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Report to Rural Services and Wairarapa Committee
from Stephen Yeats, Compliance Officer

Annual Compliance Monitoring Report

1. Purpose

To inform the Committee of overall compliance monitoring in the Wairarapa during the 1999/2000 financial year.

2. Background

- 2.1 *Compliance monitoring* refers to the monitoring of granted resource consents to determine whether the consent holder is undertaking the activity in accordance with the consent application, and is complying with consent conditions.
- 2.2 There has been an increased focus on the compliance side of the consent equation in recent times. Compliance staff remind people involved in Resource Management that under the legislation a resource consent has 20 days in which to be processed, but the life of that consent may be 20 years or more. The compliance work can be ongoing for the life of the consent.
- 2.3 The Resource Management Charging Policy was adopted by the Council in February 1997, whilst the charging policy for gravel extraction was adopted in July 1997. A Compliance Monitoring Procedures Manual was adopted in July 1997. All compliance monitoring done in the 99/00 year was to be done in accordance with these documents.
- 2.4 The compliance monitoring programme for individual discharge and water permits was set prior to the annual charges going out to consent holders in 1999. Monitoring costs are included in these charges. For land use consents, holders are charged for inspections after they have been completed.

3. Consent Compliance Monitoring 1999/00

3.1 Annual Agricultural Effluent Survey

- (1) A total of 145 discharge permits were inspected. A further 94 farms had been put onto three-yearly inspections in recognition of their history of good effluent system management. These farms will not be inspected again until the 2001/2002 season.
- (2) There continues to be an increase in awareness of the value of spreading effluent to land using automatic systems. There has been a continuing trend of farmers switching from manually moved sprinklers to travelling irrigators.

3.2 Municipal Sewage Monitoring

- (1) All six municipal oxidation pond systems were monitored monthly. The Regional Council does all this monitoring except for Carterton. In Carterton's case, the District Council staff do the monitoring and provide the results to the Regional Council.

Monitoring includes the quality of treated effluent that is discharged and receiving water quality, above and below the discharge point. In addition, macroinvertebrates are monitored upstream and downstream of the discharge point once in the summer. An annual report on the sewage discharge monitoring was presented to the Committee in June 2000

3.3 Discharge to Air Monitoring

- (1) All consents which incurred an annual charge were monitored.
- (2) Most of the consented activities complied well with their consents. There have been air problems at Masterton and Carterton landfills.
- (3) Most public complaints of air pollution arise from un-consented activities.
- (4) The Regional Air Quality Management Plan is now operative, and a number of activities which were previously permitted now require resource consents. Applications are to be made by November 2000, and the Regional Council is working on how best to deal with this.

3.4 Non-Agricultural Discharges to Water

- (1) There are a number of discharges from various industrial and domestic activities. They predominantly comprise gravel washwater, sewage and contaminated stormwater.
- (2) There was a wide range of degrees of compliance with this type of consent, with no significant issues to report.

3.5 Non-Agricultural Discharges to Land

- (1) This category of consents is made up of activities such as cleanfills, septic waste, aerial 1080 poison drops, and industrial waste disposed on-site.
- (2) There was some difficulty inspecting these activities. Many of them are sporadic in nature, and it is difficult to time inspections to coincide with the activity occurring.
- (3) A noticeable feature of this category of consents is the poor compliance record of cleanfills. In every consent inspected, there was material being dumped which did not meet the definition of *cleanfill*.

3.6 Landfills

- (1) Both Carterton and Masterton District Councils have resource consents for their landfills, which have been inspected frequently. Council staff are actively working to progress the applications for the South Wairarapa landfills.
- (2) Masterton and Carterton have been sampling the groundwater and surface water frequently, as part of the consent conditions. There is also a requirement for annual reporting on the sampling results. There has been some degree of contamination of groundwater found within the Carterton landfill. There has been no significant contamination found in the water monitored around the Masterton landfill.
- (3) There has been some exceedance of the permitted volume of waste going into the Masterton landfill.
- (4) There have been some problems at the Carterton landfill with inappropriate landfilling practices. These have since been resolved.
- (5) South Wairarapa District Council have not yet been granted resource consents for their landfills. Completed applications have yet to be made.
- (6) Over the last two years there have been changes to three of the four rural Masterton landfills. They have become transfer stations, with all the waste being brought to the Masterton landfill. Only Tinui still operates as a landfill.

3.7 Landuse

- (1) Of the 176 consents processed, 157 of them were inspected. The bulk of these were gravel consents.
- (2) A detailed report is included in this agenda .

3.8 Water Permits

- (1) Thirty six inspections were completed this year. This is lower than normal due to a number of takes not being utilised this year.

- (2) One abatement notice was issued for non-compliance.
- (3) Low flows meant restrictions and bans were placed on various catchment for short periods in the summer.
- (4) A detailed compliance report was presented to the Committee in June 2000.

3.9 Affco

- (1) The contaminated groundwater around the old freezing works anaerobic ponds was monitored monthly. A report summarising findings was prepared in November 1999.
- (2) The consent for the discharge from the site expired during the year, and discussions have taken place to have the consent renewed. There is some degree of debate about the environmental effects of the old ponds.

3.10 Coastal

- (1) A total of six coastal consents received a compliance charge. Three of these consents did not get inspected.
- (2) The Coastal Plan became operative in June 2000. This has made all of the discharges permitted activities. This will mean that these consents can be surrendered.

4. Self Monitoring

- 4.1 An increasing trend in resource consents is the requirement for the consent holder to both monitor and report on their own activity. Examples are consent conditions which require the consent holder to sample water, analyse air emissions or provide management plans.
- 4.2 Staff have generally found a low level of compliance with this type of condition, and a considerable amount of time was spent chasing up consent holders. In addition to staff having to prompt consent holders to do their compliance monitoring, staff also had to keep a close eye on the methodology used. In some instances it would be more efficient for both the consent holder and the Council if the Council undertook the monitoring and charged the holder.
- 4.3 There are exceptions, however, and some consent holders did a great job of self reporting.

5. Enforcement

5.1 Abatement Notices

There were seven abatement notices issued relating to resource consents. All of these had a successful outcome. Four of the notices related to agricultural

effluent, one was for an illegal water take, and two were for non-compliance with a consent for river works

5.2 Other Enforcement Action

There were a number of incidents over the 1998 year where verbal negotiation or a letter was sufficient to resolve non-compliance and no further enforcement action was required.

5.3 Prosecutions

There was one prosecution taken by the Regional Council in relation to river works. This was unsuccessful in securing a conviction. However it is felt that the publicity served to indicate that the Council views such incidents seriously and is prepared to pursue prosecution in such cases.

5.4 Infringement Notices

Legislation was passed during the financial year allowing the Regional Council to impose infringement fees for some offences. The Wairarapa Division issued one infringement notice during the year.

6. Communication

No additional communication is proposed.

7. Recommendations

That the Annual Compliance Monitoring report be received and its contents noted.

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