

## **Report 99.486**

19 October 2000

File: K/4/3/2

[Report 1999.Env99486.RF:mm]

Report to the Environment Committee  
from Rob Forlong, Manager, Consents Management

### **Compliance Monitoring – Resource Consents**

#### **1. Purpose**

To present to the Committee a summary report of the Consents Management Department's compliance monitoring for the 1998/99 financial year.

#### **2. Background**

Each year the Consents Management Department monitors hundreds of resource consents to ensure that the consent holders are complying with their consent conditions. The results of this monitoring are then reported to you on an annual basis.

For the past two years we have provided you with a number of committee reports covering each type of operation (e.g. one report for landfills, one for farm discharges etc). This year we have combined all those reports into one document, which is attached.

#### **3. Classifying Compliance**

In order to provide a quick summary of the levels of compliance we have classified operations on a three tier scale. The first level is "Full Compliance". Full Compliance means that the operation is complying with all its consent conditions.

If an operation is in "Technical Non-Compliance" then it is meeting environmental standards but not complying with other consent conditions. The most common problems that result in technical non-compliance are:

- Failure to provide monitoring data;
- Failure to provide operations and maintenance manuals;
- Failure to provide required certification (e.g. an inspection report for moorings);  
and
- Failure to advise the WRC when works are to start (so that we can carry out our compliance inspection).

While these matters are normally caused by forgetfulness on behalf of the consent holder, they can be very important. For example, we have had at least one case where monitoring data was not supplied to us because it showed that the operation was likely to be causing an environmental problem.

Operations placed in the “Non-Compliance” category are breaching environmental standards.

#### 4. **Compliance Summary**

In total we inspected and/or obtained self monitoring data on 679 consented operations. Because many ongoing operations, such as landfills, have a number of resource consents, the 679 operations equates to approximately 900 to 1000 consents monitored.

Of the 679 operations monitored, 427 (63%) were in full compliance, 229 (33.5%) were in technical non-compliance and 23 (3.5%) were in non-compliance.

Compliance levels were lowest for those activities that could have the most significant adverse effects on the environment. For example, 3 landfills (18% of the total), and 7 sewage treatment plants (64% of the total) were in non-compliance last year.

Nevertheless, the figures make impressive reading and they probably represent an improvement on last year (we did not classify activities in the same way last year).

#### 5. **Enforcement Action**

During the 1998/99 financial year we issued 8 abatement notices (23 in 1997/98), applied for 1 enforcement order (3 in 1997/98), and took two prosecutions (none in 1997/98).

The enforcement order application was withdrawn before it went to Court as the consent holder complied with its requirements and paid our costs.

The prosecutions were both successful as the parties pleaded guilty.

#### 6. **Communication**

Each year we prepare a press release praising those individuals and businesses who have done particularly well in complying with their resource consents and each year it receives little, if any, coverage. This year we would like to try something different. In addition to our normal press release we will present certificates to those individuals and companies who have done well.

The Chairperson of the Environment Committee and the Environment Committee member whose constituency the operation is in will sign the certificates. If the recipients wish, we will arrange for the certificates to be formally presented.

**7. Recommendation**

*That the report be received and its contents noted.*

Report prepared by:

Approved for submission:

ROB FORLONG  
Manager, Consents Management

JANE BRADBURY  
Divisional Manager, Environment

Attachments: 1 (enclosed separately)