

9.3 ANNUAL COMPLIANCE AND ENFORCEMENT SUMMARY REPORT

Information Only - No Decision Required

Report To:	Environment and Planning Committee
Meeting Date:	1 September 2016
Report Author:	Carl Cheeseman, Co-ordinator Compliance Monitoring
Report Number:	REP16-09-03

1 Summary

- 1.1 Tasman District Council operates tailored Resource Management monitoring programmes focusing the core of its efforts on the range of activities seen as significant to the district either in terms of environmental resources, actual or potential adverse effects or community interest. Council also provides a 24-hour complaint response and undertakes a range of enforcement actions in response to detected non-compliance.
- 1.2 Tasman District Council's Compliance & Enforcement section is tasked to undertake these activities and this report summarises this programme of work for the period 1 July 2015 to 30 June 2016. Noise compliance is reported through the Regulatory section of Council and is not covered in this report.
- 1.3 As with every year complaint response continues to be first priority and a considerable amount of time is spent responding to the public. Complaints were up some 15% on the same period last year at 1241 although the increase was predominantly through a rise in noise complaints. The only other significant increase was in the category which captures rubbish, fire hazards, abandoned vehicles, freedom camping or other requests for service.
- 1.4 Despite the impact complaint response has on the department it continues to operate its targeted monitoring programmes which focus efforts on the range of activities seen as significantly impacting on the district either in terms of resource use, environmental effects or community interest. Over the 2015/16 year a total of 2710 resource consents and targeted permitted activities were monitored. Compliance with conditions or plan rules was high this year with 2361 (87%) recording a full compliance grade and of those not meeting conditions, 349 or (13%) were classified as minor non-compliance with no action required.
- 1.5 During the year Council undertook a number of enforcement action for breaches of consent, plan rules or regulations with 43 abatement notices, 49 infringements fines and one prosecution initiated during the period.

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2 Draft Resolution

That the Environment and Planning Committee receives the Annual Compliance and Enforcement Summary Report REP16-09-03

ANNUAL COMPLIANCE AND ENFORCEMENT SUMMARY REPORT
3 Purpose of the Report

- 3.1 This report summarises Tasman District Council's Compliance & Enforcement Departments programme of work and achievements for the period 1 July 2015 to 30 June 2016. The report outlines consent monitoring performance and 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.
- 3.2 This annual report does not attempt to report on effectiveness and implementation of the Tasman Resource Management Plan (TRMP) rules, resource consents, or state of the environment monitoring.
- 3.3 The structure of the report is as follows:
- Section 2 Outlines current compliance structure and programmes
 - Section 3 Reports on performance with consent/permitted activity monitoring
 - Section 4 Reports on complaint response for the period
 - Section 5 Reports on enforcement activity for the period

4 Compliance Monitoring Programmes

- 4.1 Tasman District Council continues to operate targeted monitoring programmes which focus efforts on the range of activities seen as significantly impacting on the district either in terms of resource use, environmental effects or community interest. While noise and associated monitoring falls within these programmes it is carried out by another department of Council and is not covered in this report.
- 4.2 Targeted monitoring programmes allow for structured and consistent effects based monitoring and more efficient use of limited resources. They also provide the ability to report individual compliance performance with rules or resource consents along with district wide activity performance. This allows ability to better identify trends and issues and respond with additional resourcing or enforcement strategies.
- 4.3 Currently the Department consists of seven warranted officers and an administrator under the direction of a Co-ordinator. 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.
- 4.4 These monitoring programmes are subject to periodic review and this is due to be undertaken later this year. The current suite of monitoring programmes is listed below in Table 1.

RMA Section	Compliance Programme
9	Land based aggregate extractions.
	Remote Signage
	Mining
	District Land Use

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RMA Section	Compliance Programme
	Land disturbance
	Forestry
	Hazardous Facilities (HF)
	Bores
12	Aquaculture
	Moorings
	Coastal Structures and occupations
13	Waterway structures
	River works/gravel extractions
	Diversions/flood protection
14	Consented surface water takes
	Groundwater takes
	Hydroelectric generation
15	Dairy Shed Effluent - Permitted/Consented
	On - site Domestic Wastewater
	Consented air discharges
	Richmond Airshed
	Stormwater discharges
	Chemicals/pesticide discharges

Table 1: Current monitoring programme in Tasman District

- 4.5 Underlying each programme is a subset of target monitoring areas based on their risk, history of performance or need for wider data reporting. These activity targets cover both consented and permitted activities occurring in the district. Table two below outlines some of these specific targets in detail.

Programme	Activity Targets
Land based Aggregate extraction	Working extraction size, discharges, backfill
Forestry	Earthworks and Tracking, Sediment discharge controls and structures
Land Disturbance	Earthworks, Sediment and erosion controls, Plan approvals
On site Wastewater Systems	Discharge quality, installation documentation
Aerial 1080 discharges	All consent conditions
Water Metering	Groundwater and surface-water meter returns, meter regulations, DWTF data inputs
Farm Dairy effluent	Dairy effluent disposal - TRMP rules and consent conditions
HF Sites	Air, land and water discharge consents
Fish processing plants	Water discharge consents, land use consents
Council Global Activities	Earthworks, River works, Wastewater treatment plants Coastal works permits, Biosolids/solid waste

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Table 2: Tasman District Council Compliance programme activity targets

- 4.6 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.

Compliance Grading

- 4.7 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. This year the grading has been simplified to five from the previous eight with improved explanatory text.

1	Full compliance	Compliance with all relevant consent conditions achieved at time of inspection or audit.
2	Non Compliance: No action	Non-compliance with consent conditions with no or minor actual environmental effects and no action required.
3	Non Compliance: Action	Non-compliance with consent conditions with minor to moderate adverse effects and where action is required.
4	Significant Non-compliance	Non-compliance with conditions where there is actual or potential <u>significant</u> adverse effects and action is required.
5	Not Monitored	Consent not monitored at time of being exercised and compliance with conditions unable to be determined or not required.

Table 3: Compliance grading bands

5 Summary of Consent and Permitted Activity Monitoring in Tasman District 2015/16
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- 5.1 Over the 2015/16 year a total of 2710 resource consents and targeted permitted activities were monitored. This includes consented water takes which were traditionally excluded from these figures given their separate reporting.
- 5.2 Compliance with conditions or plan rules was high with 2361 (87%) recording a full compliance grade. Of the 349 (13%) that failed to achieve compliance with one or more consent conditions 241 (69%) of these were graded as nil or minor adverse effect (grade 2) and requiring no further enforcement action. Many of these are technical non-compliances such as failure to submit documents or to notify according to conditions of consent. The remaining 108 (31%) recorded non-compliance requiring some type of action and were therefore scaled as moderate or significant depending on the level of offending and environmental effects. A breakdown of the 108 shows that 86 were graded as moderate and 22 were graded significant.

Compliance Rating	2015/16
1. Fully complying	2361

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2. Non-compliance. Nil or minor adverse effect	241
3. Non-compliance. Moderate adverse effect	86
4. Non-compliance. Significant adverse effect	22

Table 4: Consent and targeted permitted activity compliance performance for current year including comparison to the previous year

- 5.3 The following table is a breakdown of the number of consents monitored per consent type under the agreed programme.

Consent Type	Number Monitored
District Land Use	547
Coastal Disturbance	5
Coastal Marine Farm	14
Coastal Occupation/Structure	23
Coastal Discharge	3
Discharge - Air	21
Discharge - Land	536
Discharge - Water	47
Regional Land Use - Bore	17
Regional Land Use - Disturbance	70
Regional Land Use - Excavate	1
Regional Land Use - Gravel Extraction	11
Regional Land Use - Hazardous Facilities	13
Regional Land Use - Dam	5
Regional Land Use - Watercourse	17
River Bed - Activity on Surface	3
River Bed - Culvert/Bridge/Ford Structures	3
River Bed - Dam & Weir Structures	5
River Bed - Entering & Passing Across	1
River Bed - Other Activities	2
River Bed - Other Structures	4
Water - Divert	9
Water - Dam	5
Water Take - Surface/Underground	1376
Water Take - Moutere Domestic	110

Table 5: Consent numbers monitored per consent type.

Notable Industrial and Regional Consents

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5.4 The following section outlines the monitoring of some of the larger or more notable consented activities that occurred around the district during the period.

1080: Sodium Monofluoroacetate Operations

5.5 During the 2015/16 period several 1080 aerial operation was run in the district. The operations were undertaken principally in July by T.B Free NZ. The operations occurred in Department of Conservation blocks in the Anatori, Patarau and Cobb areas as well as an operation in the Nuggety Creek area near Murchison.

All these operations were actively monitored by the Compliance Department with officers on hand to ensure compliance with conditions. All operations were in full compliance with consent conditions.

Herbicide Spraying Programmes

5.6 Both Tasman District Council and NZ Transport Agency undertook a range of roadside vegetation spraying operations around the districts roads. These areas are identified through resource consents which carry a sweeping range of conditions in regards to the undertaking and reporting of operations.

Both consent holders exercised these consents over the period and met all conditions.

5.7 During the period the Department of Conservation also undertook a spraying operation around the Lake Rotoroa wetland. This involved the use of herbicides to control target pest species in the wetland and was undertaken under a strict set of consent conditions.

Wastewater Treatment Plants (WWTP)

5.38 The largest wastewater treatment plant operating in Tasman district is on Bells Island managing effluent from Nelson and Tasman. The consent holder is the Nelson Regional Sewage Business Unit (NRSBU), a joint venture between Nelson City Council and Tasman District Council. 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 required and results supplied to Council.

- NRSBU Bells Island - Discharge to Waimea Estuary

5.9 Resource consent allows the discharge of up to 25,000 m³ of treated effluent per day into the Waimea Estuary. Conditions of the resource consent require sampling of effluent quality on a monthly basis. Routine sampling reports were received as required and results were compliant with consent limits.

- NRSBU Bells Island - Discharge to Air

5.10 No incidents and fully complying with consent limits.

- NRSBU - Discharge of Biosolids on Rabbit Island

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5.11 Resource consent allows the discharge of stabilised sludge to approximately 1000 hectares of forest land on Rabbit Island on a rotational basis. Consent conditions require sampling of effluent, groundwater quality, and soil contaminant concentrations on the irrigated land.

5.12 A full report including trends is required to be submitted every six years on anniversary of consent. The six yearly report was received in 2014 and nothing is due this year.

Collingwood WWTP

5.13 The Collingwood township WWTP discharges treated effluent into the Burton Ale Stream. The resource consent requires a range of monitoring including periodic surface water monitoring. The consent holder is required to provide sampling data and annual reports.

5.14 All sampling data and annual reports for this period received. Minor to moderate non-compliance recorded on some sampling results over the period mainly with suspended solids. The non-compliance has been noted and matters have been followed with the consent holder. No formal enforcement action has been required.

Takaka WWTP

5.15 The Takaka WWTP currently serves Takaka. A consent allows the discharge of 700 m³ of effluent via rapid infiltration basins. All sampling data and annual reports received as required. No non-compliance recorded during this period.

Upper Takaka WWTP

5.16 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. All sampling data and annual reports for this period received as required.

5.17 Consistent minor non-compliance recorded due to exceedances in the discharge volumes. This system continues to be highly susceptible to inflow and infiltration from the private lateral connections during rainfall events, and when the groundwater table is high. The Compliance Department is monitoring the situation but environmental effects are considered to be minor and no formal enforcement action has been required at this stage.

Motueka WWTP

5.18 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 through a wetland system. The current consent has a short duration (expiring in 2018) and allows for the discharge while redesign and upgrades are finalised.

5.49 All reports and sampling results received as required. Consistent moderate non-compliance recorded through exceedances in the discharge volumes and some quality measures. The Compliance Department has been following these issues up with the consent holder but recognises that there are underlying problems with the system that can only be properly addressed with the planned upgrade. No formal enforcement action was undertaken during this period.

Tapawera WWTP

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5.19 Tapawera's wastewater treatment plant is a small system servicing the township. The consent allows a maximum discharge of up to 500 m³ per day. All reports and sampling results received as required. No issues recorded.

Murchison WWTP

5.20 The resource consent allows for a maximum of 500 m³ of effluent per day to be discharged into the ground via infiltration trenches. Five bores monitor for groundwater effects and consent conditions require a range of monitoring including plant performance and ground water monitoring.

5.21 All reports and sampling results received as required. Consistent minor to moderate non-compliance recorded due to exceedances in *E.coli* in groundwater bore sample results throughout the year and also some flow exceedances in high rainfall. As upstream sample bores are also elevated it is likely that stock are having an effect on sampling results and no action is anticipated at this stage however the Compliance Department is monitoring this.

St Arnaud WWTP

5.22 The resource consent allows the discharge of up to 290 m³ per day of effluent from a single aerated oxidation pond feeding a two stage marsh cell and discharge to land. The annual report and sampling results have been received and are compliant.

Landfills and Transfer Stations

5.23 Tasman District Council operates a single land fill and a number of transfer stations in the District under various resource consents.

Eve Valley Landfill

5.24 Eves Valley has been operating as an engineered, sanitary landfill since 1989. Stage 1 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.

These consents are up for renewal but that process is on hold and the site operates under its old consents in the interim. Annual reporting is required which covers the range of performance conditions including site management and ground/surface water sampling.

- Discharge to Land

5.25 Reports received. All sampling and reporting conditions met over the period. Some minor exceedances in certain measures detected in some ground water bore results. No follow up required.

- Discharge Stormwater

5.26 Report received. All sampling and reporting conditions met over the period. Issues of non-compliance with respect to several leachate discharge into the Eves Valley stream during

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high rainfall events with minor effects. Additional work was subsequently undertaken which is expected to resolve this matter. Also issues with silt from the stormwater settling pond during high rainfall events with some minor effects. Compliance Officers continue to work with the consent holder on this matter.

- Discharge to Air

5.27 Annual report received. No issues.

Scott's Quarry Transfer Station: Takaka, Golden Bay

5.28 Scott's is subject to two resource consents for the land use for a transfer station and discharge of stormwater. Consents require a comprehensive range of ground and surface water quality sampling and site management.

5.29 All sampling received as required although Annual Report received late. No issues of non-compliance in sampling results.

Richmond Transfer Station

5.30 Richmond transfer station is the largest of the transfer stations in the district. The site is subject to the conditions of a consent allowing the discharge of stormwater to the Coastal Marine Area.

5.31 Quarterly sampling results and annual report received albeit late. No discharge exceedances however some minor non compliances detected regarding maintenance of the flume and some waste storage.

Mariri Transfer Station: Motueka

5.32 Mariri transfer station services the area of Motueka and surrounding areas of the Moutere and Mapua/Ruby Bay. The site is subject to a discharge of stormwater consent with conditions requiring sampling and annual reporting. All reporting has been provided as required. Non-compliance recorded where septic tank overflow occurred during heavy rain. This was responded to at the time by consent holder with pump out and containment.

Murchison Recovery Centre

5.33 This site is on the former landfill and operates two consents for discharge to air and stormwater. Full compliance achieved.

TIMBER TREATMENT PLANTS**Nelson Pine Industries Ltd**

5.34 Nelson Pine Industries Limited operates a MDF and LVL plants at Lower Queen Street, Richmond and holds a suite of consents including air, stormwater and hazardous facility. During the 2015/16 year NPI undertook all monitoring as required under their consents and supplied the results to Council. No issues of note recorded.

Carter Holt Harvey

5.35 Carter Holt Harvey (CHH) operates a sawmill complex at Eves Valley. The company holds a suite of consents including air, stormwater and hazardous facility. All reporting has been complied with. All compliant with the exception of sampling bores established with consent

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to discharge to Eves Valley Stream from Woodshed Creek have recorded two instances of elevated Aluminium above consent limits. This occurs in the summer period with low groundwater and monitoring continues to establish cause.

AICA Limited

5.36 AICA Limited operates a phenol and formaldehyde resin plant at Lower Queen Street, Richmond. The company holds 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. During the 2015/16 year no exceedances were recorded in concentrations of formaldehyde or the other measures required under consents.

Goldpine Industries

5.37 Goldpine Industries operates a CCA and Alkaline Copper Quat (ACQ) timber treatment plant on the floodplain of the Upper Motueka River. Goldpine Industries hold a large number of consents for this site including, discharge of stormwater, air discharge, hazardous substance and other land use consents.

5.38 All reports and sample data received.

Hunters Laminates 2014 Limited

5.39 Hunters Laminates 2014 Limited operates a timber processing facility at Beach Road in the Richmond industrial area. The primary product is laminate timber products.

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

5.41 Annual report and sampling results are outstanding and the Compliance Department is following up with the new owner who manages this site since taking over early this year. Further enforcement action may be forthcoming.

Prime Pine

5.42 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.

5.43 A summary of stormwater and sediment sampling received. No issues.

DAIRY PROCESSING FACTORIES**Fonterra Co-operative Group**

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

Takaka Plant

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

- Consent to discharge combustion products, odours and particulate matter into the air;
- Consent to discharge wastewater and whey onto land;

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- Consent to discharge wastewater and whey into the Takaka River during flood flow;
- Consent to take groundwater.

5.45 As part of the resource consent conditions authorising the various discharges, the company is required to supply various reports on performance at specified periods. The company has complied with reporting during the 2015/16 period. Some recorded incidence of non-compliance with soil sampling at required frequency. No action required.

Brightwater Plant

5.46 The Brightwater factory produces 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.

5.47 As part of the resource consent conditions authorising the various discharges, the company is required to supply various reports on performance at specified periods and the company has provided the required reports albeit late. Some other minor non-compliance recorded with respect to the discharge consent around data logger failure. This non-compliance is does not require further enforcement action.

FISH PROCESSORS**Talley: Port Motueka**

5.48 Talley's operate a fish processing, fishmeal and ice cream factory at Port Motueka. The company holds a suite of consents

5.49 These consents are all up for renewal and applications have been lodged which are currently being processed. In the interim the existing conditions prevail.

5.50 During this period a number of instances of non-compliance were detected around the consented discharges including discharge quality and timely submitting of sampling data and other reporting. The Compliance Department is currently following this up with the consent holder.

Salmon Farms

5.52 Two freshwater salmon farms operate in Golden Bay. New Zealand King Salmon (NZKS) 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.

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- 5.53 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.
- 5.54 During the 2015/16 year both companies undertook all monitoring as required under the consent and supplied annual reports.
- 5.55 NZKS fully complied with their reporting although noted that several sampling dates were missed or late due to oversights with staff changes. No action required.
- 5.56 Anatoki Salmon has supplied results and annual reports for the various consents they hold. The discharge of water from the salmon pond continues to fail in quality since the damage from the flood several years ago. The consent holder is working to mitigate this through the consent renewal currently underway.

6 Complaints Action 2015/2016

6.1 The Compliance Department provides 24-hour complaint response and each year investigates a wide range of activities as a result of public complaints. During the 2015/16 year a total of 2,141 complaints were received by Council related to the RMA or Litter Act up from the 1,860 in the previous year. Overall this represented a 15% increase on the previous year. Figure 1 displays the trend in complaint numbers in Tasman district over last five years.

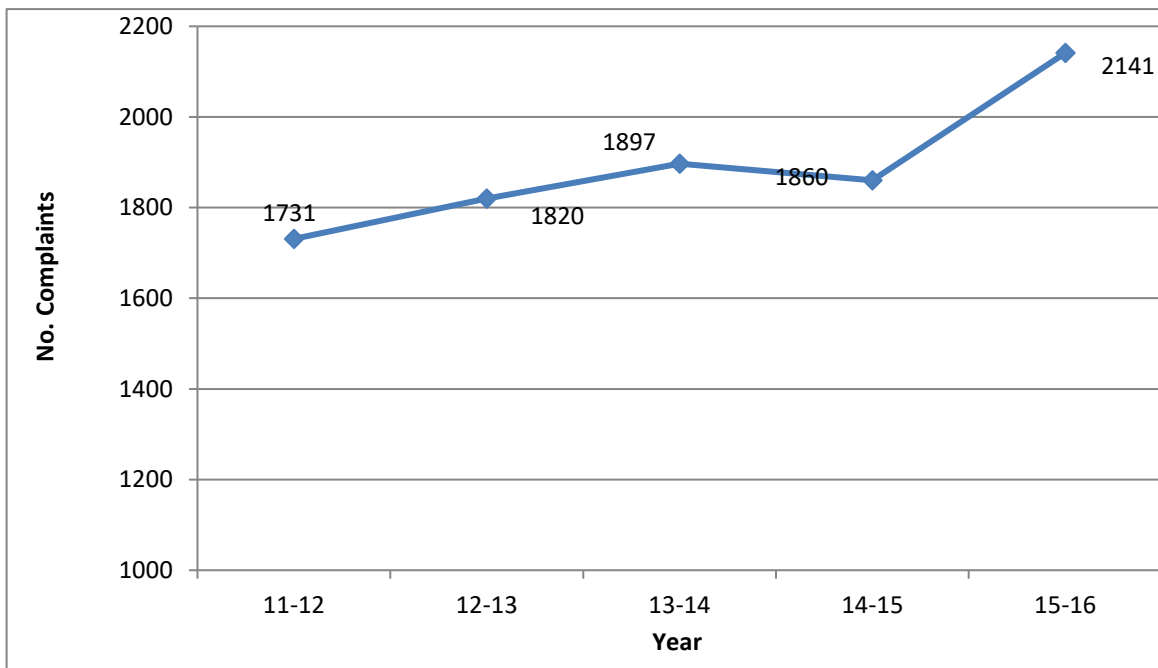


Figure 1: Trend in complaint numbers in Tasman district over last five years

6.2 The following graph provides a simple summary of these complaint numbers broken down into the eight standardised complaint categories used in this annual report summary.

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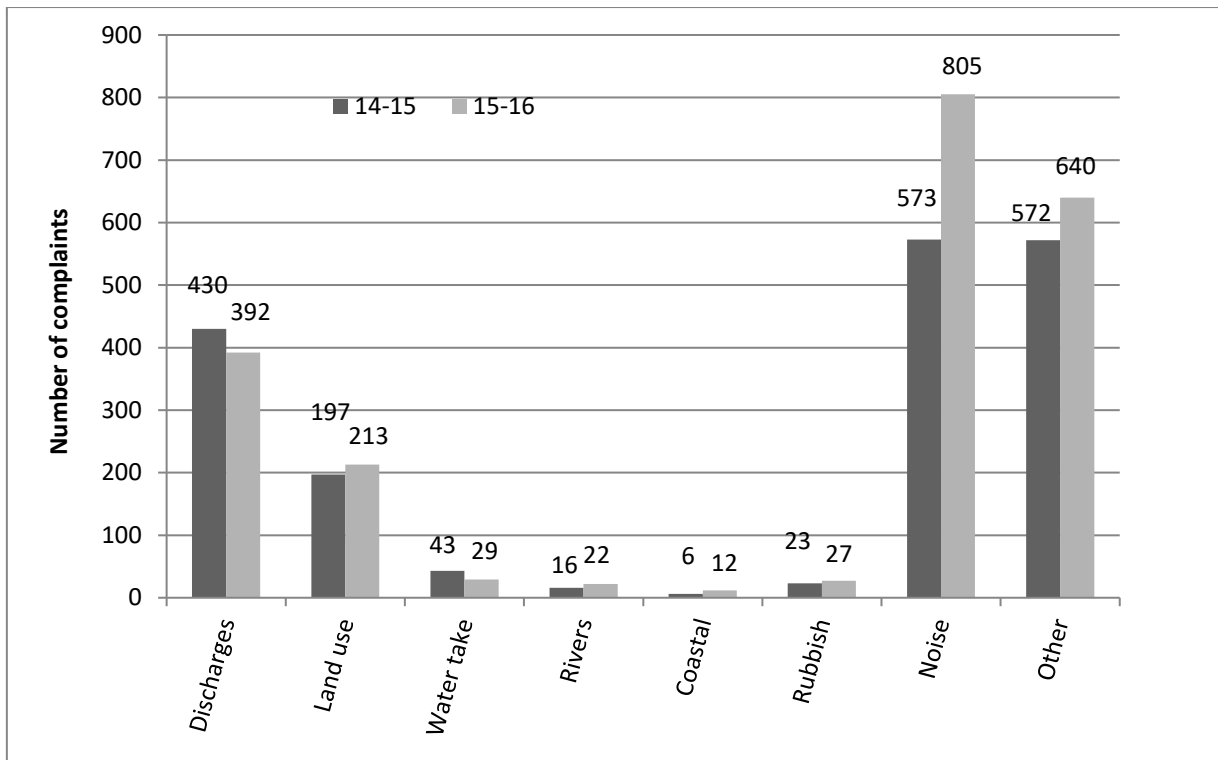


Figure 2: Number of complaints received in comparison to previous year by general category

The results show a jump of 281 or a 15% increase in complaints from the previous year. Of this 232 were related to noise such as music/party noise, construction activities and machinery. Of the remainder the following was noted;

Discharges

6.3 There was an overall decrease in this category including smoke, odour and dust which are invariably the areas that Council typically receives a lot of complaints about. However, while they were down on last year these categories still represented the biggest number of complaints received across the board. While widely spread smoke effect from outdoor burning in Motueka and Riwaka did feature prominently. There was one area that did see an increase in complaints and that was stormwater although no pattern was apparent nor any association with any particular event or area.

Land Use

6.4 Land use saw an overall 8% increase in complaints compared to last and while many of the sub categories actually decreased complaints around land disturbance doubled. There is no real pattern with the complaint data and the nature and location of the activities was varied and spread across the district. Outside land disturbance the only other category with any upward trend was complaints around buildings and structures with sheds, fences and containers in the residential and rural residential zones featuring highly.

Water

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6.5 A prominent decrease in complaints recorded within this category likely due to the periodic rainfall events that occurred over the irrigation period which gave relief from the rationing stages.

Rivers

6.6 No meaningful change in this area with only a slight increase in complaints about disturbance of the bed mostly associated with small scale gold recovery operations and some minor permitted activity gravel takes.

Coastal

6.7 Not many complaints received for coastal activities or structures during the year. Of those received most were associated with some small scale disturbance of foreshore or estuarine tidal areas around the Motueka and Jackett Island areas.

Noise

6.8 While there was an significant increase in noise complaints this activity is reported through the Regulatory Section it is not covered here.

Other

6.9 The category of other includes rubbish enforcement, fire hazards, abandoned vehicles, freedom camping or other requests for service. A sharp increase here is as a result of various activities and requests for service. Also during this period the posting out of Annual charges for consent holders prompted a number of enquiries or complaints regarding processes and fees which were attended to at the time.

7 Enforcement Action

7.1 One of Council's key measures of performance is timely resolution of non-significant compliance with respect to breach of consent conditions. Significant non-compliance is graded as 4. Timely resolution is defined as 80% resolved within nine months and 95% resolved with 12 months.

7.2 During the 2015/16 reporting year a total of 33 consents were subject to this measure either as carry over from the last period or detected within this current year (see Table 6). All were resolved within 12 months and the majority well within the nine-month measure.

	Number of actions	Resolved (nine months)	Resolved (12 months)
Non compliances recorded and resolved this current period	21	21	N/A
Non compliances carried over from the previous year subject to measure*	12	11	1
Non compliances with nine and 12 month deadline beyond this reporting period**	N/A	N/A	N/A

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Total	33	97%	100%
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Table 6: Resolution of non-significant compliance with respect to breach of consent conditions

NOTES

*Significant non-compliances carried over from the previous year report where those non-compliances were identified in that period but resolution dates fell beyond.

**Represents significant non-compliances recorded in the reporting period, not yet resolved and where the 9 and 12 month measures fall beyond this current reporting period. These will be reported on in the next annual report.

- 7.3 During the 2015/16 year Council compliance officers undertook a range of enforcement actions in response to detected non-compliance or breaches. Table 7 provides an overall 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.

Enforcement action	2015-16	2014-15
Abatement notices	43	32
Infringement notices	49	42
Enforcement orders	0	0
Prosecutions	1	0

Table 7: Summary of Enforcement action during the 15/16 year including comparison data for previous year

Abatement Notices

- 7.4 A total of 43 Abatement notices were issued by the Compliance Department over the period the details of which are contained in the following table. It should be noted that this data excludes those abatement notices issued under Section 16 (noise) by the Regulatory department but does include those issued by this department in relation to consent condition breaches where noise was the non-complying factor.
- 7.5 Abatement notices for unauthorised discharges featured highly in this year's data and the majority of these were associated with domestic wastewater non-compliance with conditions of consent. Typically, these were failures in undertaking sampling, servicing or providing necessary as built documents. The remainder were for a range of breaches of consents or plan rules predominantly with land use activities but also for several unconsented coastal structures and an non complying surface water take.

RMA Section	Number issued
Section 9 - Land use	9
Section 12 - Coastal	4

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Section 13 - Rivers/Lakes	0
Section 14 - Water	1
Section 15 - Discharges	26
Total	43

Table 8: Number of Abatement Notices relative to each section of the RMA (Sec 9 - 15)

Infringement Fines

7.6 During the period a total of 49 infringement fines were issued for breaches against the Resource Management Act or Litter Act as outlined in the following table including method of recovery

Resource Management Act 1991	Number issued	Paid	Court for recovery	Withdrawn
Contravention of section 9 - (Land use)	4	4	0	N/A
Contravention of section 12 - Coastal	1	1	0	N/A
Contravention of section 13 - (Rivers)	0	N/A	N/A	N/A
Contravention of section 14 - (Water)	6	4	0	2
Contravention of section 15(1) (b) (Discharge Land - May enter water)	5	4	1	N/A
Contravention of section 15(1)(c) (Discharge - Industrial Premises into air)	1	1	N/A	N/A
Contravention of section 15(1) (d) (Discharge - Industrial Premises to land)	3	3	N/A	N/A
Contravention of section 15(2A) - (Discharge Air - breach rule or regulation)	2	1	1	N/A
Contravention of an abatement notice	4	2	2	N/A
Litter Act 1979				
Deposit and Leave Litter	21	2	16	3
Fail to comply with Litter Notice	2	0	2	N/A
Total	49	22	22	5

Table 9: Infringement notices by type and outcome

Enforcement Orders

7.7 No enforcement orders were active or sought during this period.

Prosecutions

7.8 One prosecution was initiated in this period however the matter has not been before the Court and details cannot be reported

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- 8.1 A comprehensive review of the Compliance monitoring work programme is due for finalisation in the next few months. The principle purpose of the review is to confirm that we have identified the right core activity areas in which to put our limited resources and are meeting defined objectives using correct measures. It is also an opportunity to better define the framework used to identify these priority areas and thus provide a more intuitive, demand and risk focused priority strategy. The expected result from this is:
- Better delivery of resources into projects identified as significant to the environment, the community or of national importance
 - Improved flexibility and scope to change to demands and shifting expectations.
 - Better delivery of outcomes in key areas by targeted efforts.
 - A mechanism to define appropriate monitoring regimes
 - A more robust auditable system
 - A monitoring strategy that is consistent with the regional council national initiative and the guidelines within Australasian Modern Regulator Improvement Tool (MRT)
- 8.2 Emphasis is also on improving our data capture and reporting processes in order to meet increasing needs for central government reporting, particularly in the area of water management and a lot of work is going into this administrative role at present. A new database for water is ready to be rolled out in November. Likewise, continuous improvements in consent monitoring data capture and reporting are being developed under the current database however other options are also being reviewed to ascertain better fit products.
- 8.3 Finally, the national Compliance and Enforcement strategic guidelines have been finalised by the Regional Council working group. The purpose of this is to give clear and consistent policy and practices for regional councils in the development and implementation of monitoring and enforcement policies. The finalising of this framework will tie in with the review currently being undertaken here and a presentation of this is hoped to be available to the Committee by the end of the year.

9 Conclusion

- 9.1 As with every year complaint response continues to be first priority and a considerable amount of time is spent responding to the public. As always this does have an impact on the more proactive consent monitoring work however it is essential that Council responds to public and community concerns first and foremost.
- 9.2 Only one prosecution was initiated during the period but due to the fact that the charges are not yet before the court little other detail can be reported on in this summary report.
- 9.3 On the monitoring side the water metering and Dairy programme along with the wastewater have continued to advance and the work going into these significant monitoring programmes has seen continuing improvement in compliance performance and environmental outcomes.

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Some of the larger industrial activities are also seeing closer monitoring particularly those with a hazardous facility rating due to their risk profile.

- 9.4 Finally work will continue in developing the databases, not only to aid in managing and improving the compliance work outputs but also to improve reporting functionality both for internal reporting but also the ever increasing demands for national reporting.

10 Attachments

Nil