

Report No:	REP11-11-06
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Date:	10 November 2011
Information Only - no decision required	

REPORT SUMMARY

Report to: Environment & Planning Committee
Meeting Date: 23 November 2011
Report Author: Carl Cheeseman, Co-ordinator Compliance & Enforcement
Subject: ANNUAL COMPLIANCE MONITORING REPORT: 1 JULY 2010 - 30 JUNE 2011

EXECUTIVE SUMMARY

Tasman District Council operates tailored Resource Management monitoring programmes focussing the core of its efforts on the range of activities seen as significant to the district either in terms of environmental resources, actual or potential adverse effects or community interest. Council also provide a 24 hour complaint response and undertakes a range of enforcement actions in response to detected non compliance.

Tasman District Council's Compliance & Enforcement section is tasked to undertake these activities and this report summarises this programme of work for the period 1 July 2010 to 30 June 2011. Noise compliance is reported through the Regulatory section of Council and is not covered in this report.

RECOMMENDATION/S

That the report be received.

DRAFT RESOLUTION

THAT the Environment & Planning Committee receives the Annual Compliance Monitoring Report 1 July 2010 - 30 June 2011 REP11-11-06.



Carl Cheeseman
Co-ordinator Compliance & Enforcement

Report No:	REP11-11-08
File No:	C653
Report Date:	10 November 2011
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1. Introduction

- 1.1 This report summarises Tasman District Council's Compliance & Enforcement Sections programme of work and performance for the period 1 July 2010 to 30 June 2011. The report outlines consent monitoring performance, complaint and enforcement response over the period and serves in part to meet Council's obligations under section 35 of the Resource Management Act 1991.
- 1.2 This annual report does not attempt to report on effectiveness and implementation of the Tasman Resource Management Plan (TRMP) rules, consents or state of the environment monitoring.

2. Compliance Monitoring Programmes

- 2.1 Tasman District Council has operated tailored Resource Management monitoring programmes for a number of years focussing the core of its efforts on the range of activities seen as significantly impacting on the district either in terms of resource use, potential environmental effects or community interest. Noise compliance is carried out by the Regulatory section of Council and is not covered in this report.
- 2.2 Tailored Resource Management monitoring programmes allow for structured and consistent effects based monitoring. They provide the ability to report individual compliance performance with rules or resource consents along with district wide activity performance. It also allows Council the ability to identify sector and individual trends and respond appropriately to non compliance and/or environmental effects with additional resourcing or enforcement strategies.
- 2.3 Currently seven warranted officers and an administration officer form the Compliance section. Compliance Officers are assigned and have direct responsibility for managing and reporting outcomes under their individual portfolios. Each Compliance Officer holds a number of portfolios.

Table 1: Current structure of Compliance Monitoring programme in Tasman District

RMA Section	Compliance Programme
9	Land based aggregate.
	Signage
	Mining
	District Land Use
	Tracking/Earthworks
	Forestry
	Hazardous Facilities (HF)
	Bores
12	Mussel Farms
	Aquaculture
	Coastal Structures and occupations
13	Waterway structures
	River Management
	River diversions
14	Surface water
	Metered Groundwater
	Hydroelectric generation
15	Dairy Shed Effluent
	On - site Domestic Wastewater
	Air Discharges
	Timber treatment
	Stormwater discharges
	Chemicals/pesticides

Underlying each programme there exists a suite of identified monitoring strategies established to prevent or control significant actual and potential risk of adverse effect to environmental or public health. These target activities cover both consented and permitted activities occurring in the district. Table two below outlines some of these targets in detail.

Table 2: Tasman District Council Tailored Compliance Programme

Activity based programmes	Consents and Permitted Activity Targets
Land based Aggregate extraction	Sediment discharges, Land disturbance, Water usage
Camping Grounds	Wastewater discharge, Land use, Water permits
Forestry	Earthworks and Tracking , Soil management, Sediment discharge controls
Land Disturbance	Earthworks, Sediment and erosion controls
Signage	Land use consents, Permitted activity rules
On site Wastewater Systems	Discharge quality & volumes, “special wastewater zones performance” setbacks, installation
Aerial 1080 discharges	Discharge consents
Water Metering	Groundwater & surface-water metering returns, water permits and usage
Dairy effluent	Dairy effluent discharges, Impact monitoring programs, Clean Streams Accord targets

Industry Based programmes	Consents and Permitted Activities Targets
Dairy processors	Air, land and water discharge consents Water Permits Land Use consents Hazardous Facility consents
Timber treatment plants	Land Use consents Air and land discharge consents Hazardous Facility consents
Fish processing plants	Water discharge consents Land use consents Permitted activities
Council Global Activities	Earthworks and roading consents River works consent Wastewater treatment plants Coastal works permits Land use permits Hazardous Facility consents Biosolids/solid waste
Forestry	Land Use consents Sediment discharge consents

Compliance officers responsible for these programmes develop a comprehensive strategy of programme and data management. They are also required to develop an effective working relationship with industry and users and participate in liaison committees if set up.

3. COMPLIANCE GRADING

At the completion of any consent monitoring a grade is assigned reflecting the status or level of compliance. This grading system provides assistance to the compliance section in determining monitoring and enforcement response strategies for individual consent holders and also across activity sectors.

Table 3: Consent compliance grading system.

Grade 1	Full compliance
Grade 2	Non - compliance. Nil or minor adverse effect
Grade 3	Non - compliance. Moderate adverse effect
Grade 4	Non - compliance. Significant adverse effect
Grade 5	Not actively monitored
Grade 6	Not operational at time of visit
Grade 7	Not given effect to
Grade 8	Not being exercised

4. COMPLIANCE PERFORMANCE

Over the 2010/11 year a total of 1292 resource consents and targeted permitted activities were monitored across all activities that we currently report on. Of these 146 consents were not active or had yet to be given effect to at time of inspection. Of the consents that were active at the time (1147) compliance was somewhat mixed with only 56% complying with consent or plan rule requirements. This was down from the 74% recorded the previous year. Of the remainder 33% showed non compliance that had nil or minor adverse effect requiring limited enforcement action. These are the technical non compliances such as failure to submit documents or to notify according to conditions of consent and were mostly dealt with through written directives. A further 11% recorded non compliance with either moderate to significant effect that required more direct enforcement action. Again both of these categories were up on the previous year.

Table 4: Consent and targeted permitted activity compliance performance

Compliance rating	
1. Fully complying	639
2. Non - compliance. Nil or minor adverse effect	385
3. Non - compliance. Moderate adverse effect	84
4. Non - compliance. Significant adverse effect	39

5. ENFORCEMENT ACTION

Tasman District Council has a statutory obligation to enforce observance of plan rules and consent conditions. Councils authorised enforcement officers also have powers to take action where a breach of rules or consent is found. Any enforcement action undertaken by Council is in accordance with Tasman District Council's Enforcement Policy and Guidelines.

During the 2010/11 year Council compliance officers undertook a range of enforcement actions in response to detected non compliance or breaches. The following table provides a summary of enforcement action taken including against the same period last year. It should be noted that enforcement action includes response to breaches of consent conditions, non compliance with rules for a permitted activity in the TRMP, or infringements against the Litter Act.

Table 5: Enforcement action during the 10/11 year in Tasman District

Enforcement action	09-10	10-11
Abatement notices	70	84
Infringement notices	45	37
Enforcement orders	3	1
Prosecutions	2	1

6. COMPLAINTS

The department provides twenty four hour complaint response and each year investigates a wide range of activities as a result of public complaints. During the 2010/11 year a total of 1992 complaints were received by Council related to the RMA or Litter Act. Overall this represented a 7% decrease on the previous 12 months.

Table 6: Trend in complaint numbers in Tasman District over last five years.

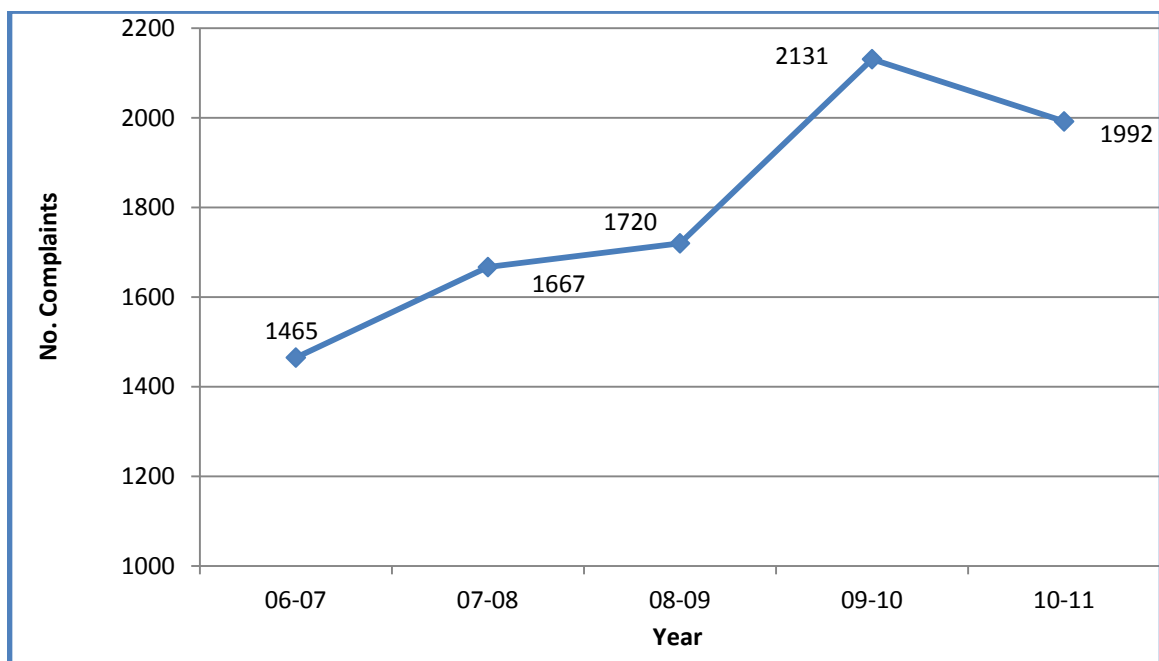
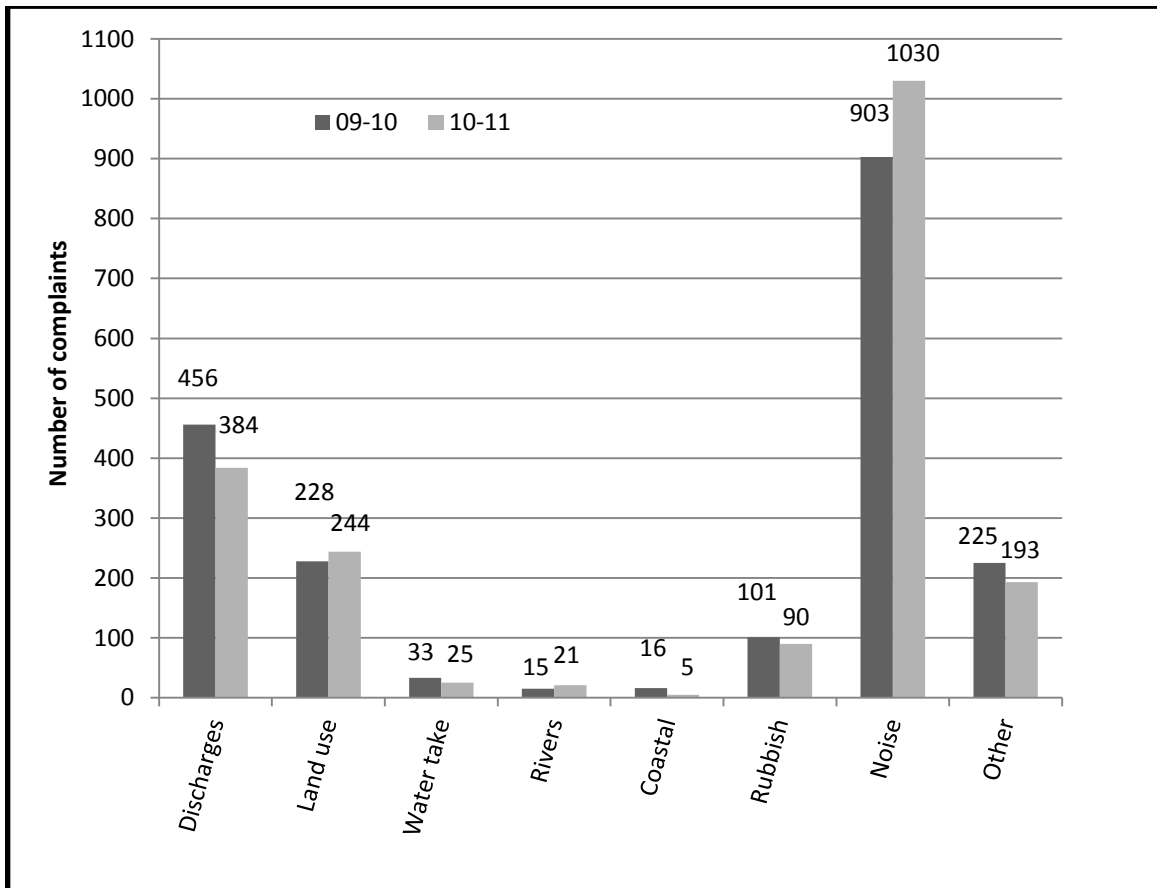


Table 7 below provides a graphical summary of these complaint numbers against the eight standardised complaint categories used for reporting. This summary shows that the decrease seen in the overall number was as a result of a fall across most categories with the exception of noise, land-use and rivers. Noise compliance is reported through the Regulatory Section and is not covered here.

Of the others the increase in land use complaints was primarily around activities breaching zone rules and shelterbelts. For rivers it was seen in an increase in works in a watercourse. The major decreases were in discharges and the category of 'Other'. These results are discussed in more depth in the following sections.

Table 7: Number of complaints received in comparison to previous year by general category



7. COMPLIANCE MONITORING IN TASMAN DISTRICT 2010/11

Section 9: Land Use

Tasman District Council processes a large number of land use consents each year. As a unitary authority it serves both as a regional and territorial authority in controlling land based activities occurring within its district. These 'land use' activities are controlled through the Tasman Resource Management Plan (TRMP) either through zone based rules designed to protect and preserve the specific character of the areas or activity based sections of the plan. These rules control a wide range of activities such as buildings and structures through to land disturbance activities such as quarrying and mining.

District Land Use

Compliance Summary

Many of the consents monitored under this category related to building activities such as building setbacks, access ways and non residential activities such as home occupations. During the year effort has continued into clearing the backlog of outstanding consents as well as monitoring the recently issued. During this reporting period 239 resource consents were monitored with the following results.

Fully Complying (1)	Minor non compliance (2)	Moderate non compliance (3)	Significant Non compliance (4)	Not actively monitored (5)	Not operational at visit (6)	Not given effect to (7)	Not exercised (8)
149	41	13	4	10	3	7	12

Complaints

Complaint Subject	Complaint number
Buildings/Structures	40
Consent breach	31
Breach of zone rules	85

Of the 156 complaints received relating to district land use activities perceived as zone rules breaches were a prominent subject for complaint. The greater majority of these complaints were around unauthorised commercial activities and home occupations, second dwellings and interestingly 23 complaints around roosters being kept in residential areas. The subject of complaint for the categories of consent and building/structures were far ranging and no particular activity stood out.

Enforcement

Non compliance was dealt with through a range of informal and formal enforcement actions depending on the nature of the breach and the environmental effects. Some of these were more protracted than others and resulted in significant time and costs to obtain compliance. Any enforcement action was followed with re-inspections and sign off. A summary of the enforcement actions undertaken were as follows:

- 24 abatement notices were issued over the period. One of the more significant of these was a notice which resulted in a failed stay and appeal by the recipient where the judge struck out the appeal (on the grounds of abuse of process and no relevant or reasonable case) and declined to grant a further stay. Costs were also awarded in this matter.
- Five infringement notices were issued for non-complying activities.

- One prosecution initiated. This was in relation to a commercial activity occurring in the rural zone within Motueka area but has yet to be before the court and will be reported on in full in the next report.
- No enforcement orders were sought.

Quarries, Mining and Land Based Aggregate Extraction.

Quarrying, mining and gravel extractions disturb vegetation and landforms and have the potential to adversely affect ground and surface waters if not properly managed. Poor rehabilitation of a site once a resource has been extracted can leave a lasting impact on an area particularly if soils are lost.

In Tasman District other than the very small scale, all quarrying, mining and land based aggregate extractions require a resource consent for the land use. Consent conditions typically look to control effects such as sediment and erosion, visual impact, vehicle movements and noise. Usually a discharge permit will also be issued to deal with any discharge effects.

Compliance Summary

There are 66 consented quarry and land based aggregate operations in the Tasman District although many are not currently active and Council continued to work through its inventory to confirm the status of the activity bearing in mind the age of some of these consents. As with other years the larger scale operations were regularly monitored particularly the extractions located around Douglas Road. The remainder were typically quarries or single operations spread around the district. The following results were recorded.

Fully Complying (1)	Minor non compliance (2)	Moderate non compliance (3)	Significant Non compliance (4)	Not actively monitored (5)	Not operational at visit (6)	Not given effect to (7)	Not exercised (8)
11	0	4	1	0	0	2	0

Whilst many of those inspected were fully complying some issues of non compliance were detected across this group predominantly around size of open pit, stripping of soil or providing reports when required.

Complaints

Complaint Subject	Number of Complaints
Land base - Quarry	1
Land base - Gravel extraction	0

The one complaint received related to a blasting activity in the Kotinga area of Takaka area which proved not to be related to any active quarrying.

Enforcement

Non compliance was dealt with through a range of informal and formal enforcement actions depending on the nature of the breach and the environmental effects. Any enforcement action was followed with re-inspections. A summary of the enforcement actions undertaken were as follows:

- One abatement notice was issued for non-complying gravel take.
- One infringement fine was issued to a non complying gravel take

Signage

Uncontrolled signage on roads and frontages can provide driver distraction, conflict with traffic signs or in the case of sandwich boards provide a safety hazard for pedestrians on footpaths. Further the proliferation of signs can significantly detract from the visual amenity provided by the many scenic areas of the district particularly in the rural environs. For the reasons outlined Compliance actively monitor the use of outdoor signs.

Compliance Summary

Council implemented a dedicated signs monitoring programme several years ago after the proliferation of unauthorised signage appearing across the district prompted frequent complaints. The focus of the monitoring program has been on “remote” signs that are located away from the property as these require land use consents or where an activity includes signage.

As many resource consents for remote signage have been monitored in previous years only those recently granted consents or those attracting complaints were subject to monitoring.

Fully Complying (1)	Minor non compliance (2)	Moderate non compliance (3)	Significant Non compliance (4)	Not actively monitored (5)	Not operational at visit (6)	Not given effect to (7)	Not exercised (8)
5	0	2	0	0	0	0	0

Complaints

Complaint Subject	Number of Complaints
Signage	19

Council typically receives a lot of complaints about remote signage from the public or from the New Zealand Transport Agency. Sandwich boards and other signage on footpaths in the commercial areas also the subject of frequent complaints and require targeted monitoring at one time or another.

The 19 complaints relating to signage were quite mixed this year with remote advertising signs in the rural areas, proliferations of real estate signs on particular intersections in the Tasman and Moutere areas and the occasional sandwich board in Richmond making up the bulk of the complaints.

Enforcement

A number of signs that received complaints were found to be non-complying and many were subject to enforcement action in one form or another. One those occasions where these were second or subsequent offence the matter was resolved through notices and/or fines.

- Six abatement notices were issued for unauthorised signage
- Three infringement notices were issued.
- One enforcement order was initiated and orders granted in favour of Council. This was in relation to continued non-compliance with signage despite council's earlier interventions including Abatement notices. A costs decision is pending.

Land Disturbance, Tracking and Earthworks

Land disturbance and earthworks can result in the loss of soil through wind or water erosion or result in significant adverse effect on fresh and coastal waters as a result of sediment transport from the disturbed site during rainfall events. This is a significant problem on certain soil classes in the Tasman district. The TRMP specifies two land disturbance areas. Land Disturbance 1 comprises all dry land in Tasman District outside of Land Disturbance Area 2 and forms the majority of the land area in the district. Land Disturbance Area 2 covers the highly erodible and vulnerable Separation Point Granite area and stricter rules apply.

In Tasman District small scale land disturbance including re-contouring, tracking and earthworks is a permitted activity subject to certain conditions. Any activity outside of these permitted rules requires a resource consent and will be monitored as part of a specific programme.

Compliance Summary

There were 51 resource consents monitored during this period with the following results.

Fully Complying (1)	Minor non compliance (2)	Moderate non compliance (3)	Significant Non compliance (4)	Not actively monitored (5)	Not operational at visit (6)	Not given effect to (7)	Not exercised (8)
26	13	4	0	3	1	3	1

Compliance with consent conditions was down in this sector compared with last year although a greater number of consents were also monitored. The common non-compliance in this sector was around maintenance of erosion control measures and poor side casting practices in tracking and road formation. The moderate non compliance was generally around forest harvesting activities where batter failures and poorly formed stormwater cut offs failed to meet consent conditions and resulted in some erosion and sediment discharges.

Complaints

Complaint Subject	Number of Complaints
Land disturbance	32

Of the 32 complaints received in this reporting period most were focussed around the typical effects of earthworks such as run-off, lack of erosion or stormwater controls and dust.

Enforcement

- Two Abatement notices were issued for non-complying activities.
- One infringement fine was issued.
- No enforcement or prosecutions were initiated.

Forestry

While predominantly restricted to the rural zones, plantation forestry has the potential to adversely impact on waterways and also residential areas in some places during harvest operations. While plantation forestry is in itself a permitted activity many companies hold a suite of resource consents to undertake particular types of works and Council actively monitors this sector.

Compliance Summary

Nelson Forests Ltd

Nelson Forests Ltd bought the local assets of Weyerhaeuser NZ Holdings Inc several years ago. Nelson Management Ltd holds a number of consents including global resource consent for the placement of structures in and over waterways in their forestry estates. The company operates their Separation Point Granite management plan which ensures all forest and contract operators operate to accepted standards when working on the Separation Point Granites. The company also continues with its environmental working committee to which compliance staff are a participant.

Hancock Forest Management (NZ) Ltd

Hancock's Forest Management Ltd own the timber and cutting rights to timber formerly owned by Carter Holt Harvey (CHH) who still own land. Hancock's works closely with Council Compliance staff on matters such as consent compliance, best practice and environmental initiatives.

Tasman Bay Forests Company Ltd

Tasman Bay Forests Company hold the cutting rights to what was Rayonier NZ Limited who administered local crown owned forest.

Tasman District Council

Tasman District Council currently owns approximately 2,800 hectares of commercial plantation forest in the district. This is managed by PF Olsen.

Other Forestry Companies

There are a number of smaller forestry companies and private owners in the Tasman District. These companies and private owners are typically more limited in their resources and as a result most complaints associated with forestry arise from their activities. Several companies hold various consents to track and undertake in-stream works.

Complaints

Complaint Subject	Number of Complaints
Forestry/shelter belts	16

There were 16 complaints received either relating to plantation forestry, woodlots or shelterbelts over the period. By far the greatest number were in fact related to shelterbelts predominantly around breaches of setback provisions for newly established shelterbelts or shading effects from more established trees. Two complaints were associated with logging activities in Golden Bay that were within earshot of residential areas with the complaints mainly around transport and loading noise.

Enforcement

No formal enforcement action was undertaken during the year.

Hazardous Facilities

Tasman District has a number of industries where storage and use of hazardous substances presents a clearly identified environmental risk. All hazardous sites are required to undergo a Hazardous facility Screening

Procedure (HFSP) which determines if the site is a permitted activity or requires resource consent.

The HFSP is based on accepted risk management practices and scientific evidence on hazardous substances and is set out within specific rules in the TRMP on hazardous sites.

Over recent years in conjunction with Councils hazardous substance advisor, compliance officers have conducted comprehensive surveys of the hazardous sites in the district and operate a programme of monitoring including a dedicated database. Currently 59 sites operate as consented activities and 129 are recorded permitted activity sites. Site inspections continued over this period with a number of major sites targeted along with any recently consented activities.

Compliance Summary

A total of 52 resource consented sites were monitored over the period with the following results.

Fully Complying (1)	Minor non compliance (2)	Moderate non compliance (3)	Significant Non compliance (4)	Not actively monitored (5)	Not operational at visit (6)	Not given effect to (7)	Not exercised (8)
25	20	2	1	2	1	0	1

A small number of sites operating as permitted activities were also monitored under the screening procedure in order to assess compliance with the HF rules, in particular spill containment, hazardous substance storage and signage, discharge and stormwater management.

Enforcement

- One abatement notice was issued for a failure to comply with conditions of consent around sampling and reporting. This matter has yet to be resolved to the satisfaction of Council and other enforcement action may be pending.
- No infringement fines were issued.

Bores

Bore construction has the potential to adversely impact on groundwater unless controlled and managed appropriately. Shallow bores no deeper than 8m are a permitted activity provided they meet certain conditions such as location and construction. Any proposed activity outside of these conditions requires a resource consent.

Compliance Summary

29 resource consents were monitored in the period.

Fully Complying (1)	Minor non compliance (2)	Moderate non compliance (3)	Significant Non compliance (4)	Not actively monitored (5)	Not operational at visit (6)	Not given effect to (7)	Not exercised (8)
21	0	0	0	0	0	7	1

Complaints

No complaints were received regarding the drilling or construction of bores in the district.

Enforcement

No abatement notice or infringement fines were issued over the reporting period and letters of direction were used to resolve minor non compliance.

Section 12: Coastal

Aquaculture Marine Areas exist in both Tasman and Golden Bays. Tailored monitoring programs for aquaculture- spat farming and aquaculture - mussel farms have been in existence for over eight years and are routinely monitored.

Tailored projects to monitor coastal structures and coastal disturbances also exist although with current resources a fully dedicated monitoring programme is not fully operational to date and consents are monitored as and when resources permit.

Aquaculture

Structures associated with aquaculture can occupy significant areas of the coastal marine area and have potential to impact adversely on public amenity values through visual effects, noise, access to the coastline and the safe and unobstructed passage of vessels. The uncertainty surrounding potential effects on the regions marine ecosystems from aquaculture also provide a challenge to the management and monitoring of the activity.

In Tasman District activities relating to aquaculture such as occupation and disturbance of the bed require a resource consent. Consent holders are permitted to undertake mussel farming and mussel and scallop spat catching within the designated Aquaculture Marine Areas (AMAs) sub zones.

Compliance Summary

A number of marine farming consortiums operate farms and mussel and spat catching operations in Golden and Tasman bays. Alongside the permanent farms spat catching occurred in the three AMAs in 2010/11.

Monitoring inspections target such matters as location, layout and day and night navigational safety requirements and gear removal at end of season.

Sites monitored over the season are as follows.

Tasman Mussels Limited

Holds consents to occupy and disturb the coastal marine area for the purposes of farming green-lipped mussels within a 477.21 hectare site in Tasman Bay.

This company was operating in AMA 3 (Te Kumara) farming and spat catching in association with Challenger. Fully complied with all consent conditions.

Challenger Scallop Enhancement Company

This company is consented to place structures and lines on the seabed seasonally in both Tasman and Golden Bays.

Operating in both Golden Bay AMA 2 (Waikato) and Tasman Bay AMA (Te Kumara) this year catching scallop spat. Fully complied with all consent conditions.

The Ringroad Consortium

This company is consented to occupy the coastal marine areas for the purpose of marine farming in both Tasman and Golden Bays and holds a number of consents.

Operating in both Golden Bay AMA 2 (Puramakau) and Tasman Bay AMA 3 (Te Kumara) this year farming and spat catching for mussel and scallops. Fully complied

Golden Bay Marine Farms Consortium

This is a consortium consented to place structures and lines in Golden Bay for the purpose of farming and catching mussel spat.

Operating in AMA 1 (Waikato) this year with farms and mussel spat lines. Fully complied

Waitapu Fishing Company Ltd

Waitapu Fishing Company operates a permanent mussel farm occupying 3ha offshore of Wainui Bay. Several site inspections occurred during the 2009/10 year. The company fully complied with their consents.

Complaints

Two complaints were received over the period relating to aquaculture. One complaint was received that the number of lines in the water at Wainui Bay exceeded that authorised by the various consents.

A subsequent check revealed that there was no obvious demarcation between the farms authorised by Marine Farm Licences 117, and 115 (Deemed coastal permits RM060293 and 060291) and where each of those farms is permitted to have a total of 20 lines in the water, there were in fact 25 lines. The other related to noise during harvest also at Wainui Bay.

Enforcement

No formal enforcement action was taken over the reporting period.

Coastal structures and disturbances

Physical modification of the coastal marine area by structures, reclamations and disturbances can affect the natural character of the area by adversely affecting natural coastal processes, habitats and the natural scenic values the area offers.

In Tasman District certain low impact or old existing activities are permitted provided all the rules controlling that activity are met. For activities that fall outside of these a resource consent is required.

Compliance Summary

During the period a total of 16 coastal consents were monitored. The bigger projects monitored during this period were the rock work associated with the Greenacres golf course on the Waimea and the rock revetment on the Abel Tasman Drive, Pohara.

Fully Complying (1)	Minor non compliance (2)	Moderate non compliance (3)	Significant Non compliance (4)	Not actively monitored (5)	Not operational at visit (6)	Not given effect to (7)	Not exercised (8)
13	2	0	0	0	0	0	1

Complaints

Complaint Subject	Number of Complaints
Coastal disturbance	02
Coastal structures	01

Three complaints were received relating to activities, structures or disturbances in the coastal environment. The complaints related to various disturbances or occupations occurring around the coastline and were dealt with as and when required.

Enforcement

As a result of non complying activities the following enforcement action was undertaken.

- One abatement notice was issued for a breach of the Tasman Resource Management Plan by unauthorised depositing of material in CMA (Pakawau) namely felled trees.
- No infringement fines issued.

Section 13: Rivers and Lakes

Prior to the introduction of part IV of the Tasman Resource Management Plan resource consents were typically issued for the following activities:

- The placement of a culvert in a waterway;
- The construction of a bridge over a water way
- Damming a waterway,
- Gravel extraction from river beaches; and
- Flood erosion protection works.

Tailored monitoring programs for gravel extractions and dams have been in existence for several years. While no dedicated consent monitoring programme for structures and other disturbances in watercourses currently exists monitoring of consents continues to be a priority.

Gravel Extraction

Gravel extraction can have significant adverse effects on such things as stability of river channels and associated river control structures, groundwater recharge, water quality, freshwater habitats and the amenity values the river provides to the community. Tasman District Council closely controls river based gravel extraction and other than the very small scale resource consents are required for gravel extraction.

Compliance Summary

In the 2010/11 year compliance monitoring occurred on a number of extraction sites around the district but predominantly activities within the Buller. Overall compliance with conditions was again poor although filing of returns was much improved with more active monitoring.

Of the resource consents monitored the level of reported compliance was as follows:

Fully Complying (1)	Minor non compliance (2)	Moderate non compliance (3)	Significant Non compliance (4)	Not actively monitored (5)	Not operational at visit (6)	Not given effect to (7)	Not exercised (8)
1	1	1	1	0	0	0	0

Complaints

Two complaints were received relating to river based gravel extraction during the period. One was in the Aorere River alleging an unconsented take and the other around the consented gravel extractions in the Waimea. Both complaints were investigated with no offence disclosed.

Enforcement

- One abatement notice was issued for persistent non compliance with consent conditions in the Buller area.
- Three infringement notices were issued for unauthorised takes occurring in Buller, Aorere and one small activity in the Motueka after previous warnings.

Tasman District Council Global Riverworks Resource consent.

The Tasman District Council Asset Engineering Department holds a global resource consent which allows gravel abstraction as part of its river protection and management work. This allows abstraction of up to a maximum of 40000 m³ of gravel from Tasman District rivers in any one year. The abstraction of the gravel must be part of the river maintenance program detailed in the annual plan and made available to stakeholders at the beginning of each financial year.

The consent holder is required to supply returns and give prior notice of gravel extraction from a river beach before work occurs. This information is then supplied to key stakeholders (upon request) for comment.

Two gravel extractions occurred under this consent during the period totalling 4472 m³. No non-compliance was recorded.

Gold Extraction

Eight gold mining activities were monitored during the period. Three of these were suction dredging operations working alluvial deposits in the Buller, Maruia and Aorere Rivers. These were relatively small scale operation. The remainder of consents monitored were associated with larger operations working the alluvial terraces on the Matakita and Mangles Rivers in the Buller catchment. These operations tend to have a suite of consents.

Fully Complying (1)	Minor non compliance (2)	Moderate non compliance (3)	Significant Non compliance (4)	Not actively monitored (5)	Not operational at visit (6)	Not given effect to (7)	Not exercised (8)
4	0	2	1	0	0	1	0

Complaints

Five complaints were recorded relating to gold mining operations. All were within the southern parts of the district either as suction dredging in the Tadmor or machinery extractions in the Maruia and Matakita River sections.

Enforcement

- One abatement notice was issued for non-complying dredging activities in the Maruia.
- No infringement fine was issued

Structures in watercourses

Structures and other works in the bed of a river can have significant adverse effects on the physical and ecological processes occurring in that river system. Of particular significance in this district is a loss of effectiveness or stability of river channels resulting in erosion or inundation of surrounding land in flood events. Likewise of major concern is the effect structures may present to the safety and enjoyment of recreational users of the many of the larger rivers particularly as the popularity of recreational water based activities increases. As a result a dedicated monitoring programme exists for this type of activity.

Compliance Summary

While a number of resource consents were issued for structures or works in a watercourse over the period not all require monitoring being small scale activities. 31 consents were monitored this period.

Fully Complying (1)	Minor non compliance (2)	Moderate non compliance (3)	Significant Non compliance (4)	Not actively monitored (5)	Not operational at visit (6)	Not given effect to (7)	Not exercised (8)
24	4	0	0	1	0	1	1

Complaints

Complaint Subject	Number of Complaints
River/Lakes Structures/Disturbances	- 13

The 13 complaints received related to either structures and associated disturbances or most notably diggers observed in watercourses. All complaints were investigated and most found to be complying although some did require further action from non compliance.

Enforcement

- Two abatement notices were issued one for non compliance around a gravel extraction site in the Buller and the other for a mining operation in Murchison in breach of consent.
- Two infringement fines were issued one for a bed disturbance in the Motueka River and one for unauthorised works in a river constructing a culvert.

Dams

Small scale damming of fresh water is a permitted activity as the effects are usually minimal and may even provide positive benefits. Large scale damming however may create significant hydrological and ecological effects as well as provide downstream risk in the event of structural failure if poorly engineered. All large scale dams therefore require resource consent in Tasman District.

Compliance Summary

15 resource consents for in stream dams were monitored over the period as part of a dedicated monitoring programme. The moderate non compliance in this area was a hydro dam where consent holders failed to comply with a number of conditions around metering and reporting.

Fully Complying (1)	Minor non compliance (2)	Moderate non compliance (3)	Significant Non compliance (4)	Not actively monitored (5)	Not operational at visit (6)	Not given effect to (7)	Not exercised (8)
9	02	1	0	3	0	0	0

Complaints

Complaint Subject	Number of Complaints
Dam or divert surface water	02

The two complaints received relating to construction work on a dam in the Moutere.

Enforcement

Non-compliance was dealt with through formal enforcement action but no abatement notices or infringements fines were issued with consent holders receiving formal notification of work required to comply.

Section 14: Water

Individual and cumulative abstraction of ground and surface water has the potential to adversely affect a water body through wide ranging environmental impacts including other user's ability to access water or enjoy the recreational cultural values of the water body.

As irrigation accounts for around 90% of water takes in the district Tasman District Council provides for sustainable use of this valuable and seasonally limited resource through controls in the TRMP including allocation, minimum flows and rationing. These zones require metering of all water takes through resource consents. Compliance monitoring section manages this through a dedicated monitoring programme.

Detailed reporting on the water metering programme was covered in a separate report to Council in August and is not reported on in depth here other than a quick summary.

Groundwater Metering

At present 21 zones have a full metering requirement and subject to partial metering. For the actively metered zones 721 meters are in place and subject to compliance monitoring. Administration is through a dedicated database and field work. Consent holders are required to furnish weekly usage readings on a fortnightly basis over the water metering period. Reporting performance is on accuracy of data and frequency of return. From this information individual allocation and zone usage is monitored. This is a large monitoring programme and detailed reporting on the water metering programme for the past season was covered in a separate report to Council in August and not covered in detail here.

Compliance Summary

All 852 resource consents with metering as a condition of consent were monitored this year although not all of these were subject to field inspections. A number of these are also metered surface water takes incorporated into the management programme.

Complaints

Complaint Subject	Number of Complaints
Groundwater - take water	12

Most complaints received related to inappropriate water use outside of consent conditions.

Enforcement

Water meter returns - 17 consent holders were the subject of specific enforcement for failing to furnish water meter returns. These consent holders received the mandatory monitoring recovery fee of \$175.

Excessive takes - All overtakes were investigated at the first opportunity. Seven infringement fines were issued for excessive groundwater takes.

Other non compliance - Generally formal enforcement action was used for matters such as leaking well heads, broken security seals by way of letters of direction.

Surface Water Resource Consents

Surface water takes subject to metering requirements including dam storage are included in the water management programme. A number of non metered surface takes were monitored this year.

Compliance Summary

As metered surface water takes are managed within the water meter programme compliance performance for surface water takes is included in the annual water report.

Complaints

Nine complaints were received relating to surface water take over the period. All related to drying creeks from alleged upstream takes. All were investigated with two found to be the result of a non complying activity.

Complaint Subject	Number of Complaints
Surface water - take water	13

Enforcement

- One abatement notice was issued for unauthorised surface take
- One infringement notices were issued for overtakes or other non complying surface water takes.

Other Zones

Implementation of the Moutere domestic bore metering programme continues and 91 domestic takes are now required to install meters. At present 76 have installed meters and work continues on this compliance programme.

Section 15: Discharges

Dairy Effluent

A targeted dairy effluent discharge monitoring programme exists for all dairy farms operating in Tasman District. Compliance is assessed on conditions of resource consent for those discharging treated effluent to water and the rules controlling land application of effluent for those operating as permitted activities. Currently 147 farms operate in the district and are subject to inspection.

As Tasman District Council is a signatory to the Fonterra Clean Streams Accord this compliance monitoring programme also includes assessment of performance for Fonterra farms against the performance targets set out in the Accord document.

Detailed reporting on farm dairy effluent was covered in a separate report to Council in August and is not reported on in depth here other than a quick summary.

Consented Discharges

Monitoring of the few consented dairy effluent discharges extended to all discharge and diversions from the dairy shed effluent pond performance and maintenance, sampling regimes around point of discharge and receiving environment, raceways, crossings and other potential point source discharges. Only six farms in the district now discharge under resource consent

Permitted Activity Discharges

Monitoring of the 141 permitted activity dairy effluent discharges against the rules allowing the discharge under the TRMP extended to among other things discharge and diversion around the shed, contingency measures, and land application performance, Nitrogen loading, raceways, crossings and other potential point source discharges.

Over the season the entire 147 farms were subject to inspection as part of the monitoring programme and the results were as follows.

Fully Complying (1)	Minor non compliance* (2)	Significant Non compliance (4)
132	11	4

*In order to reflect the change to reporting farm dairy compliance resulting from national agreement between Councils, the Ministry and industry Councils now report performance against three criteria and does not differentiate non compliance other than minor or significant.

Clean Streams Accord

The number of farms in Tasman District subject to the Fonterra Clean Streams Accord currently sits at 137. The other 10 are Westland Milk suppliers and not subject to this accord. In 2010 performance with the targets was as follows:

Target	50% of regular crossing points have bridges or culverts by 2007	Dairy cattle excluded from 50% of streams and rivers by 2007	100% of farms to have systems in place to manage nutrient inputs and outputs by 2007	100% of farm dairy effluent discharges to comply with resource consents and regional plans	50% of regionally significant wetlands to be fenced to prevent stock access by 2009
Total	95%	95%	100%	92%	*See note

Note: The accord acknowledges that over 90% of lowland wetlands in Tasman District have been drained. Tasman District Council is currently determining the status of its remaining lowland wetlands.

Complaints

Complaint Subject	Number of Complaints
Discharge to water - dairy effluent	3
Discharge to land - dairy effluent	9

The 12 complaints were received relating to discharge of dairy effluent to land or water. All of the complaints related to stock in waterways or animal effluent on roadways. All of the reported stock in waterways with the exception of one in the Takaka area were found to be non dairy related, predominantly cattle herds. The stock crossing on roadways was referred to Engineering.

Enforcement

Compliance staff continued with a three stage enforcement strategy depending on the level of non-compliance and the resulting adverse effect from the activity as a result of that non-compliance during this monitoring programme.

Formal Warnings

All 11 minor non compliant received formal warning letters outlining the enforcement steps Council will take with any further non-compliance.

Abatement Notices

Three Abatement Notices were issued.

Infringement Fines

No infringement fines were issued.

Prosecution

No prosecutions were initiated.

Enforcement Orders

No enforcement orders were initiated.

Onsite Domestic Wastewater

The TRMP provides for small volume on-site wastewater discharges outside the main reticulated sewerage areas to operate as a permitted activity (subject to performance standards). Higher volume (>2m³/d) and all new discharges within the wastewater management areas require resource consents. A targeted monitoring programme for wastewater has now been operating for several years.

Compliance Summary

While there remained a high level of demand on staff time responding and resolving domestic wastewater related complaints, particularly from failing systems operating under permitted activities. Throughout the year both consented and permitted activities were subject to a range of monitoring with the following results.

Fully Complying (1)	Minor non compliance (2)	Moderate non compliance (3)	Significant Non compliance (4)	Not actively monitored (5)	Not operational at visit (6)	Not given effect to (7)	Not exercised (8)
243	95	15	10	2	7	4	2

Complaints

Complaint Subject	Number of Complaints
Discharge sewerage	30

A total of 30 complaints were received relating to on-site domestic wastewater discharge. Complaints ranged widely from localised effects from failing systems such as surface exposure and odour through to actual ground and surface water contamination.

Enforcement

As a result of non complying activities the following enforcement action was undertaken.

- 11 abatement notices issued.

- No infringement fines issued.

A number of formal warnings and directives to undertake work were also issued over the period. Most were complied with and Council was not required to take any further action however some matters resulted in further enforcement action being taken in the form of abatement notices after no response was received.

Air Discharges

A range of consented air discharges were monitored over the period from activities such as outdoor burning, industrial stack discharges through to dust and odour. The results of this monitoring are as follows

Fully Complying (1)	Minor non compliance (2)	Moderate non compliance (3)	Significant Non compliance (4)	Not actively monitored (5)	Not operational at visit (6)	Not given effect to (7)	Not exercised (8)
32	8	3	1	1	1	1	0

Complaints

Complaint Subject	Number of Complaints
Discharge to air - dust	12
Discharge to air - smoke	121
Discharge to air - odours	106
Discharge to air - spray drift	14
Discharge to air - industrial	0

During the period 253 complaints were received relating to a range of air discharges most notably smoke and odours. Typically a lot of complaints related to outdoor burning in the autumn and the odours were around prominent food, product manufacturing or farming enterprises. Most prominent in this period was the pig farm in the Riwaka area which prompted frequent complaints from nearby residents,

complaints around odour from a café in Motueka and also occasional complaints around a factory in Takaka manufacturing scented products. All complaints were investigated although some are yet to be resolved fully.

Enforcement

As a result of non complying activities the following enforcement action was undertaken.

- Seven abatement notices was issued for non-complying air discharge.
- 10 infringement fines issued for non-complying air discharges.

Richmond Air Shed

During the year monitoring of the Richmond Airshed continued for those subject to the property sales rule, or had Council verification of the presence of a woodburner.

Properties are continually being entered into the database as property sales occur and monitoring over the winter period continued to assess compliance.

During this period property owners continued to replace non-compliant woodburners with Clean-Air approved woodburners. As usual the focus during the period was on investigating those properties which clearly breach the TRMP rules to ensure that no discharges were occurring from non-compliant burners. No formal enforcement action was required over the period.

A full report to Council on this programme is scheduled for early next year.

1080: Sodium Monofluoroacetate

In Tasman District 1080 and cyanide is often used to control the Australian brush tail possum. These pesticides may be applied aerially or by hand and are often used in combination for control in the large tracts of conservation and private estates. The aerial discharge of 1080 to land requires a resource consent under the TRMP as aerial discharge of 1080 is deemed to be a Discretionary Activity due to the risk of bait entering water.

The discharge of any pesticide requires consent if the receiving environment is public access land and this includes hand laid baits such as cyanide.

The principal issue(s) associated with the activity involve the actual and potential effects on the environment and in particular:

- (a) potential effects on stock, land and aquatic native wildlife; and
- (b) potential effects on human health through drinking water or accidental consumption.

Conditions of resource consents require that waterways attached to public supply be closely monitored and sampled for 1080 residue and that applicators supply to the council a map detailing buffers and actual flight paths during the operation. This is recorded by GPS onto an overlay.

During the 2010/11 year, one 1080 operation was run in the district in the Waiangaro area. Operation was closely monitored and all flight data was supplied at the end of the operation as required by the applicator. No non-compliance was detected.

Notable Industrial and Large Scale Consents

Wastewater treatment plants (WWTP)

By far the largest wastewater treatment plant operating in Tasman district is a joint venture between Nelson City Council and Tasman District Council operating under the Nelson Regional Sewage Business Unit (NRSBU). The Business Unit controls the piping assets that take domestic and industrial effluents from parts of Nelson City, Richmond, townships around the Waimea plains including Brightwater, Wakefield and Mapua/Ruby Bay in the Moutere area to the Bells Island Treatment Plant.

Treated effluent is discharged into the Waimea Estuary and biosolids are applied onto Tasman District Council forested land on Rabbit Island. NRSBU hold a number of discharge consents to land, air and the coastal marine area. Extensive monitoring is undertaken and supplied to Council.

For the towns and smaller communities Tasman District Councils Engineering Department has resource consents to discharge treated effluent into land and into water from seven community WWTP's. The consent holder is required to monitor a broad range of conditions including effluent quality, volume, odour management, receiving environment impact assessment and performance on maintenance. Performance reporting is required and is audited by the Compliance department.

NRSBU - Bells Island Treatment Plant

The Nelson Regional Sewage Business Unit has resource consent to discharge up to 25 000 m³ of treated effluent per day via an aeration basin and treatment plant and five stage oxidation pond system, into the Waimea Estuary. They also hold a consent to discharge odour to air.

Discharge to Water

Conditions of the resource consent requires sampling of effluent quality on a monthly basis for E.coli, faecal coliforms, total phosphorous, total nitrogen, suspended solids and BOD₅. The Council receives copies of all sampling results that the business unit carried out.

Sampling reports were received as required and all results complied with consent conditions over the period with the exception of some elevated BOD results in February and March as a result of pond works.

Discharge to Air

Some minor non compliance detected under this consent around a failure to furnish reports as required after odour incidents were reported. This matter was subsequently resolved.

NRSBU - Discharge of Biosolids on Rabbit Island

Nelson Regional Sewage Business Unit has resource consent to discharge stabilised sludge (biosolids from Bells Island treatment plant) from a sludge digester to approximately 1000 hectares of forest land on Rabbit Island.

Consent conditions require routine sampling of effluent, groundwater quality, and soil contaminant concentrations on the irrigated land. At three month intervals the dry solids are to be tested for organic matter, pH, total and ammonia nitrogen, phosphorous, potassium and the following heavy metals, arsenic, cadmium, chromium, copper, lead, mercury, nickel, zinc.

Also at three month intervals groundwater levels are monitored at eleven piezometers on Rabbit Island for pH, conductivity, nitrate-nitrogen, ammonium-nitrogen and chloride. Once a year representative samples are taken from all eleven piezometers, filtered and analysed for heavy metals including arsenic, cadmium, chromium, copper, lead, mercury, nickel, zinc and aluminium.

A full report including trends is required to be submitted every six years on anniversary of consent. The next report is due 2014.

Collingwood WWTP

The Collingwood township WWTP discharges treated effluent into the Burton Ale Stream via a two stage oxidation pond and marsh cell system. The resource consent allows for a maximum of 1070 m³/day of effluent at a rate of 12 litres per second, to be discharged into Burton Ale Creek.

Collingwood WWTP resource consent requires a range of monitoring including plant performance and surface water monitoring. This is undertaken by consultants MWH New Zealand Ltd who provide sampling data and annual reports. The Annual report due date for this consent is 30 November each year. The report covering the previous year's performance was received as required. Incident reporting is also required as and when detected.

During the period all reports were received as required. On a number of occasions during this period exceedances in either flow rates or wastewater quality were reported typically in high rainfall events. These were followed up with the consent holder and consultants and appropriate actions taken as and when identified.

Takaka WWTP

The Takaka WWTP currently serves Takaka as well as a number of smaller settlements. The system comprises two aerated oxidation ponds feeding eight marsh cells. Discharge is to groundwater via infiltration trenches. The resource consent allows for a maximum of 1680 m³ of effluent per day to be discharged into the ground.

This system is scheduled for significant upgrade and a suite of new consent applications are currently going through the consenting process. In the interim the old consent conditions prevail.

Resource consent conditions require a range of monitoring including plant performance and ground and surface water monitoring. This is undertaken by consultants MWH New Zealand Ltd who provide the annual reporting.

During the 2010/11 year all monitoring was undertaken as required and results supplied to Council. Non compliance was detected regularly around in-flow volumes and marsh cell performance. These matters are followed up with the consent holder.

Upper Takaka WWTP

Upper Takaka Wastewater Treatment Plant is a small system that services approximately 26 households and discharges treated effluent into land via a single pond and marsh cell system. This system has recently been granted new discharge to land and air consents. Extensive upgrades to the soakage area and wetland was completed in April 2009.

Resource consent conditions require a range of monitoring including plant performance and surface water monitoring. This is undertaken by consultants MWH New Zealand Ltd who provide the annual reporting. The Annual report due date for this consent is 30 November each year.

During the period all reports were received as required. On a number of occasions during this period exceedances in either flow rates or wastewater quality were reported typically in high rainfall events. These were followed up with the consent holder and consultants and appropriate actions taken as and when identified.

Motueka WWTP

The Motueka WWTP services the township of Motueka and surrounding areas and the resource consent allows for a maximum of 10,000 m³ of effluent per day to be discharged. The system originally comprised a single pond and aeration basin feeding into marsh cells which discharged via infiltration into ground adjacent to the Motueka River estuary.

Trialling of a rapid infiltration basin continued during this period which will determine the future treatment of this waste stream.

The old resource consent conditions require a range of monitoring including plant performance and ground water monitoring. This is undertaken by consultants MWH New Zealand Ltd who provide a comprehensive set of sampling results at frequent intervals.

Throughout the period non compliance has occurred on a number of occasions mostly around wastewater sampling limits however the most significant is the overflows from the northern end of the wetland into the Motueka River which have occurred on high rainfall events. A resource consent application is currently being processed to address this issue until such time as the new suite of applications is received for this WWTP.

Tapawera WWTP

Tapawera Wastewater Treatment Plant is a small system servicing the township of Tapawera. This system was upgraded in 2008. The system comprises a single pond feeding into rapid infiltration basins. The consent allows a maximum discharge of up to 500 m³ per day. The site also holds discharge to air consent.

Resource consent conditions require quarterly sampling reports and a full biennial report incorporating plant performance and ground water monitoring. Biennial benthic surveys of the Motueka River are also required. This is undertaken by consultants Montgomery Watson Harza.

All environmental monitoring reports have been received as required. No issues were recorded.

Murchison WWTP

The Murchison WWTP lies near the Matakita River beside State Highway 6. This system was upgraded under new resource consent granted in 2006. The system comprises three aerated oxidation ponds. Discharge is to groundwater via infiltration trenches. The resource consent allows for a maximum of 500 m³ of effluent per day to be discharged into the ground. Five bores actively monitor for groundwater effects.

Resource consent conditions require a range of monitoring including plant performance and ground water monitoring. This is undertaken by consultants MWH New Zealand Ltd who provide the annual reporting.

All reporting was achieved as required. Some non-compliance was recorded most notably during the flood event of December 2010. These were followed up with the consent holder and consultants and appropriate actions taken as and when identified

St Arnaud WWTP

St Arnaud WWTP services the township of St Arnaud. The Councils Asset Engineering Department has resource consent to discharge up to 18.7 m³ per day of effluent at a rate of 5.2 litres per second. The system comprises a single aerated oxidation pond feeding a two stage marsh cell. Discharge is into the ground via infiltration lines.

Resource consent conditions require a range of monitoring including plant performance and ground water monitoring. This is undertaken by consultants MWH New Zealand Ltd who provide the annual reporting.

The reporting requirements have been met and no issues have arisen.

Water Schemes

Tasman District Council operates a number of rural reticulated water schemes supplying potable water to communities in the district. These schemes operate under a suite of consents around the abstraction of water including various intake structures and actual take. Not all Council owned schemes require annual reporting. Smaller private domestic and irrigation schemes are generally covered under the Water Meter programme.

No issues arose from the operation of these schemes.

Landfills and Transfer Stations

Tasman District Council Asset Engineering operates a single land fill and six transfer station in the District. Eves Valley which operates as the districts main landfill is consented to receive up to 40,000 m³ of refuse annually. The six transfer stations are located strategically around the district and manage the solid waste stream.

Tasman District Council Asset Engineering holds a suite of consents for these various sites including:

- Discharge to land;
- Discharge stormwater;
- Discharge contaminants into the air; and
- Discharge into groundwater

Eve Valley Landfill

Eves Valley has been operating as an engineered, sanitary landfill since 1989, and receives the municipal refuse from the Tasman district. It is situated in a side gully of Eves Valley in the Waimea hills northwest of Richmond, surrounded by forestry and farming. The Council owns 42 hectares of the gully. Stage 1 incorporating 4.8 hectares was capped and closed in 2001. Stage 2 of the landfill covering 4.5 hectares is currently operational.

Eves Valley has resource consents to:

- Discharge up to 40000 m³ of refuse annually into the ground.
- Discharge treated stormwater from stages 1 and 2 of the landfill, via settling ponds, to an unnamed tributary of the Eves Valley Stream.
- Discharge contaminants to air including dust, odour, landfill gas, and if required, flared landfill gas.

Annual reporting is required which covers the range of performance conditions including site management and ground/surface water sampling.

Discharge to Land

The annual report was received in August 2010 as required and as in previous years the groundwater monitoring shows elevated levels of some metals however in all cases where the limit has been exceeded in the downstream bores, the upstream bore has also been exceeded and is generally at a higher concentration than the downstream bores. As a result consents for new monitoring bores were granted and results will be covered in the following year's annual reports.

Discharge Stormwater

Reports identified one area of non-compliance where the discharge from the silt ponds caused discolouration of the Landfill Stream beyond 15 metres of the discharge. To address this non-compliance, in July 2011 the three stormwater ponds were upgraded into a single pond with a forebay and dosing with flocculent. Performance of these will be reported on in the following year's annual report

Discharge to Air

Annual Report highlights issues with windblown litter crossing property boundary. Report also notes guidelines for methane and carbon dioxide exceeded in the leachate line and at LG8 however monitoring of landfill gas not a requirement of the consent although a consent is held to flare gas if required but has not been exercised to date.

Scott's Quarry Transfer Station: Takaka, Golden Bay

Scott's Quarry is Golden Bay's main refuse collection depot. The site is subject to two resource consents:

- Land use consent to use land for a transfer station.
- Discharge of stormwater.

Scott's quarry is subject to a comprehensive range of ground and surface water quality sampling and site management conditions. A variation to groundwater monitoring has been lodged but existing condition prevail until this has been granted.

No issues of non-compliance have been detected. All reporting and management plans received as required.

Richmond Transfer Station

Richmond transfer station is the largest of the transfer stations in the district. It services the population of Richmond and immediate surrounding areas. The land is designated as a transfer station under the Council's TRMP. The site now operates subject to the conditions of a consent allowing the discharge of stormwater to the Coastal Marine Area.

Annual report, management plan and other reporting requirements have been achieved with no recorded non compliance.

Mariri Transfer Station: Motueka

Mariri transfer station services the area of Motueka and surrounding areas of the Moutere and Mapua/Ruby Bay. The land is designated as a transfer station under the Councils TRMP.

This site was granted a discharge consent in September 2009. Annual report, management plan and other reporting requirements have been achieved with no recorded non compliance.

Murchison Recovery Centre

This site is on the former landfill and operates two consents for discharge to air and stormwater granted in 2008. All performance reporting and management plans were received in January 2011 as required.

Timber Treatment Plants

Nelson Pine Industries Ltd

Nelson Pine Industries Limited operates a medium density fibreboard and LVL plants at Lower Queen Street, Richmond. Nelson Pine has a suite of consents that authorise various activities including the discharge of contaminants into the air, hazardous facility land use and a resource consent to discharge stormwater into the Waimea Estuary.

As part of Nelson Pine's air discharge conditions require a wide range of environmental reporting including 3 monthly reporting on ambient concentrations of formaldehyde, annual formaldehyde emissions from the factory and biannual Hi-Vol ambient monitoring for total suspended particulates concentration beyond the boundary. They are also required to provide an annual summary report.

During the 2010/11 year NPI undertook all monitoring as required under their consents and supplied the results to Council. No exceedances were recorded in concentrations of formaldehyde or the other measures required under consent.

Carter Holt Harvey

Carter Holt Harvey (CHH) operates a sawmill complex at Eves Valley. The operation involves log storage, debarking and milling with timber drying, sawing and chemical treatment processes to produce commercial timber including remanufactured and finger jointed wood. The company holds a suite of consents including air, stormwater and hazardous facility.

The site operates a drainage and spillage containment system which collects all the site stormwater run-off and any significant spillages. The system directs all stormwater from the site through mixing and settling ponds into storage ponds. Post-treatment (flocculation) stormwater is recycled through the hydrant or into the process water supply dam. The company holds two stormwater discharge consents which allow controlled discharges to nearby streams in high rainfall events under strict conditions.

As part of the various resource consent conditions the company supplies a range of reporting. All reporting has been complied with and regular site monitoring continues. At present a number of changes are being proposed to stormwater and site waste management and Compliance are working closely with the company.

Dynea NZ Limited

Dynea NZ Limited operates a phenol and formaldehyde resin plant at Lower Queen Street, Richmond. The company supplies phenolic and formaldehyde resin to Nelson Pine Industries for MDF and LVL production. The company is ISO 14000 accredited and operates an environmental management system which is dependent on maintaining continuous improvement processes.

Dynea NZ Ltd has resource consent to discharge contaminants into the air from the production of phenol and formaldehyde resins and resource consent to discharge stormwater into the Waimea Estuary. The company also has land use consents to erect structures and store chemicals on site.

As part of the resource consent conditions authorising the discharge of contaminants into air, the company supplies quarterly sampling and an annual report to the Council detailing compliance with consent conditions, including ambient monitoring and stack testing for formaldehyde.

During the 2010/11 year the company undertook all monitoring as required under the consent and supplied the results to Council. No exceedances were recorded in concentrations of formaldehyde or the other measures required under consent.

The company also has resource consent to discharge stormwater into the Waimea Estuary. Over the 2010/11 year all stormwater was collected and recycled back into the plant and used in the production of phenolic and formaldehyde resins.

There was no discharge into the Waimea Estuary.

Goldpine Industries

Goldpine Industries operates a CCA and Alkaline Copper Quat (ACQ) timber treatment plant on the floodplain of the Upper Motueka River. The site occupies around 28 hectares. The main products are CCA treated fence posts, poles and logs. All milling and treatment occurs on site.

Goldpine Industries hold a large number of consents for this site including, discharge of stormwater, air discharge, hazardous substance and other land use consents.

Goldpine has a stormwater discharge consent which contains a range of sediment and water sampling. Analysis is required for total chromium, arsenic, copper, didecyl dimethyl ammonium chloride (DDAC) and benzalkonium chloride (BAC). The consent requires all results and records be provided to the Council upon receipt of sample results.

Reporting on sampling was overdue and as a result compliance action was taken. All reports have been subsequently filed and some matters followed up with the company and Cawthron Institute around sampling results and procedures. This work continues.

All other monitoring associated with the other current consents held for the site has been undertaken. No breaches were detected.

Hunters Laminates Nelson Limited

Hunters Laminates Nelson Limited operates a timber processing facility at Beach Road in the Richmond industrial area. The primary product is high end laminate timber products. As a timber treatment plant the company uses LOSP processes.

For many years the processing operation used tributyltin (TBT) however the use of tributyltin was discontinued in favour of a new product called Azure which principally contains permethrin, propiconazole and tebuconazole which are also Class 9.1 ecotoxic substances.

There has been a long history of discharge of contaminants, principally TBT, from the site into nearby surface water and the company has been the subject of enforcement action. The site has now undergone a number of upgrades including the use of specialised sand filters designed to capture solids containing hazardous contaminants.

The company holds a resource consents to discharge of stormwater and hazardous substance storage. Resource consent conditions for this site include a comprehensive range of tiered sampling and reporting clauses.

Sampling results and reports are required to be forwarded to Council as are maintenance plans.

Sampling results and other reporting requirement remained outstanding and the company was served with an abatement notice in February of this year. As a result action was taken to comply although some matters are yet to reach a conclusion and further enforcement action may be forthcoming.

Prime Pine

Prime Pine operates a timber processing and treatment facility in the Little Sydney Valley. This site is a CCA treatment plant and holds a suite of consents associated with the operation including stormwater discharge, air and hazardous facility. Stormwater run-off and steam condensate from the kiln is currently collected on the site and channelled into a two pond system prior to discharge into the Little Sydney Valley Stream.

A summary of stormwater and sediment sampling are supplied annually and the 2010 report has been received. Stormwater sampling compliant however sediment samples analysed shows Arsenic content breaches consent quality conditions by 1 unit. This has been followed up with the consent holder.

This site is also a hazardous facility under the HF programme and is monitored as part of that programme. This site is fully compliant.

Dairy Processing Factories

Fonterra Co-operative Group

Fonterra Co-operative Group Limited own and operate two milk processing factories located in Brightwater and Takaka.

Takaka Plant

The Takaka factory is the larger of the two factories in the Tasman District. The factory was a principal producer of casein and butter until a significant fire in 2005 destroyed a large part of the plant. As a result the factory relinquished some consents and shifted production to milk powder.

The Takaka factory holds a suite of consents related to its operation including:

- Two resource consents to discharge combustion products, odours and particulate matter into the air;
- Resource consent to discharge boiler ash onto land;
- Resource consent to discharge up to 2000 m³ per day of wastewater and whey onto land;
- Resource consent to discharge wastewater and whey into the Takaka River during flood flow; and
- A number of resource consents to take groundwater.

As part of the resource consent conditions authorising the various discharges, the company is required to supply annual reports on performance. The company has provided all compliance and monitoring reports for the 2010/11 period and is compliant.

Fonterra Co-operative Group Limited Brightwater Plant

The Brightwater factory produces milk and milk powder products and hold consents for:

- Resource consents to discharge combustion products, odours and particulate matter into the air;
- Resource consent to discharge stormwater and uncontaminated cooling water;
- Resource consent to store hazardous substances;
- Resource consent to take groundwater.

As part of the resource consent conditions authorising the various discharges, the company is required to supply annual reports on performance. The company has provided all compliance and monitoring reports for the 2010/11 period.

Fish Processors

Talley: Port Motueka

Talley's operate a fish processing, fishmeal and ice cream factory at Port Motueka. The company holds the following resource consents:

- Two resource consents to discharge factory wash down water into the Moutere Inlet;
- Two resource consent to discharge stormwater into the Moutere Inlet;
- Resource consent to discharge brine water and wash down water from cooling buildings into the Moutere inlet;
- Resource consent to discharge odour and combustion gases into the air;
- Resource consent to build a public fishing platform on Motueka wharf; and
- Resource consent to build an ice making facility on Motueka Wharf.

As part of the resource consent conditions to discharge contaminants into the Moutere Inlet, the company is required to monitor and sample the discharge on a three monthly basis for a number of contaminants. All sample results have been forwarded and have been compliant with the exception of some measures. Compliance is actively monitoring this site and in discussion with the company regarding consent requirements and site improvements.

Salmon Farms

Two freshwater salmon farms operate in Golden Bay. New Zealand King Salmon is located on the banks of Waikoropupu (Pupu springs) River and Anatoki Salmon is located on the banks of the Anatoki River. Both companies have a variety of resource consents relating to:

- Diverting and taking of water;
- Structures in waterways; and
- Discharge of water and contaminants into receiving waterways.

Both salmon farms are required as part of their discharge consent conditions to supply annual reports on discharge quality. The reports are to detail what effects the discharge may be having on the receiving water quality and macroinvertebrate communities.

During the 2010/11 year both companies undertook all monitoring as required under the consent and supplied the results to Council.

8. CONCLUSION

Compliance continues to progress the proactive monitoring of resource consents within the dedicated programmes of work highlighted as being significant to the district and impressive inroads have been made particularly in the area of land use where a large backlog existed for many years. Timely monitoring in this area has seen a much better response to non compliance and the ability to rectify issues before they become entrenched and much harder to resolve at later dates.

Enforcement and complaint response continues to occupy a considerable amount of time and although complaints dropped slightly this year the time and effort taken to resolve these inevitably impacts on progress in other fields. This has been noticeably so with several significant non compliances which soaked up a lot of council staff time and for that reason costs were sought whenever possible from transgressors where a degree of deliberateness was observed.

With the success seen in both the dairy and water compliance programmes staff will continue to work closely with the industries to maintain the high level of compliance the district has been achieving and which is now recognised nationally.

9. RECOMMENDATION/S

It is recommended that this report be received

10. DRAFT RESOLUTION

THAT the Environment & Planning committee receives the Annual Compliance Monitoring Report 1 July 2010 - 30 June 2011 REP11-11-06.



Carl Cheeseman
Co-ordinator Compliance & Enforcement