19	13/08/98	13/09/98 to 14/09/98 Interim decision released Hearing reconvened on 15/03/99	Councillor Buchanan, Councillor Shields, Te Taru White (Commissioner)	Final decision released on 22/04/99	Most consents Granted with Conditions Now Under Appeal
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	Recommendation to Grant (must go to the Minister of Conservation for final approval) Now Under Appeal
Kapiti Coast District Council	Consents associated with the operation and upgrade of the Waikanae Wastewater Treatment Plant	19/06/98	24/07/98	23		17/09/98 to 18/09/98 Interim decision released Hearing Reconvened on 15/03/99	Councillor Buchanan, Councillor Shields, Te Taru White (Commissioner)	Final Decision released on 22/04/99	Declined Now Under Appeal
Wellington City Council (Commissioning) ¹	To construct a boat ramp at Owhiro Bay	04/06/98	24/07/98	31	18/08/98	02/09/98 to 03/09/98	Russell Howie (Commissioner), Frank Boffa (Commissioner)	16/09/98	Granted with Conditions Now Under Appeal
Peter Hunt ²	Consents associated with the development and operation of a cleanfill	13/02/98	15/09/98	3	Application has been stopped because applicant is yet to pay a Notified application fee				

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
Tapu Te Ranga ¹	Consents associated with the operation of a cleanfill	11/11/98	08/08/99	73		28/09/99 , 29/09/99 and 14/10/99	Councillor Buchanan, And from WCC Councillors Armstrong and Hutchings	05/11/99	WRC Consents granted with conditions, WCC consent declined, Now under appeal
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 now under appeal
Marathon Developments and Porirua City Council ²	Consents associated with the development of the lower Taupo Swamp area	21/08/99	17/09/99	26	02/11/99	15/12/99- 16/12/99	Councillors Buchanan, and Shields and Commissioner Graeme Miller (PCC appointee)	12/01/00	Granted with Conditions
WRC Operations (Wairarapa)	Culverts – Wakawiriwiri Stream	21/08/99	17/09/99	14	06/10/99	15/12/99	Commissioners Russell Howie and David Watt	02/02/00	
Chemwaste	Discharge to air of contaminants arising from the treatment of industrial wastes	02/10/99	03/11/99	14	19/11/99	28/01/00	Councillors Buchanan, Gibson, McDavitt	Decision yet to be released	
WRC – Utility Services	To intermittently discharge supernatant from Wainuiomata water treatment plant to the Wainuiomata River	19/11/99	21/01/00	4	03/02/00				
Applicant	Proposal	Date	Date	Number of	Pre-hearing	Hearing Held	Hearing	Date	Granted or

		Consent Lodged	Submissions Closed	Submissions Received	Held		Committee Members	Decision Released	Declined
Horokiwi Quarries ¹	Consents associated with proposed cleanfill	02/08/99	23/11/99	6	20/12/99	28/01/00	Commissioner Russell Howie (WCC appointee) and Councillor Turver	Decision yet to be released	
Medical Waste	Review of consent conditions for the discharge of contaminants to air arising from		17/12/99			Hearing Scheduled for 14/02/00 and 16/02/00	Commissioners Russell Howie and Christine Foster		
Castrol	To discharge combustion gases from a Transformer Oil Regeneration Plant to air.	29/11/99	04/02/00						
Higgins	Discharge to air the contaminants from hotmix asphalt plant	15/07/99	23/02/00						

1 These applications were heard jointly with Wellington City Council

2 These applications will be heard jointly with Porirua City Council

3 This application will be heard jointly with Upper Hutt City Council