



STAFF REPORT

TO: Environment & Planning Committee

FROM: Carl Cheeseman, Co-ordinator Compliance - Monitoring

REFERENCE: C653

SUBJECT: **ANNUAL COMPLIANCE MONITORING REPORT: 1 JULY 2009 - 30 JUNE 2010 - REPORT REP10-09-04** - Report prepared for meeting of 23 September 2010

1. INTRODUCTION

This report summarises Tasman District Council's Compliance Monitoring Sections programme of work and performance for the period 1 July 2009 to 30 June 2010. 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 8 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 & 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

Industry Based programmes	Consents & 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
Tasman District Council	Sediment discharge 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: 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. COMPLIANCE PERFORMANCE

Over the 2009/2010 year a total of 1439 resource consents and targeted permitted activities were monitored across all activities that compliance staff monitor and report on. Overall compliance was mixed with 68% complying with consent or plan rule requirements down from the 80% recorded the previous period. Of the remainder 17% showed non-compliance that had nil or minor adverse effect requiring limited enforcement action and 7% recorded non-compliance with moderate to significant effect that required more direct enforcement action. Both of these categories were up on the previous year. The remaining 8% were resource consents not given effect to or not operational at time of inspection.

Table 4: Consent and targeted permitted activity compliance performance

Compliance rating	
1. Fully complying	985
2. Non--compliance. Nil or minor adverse effect	240
3. Non-- compliance. Moderate adverse effect	89
4. 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. Councils 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 2009/2010 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 2009/2010 year in Tasman District

Enforcement action	08-09	09-10
Abatement notices	45	70
Infringement notices	29	45
Enforcement orders	3	3
Prosecutions	4	2

6. COMPLAINTS

Providing twenty four hour complaint response and investigation into reported breaches is a crucial function of Council. During the 2009/2010 year a total of 2131 complaints were received by Council related to the RMA or Litter Act. Overall this represented a 24% increase on the same period last year.

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

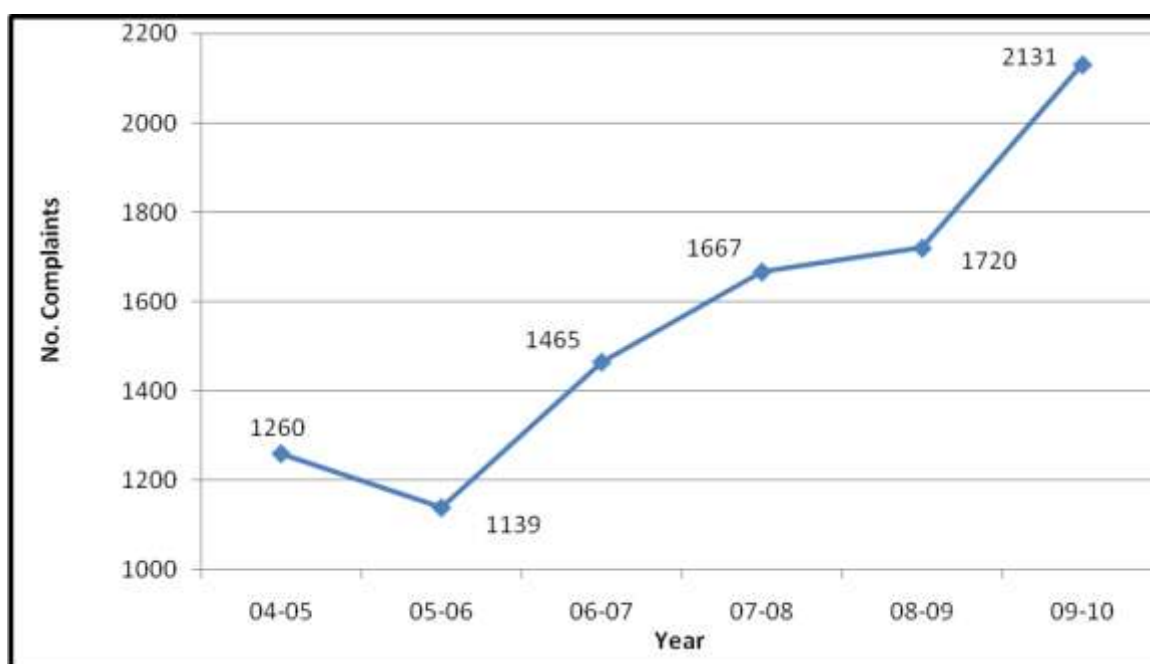
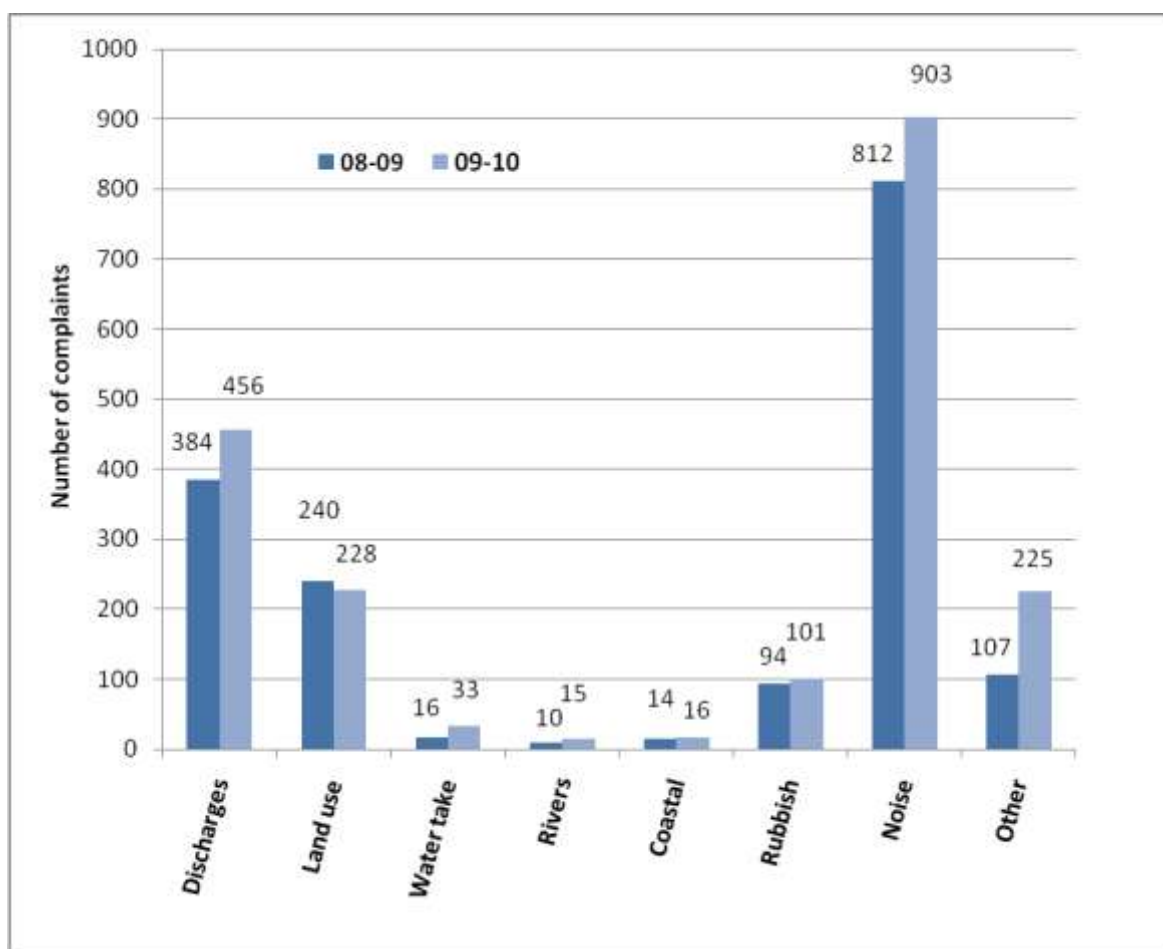


Table 7 below compares the change in number of complaints received this year against the same period last year across the eight abridged complaint categories used for the purpose of reporting. The significant increase seen in the overall number is as a result of a rise in complaints within the category of discharges where there has been a 47% jump. This has been attributed mainly to complaints relating to air discharges, principally smoke or odour. Of these a series of outdoor burns in the Motueka area provided a significant contribution to the level of the smoke complaints although domestic woodburners in the Richmond Airshed also featured over the winter period. Of the remainder most saw a rise in activity particularly Noise, Water and the category of Other. The noise complaint covered loud music, industrial noise, and recreational motorbike activity. Water saw a rise in complaints mainly through diversions or water application. The category "Other" related to a myriad of complaints covering rural fire hazards, public safety through to administrative matters.

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



7. COMPLIANCE MONITORING IN TASMAN DISTRICT 2009/2010

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. Over the 2009/2010 year 533 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 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 103 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)
76	12	8	0	3	1	2	1

Complaints

Over this reporting period a total of 160 complaints were received relating to district land use activities.

Complaint Subject	Complaint number
Buildings/Structures	37
Home occupation	13
Consent breach	43
Community activities/Tourist ventures	7
Breach of zone rules	31
Other	29

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 reinspections and sign off. Enforcement actions undertaken were as follows:

- Sixteen abatement notices were issued over the period.
- One infringement notice was 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 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 41 consented quarries and land based aggregate operations in the Tasman District although a number are not currently active. While not all were monitored during this period those determined as priority sites were inspected at least once during and any non-compliance was followed up with re-inspections.

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	6	8	1	1	4	0	1

Around 21 consented land based gravel extraction sites were subject to inspections during the period although some of these inspections were to confirm the activity had ceased. As with other years the larger scale operations occurred within the Motueka River bermlands around Douglas Road and were subject to routine inspections. The remainder were typically smaller operations scattered around the district. Some issues of non-compliance were detected across this group predominantly around size of open pit, gravel returns and infilling materials.

Several larger quarries were also monitored during the period with no matters of interest arising from inspections.

Complaints

Ten complaints relating to quarries and land based gravel mining were received over the reporting year.

Complaint Subject	Number of Complaints
Land base - Quarry	6
Land base - Gravel extraction	4

With one exception all the complaints associated with quarrying were directed at the quarry at Tarakohe where blasting prompted complaints of destruction of vegetation and noise. Inspections revealed that the activity was authorised and that no offences were detected. The four complaints around gravel extractions varied in the nature of the complaint from breach of consent conditions through to extraction without consent authority.

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 reinspections. Enforcement actions undertaken were as follows:

- One abatement notice was issued for non-complying gravel take.
- Two infringement fines were issued for an offence whilst undertaking gravel extraction activity.

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 above Council strictly controls the use of outdoor signs and actively monitors compliance with consents.

Compliance Summary

Council implemented a dedicated 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. Authorisation of remote signs may be achieved through land use consents where the activity includes signage through to specific consents issued for a particular sign.

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

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. Likewise signage appearing on open roads particularly the state highway networks attract complaints.

A total of twenty five 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 and Motueka CBD.

Complaint Subject	Number of Complaints
Signage	25

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.

- Four abatement notices were issued for unauthorised signage
- Three 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 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. 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

Work on the Ruby Bay by-pass is now reaching a conclusion. Approximately 95% of the highway is sealed and as the final coastal consents have now been granted and finishing earthworks are about to commence around the Tasman/ Mariri areas under these consents. The majority of the site is now stabilised with road seal, landscaping and hydro-seeding have been completed in most places and as a result the erosion and sediment controls are being strategically decommissioned. The proposed opening date is 22 October 2010.

Compliance Summary

60 resource consents were issued for land disturbance activities over the reporting period covering works such as building platform construction, recontouring, track formation and earthworks associated with subdivision.

Twenty two resource consents were 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)
10	9	1	0	0	0	1	1

Overall compliance with consent conditions was reasonable in this sector with 83% either fully compliant or with only minor non-compliance. The non-compliance in this sector was around maintenance of erosion control measures and typically associated with tracking and road formation. The one recorded instance of moderate non-compliance was associated with partial failure of a skid site on granite slopes in the Motueka area through poor stormwater controls.

Complaints

There were complaints 29 received in this reporting period, one less than last year. A wide variety of land disturbance activities were the subject of complaint with many issues around sediment run-off, exceedance in earthworks or poor erosion controls.

Complaint Subject	Number of Complaints
Land disturbance	29

Enforcement

- Three Abatement notices were issued for non-complying activities.
- No 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. 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 and Council actively monitors works associated with forest management and harvest.

Compliance summary

Tasman Bay Forests Company Ltd/ Hancock Forest Management (NZ) Ltd

Tasman Bay Forests Company Ltd owns the land which is managed by Hancock Forest Management. Hancock Forest Management (NZ) Ltd bought the local assets of Weyerhaeuser NZ Holdings Inc several years ago.

Hancock Forest Management 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.

Nelson Management Ltd/Nelson Forests Ltd

Nelson Management Ltd looks after the interests of Nelson Forests Ltd. Nelson Forests Ltd own the timber and cutting rights to timber formerly owned by Carter Holt Harvey (CHH) who still own land. Nelson Management Ltd works closely with Council Compliance staff on matters such as consent compliance, best practice and environmental initiatives.

Nelson Forest Ltd holds the resource consents for most of the activities.

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

Four complaints were received relating to shelterbelts over the period.

Complaint Subject	Number of Complaints
Forestry/shelter belts	04

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 48 sites operate as consented activities and 56 as complying permitted activities. Site inspections continued over this period with a number of major sites targeted along with recently consented activities.

Compliance Summary

A total of sixteen 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)
12	3	0	0	0	0	1	0

Ten 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

Thirty three 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)
31	2	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 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 2009/2010. 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 3 hectares offshore of Wainui Bay. Several site inspections occurred during the 2009/2010 year. The company fully complied with their consents.

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 period a total of nineteen coastal consents were monitored. The majority of these consents related to council controlled activities occurring in the district. In May of this year foreshore disturbances and rock revetment work associated with road improvements in Golden Bay were the subject of a monitoring programme. Around this time coastal protection work associated with the Old Mill walkway at Mapua were also commenced and monitored accordingly.

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)
15	4	0	0	0	0	0	0

Complaints

Thirteen complaints were received relating to activities, structures or disturbances in the coastal environment. Early in the period a number of these related to the occupation of the coastal marine area by a live onboard barge in Otuwhero. This matter was the subject of enforcement action detailed separately in this report. The remainder of complaints related to various disturbances or structures occurring around the coastline and were dealt with as and when required.

Complaint Subject	Number of Complaints
Coastal disturbance	07
Coastal structures	06

Enforcement

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

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

One enforcement order was taken against the owner of a live aboard vessel in Otuwhero Inlet after failure to adhere to the conditions of an abatement notice requiring him to cease occupying the coastal marine area. This matter was heard in the Environment court on the 21 July in front of an Environment court judge and two commissioners. At the time of writing the decision on this order was due for release.

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.

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

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 recently implemented Part IV of the TRMP. Other than the very small scale takes resource consents are required for gravel extraction.

Compliance Summary

In the 2009/2010 year compliance monitoring occurred on a number of extraction sites around the district but predominantly activities within the Buller and Aorere catchments. Overall compliance with conditions was poor particularly in regards to filing of returns and notification requirements.

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	3	1	0	2	1	0

Complaints

Seven complaints were received relating to river based gravel extraction during the period. While many of these were associated with very minor takes along rivers near to the Richmond urban areas two larger unauthorised takes were found, one in the Aorere and the other in the Buller. Both were the subject of further enforcement action this included payment of royalties for the abstracted material.

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 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 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.

A number of gravel extractions occurred under this consent during the period. 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 Matakītaki 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

Enforcement

- Three abatement notices were issued for non-complying activities.
- One 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.

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. Thirteen 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)
8	4	0	0	0	0	1	0

Complaints

Two complaints were received relating to structures or associated disturbances over the period. Neither was found to be unauthorised works and no further action was required.

Complaint Subject	Number of Complaints
River/Lakes - Structures	02

Enforcement

- No abatement notices were issued.
- 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 three 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	02	2	0	0	0	1	0

Complaints

Three complaints were received relating to damming of surface water. All related to concerns from downstream users on the effects from the dam on low summer flows.

Complaint Subject	Number of Complaints
Dam or divert surface water	03

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 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

Most complaints in this period related to inappropriate water application or administrative matters around metering.

Complaint Subject	Number of Complaints
Groundwater - take water	12

Enforcement

Water meter returns - Eighteen consent holders were the subject of formal 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 - No enforcement action was required for matters such as leaking well heads, broken security seals.

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	09

Enforcement

- One abatement notice was issued for non-compliance with
- Five infringement notices were issued for overtakes or other non-complying surface water takes.

Other Zones

Implementation of the Moutere domestic bore metering programme commenced in this period and 89 domestic takes are now required to install meters. At present over 60 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 150 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 which is a quick summary.

Consented Discharges

Monitoring of the 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

Monitoring of the 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.

This season 37 farms were subject to inspection as part of a discrete monitoring programme. This included all farms discharging to water under consent as well as a number of targeted farms. A full survey of all the districts dairy farms is programmed for the upcoming 2010/2011 season which is now underway. The results of that monitoring will be presented upon completion. For the past season the results were as follows.

Fully Complying (1)	Minor non-compliance* (2)	Significant Non-compliance (4)
27	7	3

*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 142. As at 2009 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	93%	92%	99%	89%	*See note

This will be updated upon completion of the next full survey scheduled in the upcoming season.

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 sixteen 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 these complaints were found to be non-dairy related.

Complaint Subject	Number of Complaints
Discharge to water - dairy effluent	07
Discharge to land - dairy effluent	09

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

Seven formal warning letters were issued outlining the enforcement steps Council will take with any further non-compliance.

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 two Abatement Notices were issued.

Infringement Fines

Two infringement fines were issued during the period.

Prosecution

Two prosecutions were initiated during the year. This was the result of the direct and continuous discharges of farm dairy effluent to water which had a significant adverse effect on the environment. One has now been sentenced and the matter is finalised while the other is due to enter pleas.

Enforcement Orders

One enforcement order was initiated as a result of a failure to provide necessary infrastructure improvements to avoid or mitigate adverse environmental effects. This matter is still before the Environment Court

Onsite domestic wastewater

During the 2009/2010 year in excess of 405 discharge of domestic wastewater resource consents were active in the district. A targeted monitoring programme for wastewater has now been operating for several years after increasing consent activity and discharge related complaints highlighted that old or poorly installed/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

While their remained a constant level of demand on staff in responding and resolving domestic wastewater related complaints, particularly from failing systems operating under permitted activities, 294 consented activities were still subject to 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)
206	49	19	12	4	2	0	2

Complaints

During the period 34 complaints were received relating to sewerage 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	34

Enforcement

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

- 30 abatement notices issued.
- Four 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 total of 41 consented air discharges were monitored over the period ranging from outdoor burning, stack discharges through to dust and odour.

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	3	3	0	0	3	0	0

Complaints

During the period 326 complaints were received relating to a range of air discharges most notably smoke and odours. Typically a lot of complaints related to outdoor burning although some commercial kitchens also attracted odour complaints early in 2010. All complaints were investigated.

Complaint Subject	Number of Complaints
Discharge to air - dust	34
Discharge to air - smoke	212
Discharge to air - odours	56
Discharge to air - spray drift	18
Discharge to air - industrial	6

Enforcement

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

- One abatement notice was issued for non-complying air discharge.
- Four infringement fines issued for smoke 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.

Since January 2010, over 950 properties were entered into the database as additional property sales occur, and as additional properties were witnessed discharging contaminants into the air during Airshed patrols. Officers continued to assess monthly sales data to ensure actual transfer of ownership and letters of advice were sent to all property owners where the presence of a woodburner was known or likely. Patrols also inspected properties which had been sent the letter and any discharge resulted in the formal warning notice being issued.

During this period in excess of 92 property owners replaced their 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.

This programme of compliance is set to continue at the start of autumn 2011.

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 2009/2010 year, two 1080 operations were run in the district in the Anatoki and Maruia areas. 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.

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 Council's 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 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 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.

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 hectares 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 2009/2010 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 and surface water monitoring. This is undertaken by consultants Montgomery Watson Harza 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.

During the period two failures were reported around infrastructure but were remedied quickly with no adverse effect. These matters were followed up with the consent holder and resolved.

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 scheduled for hearings. 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 Montgomery Watson Harza who provide the annual reporting.

During the 2009/2010 year all monitoring was undertaken as required and results supplied to Council. Non-compliance was detected regularly in-flow volumes and marsh cell performance. These matters are currently 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. 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.

During the current year monitoring was undertaken as required. One instance of non-compliance was detected with an exceedance in flow rates on 1 August 2009 during a heavy rainfall event.

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 continues under a separate consent.

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.

Non-compliance has occurred on a number of occasions throughout the reporting period mostly around wastewater sampling limits however the most significant is the overflows from the northern end of the wetland into the Motueka River which occurred May 2010. This was as a result of high inflows to the treatment plant during a wet weather period. Work to raise the embankments was undertaken to prevent further discharges. These unauthorised discharges are now being followed up with the consent holder.

Tapawera WWTP

Tapawera Wastewater Treatment Plant is a small system servicing the township of Tapawera. This system was upgraded under new consent 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. One odour complaint was received after aerators malfunctioned. This was remedied quickly and no further action required.

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 2009/2010 year all monitoring was undertaken as required and results supplied to Council. Exceedances were detected in some ground water sampling bores and issues have been identified over the performance of the disposal field which may have suffered partial collapse. These matters are now being followed up with the consent holder.

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 Montgomery Watson Harza who provide the annual reporting.

The report covering the previous year's performance was received as required. No issues have been raised with this system.

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. A suite of new consents has recently been granted for this operation. No issues have arisen during the year with this operation.

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 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.

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 conditions prevail until this has been granted. No issues of non-compliance have been detected. All reporting and management plans are due in January 2011. Site monitoring will continue and performance with conditions will be covered in the 2010/2011 Annual report.

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.

This consent has recently received a variation to conditions and all reporting and management plans are now due in January 2011. Site monitoring will continue and performance with these new conditions will be covered in the 2010/2011 Annual report.

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 Council's TRMP.

This site was granted a discharge consent in September 2009. Annual report, management plan and other reporting requirements have been achieved. Some minor non-compliance around stormwater scouring of driveway detected. This has been rectified.

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 are due in January 2011.

In early 2010 some non-compliance was detected on this site with waste streams not being kept in designated areas mostly notably stockpiled greenwaste and some hazardous substances. These matters have been resolved and monitoring will continue.

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.

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 three 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

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 2009/2010 year NPI 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.

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. Parts of the plant run 24 hours a day and seven days a week. 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 time of writing the company is in the process of redesigning its stormwater treatment system and one discharge point has been eliminated. Certain changes are also occurring in respect to fuel storage (underground tank removal) and variations to resource consents are pending.

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

During the 2009/2010 year Dynea 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 2009/2010 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 recently been granted a new 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 is not due until November of this year and will be covered in the next annual report.

All other monitoring associated with the older consent and the other current consents held for the site have 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.

At the time of writing the sampling results were outstanding and the matter under investigations with the consent holder.

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 2009/2010 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 09/10 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. Cawthron Institute carries out the sampling and analysis of the effluent and Talley's provides the information to Council. The latest results are outstanding and this is currently being followed up with the consent holder.

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. This report is required.

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 2009/2010 year both companies undertook all monitoring as required under the consent and supplied the results to Council.

In early January 2010 NZ King Salmon reported suspended solids in excess of conditions. Resampling was undertaken within 24 hours as required by consent and results were within limits. No further action was taken. All other sampling periods met limits.

8. CONCLUSION

Over the last year continued progress has been made on active monitoring of resource consents in many of the target sectors with some significant progress made in monitoring coastal, land disturbance and river based activities. While this has not necessarily translated into an improvement in consent holder compliance statistics this is not unexpected with more consents being monitored and also the restricted numbers of dairy farms inspected this reporting period.

Of significant note has been the marked improvement in management of sediment and erosion control during land disturbance and this can be put solely to the effort compliance officers put into requiring modern practices and strict enforcement. This has seen a notable change around in the industry and its expectations. Again while wastewater still remains an issue across the district the concerted effort to better manage and enforce compliance with on-site wastewater activities has resulted in steady changes to industry practice and awareness of consent obligations however the level of enforcement action required has proved time consuming and more work will need to be done.

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. This has been particularly noticeable in the recent dairy prosecution which while highly successful, required significant man-hours. Despite this staff expertise in this field continues to grow and several officers are now recognised at a national regional council level where they participate in enforcement best practice.

The focus away from general monitoring to the targeted monitoring programmes will continue as a result of the proven successes seen in many of the compliance and enforcement programmes in recent years.

In summary despite pressures on resources, improved operational efficiencies, officer expertise and better data management has and will continue to allow Compliance staff to achieve programme objectives and outcomes.

Hydro electric schemes will be the focus of a new programme in the next year.

9. RECOMMENDATIONS

That Council receive report REP10-09-04.



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