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Report 00.517

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Report to Rural Services and Wairarapa Committee
from Peter Holden, Resource Advisor

Land Use Compliance Monitoring

1. Purpose

To inform the committee of compliance monitoring undertaken to assess compliance with land use consents during the 1999/2000 year.

2. Background

2.1 Checks on land use consents are undertaken under the Council's Resource Management Charging Policy. Most land use consents receive only a one-off charge that is invoiced in the event a compliance inspection is undertaken. The resource management charge includes a customer service charge, as well as a charge covering the time onsite and the time taken to report the findings of the inspection back to the client.

2.2 The table below summarises land use compliance monitoring undertaken during the period from 1st July 1999 to the 30th June 2000.

| Inspection Type | Number of Inspections | Number of Consents Processed During Period |
|------------------------------|------------------------------|---|
| Gravel – Annual Extractions | 104 | 118 |
| Gravel – One Off Extractions | 32 | 34 |
| Logging & Tracking | 2 | 3 |
| Structures and River Works | 17 | 19 |
| Soil Disturbance | 2 | 2 |
| Total | 157 | 176 |

2.3 The greater number of inspections was undertaken to assess compliance with conditions on consents to extract gravel from rivers. Consents not inspected include those where the work had not been started at the time of writing this report.

3. Results

3.1 Gravel

- 3.1.1 Formal compliance monitoring of almost all gravel extractions has occurred through specific site inspections or through undertaking “reach inspections”. These assess the effects of a large number of consents in a particular reach of a river. Staff have endeavoured to carry out compliance inspections shortly following the completion of the activity in order to assess the performance of individual contractors.
- 3.1.2 Compliance with these consents has generally been very good with sites left tidy and well rehabilitated. It was particularly encouraging this year to find sites that have traditionally been a problem on the Huangarua River and the Lower Ruamahanga River were left in a far tidier condition.
- 3.1.3 A trend that has emerged over the last two years is that there is generally good compliance with large extractions and among the larger contractors. This would indicate that the larger contractors are leading the industry in terms of adhering to the new standard gravel conditions placed on all gravel consents from last year.
- 3.1.4 In contrast sites of very small extractions in the order of 20m³ - 30m³ are often left in an untidy state. These are not easy to follow up and require a flood to remedy the impacts.

3.2 River Works (Disturbance of Bed, Culvert and Bridge Construction)

- 3.2.1 Compliance monitoring occurred for 17 of the 19 consents for this activity processed during the last year. Alternatively in some cases photos have been submitted.
- 3.2.2 Requiring photos to be submitted is a cost saving mechanism for those consent holders who have constructed structures such as bridges or culverts that have little or no ongoing adverse effects in isolated areas. Supplying photographs means that the compliance charge can be lowered by not having to charge for the inspection time on site.
- 3.2.3 Inspections show a good level of compliance and tidiness with these jobs. Bank protection works and channel realignments all appear to be functioning well, and culverts have been installed correctly. A trend noticed this year is an upturn in the number of consents processed for heavy protection works. The availability of heavy rock has made this form of protection work more popular.

3.2.4 Two culvert installations were made without consent based on advice being given by District Council staff that resource consent was not required. In the first instance the installation was satisfactory and retrospective consent could be issued. In the second incident, the culvert was not correctly installed creating backup of water and problems with fish passage. An abatement notice was issued and eventually, following considerable discussion and negotiation with all parties, the culvert was removed, a consent issued, and the culvert correctly installed.

3.3 Logging, Tracking and Soil Disturbance

3.3.1 Of the five consents processed for these activities over the past year four have been inspected. These inspections have shown a good level of compliance with the exception of one. This operation required follow up inspections, and specific remedial work. This is now satisfactory.

4. Conclusion

- 4.1 Whilst overall compliance was good, there were some disappointing performances by a few of the smaller gravel extractors in the South Wairarapa district. Encouraging better compliance requires ongoing vigilance and a strong presence in the field by Council Staff.
- 4.2 Of concern in all areas was the failure of many consent holders to contact the Council before or after the activity had been completed as required by their consent conditions. This has lead in some cases to inspections being undertaken retrospectively. As a consequence any adverse effects, which might have occurred while the work was being undertaken, could not be assessed. Compliance reports sent to consent holders have highlighted this concern. Phone calls and letters to consent holders emphasising this condition will also be undertaken in the future.

5. Recommendation

That the report be received and its content noted.

Report prepared by:

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