



Planning & Regulatory Manager's Report – September 2005

Resource Consents Granted

Since the last report, the following resource consents have been granted under delegated authority:

RM041101	Relocate 5 residential units and carry out a Unit-Title Subdivision G. & S. Bignell State Highway 1 (ex Glenavy Motor Camp)	25/07/05
RM051178	Effluent Storage Pond Waitaki North Limited Henstridges Road, Glenavy	12/08/05
RM051182	Subdivision involving a boundary alteration S.P. Townshend Sawmill Limited Packers Road, Studholme	15/08/05
RM041183	Proposed Farm Bridges Rooney Earthmoving Limited Meyers Road, Waimate	15/08/05

MATTERS OF INTEREST:

The Resource Management Amendment Act 2005 became law on 10 August 2005 and has been described as the biggest 'tune-up' of the RMA since 1991. The Amendment Act is intended to get better and faster decisions on resource consents, to provide a means of working with Councils when decisions are too big for local decision making, and provide more national leadership, especially through national policy statements and standards.

Training on the RMA amendments by the Ministry for the Environment will be offered to Councils in mid-October, as part of the Talk Environment Roadshow.

Some of the notable changes that affect consent processing are:

- More clear direction is provided as to when an application can be put on hold, and when the clock restarts.
- Councils are required to give written reasons for further information requests. An applicant is able to refuse to provide any further information and request Council to consider the application as it is. Council must then process the application and either grant or refuse the application. Council can refuse an application if it has insufficient information.

- In respect of an appeal to the Environment Court over insufficient information, the Court must firstly determine whether there is sufficient information and if so, can consider the entire application and make a decision on whether to grant or refuse consent rather than refer it back to the Council.
- Clarification is given that there is no duty for an applicant or Council to consult any person or group about the resource consent application but they may choose to, especially with specific iwi to help identify any effects of the application on tangata whenua.
- A more detailed process at pre-hearing meetings is provided. Council may now invite attendance or if the applicant agrees, require attendance. If a person who is required to attend but fails to do so without reasonable excuse, Council can decline to process the person's application or consider the person's submission. A Council report is required to be circulated 5 working days prior to the meeting.
- The range of powers available to Councils in conducting hearings is clarified. One example is that before or at a hearing, submissions (or part of it) can be struck out by the Council if it is frivolous or vexatious; or discloses no reasonable or relevant case; or that it would be an abuse of the hearing process.
- Council can direct the applicant to provide briefs of evidence 10 working days before the hearing or a submitter using expert evidence to provide briefs of evidence 5 working days before the hearing. Where pre-circulation of evidence is required, the Council officer's report must now be circulated to parties 15 working days before the hearing. The time period for beginning the hearing has been extended to 40 working days after the close of submissions to accommodate the pre-circulation of evidence. Where there is no pre-circulation of evidence, the normal time period applies.
- Along with giving reasons for their decision, Councils must now also list the main findings of fact, the principal issues of contention, a summary of the evidence heard and the relevant plans and policy documents considered. This applies to all decisions on resource consent applications, not just notified applications. Many Councils already issue comprehensive decisions and will not need to change their practices.
- Since the introduction of the case management system, the Environment Court's backlog has substantially reduced. Hearing dates can now be set within six months.
- The Environment Court can now accept evidence submitted to the Council hearing and direct how evidence is given to the Court. Evidence can be taken as read.
- Decisions on notification may in the future be challengeable in the Environment Court, rather than the High Court. This particular amendment has been deferred at this time and will be brought into force by an Order in Council at a later date.

Civil Defence

The main focus for the last month has been community meetings at Waihaorunga, Makikihi, Waihao Downs, St. Andrews, Glenavy, Waimate and Waituna. The results have been very encouraging with most communities being very motivated. Wardens

for a number of areas have been appointed and thank you to those councillors who have put their names forward.

The current focus is the follow up operations meetings for the communities. The goal of these meetings is to identify sector posts, wardens, operations team members and most importantly communication plans for each area so that warnings can be distributed quickly and reliably.

Meetings attended have included:

- John Lovell from the Ministry of Civil Defence who is going to return and analyse Waimate's plans and run a small exercise in October.
- Civil Defence Officers Forum where one of the speakers was Dr Mel Briessman talking about what will happen when the influenza A pandemic arrives.
- Welfare Meeting in Timaru with many of the agencies which will be called on to provide a welfare function across South Canterbury.
- MAF/Federated Farmers meeting in Timaru where the abilities/skills/interrelationships of our different agencies, in an emergency situation, were discussed.

Notifiable Diseases

The following is a return of notifiable diseases for the month of July 2005, supplied by the Canterbury District Health Board.

Disease	Ashburton	Mackenzie	Timaru	Waimate	Total
Campylobacter	4	2	20	2	28
Gastroenteritis	0	0	1	0	1
Meningococcal Disease	2	1	0	0	3
Pertussis	0	0	10	0	10
Tuberculosis Disease - New Case	0	0	1	0	1
Yersiniosis	2	0	2	0	4
Total	8	3	34	2	47

Campylobacteriosis

A higher than expected number of cases of campylobacteriosis were reported in the Timaru District during July. Twenty cases were notified in Timaru District, with a further four in Ashburton, two in Mackenzie, and two in Waimate. Public health follow up has not identified any common source for the infections.

The commonest symptoms of campylobacteriosis are diarrhoea with abdominal cramps – both can be severe. Campylobacteriosis is rarely life-threatening, but can be very unpleasant, and often mean time away from work or school.

Campylobacter bacteria live in the gut of birds, wild and farm animals and pets. People can swallow the bacteria through direct contact with birds or animals, or via contaminated food or drinks.

The four key steps in avoiding food poisoning are clean, cook, cover, chill:

- Clean: Keep hands, utensils and working surfaces clean.

- Cook: Cook food thoroughly.
- Cover: Cover food.
- Chill: Always refrigerate food.

National Dog Database

Internal Affairs has been busy working on the National Database (NDD). This has involved a very large amount of people, including Local Government representatives. It is intended to go live May 2006.

A major concern is that if any data such as a birth date is missing, the daily uploads to Wellington will be rejected. This will increase our Animal Control budget as a lot more staff time will have to be spent getting the required information, probably involving senior staff.

Internal Affairs before Christmas are to advise us of our share to the database costs for the year from 30 June 2006 – July 2007. Our own software costs will also increase.

As I have advised I believe our Council has kept its own Animal Control costs to a minimum. However they will rise for the National Database, scanning equipment and microchipping.

As an aside a governance structure has been set up to oversee the NDD.

Some of the governance roles are:

Governance – Governance Entity

- Providing oversight without primary responsibility for day-to-day operations;
- Establishing the scope of the service;
- Setting the performance standards of the NDD;
- Monitoring and reporting to appropriate stakeholders on the performance standards of the NDD;
- Selecting the manager and manage the manager contract;
- Deciding on future changes, enhancements, upgrades;
- Setting the annual budget;
- Ensuring that the funding system is working effectively and that the funding is adequate;
- Advising or agreeing on the levy formula (depending on chosen governance model);
- Monitoring adherence by TAs to legislative requirements;
- Monitoring and compelling the operator to adhere to legislative requirements;
- Monitoring privacy issues;

- Ensuring that proper financial and other audit checks are in place;
- Overall risk management – assessment and mitigation;
- Deciding on cost/quality trade-offs;
- Providing an environment for the management to succeed.
- Reducing risk to the integrity of the NDD through non-compliance by TAs (ie. incomplete, inaccurate and untimely data).

Management

- Ensure that arrangements for hosting the server are in place;
- Manage the delivery of the host's performance against agreed standards;
- Develop and advise performance specifications against agreed standards;
- Develop and advise performance specifications for managing and operating NDD;
- Ensure the development of operational policy, procedures and protocols to meet the agreed performance specifications;
- Resolve minor issues around content and levels of service;
- Assess and propose need for upgrades;
- Report to the governance entity on performance including monitoring any host management agreement;
- Manage the communication of TAs with the governance entity;
- Follow up of failure to update the NDD by TAs;
- Audit and report to the governance entity and individual TAs on TAs' compliance with agreed NDD policy, procedures and protocols.

Operations

Day-to-day operations will include, but are not confined to:

- Host the NDD
- Day-today interface with TA operators
- Help desk (liaise with the support users)
- Password management
- Server maintained
- Back up works and done to schedule
- Regular software upgrades
- Develop and run ad hoc reports consistent with agreed protocols;

- Extracts from NDD/reports to DIA
- Upload and resync
- Data repair
- Monitor and report to the manager and individual TAs on usage and access
- Suggest improvements including technical changes
- Monitor and report on security, system integrity, and data integrity
- Disaster recovery in place and tested

By-Election – Waimate Ward

The by-election process is going smoothly with three nominations being received. The candidates: John Foley, Matt Henderson and Don Sutton all live within the Waimate Ward; for more information their profile statements are on our website.

Work completed to mid September:

- Printing of envelopes (send and return).
- Printing of voting papers.
- Printing of special voting papers.
- Election advertisements.
- Arrangement of election insurance.
- Printing of candidate profile statements
- Letter to candidates outlining scrutineers, election expense returns, campaigning etc.
- Software checks including time clocks on counting part of software.
- Checking and printing of final roll.
- Arranging "Justice of the Peace" to be present for processing of returned votes.
- Arranging staff for processing of votes returned.
- Reformatting of forms, eg. Special vote applications, electoral staff appointments etc.

As has been the case over the last few elections Francis Thompson has been appointed my Deputy Electoral Officer.

Building – use of steel reinforcement

The Department of Building and Housing has recently published the *Report on Grade 500E Steel Reinforcement*, together with a wallchart and Practice Advisory No. 7.

The Department also intends to distribute bendometers when they are manufactured, anticipated for October. These are sets of plastic discs designed to enable site checking of bar bend diameters.

As part of the joint Australian/New Zealand Standards initiative, the joint Standard for reinforcing steel, AS/NZS 4671, was adopted in 2001. This Standard introduced a new high tensile steel, Grade 500E, to replace Grade 430E.

In 2003 the Building Industry Authority (BIA) was advised that problems had been encountered in a research project at the University of Auckland, and in site situations, using Grade 500E reinforcing steel. This raised doubts about its integrity.

The BIA initiated an investigation into the concerns about Grade 500E, which culminated in this report.

The key issues identified in the Report are as follows:

- Source of supply. The majority, approximately 80 percent, of the Grade 500E sold in New Zealand is manufactured locally and complies with AS/NZS 4671:2001. The balance is imported from a number of south-east Asian countries. The test programme on these imported steels was not sufficiently large to confirm full compliance with AS/NZS 4671 and it is the responsibility of individual suppliers to ensure full compliance.
- Method of manufacture. The New Zealand manufactured Grade 500E is a microalloy (MA) steel, whereas most of the imported steel is manufactured by the quench and temper (QT) method. The QT steel is more sensitive to the various handling processes discussed below and hence is a less tolerant product.
- Grade 500E is a high tensile steel with less ductility (ability to stretch permanently without fracturing) than normal mild steel Grade 300E reinforcing so is more sensitive to handling processes. Particular issues identified are as follows
 - o Bending diameters are specified in NZS 3101 and NZS 3109. There is considerable anecdotal evidence that these specifications are not always followed, potentially resulting in site failures.
 - o Rebending. Reinforcing bars are often bent and rebent on site for construction convenience and to allow precast concrete elements to be transported. This can be achieved with MA Grade 500E but is very difficult on site and is not recommended. QT Grade 500E cannot be welded.
 - o Welding. MA Grade 500E can be welded but only under very stringent conditions that are very difficult to achieve on site so is not recommended. QT Grade 500E cannot be welded.

The Report Concludes:

- Grade 500E steel complying with AS/NZS 4671 is a satisfactory material but must be handled with care. The source of supply and method of manufacture must be established to ensure fabrication processes recognise the limitations outlined above.
- Imported Grade 500E is generally manufactured by the QT process, which results in a material less tolerant to normal fabrication procedures.

Building Consents of interest

Council are still issuing a lot of building consents. Over the last year listed below are some of the larger consents issued:

- 31 New Dwellings
- 7 New Milking Sheds
- 1 Stock Underpass
- 1 Strengthening of Dam

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Manager Planning & Regulatory - 9 September 2005