

## NEWSLETTER

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### ***2022 – What lies ahead for the environmental compliance industry – message from the Chair***

Kia ora koutou!

With the Environmental Compliance Conference being interrupted again (AGAIN!!) due to Covid-19, we figured it was a bit long between drinks for some of the key messaging and discussion points that we had programmed being delayed until the end of 2022. So here is a quick update and overview of things to watch out for this year, in anticipation of us all being able to get together in Christchurch in December.

2022 is going to be a critical year for the industry, where reforms will shape the future of how this important service is delivered by regulatory authorities. No matter which side of the regulatory fence you sit on, it's more important than ever for us all to actively participate in the consultation opportunities that present themselves this year.

Rather than pick on just Resource Management reform, I purposely use the broader term of reform to reflect the suite of reform that is on the horizon. Environmental regulation is being picked up in Three Waters reform, Resource Management reform and Local Government reform. This is of course all happening at the same time that various parts of the industry are busy getting their heads around what the Essential Freshwater regulatory instruments mean for day-to-day operations and compliance and managing the existing 'business as usual' workloads which are at an all time high. What an incredibly exciting time to work in the field of environmental compliance! Where resourcing is always a challenge, particularly in the local government regulatory context, now is the time to band together with like-minded passionate professionals across the industry to have a voice and positively influence the outcomes as best we can.

The RM reform programme so far has signalled a change in approach to permitted activities and the consenting regime more generally in an effort to reduce consenting burden. At the same time, we hear messaging about the need for strengthened compliance approaches and the desire for better environmental outcomes being achieved on the ground. If these changes aren't thought of as an end-to-end process for all touch points of environmental regulation – including the pointy end of compliance monitoring and enforcement, the reality that Councils (and the regulated



community) may be faced with as a result of such a change may not achieve the intended outcome. And that is what it's all about right? Getting improved environmental outcomes. So how can we make sure the system is set up to get these enduring outcomes? Make sure you all have your say when you get the chance!

Another aspect of reforms that we all need to keep a watching brief on – the potential for new enforcement tools for the Compliance Officer toolbox. Let's see what comes out during the consultation process later this year....like most things, implementation support will be key for successful delivery of any changes in this space. I look forward to seeing what that looks like. Have a fantastic 2022 and myself and the committee look forward to getting together with you all in Christchurch in December 2022.

Ngā mihi

**Amanda de Jong**

Chair of Environmental Compliance Conference Committee

Director/Strategic Environmental Consultant

Brighta Consulting



## UPDATES FROM OUR SPONSORS

### WYNN WILLIAMS

With the advent of the Privacy Act 2020, there are significant new obligations on local authorities to ensure they are privacy compliant. The development of new technology and our increasing digital presence has shone a spotlight on data protection and cyber risk management. Where a privacy breach occurs, it will often be disruptive and matters tend to move very quickly.

If proper procedures are not in place to make a risk assessment and respond appropriately, local authorities risk facing the blunt end of a more stringent enforcement regime, including reputational harm and the loss of public confidence. It is best to be proactive, not reactive.





## RICE SPEIR

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Rice Speir knows that the decisions local authorities make impact how communities live. That means experience counts, and legal advice must be informed by in-depth knowledge of local government law. But, more importantly, advice must work for the community and be future-focused. That requires a home-grown team that hits the ground running and can provide a course of action that reflects your goals.

Laura Bielby heads up Rice Speir's Resource Management team and acknowledges the challenges that clients often face performing their consenting functions, liaising with multiple stakeholders and managing community expectations. Laura says, "We regularly advise councils in respect of plan changes, district plan reviews, appeals and judicial review. With our broadened expertise we find ourselves regularly called upon to provide advice in the complex area where the RMA and Buildings Act overlap, which is fertile ground for disputes. With our full service expertise in this area, we are able to resource these cases with both building and RMA specialists where required to ensure timely and quality advice".

Do not hesitate to visit Rice Speir's website for more information about the firm.  
[www.ricespeir.co.nz](http://www.ricespeir.co.nz)



## SOUTHERNSKIES

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SouthernSkies Environmental has been proudly supporting the ECC for 10 years and has been supporting Council consenting and compliance services since 2003. Our extensive experience in erosion and sediment control design, delivery and training, and planning and consenting various projects throughout Aotearoa, are manifested in our roles in the consenting phases of various

Early Contractor Involvement and Alliance projects. Our technical assessment reports combine physical erosion and sediment control assessments with the relevant planning and regulatory frameworks, inform our project-wide management plans for consenting, and the site-specific management plans that we prepare throughout the project delivery.

An example is Te Ahu a Turanga: Manawatū Tararua Highway, now under construction. SouthernSkies collaborated through the consent application and direct referral process, and now provides ESC design and on-site support, and design of automated sediment pond monitoring.

Don't hesitate to contact us for support on your projects - [www.southernskies.co.nz](http://www.southernskies.co.nz)





## WATERCARE LABORATORY SERVICES

Watercare Laboratory Services is pleased to be able to offer real-time water monitoring equipment to our clients. We offer a comprehensive solution from installation to data management.

This type of monitoring provides the benefits of measuring multiple parameters immediately as they are occurring in the environment giving a true picture of data trends.

Our latest offer of tryptophan sensors can be used to measure faecal like coliforms in a water body, handy to have near wastewater outflows for discharge monitoring and compliance. Other sensors are available for continuous monitoring such as pH, conductivity, dissolved oxygen and more.

Get in touch with us today on [labquotations@water.co.nz](mailto:labquotations@water.co.nz) to discuss your water quality monitoring requirements.



## DLA PIPER

Whilst DLA Piper always enjoys being involved in this event and are disappointed to hear of the postponement, we are looking forward to its rescheduled date, and hearing from the range of speakers lined up.

Like many others, we are figuring out how to manage life in ever-changing alert-levels, and how that looks for our firm. In terms of our work in the enforcement space, we continue to give advice to Council officers as they carry out their compliance, monitoring and enforcement work.

Whilst there have been some delays in the Court due to COVID, we continue with our work including a recent success in the High Court, following one of the (if not the) first defended noise prosecutions in New Zealand. We anticipate the work in the enforcement space will continue to grow over 2022, as development in New Zealand continues, and Councils bring an increased focus to their enforcement role.

We look forward to the rescheduled conference in December.





## MOTE

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The Earthworks Innovation Hub is a new, collaborative venture aimed at developing and testing new ideas for erosion and sediment control. New legislation on water quality and increasing public expectation of improved water quality will drive pressure on land development sites to adopt better site practices.

The EIH aims to act as a living laboratory at a national scale for trialling new and innovative processes that reduce environmental impact, improve operational engineering and drive better efficiency that ultimately can reduce project costs. By providing a forum where the emphasis is on practical and field-tested advancements, we can facilitate discussion on best practice for the earthworks industry.

The EIH is a partnership between Ridley Dunphy Environmental, Dempsey Wood and Mote, bringing together companies with the skills and knowledge of large construction, monitoring and modelling, and theory and practice of earthworks and erosion and sediment control.



### REGISTER TO ATTEND

Join us at the Environmental Compliance Conference from the 6th to the 8th of December 2022 at the Christchurch Town Hall. You can register online here - <https://www.environmentalcomplianceconference.org/>

### CONTACT

For Registration Queries, contact Hannah - [hannah@on-cue.co.nz](mailto:hannah@on-cue.co.nz)  
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