

STAFF REPORT

TO: Environment & Planning Committee

FROM: Carl Cheeseman, Co-ordinator Compliance - Monitoring

REFERENCE: C653

SUBJECT: **ANNUAL COMPLIANCE MONITORING REPORT: 1 JULY 2008 - 30 JUNE 2009 - REPORT EP09/10/01** - Report prepared for meeting of 8 October 2009

1. INTRODUCTION

This report summarises Tasman District Councils Compliance Monitoring Sections programme of work and performance for the period 1 July 2008 to 30 June 2009. 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.

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

Tasman District Council has operated tailored monitoring programmes for the last 6 years focussing the core of its resources on managing the range of activities seen as significant to the district either in terms of environmental resources, actual or potential adverse effects or community interest.

Tailored monitoring programmes allow for structured and consistent effects based monitoring. It provides 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 respond appropriately to non-compliance and/or environmental effects with additional resourcing or enforcement strategies.

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 and volumes, “special wastewater zones performance” setbacks, installation
Wineries	Waste discharges, Water permits, Pesticides
1080	Discharge consents
Water Metering	Groundwater and surface-water metering returns, water permits and usage

Dairy effluent	Dairy effluent discharges, Impact monitoring programs, Clean Streams Accord targets
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Industry Based Programmes	Consents and Permitted Activities Targets
Dairy Processors	
Fonterra Co-operative	Air, land and water discharge consents Water Permits Land Use consents Hazardous Facility consents
Timber Treatment Plants	
Nelson Pine Industries	Land Use consents Air and land discharge consents Hazardous Facility consents
Goldpine Industries	Land discharge permits Land use permits Hazardous Facility consents
Hunters Laminates	Air and land Discharge permits Land use permits Hazardous Facility consents
Fish Processing Plants	
Talleys Port Motueka	Water discharge consents Permitted activities
Tasman District Council	
Tasman District Council Asset Engineering	Sediment discharge consents River works consent
Nelson Regional Sewerage Business Unit	Coastal and air discharge permits Land use permits Hazardous Facility consents Biosolids disposal
Community Wastewater Treatment Plants	Coastal, freshwater and air discharge permits Land use permits Biosolids disposal
Forestry	
Nelson Forests Management Ltd	Land Use consents Sediment discharge consents
Tasman Bay Forests Company Ltd	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: Compliance grading system in Tasman District Council.

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. CONSENT COMPLIANCE PERFORMANCE

Over the 2008/2009 year a total of 1406 resource consents and targeted permitted activities were monitored across all activities that compliance staff monitor and report on. Overall compliance was good with 80% of consent holders complying with all the conditions of their respective consents. Of the remainder 13% showed non-compliance that had nil or minor adverse effect requiring limited enforcement action. Only 5% rated as non-complying with moderate to significant effect were subject to a range of enforcement action as prescribed in the RMA. The remainder were not given effect to or not operational at time of inspection.

Table 4: Consent and targeted permitted activity compliance performance

Compliance rating	2008/2009
Fully complying	1133
Non--compliance. Nil or minor adverse effect	180
Non-- compliance. Moderate adverse effect	48
Non-- compliance. Significant adverse effect	16

5. ENFORCEMENT ACTION

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

During the 2008/2009 year Tasman District Council compliance staff 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.

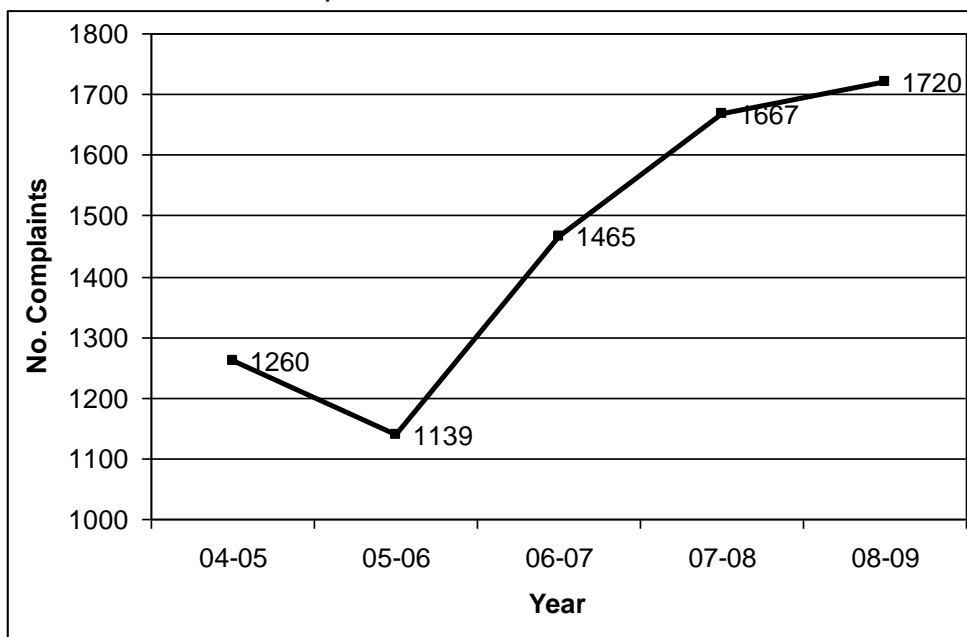
Table 5: Enforcement action during the 08/09 year in Tasman District.

Enforcement Action	2007-2008	2008-2009
Abatement notices	61	45
Infringement notices	22	29
Enforcement orders	0	3
Prosecutions	1	4

6. COMPLAINTS

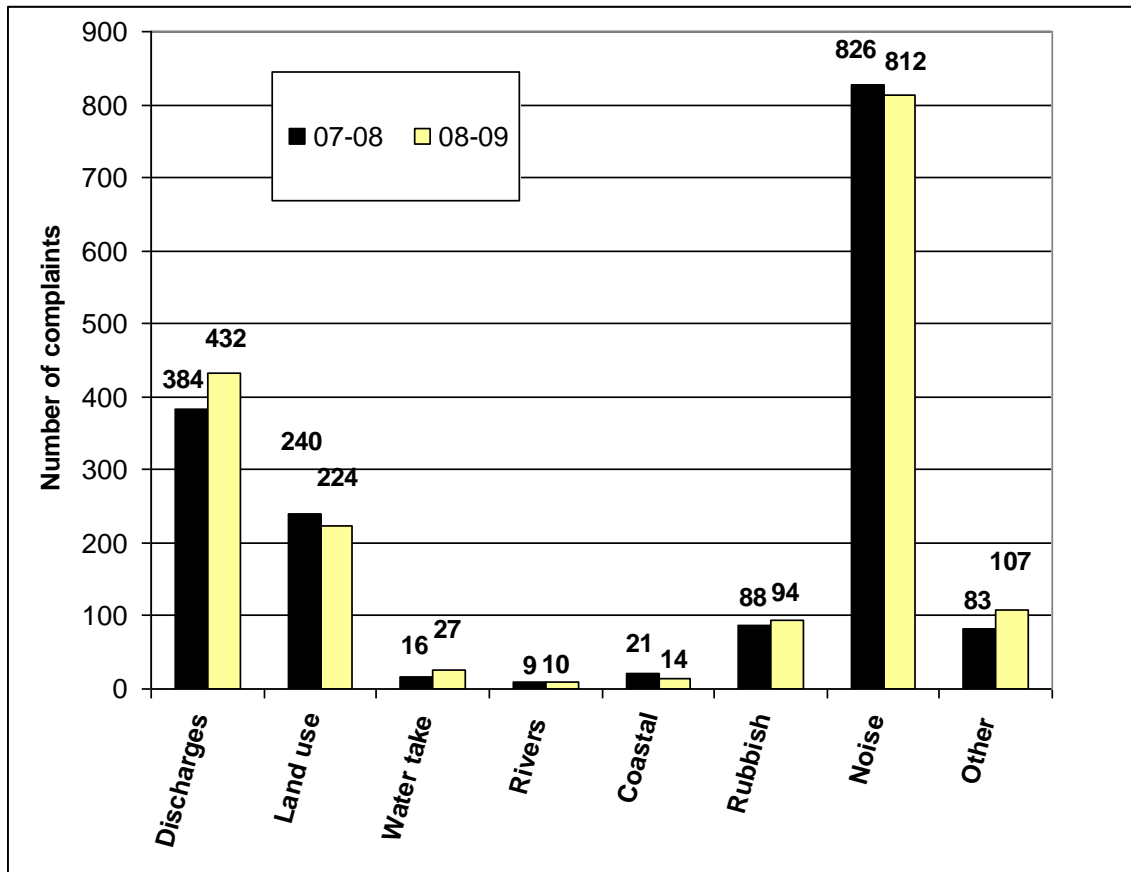
Twenty four hour complaint response and investigation is a crucial function of Council to alleged breaches or offences reported by the public. During the 2008/2009 year a total of 1720 complaints were received by Council in relation to a wide range of activities or incidents related to the RMA or Litter Act. Overall this represented a 3% increase on the same period last year.

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



The overall increase is not attributed to any particular activity and across the eight abridged complaint categories used for the purpose of reporting, only five displayed any increases. Of those categories reflecting increases water, discharges and the catch all category of 'other' showed any notable rise. These increases were attributed to significant number of outdoor burns in the period leading up to the winter fire ban and the previous summers drier months prompting complaints regarding water shortages and diversions and long grass complaints were also common within the 'other' category. Table 7 below compares the change in number of complaints received by category this year against the same period last year.

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



7. COMPLIANCE MONITORING IN TASMAN DISTRICT 2008/2009

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 in its district. These land use activities are controlled through the Tasman Resource Management Plan (TRMP) either through specific zone based rules designed to protect and preserve the character and/or day to day activities for the area or through 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. Over the 2008/2009 year 637 District and Regional land use consents were issued in Tasman District.

DISTRICT LAND USE

Compliance Summary

Many of the consents monitored under this category related to building construction, additional dwellings setbacks, access ways and non-residential activities such as home occupations. A lot of progress has been made in clearing a backlog of over 600 existing consents that date back some years. During this reporting period 180 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)
139	20	6	0	0	1	12	2

Complaints

Over this reporting period a total of 165 complaints were received relating to land use activities.

Complaint Subject	Complaint Number
Buildings/Structures	41
Home Occupation	12
Consent Breach	23
Community Activities/Tourist ventures	7
Subdivision	2
Other	80

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 and sign off. Enforcement actions undertaken were as follows:

- Seventeen (17) abatement notices were issued over the period.
- Three infringement notices were issued for Non-complying activities.

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 very small scale, all quarrying, mining and land based aggregate extractions require a resource consent controlling the activity and its effects, such as sediment and erosion, visual impact, vehicle movements and noise.

Compliance Summary

There are currently 61 consented quarry and land based aggregate operations in the Tasman District although some are not currently active. Only a small number of consented quarries of various scale exist, mining a variety of aggregates. Around 20 consented land based gravel extraction sites operate mostly in the Motueka and Waimea River bermlands. Not all these activities were able to be monitored during this period however several priority sites were inspected at least once during the year.

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)
05	05	0	0	02	02	02	0

- Two gold mining activities were monitored during the period. At one site issues of Non-compliance was raised around a failure to rehabilitate satisfactorily former workings before moving off, as the company had left the site some years earlier and was now defunct little if any enforcement action was available.
- A number of land based gravel extractions were monitored. Some issues of Non-compliance were detected mainly around size of open pit, inappropriate materials being used to infill and poor benching within pit
- Of the several larger quarries monitored one in the Wairoa Valley required follow up work as did one in the Murchison area where enforcement action was required for unconsented activities.

Complaints

Nine (9) complaints relating to these activities were received over the reporting year in relation to quarry, mining and gravel extraction activities.

Complaint Subject	Number of Complaints
Gold mining – Unauthorised activity	03
Land base - extraction	06

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. Enforcement actions undertaken were as follows:

- One (1) Abatement Notices were issued in this period.
- Two (2) Infringement Fines were issued for quarrying activities.

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. For the reasons outlined Council strictly controls the use of outdoor signs and actively monitors compliance with consents.

Compliance Summary

Council implemented a signs monitoring programme several years ago as a result of the proliferation of unauthorised signage appearing across the district. As signs situated on the property to which they relate are generally a permitted activity, the focus of the monitoring program has been on "remote" signs that are located away from the property and which requires resource consent.

Authorisation of signs may be through other land use consents where the activity includes associated signage through to specific remote signage consents issued for a particular sign. As many consents for off site signage are in effect in this district only those issued in the reporting year are 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)
02	0	0	0	0	0	0	0

Complaints

Council receives a lot of complaints about remote signage from the public or controlling agencies such as New Zealand Transport Agency over a year. Sandwich boards and other signage on footpaths in the commercial areas typically result in complaints and require targeted monitoring at one time or another.

A total of twenty (20) complaints were received over the period relating to signage, with the majority associated with remote signage erected without resource consent or sandwich boards in the Richmond CBD.

Complaint Subject	Number of Complaints
Signage	20

Enforcement

Staff undertook a programme of compliance in the Richmond central business area as a result of numerous complaints by pedestrians which resulted in a number of informal enforcement actions principally letters of direction. One remote sign in Golden Bay received an abatement notice and two infringement fines for failure to comply.

- One abatement notices issued for Non-complying signage
- Two infringement notices were issued.

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 costal 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. Land Disturbance Area 2 covers the vulnerable Separation Point Granite area and stricter rules apply.

In Tasman District land disturbance including re-contouring, tracking and earthworks is a permitted activity subject to conditions. These conditions restrict the area of disturbance, location of the work in relation to how near it is to a waterway or significant coastal areas, slope of land being re-contoured and removal of vegetation. Any proposed activity outside of these permitted rules requires a resource consent.

Ruby Bay By-Pass

During the year the Ruby Bay By-Pass construction commenced. This work is undertaken by EDI Downer on behalf of New Zealand Transport Agency who hold a large suite of consents associated with this work which extends around the western side of the Waimea estuary. Land disturbance and all other works associated with this development are managed through submitted management plans which are approved by the Compliance officer overseeing monitoring of this work. Weekly inspections occur along with site management meetings where compliance matters are discussed with contractors and agents. With emphasis on latest techniques and control standards combined with a consistent compliance monitoring approach, the consent holder is meeting obligations and no significant adverse effects on the waterways have occurred bar one exceptional rainfall event in April which resulted in sediment discharge. This matter was resolved without the need for formal enforcement action.

Compliance Summary

There were 62 resource consents issued for land disturbance activities over the period covering works such as building platform construction, recontouring, track formation and subdivision.

Twenty one (21) resource consents 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)
12	3	0	1	0	1	1	0

Overall compliance with consent conditions was high with those resource consents monitored. Some of the larger subdivision works produced complaints particularly after rainfall events where sediment runoff affected neighbours and nearby waterways.

Complaints

As stated a number of complaints were received relating to earthworks over the year particularly dust, sediment, works affecting flood channels or stormwater flow paths. A total of 30 complaints were received directly related to land disturbance.

Complaint Subject	Number of Complaints
Land disturbance	30

Enforcement

- Two Abatement notices were issued for Non-complying activities.
- Two infringement fines were issued.
- No enforcement or prosecutions were initiated.

FORESTRY

Commercial plantation forestry remains an important primary industry in the Tasman District. While restricted principally to the rural zones well away from residential areas, plantation forestry has the potential to adversely impact on surrounding areas and while a permitted activity Council actively monitors certain works associated with forest management and harvest. In particular the current monitoring programme has a focus on tracking, works in watercourses and sediment and erosion control during harvest. While plantation forestry is in itself a permitted activity many companies hold a suite of resource consents to undertake the particular types of works described above.

Compliance Summary

Nelson Forests Management Ltd

This company took over the forest interests of Weyerhaeuser several years ago and now holds a number of consents including global resource consent for the placement of structures in and over waterways in their forestry estates. Conditions associated with the resource consent require that no significant disturbance to the stream bed occurs. Compliance staff monitored all new roading and land disturbance operations. There were no issues of Non-compliance. The company continues where Weyerhaeuser left off in maintaining excellent dialogue with Council through its environmental working committee to which Council compliance is a representative.

The company continue to operate their Separation Point Granite management plan. This plan ensures all forest and contract operators operate to accepted standards when working on the Separation Point Granites.

Tasman Bay Forests Company Ltd

Tasman Bay Forests Co took over the forest interests of Carter Holt Harvey and now holds the range resource consents for these estates. This company works closely with Council Compliance staff on matters such as consent compliance, best practice and environmental initiatives.

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. Some issues of Non-compliance were detected around culverting and sediment controls.

Complaints

One (1) complaint was received relating to forestry activities over the period and this related to establishment of bridges in the Roding River.

Complaint Subject	Number of Complaints
Forestry	01

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 theory 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 the 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 48 sites operate as consented activities and 56 as complying permitted activities. Limited site inspections were conducted over this period with the next major round of inspections due to begin at the end of this year.

Compliance Summary

A total of nine (9) 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)
8	0	0	0	0	0	1	0

Ten (10) 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

- No abatement notices were issued
- No infringement fines were issued.

BORES

Bore construction has the potential to adversely impact on groundwater unless controlled and managed appropriately. Information from bore data can benefit Council in its role of managing the district's water resources. 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

Fifty four (54) 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)
44	10	0	0	0	0	0	0

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 eight years and are routinely monitored. Tailored projects to monitor coastal structures and coastal disturbances also exist although a fully dedicated monitoring programme is not fully operational as yet 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 in Golden and Tasman bays. Two permanent mussel farming sites exist at Collingwood and Wainui Bay. Spat catching occurred in all the AMAs in 08/09. Monitoring inspections target such matters as location, layout and day and night navigational safety requirements. All sites were monitored over the season with the following results.

Challenger Scallop Enhancement Company

This company is consented to place structures and lines on the seabed seasonally in both Tasman and Golden Bays. Conditions require the company to supply details of line placement and boundaries of the structures before they are installed on the seabed. Compliance requires that:

- location of the structures is in accordance with details supplied;
- Lines maintained in accordance with consent conditions, particularly orange end marker floats installed for navigational safety, all backbone buoys are above the surface, all ropes are secure to the structures and all navigational structures correctly installed;
- All navigation safety features operational at night; and
- That the correct structures were being used and were in accordance with plans submitted in the application.

Site inspections occurred during the season found a couple of non-compliance matters. These included:

- The backbone lines below the sea surface.
- Several buoys outside the designated area.

The Ringroad Consortium

This company is consented to place structures and lines seasonally both in Tasman and Golden Bays. Compliance requires that:

- location of the structures is in accordance with details supplied;
- Lines maintained in accordance with consent conditions, particularly orange end marker floats installed for navigational safety, all backbone buoys are above the surface, all ropes are secure to the structures and all navigational structures correctly installed;
- All navigation safety features operational at night; and
- That the correct structures were being used and were in accordance with plans submitted in the application.

Site inspection occurred several times during the 2008/2009 season. No issues of Non-compliance were detected.

Collingwood Marine Farms

The Collingwood marine farms is a consortium of 20 farms each occupying 4 hectares of sea space in Golden Bay. Several site inspections occurred during the 2008/2009 year. No issues of Non-compliance were detected during inspections.

Waitapu Fishing Company Ltd

Waitapu Fishing Company operates a permanent mussel farm occupying 3ha offshore of Wainui Bay. Several site inspections occurred during the 2008/2009 year. While generally complying with their conditions one significant issue of non-compliance surrounded a lack of functioning navigational lighting which required remedial action.

Complaints

No complaints were received over the period relating to aquaculture.

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 2008/2009 year no new or existing coastal consents were monitored. Little other monitoring occurred other than that associated with complaint response.

Complaints

Thirteen (13) complaints were received relating to activities or disturbances in the coastal environment. A number of these related to one particular craft moored in the Marahau area which is on going. Several others related to disturbance of the foreshore in the Pakawau and Ruby Bay areas. An unauthorised seawall in the Motueka area that was the subject of previous enforcement action remains in place however preparations are underway to remove it.

Complaint Subject	Number of Complaints
Coastal disturbance	09
Coastal structures	04

Enforcement

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

- No abatement notices issued.
- No infringement fines issued.

No other form of enforcement action was taken over the period.

SECTION 13: RIVERS AND LAKES

The council each year issues resource consents for:

- 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.

While some activities such as the diversion and damming of waterways is now controlled by the TRMP Council controls other activities including gravel extraction, structures and disturbances to the beds of rivers through its Transitional Regional Plan until the draft Part IV – Rivers and Lakes section of the TRMP comes into force.

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 increased monitoring of consents continues to be a priority.

GRAVEL EXTRACTION

Demand for quality aggregate continues to put pressure on the regions river systems. However 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 controls river based gravel extraction through the Transitional Regional Plan until Part IV of the TRMP comes into force. Resource consents are required for gravel extraction. Common conditions on consent relate to the volume of gravel that can be excavated, depth of excavation, proximity to flowing water and restoration works.

Compliance Summary

In the 2008/2009 year compliance monitoring occurred on a number of extraction sites around the district with generally good compliance.

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)
6	0	0	0	0	0	1	0

Complaints

Two (2) complaints were received relating to river based gravel extraction during the period.

Enforcement

- One abatement notice was issued for Non-compliance with consent conditions in the Riwaka area.
- No infringement notices were issued.

Tasman District Council Global Riverworks Resource consent

The Tasman District Council Asset Engineering Department holds a global resource consent to abstract a maximum of 40 000 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 three monthly 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.

No issues of Non-compliance arose from the exercise of this consent over the period.

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.

Compliance Summary

Thirty five (35) resource consents were issued for structures or works in a watercourse over the period but not all require monitoring such as farm culverts. Five 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)
5	0	0	0	0	0	0	0

Complaints

Eight (8) complaints were received relating to structures or associated disturbances over the period. The nature of these complaints varied widely from bridge or culvert construction, works to enhance water takes or flows right through to hazards for river users such as water intakes.

Complaint Subject	Number of Complaints
River/Lakes - Structures	08

Enforcement

- Two abatement notices were issued for Non-complying works or structures in a watercourse.
- No infringement fines were issued

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

Twenty (20) resource consents for in stream dams were monitored over the period as part of a dedicated monitoring programme on dams.

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)
18	2	0	0	0	0	0	0

Complaints

Three (3) complaints were received relating to damming of surface water. Two related to concerns from downstream users on the effects from the dam on low summer flows. The other related to a small dam in an urban stream which was removed.

Complaint Subject	Number of Complaints
Dam or divert surface water	03

Enforcement

No formal enforcement action was taken over the period. Several consent holders received formal notification of work required to comply with minor Non-compliance with consent conditions which was subsequently undertaken. One person who was the subject of a complaint was required to obtain resource consent.

SECTION 14: WATER

Individual and cumulative abstraction of ground and surface water has the potential to adversely affect a water body through such wide ranging impacts as loss of in stream values through to aquifer damage. Adverse impacts may also extend to other users 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. The TRMP divides the district into water management zones to recognise the value and varied land and water uses occurring in the district. These zones require metering of all water takes through resource consents. Compliance monitoring section manages this through a dedicated monitoring programme.

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 721 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 metered surface water takes incorporated into the management programme.

Complaints

Four complaints were received relating to ground water take over the period. These related to poor operation of irrigators spraying water over roads or suspicion of illegal irrigation.

Complaint Subject	Number of Complaints
Groundwater – take water	04

Enforcement

Water meter returns – Eighteen water meter reading fees were issued to water users who failed to supply readings over the season. Returns fell away at the later stage of the season after rainfall and crop harvest however phone calls were effective in producing missing returns without the need for further action.

Excessive takes – All overtakes were investigated. Most overtakes were small and response to Non-compliance was restricted to formal warning letters however two received infringement fines.

Other non-compliance – No enforcement action was required for matters such as leaking well heads, broken security seals.

NON-METERED GROUNDWATER ZONES

With the pending implementation of the Moutere domestic bore metering letters were sent requiring meters to be installed prior to the 1 November and work continues on this compliance programme.

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 for surface water takes is included in the groundwater summary.

Complaints

Four 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	04

Enforcement

- One abatement notice was issued for non-compliance with
- Two infringement notices were issued for overtakes or other non-complying water take activities.

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 148 farms operate in the district and are subject to inspection. Detailed reporting on farm dairy effluent was covered in a separate report to Council in July and is not reported on in depth here.

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

Compliance Summary

All 148 farms were inspected at least once in the 2008/2009 year with those showing non-compliance subject to reinspection subsequent to enforcement action.

Consented Discharges

Monitoring of the 11 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.

Permitted Activity Discharges

In the period of reporting monitoring of the 137 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, land application performance, Nitrogen loading, raceways, crossings and other potential point source discharges.

The results of the monitoring at the completion of the year were.

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)
123	10	N/A*	5	0	0	0	0

*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 do not differentiate non-compliance other than significant.

CLEAN STREAMS ACCORD

As at 2009 the number of farms in Tasman District subject to the Fonterra Clean Streams Accord was 142. Performance with the targets as measured from the compliance survey 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	93%	92%	99%	89%	*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

During the period eleven (11) complaints were received relating to discharge of dairy effluent to land or water. Complaints ranged from effluent on roadways to stock in waterways. Most of these complaints were found to be not associated with farm dairies although several stand off pads highlighted the need for focus on overwintering of stock.

Complaint Subject	Number of Complaints
Discharge to water – dairy effluent	04
Discharge to land – dairy effluent	07

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.

Farm Management Plans (FMPs)

FMPs were issued in circumstances where the environmental effects were minor and could be resolved quickly. No FMPs were issued during the 2008/2009 season due to the generally high level of compliance amongst farms

Abatement Notices

Abatement Notices were issued in circumstances where the environmental effects were moderate or significant, or where past non-compliance was again evident. A total of four Abatement Notices were issued.

Infringement Fines

No infringement fines were issued during the period.

Prosecution

Four prosecutions were initiated during the year. This was the result of the direct and continuous discharge of effluent to a waterway which had a significant adverse effect on the downstream environment. One farm has now been sentenced and the matter finalised while the other three are yet to be sentenced.

Enforcement Orders

Three Enforcement Orders were also initiated in conjunction with the prosecutions in order to achieve upgrades to failed effluent systems or other necessary infrastructure improvements to avoid or mitigate adverse environmental effects. These matters are still before the Environment Court

On-site domestic wastewater

During the 2008/2009 year 349 discharge of domestic wastewater resource consents were active in the district. A targeted monitoring programme for wastewater has now been operating for two years with success after increasing consent activity and discharge related complaints highlighted that old or poorly installed and maintained system were common throughout the district.

While 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.

Compliance Summary

Due to the level of demand on staff in responding and resolving domestic wastewater related complaints, particularly failing systems operating under permitted activities, not all consent monitoring was able to be achieved over the period however 236 were subject to monitoring or assessment.

Of the monitoring undertaken the results were:

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)
171	30	22	9	3	1	0	0

Complaints

During the period 42 complaints were received relating to wastewater discharge. Complaints ranged widely from local effects from failing systems through to ground and surface water contamination suspected to be a result of domestic wastewater.

Complaint Subject	Number of Complaints
Discharge sewerage	42

Enforcement

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

- 17 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.

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 monthly for compliance audit.

For the towns and smaller communities further afield Tasman District Councils Engineering Department has resource consents to discharge treated effluent into land and into water from seven community oxidation pond systems. 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. Reporting is required three monthly and annually and is audited by the Compliance section.

NRSBU - Bells Island Treatment Plant

The Nelson Regional Sewage Business Unit has resource consent to discharge up to 25000 m³ of treated effluent per day via an aeration basin and treatment plant and five stage oxidation pond system, into the Waimea Estuary.

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.

All results complied with consent conditions over the reporting period.

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. The biosolids may be applied at a rate of up to 7.8 tonnes of dry solids per hectare once every three years, at an average depth of no greater than 40 mm per application.

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.

Conditions of the resource consent also requires that soil samples are taken within the topsoil (0 to 20 cm) and subsoil (20 to 40 cm), on an average basis of two samples every 10 ha in areas where biosolids have been applied. The monitoring requires that every three years the pH, organic matter, total nitrogen, available phosphorous, potassium, calcium, magnesium, sodium and heavy metals including arsenic, cadmium, chromium, copper, lead, mercury, nickel, zinc and aluminium are measured in the soil on Rabbit Island.

The Council receives copies of all sampling results that the business unit carries out. All results complied with consent conditions over the 2008/2009 year.

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, surface water monitoring. This is undertaken by consultants Montgomery Watson Harza who provide the annual reporting.

During the 2008/2009 year monitoring was undertaken as required however the new consent was only recently granted.

Takaka WWTP

The Takaka WWTP currently serves Takaka the main township of Golden Bay 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 currently scheduled for upgrade under a new consent application.

Resource consent conditions require a range of monitoring including plant performance and ground and surface water monitoring. This is undertaken by consultants Montgomery Watson Harza who provide the annual reporting.

During the 2008/2009 year all monitoring was undertaken as required and results supplied to Council. Non-compliance was detected regularly in the marsh cell performance particularly in dissolved oxygen levels and groundwater monitoring failed to meet bacteria and ammonia-nitrate consent limits. These matters are now being 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 Montgomery Watson Harza who provide the annual reporting.

During the 2008/2009 year monitoring was undertaken with no non-compliance reported.

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. This system has recently undergone an upgrade under a new consent which allows the discharge to a rapid infiltration basin.

Resource consent conditions require a range of monitoring including plant performance and ground water monitoring. This is undertaken by consultants Montgomery Watson Harza who provide the annual reporting and monitoring is currently being undertaken.

Tapawera WWTP

Tapawera Wastewater Treatment Plant is a small system servicing the township of Tapawera. This system has recently been granted a new resource consent. 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 a discharge to air consent.

Resource consent conditions require quarterly sampling reports and a full biennial report incorporating plant performance and ground water monitoring. This is undertaken by consultants Montgomery Watson Harza

In 2008 the upgraded plant was commissioned however the plant did not begin discharging until March 2009 where upon sampling commenced. Annual reporting on performance of this scheme will not be expected until the 2009/2010 year.

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 Montgomery Watson Harza who provide the annual reporting.

During the 2008/2009 year all monitoring was undertaken as required and results supplied to Council. Non-compliance was detected in one monitoring bore which failed to meet some consent limits most notably pH however naturally occurring low pH in the groundwater has affected this result.

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. This consent expires in August 2013.

Resource consent conditions require a range of monitoring including plant performance and ground water monitoring. This is undertaken by consultants Montgomery Watson Harza who provide the annual reporting.

The 2008/2009 year annual report is outstanding.

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.

Dovedale Water Scheme

The Dovedale water scheme takes water from Humphries Creek and supplies an area of 140 Km². The consent holder is required to report annually on stream flow data, instream habitat assessments take structure assessment. The 2008/2009 annual report showed no adverse effect and full compliance with consent conditions.

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 ha is currently operational.

Eves Valley has resource consents to:

- Discharge up to 40 000 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.

Monitoring of groundwater quality is carried out for pH, conductivity, ammonia nitrogen and chloride. Annually a full metal screen and VOC, SVOC, phenols, calcium, magnesium, potassium and bicarbonates is also carried out. This monitoring has been undertaken by MWH and reports forwarded. The annual management report has been provided.

Traditionally results from groundwater monitoring at this site show elevated levels of some metals particularly Iron and Zinc 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. Retesting including additional upland bores above stage 1 are also high and indicate possible nitrate contamination from surrounding uses (such as forestry/farming). The high levels of heavy metals are probably naturally occurring due to the geology of the area. In consultation with other departments in Council investigations are continuing with a view to possible variations to consent.

Recently non-compliance has been detected in surface water sampling as a result of leachate. Some structural changes have been made to stormwater controls to prevent any further discharge. These matters are being followed up by Montgomery Watson Harza in consultation with Compliance and are yet to be resolved.

Murchison Landfill

This site is now a resource recovery centre and operates two consents for discharge to air and stormwater. The site is subject to regular inspection and no issues of non-compliance were detected during the year.

Scotts Quarry Transfer Station: Takaka, Golden Bay

Scotts Quarry is Golden Bays 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 from Scotts Quarry at a rate of 50 litres per second into a road side drain that discharges into the Motupipi River.

Scotts quarry is subject to a comprehensive range of ground and surface water quality sampling and site management conditions. No issue of non-compliance was found during these inspections.

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.

Conditions of consent require sampling for a range of contaminants and reporting. Monitoring has been undertaken as required. Due to elevated levels of Total Hydrocarbon Products (THP) and Zinc in samples further sampling has been required and reports are pending.

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.

Application for stormwater consent was granted in August of this year and any reporting is outside of this period. No issues of non-compliance were detected during the year.

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 two consents that authorise the discharge of contaminants into the air, and one resource consent to discharge stormwater into the Waimea Estuary. There are also a variety of land use consents that authorises the use of land for the plant. A hazardous facility consent is still in the processing stage.

As part of Nelson Pine's air discharge resource consent, an annual report is to be supplied to the Council detailing formaldehyde emissions from the factory and concentrations of ambient formaldehyde in the receiving environment. Consent 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 hivol ambient monitoring for total suspended particulates concentration beyond the boundary

Nelson Pine's air discharge consent also requires annual monitoring of sediments and inter-tidal biota in the Waimea Estuary for the purpose of assessing the impact of formaldehyde and ammonia on the estuary ecosystem. The monitoring carried out by Cawthron Institute

During the 2008/2009 year NPI undertook all monitoring as required under the consent and supplied the results to Council. No exceedences were recorded in concentrations of formaldehyde or the other measures required under consent.

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 dependant 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 an annual report to the Council detailing compliance with consent conditions, including ambient monitoring and stack testing for formaldehyde.

During the 2008/2009 year Dynea undertook all monitoring as required under the consent and supplied the results to Council. No exceedences 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 2008/2009 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.

As part of the resource consent condition for discharge of stormwater a range of sediment and water samples are required to be taken and analysed. Analysis includes total chromium, arsenic, copper and didecyl dimethyl ammonium chloride (DDAC). The consent requires all results and records be provided to the Council upon receipt of sample results. Reporting on sampling under the discharge of stormwater consent is outstanding and the non-compliance is the subject of further action.

All other monitoring associated with the other consents held for the site was undertaken. No breaches of consent conditions were detected.

Hunters (1998) Limited

Hunters (1998) Limited operates a timber processing facility at Beach Road in the Richmond industrial area. The primary product is high quality 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. This site met its reporting and compliance requirements.

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 sampling regimes are supplied annually and the 2009 report showed no exceedances in the parameters measured. 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 08/09 period and is fully 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 08/09 period. Non-compliance has been recorded in some sampling data for a discharge into Mill Lead however this is as a result of activities outside the companies control and no enforcement action is intended. Matters are progressing to resolve this matter.

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. Cawthron Institute carries out the sampling and analysis of the effluent and Talley's provides the information to Council.

As part of the wastewater discharge consent conditions the company is to carry out an impact monitoring program on the effects of the discharge on water quality and biota in the Moutere Inlet. The company hires Cawthron Institute to carry out the study and to report on the findings. These impact monitoring reports are outstanding.

SALMON FARMS

Tasman District has two freshwater salmon farms located in Golden Bay. Golden Bay 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 2008/2009 year both companies undertook all monitoring as required under the consent and supplied the results to Council. No non-compliance was recorded.

1080: SODIUM MONOFLUROACETATE

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 2008/2009 year, a number of 1080 operations were run in the district predominantly on conservation estates. All were closely monitored and all flight data was supplied at the end of the operation as required by the applicator. No non-compliance was detected in any operation.

8. CONCLUSION

Over the last year compliance staff have seen an improvement in compliance with resource consent and permitted activity conditions across most sectors. A marked increase in some sectors most notably water metering and dairy effluent has seen compliance rates close to 100% full compliance. While wastewater still remains an issue the concerted effort to better manage and enforce compliance with on-site wastewater activities has resulted in changes to industry practice and awareness of consent obligations however the level of enforcement action required has proved time consuming.

In recent times the focus on improved sediment and erosion controls around earthworks principally as a result of the start of the Ruby Bay By-Pass project has seen a significant change in how others in the industry view managing their sites. With emphasis on latest techniques and standards combined with a strict enforcement approach to discharge both this large scale project and many other smaller sites are now managing their sediment controls more ably which is avoiding significant adverse effects on the waterways across the district particularly the Waimea.

Overall the shift away from general monitoring to the targeted monitoring programmes continues as a result of the proven successes seen in the overall management and compliance enforcement of the dairy and water programmes now in their fifth years. Hydro electric schemes will be the focus of a new programme in the next year.

Enforcement and complaint response continues to occupy a considerable amount of time and effort and complaints will continue to increase which inevitably impacts on routine monitoring. Additional water metering requirements will also have an impact in future as they roll out. Despite these pressures on resources improved operational efficiency and better data management will allow Compliance staff to continue to achieve objectives and outcomes.

9. RECOMMENDATION

That Council receive this report

A handwritten signature in black ink, appearing to read 'C. Cheeseman', with a long horizontal flourish extending to the right.

Carl Cheeseman
Co-ordinator Compliance - Monitoring