



AGENDA

Consents & Regulatory

Tuesday 23 November 2021, 9.30am

Purpose of Consents and Regulatory Committee meeting

This committee attends to all matters in relation to resource consents, compliance monitoring and pollution incidents, biosecurity monitoring and enforcement.

Responsibilities

Consider and make decisions on resource consent applications pursuant to the *Resource Management Act 1991*.

Ensure adequate compliance monitoring of resource use consents and receive decisions on enforcement actions in the event of non-compliance, pursuant to the *Resource Management Act 1991*.

Consider and make decisions on monitoring and enforcement matters associated with plant and animal pest management.

Other matters related to the above responsibilities.

Membership of Consents and Regulatory Committee

Councillor D L Lean (Chairperson)	Councillor C S Williamson (Deputy Chairperson)
Councillor M J Cloke	Councillor M G Davey
Councillor C L Littlewood	Councillor D H McIntyre
Councillor E D Van Der Leden	Councillor D N MacLeod (ex officio)
Councillor M P Joyce (ex officio)	

Representative Members

Ms E Bailey	Mr M Ritai
Mr K Holswich	

Health and Safety Message

Emergency Procedure

In the event of an emergency, please exit through the emergency door in the committee room by the kitchen.

If you require assistance to exit please see a staff member.

Once you reach the bottom of the stairs make your way to the assembly point at the birdcage. Staff will guide you to an alternative route if necessary.

Earthquake

If there is an earthquake - drop, cover and hold where possible.

Please remain where you are until further instruction is given.

Consents and Regulatory Committee

23 November 2021 09:30 AM

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Apologies An apology was received from Mitch Ritai, Iwi Representative.	
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Whakataka te hau

Karakia to open and close meetings

Whakataka te hau ki te uru	Cease the winds from the west
Whakataka te hau ki tonga	Cease the winds from the south
Kia mākinakina ki uta	Let the breeze blow over the land
Kia mātaratara ki tai	Let the breeze blow over the ocean
Kia hī ake ana te atakura	Let the red-tipped dawn come with a sharpened air
He tio, he huka, he hauhu	A touch of frost, a promise of glorious day
Tūturu o whiti whakamaua kia tina.	Let there be certainty Secure it!
Tina!	Draw together! Affirm!
Hui ē! Tāiki ē!	



Date 23 November 2021

Subject: **Confirmation of Minutes - 12 October 2021**

Approved by: AJ Matthews, Director - Environment Quality
S J Ruru, Chief Executive

Document: 2914828

Recommendations

That the Consents and Regulatory Committee of the Taranaki Regional Council:

- a) takes as read and confirms the minutes and resolutions of the Consents and Regulatory Committee of the Taranaki Regional Council held at the Taranaki Regional Council, 47 Cloten Road, Stratford on 12 October 2021 at 9.30am
- b) notes the recommendations therein were adopted by the Taranaki Regional Council on 2 November 2021.

Matters arising

Appendices/Attachments

Document 2886468: Minutes Consents and Regulatory Committee - 12 October 2021



Date 12 October 2021, 9.30am
Venue: Taranaki Regional Council Boardroom, 47 Cloten Road, Stratford)
Document: 2886468

Members	Councillors	D L Lean C S Williamson M J Cloke M G Davey C L Littlewood D H McIntyre E D Van Der Leden D N MacLeod	Committee Chairperson <i>via zoom</i> <i>via zoom</i> <i>via zoom</i> ex officio
Representative Members	Mr Ms	K Holswich E Bailey	Iwi Representative <i>via zoom</i> Iwi Representative <i>via zoom</i>
Attending	Mr Mr Ms Mr Mr Mr Ms	S J Ruru M J Nield A J Matthews A D McLay B Pope C McLellan V McKay	Chief Executive Director - Corporate Services Director - Environment Quality Director - Resource Management Compliance Manager Consents Manager Science Manager - Chemistry <i>via</i>
<i>zoom</i>	Mr Miss	R Phipps L Davidson	Science Manager - Hydrology Committee Administrator
Opening Karakia	The meeting opened with a group karakia.		
Apologies	Apologies were received and sustained from Council M P Joyce and Mr M Ritai - Iwi Representative.		
Notification of Late Items	There were no late items.		

1. Confirmation of Minutes – 31 August 2021

Resolved

That the Consents and Regulatory Committee of the Taranaki Regional Council:

- a) takes as read and confirms the minutes and resolutions of the Consents and Regulatory Committee of the Taranaki Regional Council held via audio-visual link on 31 August 2021 at 9.30am
- b) notes the recommendations therein were adopted by the Taranaki Regional Council on 21 September 2021.

Cloke/MacLeod

Matters arising

There were no matters arising.

2. Resource Consents Issued Under Delegated Authority and Applications in Progress

- 2.1 Mr C McLellan, Consents Manager, spoke to the memorandum advising the Council of consents granted, consents under application and of consent processing actions since the last meeting and answered questions arising.
- 2.2 Councillor D H McIntyre declared an interest in relation to Devon Wets Family Trust (R2/2918-3.0) and G and K Kingston Family Trust (R2/2888-3.0).

Recommended

That the Taranaki Regional Council:

- a) receives the schedule of resource consents granted and other consent processing actions, made under delegated authority.

McIntyre/Davey

3. Consent Monitoring Annual Reports

- 3.1 Ms V McKay, Science Manager - Chemistry, spoke to the memorandum advising the Council of four tailored compliance monitoring reports that have been prepared since the last meeting.

Recommended

That the Taranaki Regional Council:

- a) receives the 21-03 Greymouth Petroleum Ltd Kowhai-D Kowhai-6 Well Hydraulic Fracturing Monitoring Programme Annual Report 2018-2020 and notes the specific recommendations therein
- b) receives the 21-04 Todd Petroleum Ltd Mangahewa-G Hydraulic Fracturing Monitoring Programme Annual Report 2018-2020 and notes the specific recommendations therein
- c) receives the 21-27 Value Timber Monitoring Programme Annual Report 2020-2021 and notes the specific recommendations therein

- d) receives the 21-40 Todd Generation Taranaki Ltd McKee Power Plant Monitoring Programme Annual Report 2020-2021 and notes the specific recommendations therein.

Lean/McIntyre

4. Incident, Compliance Monitoring Non-compliance and Enforcement Summary - 11 August 2021 to 21 September 2021

- 4.1 Mr B Pope, Compliance Manager, spoke to the memorandum allowing the Committee to consider and receive the summary of the incidents, compliance monitoring non-compliances and enforcement for the period 11 August 2021 to 21 September 2021.
- 4.2 Councillors D N MacLeod and C L Littlewood declared an interest in relation to Port Taranaki.
- 4.3 Concerns were raised regarding complaints at the Remediation NZ Ltd site. It was noted that Officers are working on how all complaints in the region are assessed and prioritised. A report will come back to the Committee in due course.
- 4.4 It was noted that there is still a report to come from Tamarind New Zealand Onshore Limited in relation to a spill following a pipeline rupture. An update will be provided at the next meeting.

Recommended

That the Taranaki Regional Council:

- a) receives this memorandum Incident, Compliance Monitoring Non-compliances and Enforcement Summary - 11 August 2021 to 21 September 2021
- b) receives the summary of the incidents, compliance monitoring non-compliances and enforcement for the period from 11 August 2021 to 21 September 2021, notes the action taken by staff acting under delegated authority and adopts the recommendations therein.

Littlewood/MacLeod

5. Appointment of Hearing Commissioners - Airport Farm Trust Limited

- 5.1 Mr A D McLay, Director - Resource Management, spoke to the memorandum to delegate to a Hearing Commissioner the authority to determine an application by Airport Farm Trust Limited to renew their resource consent 5262, to discharge emissions into the air from a free-range poultry farming operation.

Recommended

That the Taranaki Regional Council:

- a) receives this memorandum *Appointment of Hearing Commissioners - Airport Farm Trust Limited*
- b) subject to a hearing being necessary, appoints Philip Milne as a hearing commissioner

- c) subject to a hearing being necessary the Chief Executive be authorised to, at his discretion, appoint an accredited hearing commissioner with air quality expertise as an additional commissioner
- d) in accordance with section 34A(1) of the *Resource Management Act* the Committee delegates the authority to hear and determine Consent 5262-3.0 to Mr Milne and any additional person appointed by the Chief Executive in accordance with c) above
- e) approves Mr Milne to chair the hearing.
MacLeod/McIntyre

There being no further business the Committee Deputy Chairman, Councillor D L Lean, declared the public meeting of the Consents and Regulatory Committee closed at 10.03am.

Confirmed

**Consents and Regulatory
Committee Chairperson:**_____

**D L Lean
23 November 2021**



Date 23 November 2021

Subject: **Inspectorate Department Review**

Approved by: A D McLay, Director - Resource Management
S J Ruru, Chief Executive

Document: 2900355

Purpose

1. The purpose of this memorandum is to update Members on the recent review of the Inspectorate Department of Council and to note the operational changes made. The outcome of the changes will also be outlined.

Executive summary

2. A review of the Inspectorate Section was undertaken and changes made to organisational structure, staff titles and how staff respond to environmental incidents.
3. The section is now called the Compliance Section and staff now Compliance Officers. Two Team Leader positions have been created to better manage section workloads and staff.
4. The changes are primarily operational and will result in more triaging of incidents when they arise and a more strategic approach and efficient use of available staff and other resources. Health and safety measures have also been reviewed and updated, with more of a focus on the use of risk management tools.
5. No changes to the Long-Term Plan are required at this stage and the effectiveness of the new arrangements will be monitored and any changes recommended, if they are required.

Recommendations

That the Taranaki Regional Council:

- a) receives the report
- b) notes the changes to the section name, structure and on call response regime
- c) notes the Long-Term Plan level of service for responding to complaints will not require to be modified but that the change in response regime will mean that Council will not fully comply with the current measure and will be able to explain why it has not been met

- d) determines that this decision be recognised as not significant in terms of section 76 of the *Local Government Act 2002*
- e) determines that it has complied with the decision-making provisions of the *Local Government Act 2002* to the extent necessary in relation to this decision; and in accordance with section 79 of the Act, determines that it does not require further information, further assessment of options or further analysis of costs and benefits, or advantages and disadvantages prior to making a decision on this matter.

Background

- 6. The Council responds to about 500 environmental incidents each year. Analysis of the incident data shows an increasing number of reported incidents being found to be compliant.
- 7. During recent years the workload in the Inspectorate Department has been increasing, particularly for the Inspectorate On-call Duty Officer, who responds to after hours public complaints for a week.
- 8. The On-call Duty Officer is rostered on call about once every 10 weeks. They would be on-call from 4.00pm to 8.00am and afterhours during weekdays and 24 hours over the weekend and public holidays.
- 9. The Council is unique in actively responding to all environmental incidents, with other Councils having systems in place to manage the type of their response.
- 10. It had become apparent that the workload was stretching the Duty Officer and there was potential for some serious health and safety issues to arise. The officers had identified a number of issues with the on-call procedure, including very long hours, fatigue, remuneration and coping with normal workloads during that week and the following time period, having to 'catch up'.
- 11. The Compliance Manager and Senior Investigating Officer raised these matters and a review was undertaken, that actively involved the department staff.

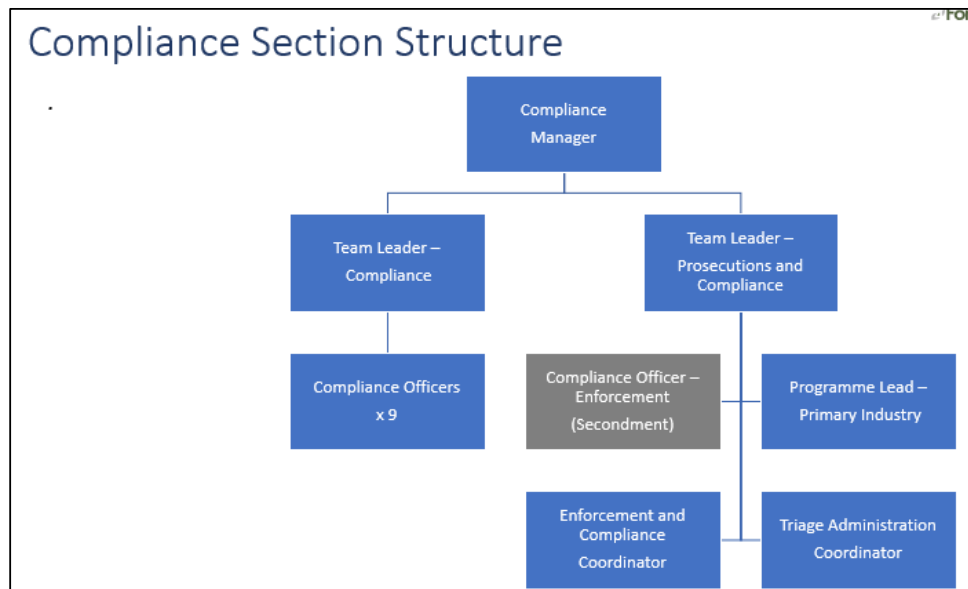
Review

- 12. In March 2021 a review process was initiated. Management and staff in the Inspectorate Department were interviewed on the On-Call Duty Procedure/Processes. During the course of the interviews, it quickly became apparent that the scope of the review needed to be widened to include the department structure and incident response procedures.
- 13. The review was successfully completed and a change to the employment contract, for the staff to address hours worked and remuneration, was made.
- 14. The procedures and practices associated with responding to incidents were also modified and risk management tools made available for staff to use during a response. All incidents are to be triaged to determine the most appropriate Council response.

Changes

- 15. The changes to the sections organisational structure are:
 - The section's name will be changed to Compliance Section and all role titles will be aligned with this decision. Compliance best describes the section's role and responsibilities to monitor, investigate and enforce;

- Two new Team Leader roles: Team Leader Compliance and Team Leader Prosecutions and Compliance will be established;
 - The Senior Investigating Officer and the Investigating Officer – Project Lead Oil and Gas roles have been disestablished;
 - The proposed new reporting lines are confirmed in line with the establishment of the two Team Leader roles;
 - The Investigating Officer – Project Lead Dairy role title is confirmed as Programme Lead - Primary Industry. The Compliance and Enforcement Administration Officer is confirmed as Enforcement and Compliance Coordinator and the Investigating Officer – Administration Support role is confirmed as Triage Administration Coordinator;
 - The Compliance Officer – Enforcement role is confirmed. Compliance Officers will be seconded into this role on a prosecution case by case basis and/or up to six months to obtain more experience with this type of work.
16. The Compliance Manager role remains unchanged.
17. The new structure is shown below. Beneath each team leader there are about the same number of staff, so staff responsibilities are now shared and relatively even. All staff will be involved in compliance work, with the Team leader- prosecutions and compliance taking a lead where there are prosecutions or other major enforcement actions to be undertaken.



18. Changes have also been made to how staff respond to environmental incidents/call-outs and involve the application of a triage process and the application of risk assessment methods to ensure staff are not putting themselves at undue risk.
19. The triage process that is being trialled uses a triage matrix to determine response times of up to 4 hours, 2 days or 7 days. In some cases certain incidents cannot be attended due to health and safety factors (dangerous locations, history of violent offenders etc) or are from vexatious complainants.

20. Other councils have similar arrangements in place. They have found that the application of the triage system reduces demand and also focuses effort where it will achieve the best environmental outcomes.
21. Changes to on-call hours have been made and include stand down periods and back up support for large environmental incidents.
22. The changes will be monitored and reviewed to ensure they are working effectively.
23. There is potential for organisational risk of an environmental incident being triaged out from an immediate response, which is unlikely. Experience of officers undertaking triaging should minimise this risk.

Long-Term Plan Implications

24. The Long-Term Plan requires that the Council:
Respond to all pollution and other complaints (generally within 4 hours of receipt) and where appropriate instigate control, clean up and enforcement procedures, where reasonable and appropriate, and publically report on all environmental incidents.
25. The changes arising from the review of the section will have a minor effect on the above requirement. There is a general requirement to respond within 4 hours, which would still be the case for most incidents. Some of the incidents may take longer than 4 hours but the intent of the requirement will be met.
26. When the Long-Term Plan is reviewed the Council could acknowledge the use of the new triage system in the above measure.

Financial considerations—LTP/Annual Plan

27. This memorandum and the associated recommendations are consistent with the Council's adopted Long-Term Plan and estimates. Any financial information included in this memorandum has been prepared in accordance with generally accepted accounting practice.

Policy considerations

28. This memorandum and the associated recommendations are consistent with the policy documents and positions adopted by this Council under various legislative frameworks including, but not restricted to, the *Local Government Act 2002*, the *Resource Management Act 1991* and the *Local Government Official Information and Meetings Act 1987*.

Iwi considerations

29. This memorandum and the associated recommendations are consistent with the Council's policy for the development of Māori capacity to contribute to decision-making processes (schedule 10 of the *Local Government Act 2002*) as outlined in the adopted long-term plan and/or annual plan. Similarly, iwi involvement in adopted work programmes has been recognised in the preparation of this memorandum.

Community considerations

30. This memorandum and the associated recommendations have considered the views of the community, interested and affected parties and those views have been recognised in the preparation of this memorandum.

Legal considerations

31. This memorandum and the associated recommendations comply with the appropriate statutory requirements imposed upon the Council.



Date: 23 November 2021

Subject: **Resource consents issued under delegated authority and applications in progress**

Approved by: A D McLay, Director - Resource Management
S J Ruru, Chief Executive

Document: 2914716

Purpose

1. The purpose of this memorandum is to advise the Council of consents granted, consents under application and of consent processing actions since the last meeting. This information is summarised in attachments at the end of this report.

Executive summary

2. Memorandum to advise the Council of recent consenting actions made under regional plans and the Resource Management Act 1991, in accordance with Council procedures and delegations.

Recommendation

That the Taranaki Regional Council:

- a) receives the schedule of resource consents granted and other consent processing actions, made under delegated authority.

Background

3. The attachments show resource consent applications, certificates of compliance and deemed permitted activities that have been investigated and decisions made by officers of the Taranaki Regional Council. They are activities having less than minor adverse effects on the environment, or having minor effects where affected parties have agreed to the activity. In accordance with sections 87BB, 104 to 108 and 139 of the Resource Management Act 1991, and pursuant to delegated authority to make these decisions, the Chief Executive or the Director – Resource Management has allowed the consents, certificates of compliance and deemed permitted activities.

4. The exercise of delegations under the Resource Management Act 1991 is reported for Members' information. Under the delegations manual, consent processing actions are to be reported to the Consents and Regulatory Committee.
5. In addition to the details of the activity consented, the information provided identifies the Iwi whose rohe (area of interest) the activity is in. If the activity is in an area of overlapping rohe both Iwi are shown. If the activity is within, adjacent to, or directly affecting a statutory acknowledgement (area of special interest), arising from a Treaty settlement process with the Crown, that is also noted.
6. Also shown, at the request of Iwi members of the Council, is a summary of the engagement with Iwi and Hapū, undertaken by the applicant and the Council during the application process. Other engagement with third parties to the consent process is also shown. The summary shows the highest level of involvement that occurred with each party. For example, a party may have been consulted by the applicant, provided with a copy of the application by the Council, served notice as an affected party, lodged a submission and ultimately agreed with the consent conditions. In that case the summary would show only 'agreed with consent conditions', otherwise reporting becomes very complicated.
7. The attachment titled 'Consent Processing Information' includes the figure 'Consent Applications in Progress' which shows the total number of applications in the consent processing system over the last twelve months. The number of applications for the renewal of resource consents is also shown. The difference between the two is the number of new applications, including applications for a change of consent conditions. New applications take priority over renewal applications. Renewal applications are generally put on hold, with the agreement of the applicant, and processed when staff resources allow. A consent holder can continue to operate under a consent that is subject to renewal. The above approach is pragmatic and ensures there are no regulatory impediments to new activities requiring authorisation.
8. The attachment also includes:
 - Applications in progress table - the number of applications in progress at the end of each month (broken down into total applications and the number of renewals in progress) for this year and the previous two years
 - Potential hearings table outlining the status of applications where a hearing is anticipated and the decision maker(s) (e.g. a hearing panel) has been appointed
 - Consents issued table - the number of consents issued at the end of each month for this year and the previous two years
 - Breakdown of consents issued. This is the number of consents issued broken down by purpose – new, renewals, changes or review
 - Types of consents issued, further broken down into notification types – non-notified, limited notified or public notified
 - Number of times that the public and iwi were involved in an application process for the year so far
 - Application processing time extensions compared to the previous years
 - Consent type process shows the notification type including applications submitted on and the pre-hearing resolution numbers
 - Applications that have been returned because they are incomplete

Decision-making considerations

9. Part 6 (Planning, decision-making and accountability) of the *Local Government Act 2002* has been considered and documented in the preparation of this agenda item. The recommendations made in this item comply with the decision-making obligations of the *Act*.

Financial considerations—LTP/Annual Plan

10. This memorandum and the associated recommendations are consistent with the Council's adopted Long-Term Plan and estimates. Any financial information included in this memorandum has been prepared in accordance with generally accepted accounting practice.

Policy considerations

11. This memorandum and the associated recommendations are consistent with the policy documents and positions adopted by this Council under various legislative frameworks including, but not restricted to, the *Local Government Act 2002*, the *Resource Management Act 1991* and the *Local Government Official Information and Meetings Act 1987*.

Iwi considerations

12. This memorandum and the associated recommendations are consistent with the Council's policy for the development of Māori capacity to contribute to decision-making processes (schedule 10 of the *Local Government Act 2002*) as outlined in the adopted long-term plan and/or annual plan. Similarly, iwi involvement in adopted work programmes has been recognised in the preparation of this memorandum.

Legal considerations

13. This memorandum and the associated recommendations comply with the appropriate statutory requirements imposed upon the Council.

Appendices/Attachments

Document 2914897: List of non-notified consents

Document 2914959: Schedule of non-notified consents

Document 2914562: Consents processing charts for Agenda

Consents and Regulatory Committee - Resource Consents Issued Under Delegated Authority and Applications in Progress

**Non-notified authorisations issued by the Taranaki Regional Council
between 01 Oct 2021 and 11 Nov 2021**

Discharge Permit						
Consent	Holder	Subtype	Industry Primary	Industry Secondary	Purpose Primary	Activity Purpose
R2/0630-4.0	Wayne Desmond & Glenys Maree Schreiber	Water - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/0655-4.0	Gydeland Farm Limited	Water - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/1787-4.0	Opua Dairies Limited	Land - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/1806-4.0	KJ & HL Uhlenberg (Waitui) Family Trust Partnership	Water - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/1864-4.0	Gary Bain Trust	Water - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/2017-3.0	Kavanagh Trust Partnership	Water - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/2238-3.0	Roger Newton Lange	Water - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/2276-3.0	Blandyco Trusts Partnership	Water - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/2441-3.0	David & Lois Gibbins Partnership	Land - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/2499-3.0	D and R Rae Farms	Land - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/2520-3.0	Keep Good Company Limited	Land - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/2576-3.0	Summitt Holdings Limited	Land - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/2699-3.0	Nakiland Agriculture Limited	Land - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/2710-3.0	Lynette Elsie Luond	Water - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/2743-3.0	L.W Farms Limited	Land - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/2895-3.0	Donald Hugh & Linda Christina McIntyre	Land - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/2901-3.0	Gillingham Downs Family Trust	Land/Water - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/3179-3.0	KJ & HL Uhlenberg (Waitui) Family Trust Partnership	Water - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/3566-3.0	Wilfred Mathens Riepen	Land - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/3586-3.0	D & M Hastie Family Trust Partnership	Land - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/3730-3.0	Kavanagh Trust Partnership	Water - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/3840-3.0	Jones Bros Limited	Water - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/4877-3.0	Kokako Road Limited	Water - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/6177-2.0	New Plymouth District Council	Land/Water Industry	Local Government	Waste Management	Landfill	Replace
R2/10310-2.0	Wayne & Christine Foreman	Land - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/10805-1.0	New Plymouth District Council	Land - Stormwater	Local Government		Recreation	New
R2/10862-1.1	Todd Petroleum Mining Company Limited	Land - DWI	Energy	Wellsite	Exploration and	Change
R2/10912-1.0	New Plymouth District Council	Land/Water Industry	Local Government	Waste Management	Landfill	New
R2/10953-1.0	C & W Developments GP Limited	Land - Stormwater	Property Development		Subdivision	New
Land Use Consent						
Consent	Holder	Subtype	Industry Primary	Industry Secondary	Purpose Primary	Activity Purpose
R2/10806-1.0	New Plymouth District Council	Structure - Bridge	Local Government		Recreation	New
R2/10943-1.0	Te Awarua Farms Limited	Structure - Bridge	Agriculture	Farming - Dairy	Access	New

**Non-notified authorisations issued by the Taranaki Regional Council
between 01 Oct 2021 and 11 Nov 2021**

[R2/0630-4.0](#)

Wayne Desmond & Glenys Maree Schreiber

Commencement Date: 29 Oct 2021

Expiry Date: 01 Dec 2045

Review Dates: Jun 2027, Jun 2033, Jun 2039

Activity Class: Controlled

Location: 187 Mangaone Road, Waitui

Application Purpose: Replace

To discharge farm dairy effluent onto land, and until 1 December 2022 after treatment in an oxidation pond system and constructed drain, into the Mangaone Stream

Rohe:

Ngati Maru

Te Atiawa (Statutory Acknowledgement)

Engagement or consultation:

Te Kotahitanga o Te Atiawa Trust

Comment on application received

- *Generally consistent with Iwi Environmental Management Plan*
- *Application lacks sufficient detail*

Te Runanga o Ngati Maru (Taranaki) Trust

Provided with application

[R2/0655-4.0](#)

Gydeland Farm Limited

Commencement Date: 07 Oct 2021

Expiry Date: 01 Dec 2027

Review Dates: Jun 2023, Jun 2025

Activity Class: Controlled

Location: 760 Upper Durham Road, Norfolk

Application Purpose: Replace

To discharge farm dairy effluent:

- onto land and, after treatment in an oxidation pond system and constructed drain, into the Ngatoronui Stream if the land disposal area is unsuitable for effluent disposal; and,
- until 1 December 2022 to discharge farm dairy effluent after treatment in an oxidation pond system and constructed drain, into the Ngatoronui Stream

Rohe:

Taranaki (Statutory Acknowledgement)

Te Atiawa (Statutory Acknowledgement)

Engagement or consultation:

Te Kahui o Taranaki Trust

Provided with application

Te Kotahitanga o Te Atiawa Trust

Comment on application received

- *General opposition*
- *Application deficient - No engagement with Iwi/hapu*

**Non-notified authorisations issued by the Taranaki Regional Council
between 01 Oct 2021 and 11 Nov 2021**

[R2/10310-2.0](#)

Wayne & Christine Foreman

Commencement Date: 28 Oct 2021

Expiry Date: 01 Dec 2046

Review Dates: Jun 2022, Jun 2028,
Jun 2034, Jun 2040

Activity Class: Controlled

Location: 202 Little Lepper Road, Inglewood
To discharge farm dairy effluent onto land

Application Purpose: Replace

Rohe:

Te Atiawa (Statutory Acknowledgement)

Engagement or consultation:

Te Kotahitanga o Te Atiawa Trust

Provided with application

[R2/10805-1.0](#)

New Plymouth District Council

Commencement Date: 27 Oct 2021

Expiry Date: 01 Jun 2026

Review Dates: Jun 2023

Activity Class: Controlled

Location: Kaitake Ranges between Pukeiti
Gardens & Oākura

Application Purpose: New

To discharge stormwater and sediment from earthworks onto and into land

Rohe:

Taranaki (Statutory Acknowledgement)

Engagement or consultation:

Department of Conservation

Consulted by applicant

Fish & Game New Zealand

Consulted by applicant

Oakura Farms Limited

Written approval provided

Royal Forest & Bird Protection Society of NZ

Consulted by applicant

Te Kahui o Taranaki Trust

Provided with application

**Non-notified authorisations issued by the Taranaki Regional Council
between 01 Oct 2021 and 11 Nov 2021**

[R2/10806-1.0](#)

New Plymouth District Council

Commencement Date: 27 Oct 2021

Expiry Date: 01 Jun 2038

Review Dates: June annually

Activity Class: Discretionary

Location: Kaitake Ranges between Pukeiti Gardens & Oākura

Application Purpose: New

To construct and use seven bridges over unnamed tributaries of the Oākura River, including associated disturbance of the stream bed

Rohe:

Taranaki (Statutory Acknowledgement)

Engagement or consultation:

Department of Conservation

Consulted by applicant

Fish & Game New Zealand

Consulted by applicant

Oakura Farms Limited

Written approval provided

Royal Forest & Bird Protection Society of NZ

Consulted by applicant

Te Kahui o Taranaki Trust

Provided with application

[R2/10862-1.1](#)

Todd Petroleum Mining Company Limited

Commencement Date: 21 Oct 2021

Expiry Date: 01 Jun 2035

Review Dates: June annually

Activity Class: Discretionary

Location: KA-9/16 wellsite, 83 Lower Duthie Road, Kapuni

Application Purpose: Change

To discharge produced water and wastewater into the Matemateaonga 60 Formation, through deep well injection via the KA-03 well bore within the KA-9/16 wellsite

Change of consent condition 8 to remove the definition of useable fresh groundwater

Rohe:

Ngaruahine

Engagement or consultation:

Te Korowai O Ngaruahine Trust

Comment on application received

- *General support*

**Non-notified authorisations issued by the Taranaki Regional Council
between 01 Oct 2021 and 11 Nov 2021**

[R2/10912-1.0](#)

New Plymouth District Council

Commencement Date: 13 Oct 2021

Expiry Date: 01 Jun 2025

Review Dates: Jun 2022

Activity Class: Controlled

Location: Colson Road Landfill, 76 Colson Road, New Plymouth

Application Purpose: New

To discharge stormwater and sediment from earthworks associated with the capping of Stage 2 of the Colson Road landfill onto land and into an unnamed tributary of the Puremu Stream

Rohe:

Te Atiawa (Statutory Acknowledgement)

Engagement or consultation:

Ngati Tawhirikura Hapu

Consulted by applicant

Puketapu Hapu

Consulted by applicant

Te Kotahitanga o Te Atiawa Trust

Comment on application received

- *Do not oppose, subject to the specific conditions they request*

Te Kotahitanga o Te Atiawa Trust

Consulted by applicant

[R2/10943-1.0](#)

Te Awarua Farms Limited

Commencement Date: 01 Oct 2021

Expiry Date: 01 Jun 2039

Review Dates: Jun 2027, Jun 2033

Activity Class: Discretionary

Location: 5 Kent Terrace, Midhirst

Application Purpose: New

To construct and use a bridge over the Manganui River

Rohe:

Ngati Maru

Ngati Ruanui

Te Atiawa (Statutory Acknowledgement)

Engagement or consultation:

Te Kotahitanga o Te Atiawa Trust

Comment on application received

- *Application lacks sufficient detail*

Te Kotahitanga o Te Atiawa Trust

Consulted by applicant

Te Runanga o Ngati Maru (Taranaki) Trust

Provided with application

Te Runanga o Ngati Ruanui Trust

Consulted by applicant

Te Runanga O Ngati Ruanui Trust

Provided with application

**Non-notified authorisations issued by the Taranaki Regional Council
between 01 Oct 2021 and 11 Nov 2021**

[R2/10953-1.0](#)

C & W Developments GP Limited

Commencement Date: 06 Oct 2021

Expiry Date: 01 Jun 2024

Review Dates:

Activity Class: Non-complying

Location: 33E Airport Drive, Bell Block

Application Purpose: New

To discharge stormwater and sediment from earthworks onto and into land including the incidental diversion of water within 100 metres of a wetland

Rohe:

Te Atiawa (Statutory Acknowledgement)

Engagement or consultation:

Te Kotahitanga o Te Atiawa Trust

Comment on application received

- *General opposition*

[R2/1787-4.0](#)

Opua Dairies Limited

Commencement Date: 08 Oct 2021

Expiry Date: 01 Dec 2048

Review Dates: Jun 2024, Jun 2030,
Jun 2036, Jun 2042

Activity Class: Controlled

Location: 502 Opua Road, Opunake

Application Purpose: Replace

To discharge farm dairy effluent onto land

Rohe:

Taranaki (Statutory Acknowledgement)

Engagement or consultation:

Te Kahui o Taranaki Trust

Provided with application

**Non-notified authorisations issued by the Taranaki Regional Council
between 01 Oct 2021 and 11 Nov 2021**

[R2/1806-4.0](#)

KJ & HL Uhlenberg (Waitui) Family Trust
Partnership

Commencement Date: 03 Nov 2021

Expiry Date: 01 Dec 2045

Review Dates: Jun 2027, Jun 2033, Jun 2039

Activity Class: Non-complying

Location: 171 Rugby Road, Tariki

Application Purpose: Replace

To discharge farm dairy effluent onto land, and until 1 December 2022 after treatment in an oxidation pond system, into an unnamed tributary of the Waitepuke Stream

Rohe:

Te Atiawa (Statutory Acknowledgement)

Engagement or consultation:

Te Kotahitanga o Te Atiawa Trust

Comment on application received

- *Inconsistent with Iwi Environmental Management Plan*
- *Application lacks sufficient detail*

[R2/1864-4.0](#)

Gary Bain Trust

Commencement Date: 15 Oct 2021

Expiry Date: 01 Dec 2045

Review Dates: Jun 2027, Jun 2033, Jun 2039

Activity Class: Controlled

Location: 808 Tariki Road South, Ratapiko

Application Purpose: Replace

To discharge farm dairy effluent onto land, and until 1 December 2022 after treatment in an oxidation pond system and constructed drain, into an unnamed tributary of the Mangaotea Stream

Rohe:

Ngati Maru

Engagement or consultation:

Te Runanga o Ngati Maru (Taranaki) Trust

Provided with application

**Non-notified authorisations issued by the Taranaki Regional Council
between 01 Oct 2021 and 11 Nov 2021**

[R2/2017-3.0](#)

Kavanagh Trust Partnership

Commencement Date: 08 Oct 2021

Expiry Date: 01 Dec 2046

Review Dates: Jun 2022, Jun 2028,
Jun 2034, Jun 2040

Activity Class: Controlled

Location: Ngarongo Road, Normanby

Application Purpose: Replace

To discharge farm dairy effluent onto land, and until 1 December 2022 after treatment in an oxidation pond system, into the Tawhiti Stream

Rohe:

Ngati Ruanui

Engagement or consultation:

Te Runanga O Ngāti Ruanui Trust

Provided with application

[R2/2238-3.0](#)

Roger Newton Lange

Commencement Date: 14 Oct 2021

Expiry Date: 01 Dec 2023

Review Dates:

Activity Class: Controlled

Location: 71 Wilson Road, Urenui

Application Purpose: Replace

To discharge farm dairy effluent after treatment in an oxidation pond system and wetland, into an unnamed tributary of the Mangaoreiti Stream

Rohe:

Ngati Mutunga

Engagement or consultation:

Te Runanga o Ngati Mutunga

Provided with application

**Non-notified authorisations issued by the Taranaki Regional Council
between 01 Oct 2021 and 11 Nov 2021**

[R2/2276-3.0](#)

Blandyco Trusts Partnership

Commencement Date: 29 Oct 2021

Expiry Date: 01 Dec 2045

Review Dates: Jun 2027, Jun 2033, Jun 2039

Activity Class: Controlled

Location: 230 Tariki Road, Tariki

Application Purpose: Replace

To discharge farm dairy effluent onto land, and until 1 December 2022 after treatment in an oxidation pond system, into an unnamed tributary of the Manganui River

Rohe:

Te Atiawa (Statutory Acknowledgement)

Engagement or consultation:

Te Kotahitanga o Te Atiawa Trust

Comment on application received

- *General opposition*
- *Application lacks sufficient detail*

[R2/2441-3.0](#)

David & Lois Gibbins Partnership

Commencement Date: 14 Oct 2021

Expiry Date: 01 Dec 2045

Review Dates: Jun 2027, Jun 2033, Jun 2039

Activity Class: Controlled

Location: 619 Tarata Road, Kaimata

Application Purpose: Replace

To discharge farm dairy effluent onto land

Rohe:

Ngati Maru

Te Atiawa (Statutory Acknowledgement)

Engagement or consultation:

Te Kotahitanga o Te Atiawa Trust

Comment on application received

- *Application lacks sufficient detail*

Te Runanga o Ngati Maru (Taranaki) Trust

Provided with application

**Non-notified authorisations issued by the Taranaki Regional Council
between 01 Oct 2021 and 11 Nov 2021**

[R2/2499-3.0](#)

D and R Rae Farms

Location: 226 Mana Road, Ratapiko
To discharge farm dairy effluent onto land

Rohe:

Ngati Maru

Engagement or consultation:

Te Runanga o Ngati Maru (Taranaki) Trust Provided with application

[R2/2520-3.0](#)

Keep Good Company Limited

Location: 72 Durham Road Lower, Norfolk
To discharge farm dairy effluent onto land

Rohe:

Te Atiawa (Statutory Acknowledgement)

Engagement or consultation:

Te Kotahitanga o Te Atiawa Trust

Commencement Date: 22 Oct 2021

Expiry Date: 01 Dec 2045

Review Dates: Jun 2027, Jun 2033, Jun 2039

Activity Class: Controlled

Application Purpose: Replace

Commencement Date: 15 Oct 2021

Expiry Date: 01 Dec 2045

Review Dates: Jun 2027, Jun 2033, Jun 2039

Activity Class: Controlled

Application Purpose: Replace

Comment on application received

- *Generally consistent with Iwi Environmental Management Plan*
 - *Application lacks sufficient detail*
-

**Non-notified authorisations issued by the Taranaki Regional Council
between 01 Oct 2021 and 11 Nov 2021**

[R2/2576-3.0](#)

Summitt Holdings Limited

Location: 369 Bristol Road, Everett Park
To discharge farm dairy effluent onto land

Rohe:

Te Atiawa (Statutory Acknowledgement)

Engagement or consultation:

Te Kotahitanga o Te Atiawa Trust

Commencement Date: 15 Oct 2021

Expiry Date: 01 Dec 2045

Review Dates: Jun 2027, Jun 2033, Jun 2039

Activity Class: Controlled

Application Purpose: Replace

Comment on application received

- *Generally consistent with Iwi Environmental Management Plan*
- *Application lacks sufficient detail*

[R2/2699-3.0](#)

Nakiland Agriculture Limited

Location: 395 Tarata Road, Norfolk
To discharge farm dairy effluent onto land

Rohe:

Te Atiawa (Statutory Acknowledgement)

Engagement or consultation:

Te Kotahitanga o Te Atiawa Trust

Commencement Date: 22 Oct 2021

Expiry Date: 01 Dec 2045

Review Dates: Jun 2027, Jun 2033, Jun 2039

Activity Class: Controlled

Application Purpose: Replace

Comment on application received

- *Generally consistent with Iwi Environmental Management Plan*
 - *Application lacks sufficient detail*
-

**Non-notified authorisations issued by the Taranaki Regional Council
between 01 Oct 2021 and 11 Nov 2021**

[R2/2710-3.0](#)

Lynette Elsie Luond

Commencement Date: 29 Oct 2021

Expiry Date: 01 Dec 2045

Review Dates: Jun 2027, Jun 2033, Jun 2039

Activity Class: Controlled

Location: 151 Everett Road, Everett Park

Application Purpose: Replace

To discharge farm dairy effluent onto land, and until 1 December 2022 after treatment in an oxidation pond system into an unnamed tributary of the Manganui River

Rohe:

Te Atiawa (Statutory Acknowledgement)

Engagement or consultation:

Te Kotahitanga o Te Atiawa Trust

Comment on application received

- *General opposition*
- *Application lacks sufficient detail*

[R2/2743-3.0](#)

L.W Farms Limited

Commencement Date: 04 Nov 2021

Expiry Date: 01 Dec 2046

Review Dates: Jun 2022, Jun 2028,
Jun 2034, Jun 2040

Activity Class: Controlled

Location: 265 Toko Road, Stratford

Application Purpose: Replace

To discharge farm dairy effluent onto land

Rohe:

Ngati Maru

Ngati Ruanui

Engagement or consultation:

Te Runanga o Ngati Maru (Taranaki) Trust

Provided with application

Te Runanga O Ngāti Ruanui Trust

Provided with application

**Non-notified authorisations issued by the Taranaki Regional Council
between 01 Oct 2021 and 11 Nov 2021**

[R2/2895-3.0](#)

Donald Hugh & Linda Christina McIntyre

Commencement Date: 05 Nov 2021

Expiry Date: 01 Dec 2045

Review Dates: Jun 2027, Jun 2033, Jun 2039

Activity Class: Non-complying

Location: 137 Ratapiko Road, Ratapiko
To discharge farm dairy effluent onto land

Application Purpose: Replace

Rohe:

Ngati Maru

Engagement or consultation:

Te Runanga o Ngati Maru (Taranaki) Trust Provided with application

[R2/2901-3.0](#)

Gillingham Downs Family Trust

Commencement Date: 07 Oct 2021

Expiry Date: 01 Dec 2045

Review Dates: Jun 2027, Jun 2033, Jun 2039

Activity Class: Discretionary

Location: Lower Epiha Road, Motunui
To discharge farm dairy effluent onto land and, until 1 December 2022 after treatment in an oxidation pond system and constructed drain, into an unnamed tributary of the Parahaki Stream if the land disposal area is unsuitable for effluent disposal

Application Purpose: Replace

Rohe:

Te Atiawa (Statutory Acknowledgement)

Engagement or consultation:

Te Kotahitanga o Te Atiawa Trust Comment on application received
• *Application lacks sufficient detail*

**Non-notified authorisations issued by the Taranaki Regional Council
between 01 Oct 2021 and 11 Nov 2021**

[R2/3179-3.0](#)

KJ & HL Uhlenberg (Waitui) Family Trust
Partnership

Commencement Date: 04 Nov 2021

Expiry Date: 01 Dec 2045

Review Dates: Jun 2027, Jun 2033, Jun 2039

Activity Class: Controlled

Location: 193 Tariki Road South, Tariki

Application Purpose: Replace

To discharge farm dairy effluent onto land, and until 1 December 2022 after treatment in an oxidation pond system, into an unnamed tributary of the Manganui River

Rohe:

Te Atiawa (Statutory Acknowledgement)

Engagement or consultation:

Te Kotahitanga o Te Atiawa Trust

Comment on application received

- *Application lacks sufficient detail*
- *Inconsistent with Iwi Environmental Management Plan*

[R2/3566-3.0](#)

Wilfred Mathens Riepen

Commencement Date: 11 Oct 2021

Expiry Date: 01 Dec 2049

Review Dates: Jun 2025, Jun 2031,
Jun 2037, Jun 2043

Activity Class: Controlled

Location: 100 Upper Puniho Road, Newall

Application Purpose: Replace

To discharge farm dairy effluent onto land

Rohe:

Taranaki (Statutory Acknowledgement)

Engagement or consultation:

Te Kahui o Taranaki Trust

Provided with application

**Non-notified authorisations issued by the Taranaki Regional Council
between 01 Oct 2021 and 11 Nov 2021**

[R2/3586-3.0](#)

D & M Hastie Family Trust Partnership

Commencement Date: 28 Oct 2021

Expiry Date: 01 Dec 2047

Review Dates: Jun 2023, Jun 2029,
Jun 2035, Jun 2041

Activity Class: Non-complying

Application Purpose: Replace

Location: 180 Rama Road, Kaupokonui
To discharge farm dairy effluent onto land

Rohe:

Ngaruahine (Statutory Acknowledgement)

Engagement or consultation:

Te Korowai O Ngaruahine Trust

Comment on application received

- *Do not oppose the consent, but do oppose its early renewal*

[R2/3730-3.0](#)

Kavanagh Trust Partnership

Commencement Date: 11 Oct 2021

Expiry Date: 01 Dec 2047

Review Dates: Jun 2023, Jun 2029,
Jun 2035, Jun 2041

Activity Class: Non-complying

Application Purpose: Replace

Location: 251 Ahipaipa Road, Okaiawa
To discharge farm dairy effluent onto land, and until 1 December 2022 after treatment in an oxidation pond system, constructed drain and wetland, into an unnamed tributary of the Inaha Stream

Rohe:

Ngaruahine (Statutory Acknowledgement)

Engagement or consultation:

Te Korowai O Ngaruahine Trust

Provided with application

**Non-notified authorisations issued by the Taranaki Regional Council
between 01 Oct 2021 and 11 Nov 2021**

[R2/3840-3.0](#)

Jones Bros Limited

Commencement Date: 28 Oct 2021

Expiry Date: 01 Dec 2046

Review Dates: Jun 2022, Jun 2028,
Jun 2034, Jun 2040

Activity Class: Controlled

Location: 165 Toko Road, Toko

Application Purpose: Replace

To discharge farm dairy effluent onto land, and until 1 December 2022 after treatment in an oxidation pond system and constructed drain, into an unnamed tributary of the Toko Stream

Rohe:

Ngati Maru

Ngati Ruanui

Engagement or consultation:

Te Runanga o Ngati Maru (Taranaki) Trust

Provided with application

Te Runanga O Ngāti Ruanui Trust

Provided with application

[R2/4877-3.0](#)

Kokako Road Limited

Commencement Date: 20 Oct 2021

Expiry Date: 01 Dec 2046

Review Dates: Jun 2022, Jun 2028,
Jun 2034, Jun 2040

Activity Class: Non-complying

Location: 216 Kokako Road, Waverley

Application Purpose: Replace

To discharge farm dairy effluent onto land, and until 1 December 2022 after treatment in an oxidation pond system, into an unnamed tributary of the Whenuakura River

Rohe:

Ngaa Rauru Kiiitahi

Engagement or consultation:

Te Kaahui o Rauru

Provided with application

**Non-notified authorisations issued by the Taranaki Regional Council
between 01 Oct 2021 and 11 Nov 2021**

[R2/6177-2.0](#)

New Plymouth District Council

Commencement Date: 13 Oct 2021

Expiry Date: 01 Jun 2025

Review Dates: Jun 2022

Activity Class: Controlled

Location: Colson Road Landfill, 76 Colson Road, New Plymouth

Application Purpose: Replace

To discharge stormwater and sediment from earthworks associated with the capping of Stage 3 of the Colson Road landfill onto land and into an unnamed tributary of the Puremu Stream

Rohe:

Te Atiawa (Statutory Acknowledgement)

Engagement or consultation:

Ngati Tawhirikura Hapu

Consulted by applicant

Puketapu Hapu

Consulted by applicant

Te Kotahitanga o Te Atiawa Trust

Comment on application received

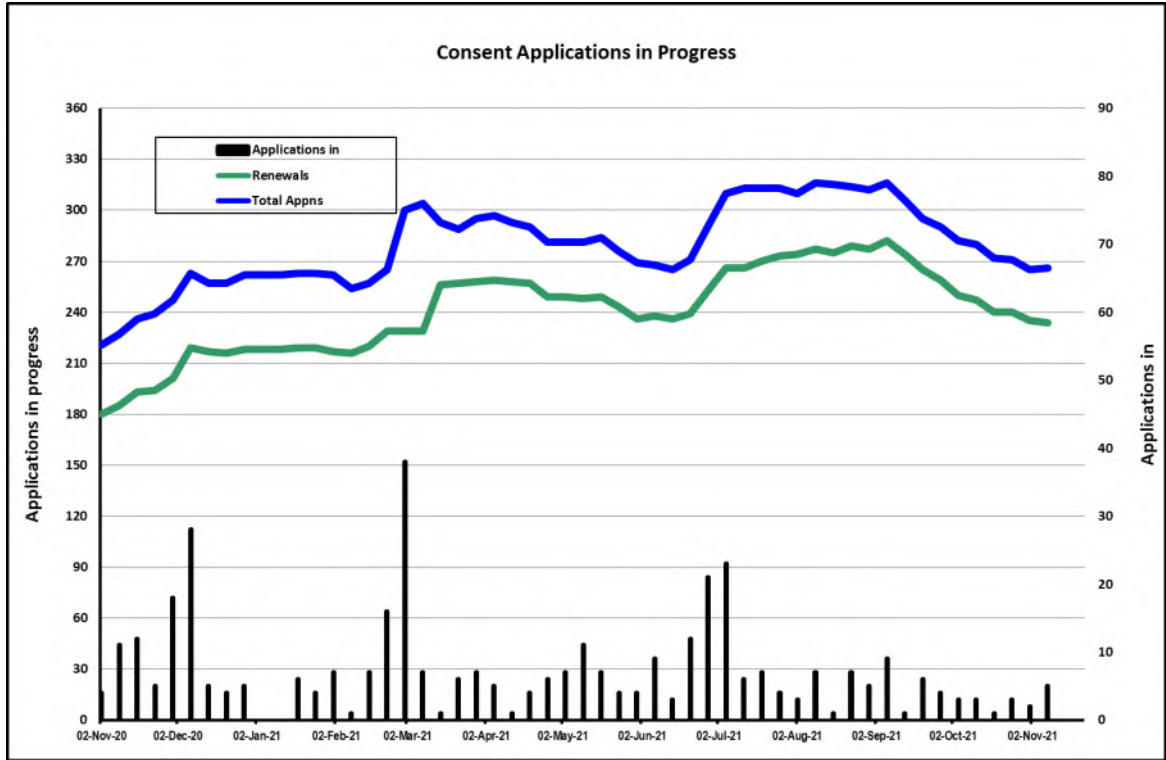
- *Do not oppose, subject to the specific conditions they request*

Te Kotahitanga o Te Atiawa Trust

Consulted by applicant

Consent Processing Information

1) Applications in progress



2) Month Ending

	July		Aug		Sept		Oct		Nov		Dec		Jan		Feb		Mar		Apr		May		Jun	
	Total	R	Total	R	Total	R	Total	R	Total	R	Total	R	Total	R	Total	R	Total	R	Total	R	Total	R	Total	R
2021/2022	310	274	310	277	276	246	258	235																
2020/2021	196	157	187	157	221	182	221	180	263	219	257	216	262	217	300	229	297	259	293	258	271	238	312	271
2019/2020	136	107	126	101	136	103	129	101	130	101	136	103	135	100	152	130	139	119	142	119	165	136	205	160

R = Renewals

3) Potential Hearings

Nil

4) Consents Processed (running totals)

	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June
2021/2022	17	37	87	114								
2020-2021	20	38	53	75	94	116	131	154	178	209	247	269
2019-2020	26	51	72	102	148	162	188	218	239	245	248	263

5) Breakdown of consents processed

	New	Renewal	Change	Review	Totals
2021-2022 Total (to end of October)	23	78	7	6	114
2021-2021 Total	71	148	39	11	269
2019-2020 Total	81	138	44	0	263

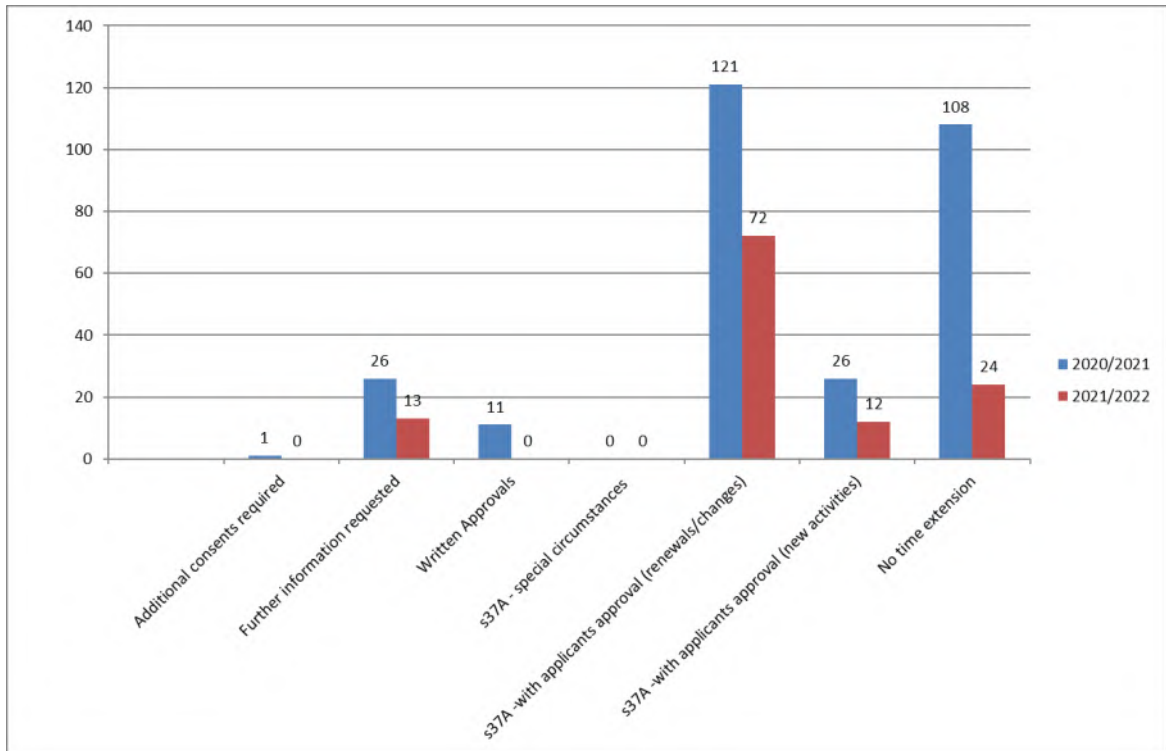
6) Types of consents issued - year to date comparison

	Publically Notified						Limited						Non Notified						Grand Total			
	Agricultural	Central/Local Government	Energy	Forestry	Other	Total publically notified	Agricultural	Central/Local Government	Energy	Forestry	Other	Total Limited Notified	Agricultural	Central/Local Government	Energy	Forestry	Other	Total Non-notified				
July 2019 to June 2020	0	1	0	0	0	0.4%	1	1	4	0	0	2	2.7%	7	147	30	28	8	42	97.0%	255	263
July 2020 to 30 June 2021	0	0	0	0	2	0.7%	2	0	1	0	0	0	0.4%	1	146	20	44	6	50	98.9%	266	269
July 2021 to October 2021	0	0	0	0	0	0.0%	0	0	0	0	0	0	0.0%	0	72	17	8	1	16	100.0%	114	114

7) Involvement with third parties for applications processed year to date

	Consultation/ Involved (number of parties)	Number of Affected Party Approvals (written)	Totals
District Councils	0	0	0
DOC	5	0	5
Environmental/Recreational Groups	2	0	2
Fish & Game	5	0	5
Individuals/Neighbours/Landowners	0	6	6
Network Utilities	0	0	0
Non Govt Organisations	0	0	0
Other Govt Departments	0	0	0
Iwi/hapu	168	0	168
Totals - October 2021	180	6	186

8) Application processing time extensions used 2020/2021 versus 2021-2022



9) Consent type process

	Last 10 year average 2011 - 2020	July 2020 to June 2021	October 2021
Total consents granted	360	269	114
Publically Notified	8	2	0
Limited-notified	12	1	0
Non-notified	342	266	114
Applications submitted on (in opposition and to be heard)	14	3	0
Application Pre-hearing resolution (%)	78%	33%	0%
Hearings (no. of applications)	1 (7)	2 (2)	0 (0)
Appeals (no. of applications)	1 (6)	2 (2)	0 (0)
Total current consents	4724	4503	4512

10) Applications returned incomplete under Section 88

For the 2021-2022 year, 3 applications have been returned incomplete under S88 of the RMA for insufficient information. One of those applications have since been resubmitted by the applicant.

11) Deemed Permitted Activities issued

Nil



Date 23 November 2021

Subject: **Consent Monitoring Annual Reports**

Approved by: A J Matthews, Director - Environment Quality
S J Ruru, Chief Executive

Document: 2913909

Purpose

1. The purpose of this memorandum is to advise the Council of 17 tailored compliance monitoring reports that have been prepared since the last meeting.

Executive summary

2. The Council considers the regular reporting of comprehensive and well-considered compliance monitoring is vital to undergird:
 - Community standing and reputation enhancement for companies that consistently attain good or high levels of environmental performance. Informed feedback is appropriate and valuable, and assists a proactive alignment of industry's interests with community and Resource Management Act 1991 expectations.
 - A respectful and responsible regard for the Taranaki region's environment and our management of its natural resources. Reporting allows evaluation and demonstration of the overall rate of compliance by sector and by consent holders as a whole, and of trends in the improvement of our environment.
 - The Council's accountability and transparency. Reporting gives validity to investment in monitoring and to assessments of effective intervention.
3. These Council reports have been submitted to the consent holder for comment and confirmation of accuracy prior to publication. All reports provide environmental performance and administrative compliance ratings for each consent holder in relation to their activities over the period being reported, and provide recommendations for the following monitoring year.
4. There are 17 tailored compliance monitoring reports. Within the reports, overall environmental ratings assigned included 14 high, one good, one improvement required and one poor (Table 1).

Table 1 List of annual reports with overall environmental performance rating

Report Name	Overall environmental performance
21-07 WestSide New Zealand Ltd Rimu Production Station Annual Report 2020-2021	1 x high
21-10 RKM Farms Ltd Piggery Monitoring Programme Annual Report 2020-2021	1 x good
21-17 SDC Water Supplies Monitoring Programme Annual Report 2020-2021	1 x high
21-21 Cold Creek Community Water Supply Ltd Monitoring Programme Annual Report 2020-2021	1 x high
21-24 Wainu Beach Settlement Monitoring Programme Annual Report 2020-2021	1 x high
21-25 Todd Energy Aquatic Centre Monitoring Programme Annual Report 2020-2021	1 x imprvmt req
21-34 Beach Energy Resources Kupe Production Station Monitoring Programme Annual Report 2020-2021	1 x high
21-35 TWN Ltd Partnership Waihapa Production Station Annual Report 2020-2021	1 x high
21-37 OMV Maui Production Station Monitoring Programme Annual Report 2020-2021	1 x high
21-42 OMV NZ Ltd Production Pohokura Production Station Annual Report 2020-2021	1 x high
21-43 NPDC Crematorium Monitoring Programme Annual Report 2020-2021	1 x high
21-47 Ample Group Ltd Monitoring Programme Annual Report 2020-2021	1 x poor
21-48 Westside New Zealand Ltd Deep Well Injection Monitoring Programme Annual Report 2020-2021	1 x high
21-49 Cheal Petroleum Deep Well Injection Annual Report 2020-2021	1 x high
21-54 SDC Closed Landfills Monitoring Programme Annual Report 2020-2021	1 x high
21-60 McKechnie Aluminium Monitoring Programme Annual Report 2020-2021	1 x high
21-64 Todd Energy Ltd Deep Well Injection Annual Report 2020-2021	1 x high

5. For reference, in the 2020-2021 year, consent holders were found to achieve a high level of environmental performance and compliance for 835 (86%) of a total of 971 consents monitored through the Taranaki tailored monitoring programmes, while for another 105 (11%) of the consents a good level of environmental performance and compliance was achieved. A further 26 (2.5%) of consents monitored required improvement in their performance, while the remaining 5 (0.5%) achieved a rating of poor (Table 2).

Table 2 Historical annual environmental and compliance performance ratings from July 2012 to June 2021. Please note that the breakdown of consents that achieved 'Improvement required' or 'Poor' levels of environmental performance and compliance were not reported separately prior to 2017-2018

Year	High	Good	Improvement Required	Poor
2012-2013	59%	35%	6%	
2013-2014	60%	29%	11%	
2014-2015	75%	22%	3%	
2015-2016	71%	24%	5%	
2016-2017	74%	21%	5%	
2017-2018	76%	20%	3%	1%
2018-2019	83%	13%	3%	1%

Year	High	Good	Improvement Required	Poor
2019-2020	81%	17%	2%	0%
2020-2021	86%	11%	2.5%	0.5%

6. Ministry for the Environment (MfE) Best Practice Guidelines for Compliance, Monitoring and Enforcement under the Resource Management Act 1991 recommend that councils provide regular reports to the public on compliance monitoring and enforcement activities. Public reporting of these activities provides transparency around how rules/policies are being enforced and how council responds to non-compliance. The Council has been providing annual compliance reports to consent holders and the public for over three decades.
7. Recommendations pertaining to each site or programme are set out in the relevant report. These recommendations may include continuation of existing monitoring programmes in the case of acceptable environmental performance, or alternatively amendments as appropriate. Where there is an option for a review of conditions on a consent, officers make a further recommendation as to whether a review is justified. The attention of Committee members is directed to the Executive Summary at the front of each report.

Recommendations

That the Taranaki Regional Council:

- a) receives the 21-07 WestSide New Zealand Ltd Rimu Production Station Monitoring Programme Annual Report 2020-2021 and notes the specific recommendations therein.
- b) receives the 21-10 RKM Farms Ltd Piggery Monitoring Programme Annual Report 2020-2021 and notes the specific recommendations therein.
- c) receives the 21-17 SDC Water Supplies Monitoring Programme Annual Report 2020-2021 and notes the specific recommendations therein.
- d) receives the 21-21 Cold Creek Community Water Supply Ltd Monitoring Programme Annual Report 2020-2021 and notes the specific recommendations therein.
- e) receives the 21-24 Waiinu Beach Settlement Monitoring Programme Annual Report 2020-2021 and notes the specific recommendations therein.
- f) receives the 21-25 Todd Energy Aquatic Centre Monitoring Programme Annual Report 2020-2021 and notes the specific recommendations therein.
- g) receives the 21-34 Beach Energy Resources Kupe Production Station Monitoring Programme Annual Report 2020-2021 and notes the specific recommendations therein.
- h) receives the 21-35 TWN Ltd Partnership Waihapa Production Station Monitoring Programme Annual Report 2020-2021 and notes the specific recommendations therein.
- i) receives the 21-37 OMV Maui Production Station Monitoring Programme Annual Report 2020-2021 and notes the specific recommendations therein.
- j) receives the 21-42 OMV NZ Ltd Production Pohokura Production Station Monitoring Programme Annual Report 2020-2021 and notes the specific recommendations therein.
- k) receives the 21-43 NPDC Crematorium Monitoring Programme Annual Report 2020-2021 and notes the specific recommendations therein.

- l) receives the 21-47 Ample Group Ltd Monitoring Programme Annual Report 2020-2021 and notes the specific recommendations therein.
- m) receives the 21-48 Westside New Zealand Ltd Deep Well Injection Monitoring Programme Annual Report 2020-2021 and notes the specific recommendations therein.
- n) receives the 21-49 Cheal Petroleum Deep Well Injection Monitoring Programme Annual Report 2020-2021 and notes the specific recommendations therein.
- o) receives the 21-54 SDC Closed Landfills Monitoring Programme Annual Report 2020-2021 and notes the specific recommendations therein.
- p) receives the 21-60 McKechnie Aluminium Monitoring Programme Annual Report 2020-2021 and notes the specific recommendations therein.
- q) receives the 21-64 Todd Energy Ltd Deep Well Injection Monitoring Programme Annual Report 2020-2021 and notes the specific recommendations therein.

21-07 WestSide New Zealand Ltd Rimu Production Station Annual Report 2020-2021

8. WestSide New Zealand Ltd (WestSide) operates a hydrocarbon production station located on Mokoia Road at Mokoia, in the Manawapou catchment.
9. **During the monitoring period, WestSide New Zealand Ltd demonstrated a high level of environmental and administrative performance.**
10. WestSide holds two resource consents, with a total of 26 conditions. One consent allows the discharge of treated stormwater onto and into land and into an unnamed tributary of the Manawapou River, the other permits the discharge contaminants into the air at this site.
11. The Council's monitoring programme for the year under review included four inspections of the Rimu Production Station, six water samples collected for physicochemical analysis, and two ambient air quality analyses.
12. The monitoring showed that the site was generally tidy and well managed and that the stormwater discharge was not having a significant adverse effect on the water quality of the unnamed tributary of the Manawapou River. There were no adverse effects found as a result of the exercise of the air discharge consent. Ambient air quality monitoring at the site showed that levels of carbon monoxide, combustible gases, PM10 particulates, and nitrogen oxides were all below levels of concern at the time of sampling. No offensive or objectionable odours were detected beyond the boundary during inspections, and there were no complaints in relation to air emissions from the site.
13. In terms of overall environmental and compliance performance by the consent holder over the last several years, this report shows that the consent holder's performance remains at a high level.
14. Recommendations:
 - 14.1. THAT in the first instance, monitoring of consented activities at Rimu Production Station in the 2021-2022 year continue at the same level as in 2020-2021.
 - 14.2. THAT should there be issues with environmental or administrative performance in 2021-2022, monitoring may be adjusted to reflect any additional investigation or intervention as found necessary.

- 14.3. THAT the option for a review of resource consents 5744-2 and 5746-2 in June 2022, as set out in condition 13 of both consents, not be exercised, on the grounds that the current conditions are adequate.

21-10 RKM Farms Ltd Piggery Monitoring Programme Annual Report 2020-2021

15. RKM Farms Ltd (the Company) operates a piggery located on 599A South Road at Hawera, in the Tangahoe catchment. The piggery is a breeder grower and finishing operation with up to 5,000 pigs and piglets at any one time, employing between four and five full time staff.
- 16. During the monitoring period, RKM Farms Ltd demonstrated a good level of environmental performance and a high level of administrative performance, with an overall good level of environmental performance.**
17. The Company holds two resource consents, which include a total of 13 conditions. Resource consent 5108-2 allows the discharge of treated effluent into the Tawhiti Stream, and consent 5266-2 relates to the discharge of emissions into the air at this site.
18. The Council's monitoring programme for the year under review included four inspections and the collection of two wastewater and receiving water samples collected for physicochemical analysis.
19. The monitoring showed that the wastewater and receiving water samples were well within the consented limits as shown in previous years, the monitoring indicated there was one unauthorised incident recording non-compliance in respect of this consent holder during the period under review.
20. No non-compliant odour incidents were recorded during the period under review.
21. Recommendations:
- 21.1. THAT in the first instance, monitoring of consented activities at Company's piggery in the 2021-2022 year continue at the same level as in 2020-2021.
- 21.2. THAT the provisions in the monitoring programme to sample the discharge and receiving waters on two separate occasions remain unchanged.
- 21.3. THAT the consent holder continues to notify Council with information when solids are extracted from the main pond for disposal, including details of where the solids are spread over land.
- 21.4. THAT the inspections for the 2020-2021 period continue at three inspections and these inspections are to be carried out on a four-monthly basis.
- 21.5. THAT should there be issues with environmental or administrative performance in 2020-2021, monitoring may be adjusted to reflect any additional investigative or intervention as found necessary.
- 21.6. THAT the option for a review of resource consent 5108-2 and 5266-in June 2022, as set out in conditions five and six of the consent, not be exercised, on the grounds that the current conditions are adequate.

21-17 SDC Water Supplies Monitoring Programme Annual Report 2020-2021

22. The Stratford District Council (SDC) operates three water treatment plants (WTPs) in the Stratford District that supply water to Stratford, Midhirst, and Toko.
- 23. During the monitoring period, SDC demonstrated a high level of environmental and administrative performance.**

24. The Council's monitoring programme for the year under review included an annual inspection of all of SDC's plants, weirs and discharges, a review of abstraction and discharge data, and collection of a sample from the Stratford WTP backwash pond and a fish spawning survey.
25. During the monitoring period SDC attained >99% compliance with abstraction and discharge limits, and all required data was provided in a timely manner.
26. A fish spawning survey conducted in the Konini Stream in relation to the Stratford WTP found the weir did not present a barrier to fish passage.
27. In terms of overall environmental and compliance performance by the consent holder over the last several years, this report shows that the consent holder's performance remained at a high level.
28. Recommendations:
 - 28.1. THAT in the first instance, monitoring of consented activities at Stratford District Council's water treatment plants in the 2021-2022 year continue at the same level as in 2020-2021.
 - 28.2. That the triennial fish spawning survey is discontinued provided the stop-boards continue to be removed from the Konini weir at the end of summer.
 - 28.3. THAT should there be issues with environmental or administrative performance in 2021-2022, monitoring may be adjusted to reflect any additional investigation or intervention as found necessary.
 - 28.4. THAT the option for a review of resource consents 0068-4, 0195-3, 5353-2, and 2452-2 in June 2022, as set out in conditions of the consents, not be exercised, on the grounds that the current conditions are adequate.

21-21 Cold Creek Community Water Supply Ltd Monitoring Programme Annual Report 2020-2021

29. The Cold Creek Community Water Supply Ltd (CCCWSL) operates a rural water supply scheme located on Cold Stream¹, Kiri Road, in the Taungatara catchment.
- 30. During the monitoring period, CCCWSL demonstrated a high level of environmental and administrative performance.**
31. CCCWSL holds three resource consents, which include a total of 24 conditions setting out the requirements that they must satisfy. CCCWSL holds one consent to allow it to take and use water, one consent to discharge filter backwash and one consent to maintain a weir.
32. The Council's monitoring programme for the year under review included one inspection, one discharge sample, two river gaugings, two macroinvertebrate surveys and a review of water abstraction and stream flow data.
33. The monitoring showed that CCCWSL complied with consent conditions in regards to discharge standards and abstraction rates. There were no unauthorised incidents recording non-compliance in respect of this consent holder during the period under review.

¹ Cold Stream is otherwise known as Cold Creek. For the purposes of this report all references to the water body in question will be using the former, or 'Cold Creek'.

34. The results of the biomonitoring surveys found no evidence of effects as a result of discharges, structures or water abstraction.
35. In terms of overall environmental and compliance performance by the consent holder over the last several years, this report shows that the consent holder's performance is improving.
36. Recommendations:
 - 36.1. THAT in the first instance, monitoring of consented activities at CCCWSL in the 2021-2022 year continue at the same level as in 2020-2021.
 - 36.2. THAT should there be issues with environmental or administrative performance in 2021-2022, monitoring may be adjusted to reflect any additional investigation or intervention as found necessary.
 - 36.3. THAT the option for a review of resource consents 5454-2 and 6077-2 in June 2022, as set out in conditions of the consents, not be exercised, on the grounds that the current conditions are adequate.

21-24 Waiinu Beach Settlement Monitoring Programme Annual Report 2020-2021

37. South Taranaki District Council (STDC) operates a wastewater treatment system located at the Waiinu Beach Settlement, in the Waitotara catchment.
38. **During the monitoring period, South Taranaki District Council demonstrated a high level of environmental and administrative performance.**
39. STDC holds one resource consent, which includes a total of 16 conditions setting out the requirements that STDC must satisfy. This resource consent was renewed early on 1 December 2017, as STDC was in the process of upgrading the wastewater treatment system. The upgraded system was installed and commissioned in December 2019. The consent allows them to discharge treated domestic wastewater from the Waiinu Beach Wastewater Treatment Plant to land.
40. The Council's monitoring programme for the year under review included three site inspections of the wastewater treatment system, which included bacteriological and groundwater sampling. Four additional seasonal groundwater sampling surveys were also carried out.
41. The monitoring showed that the wastewater treatment system was well maintained. As in previous years, the monitoring indicated that the discharges from the wastewater treatment system had no adverse effects on coastal water quality. There were no unauthorised incidents recording non-compliance in respect of this consent holder during the period under review.
42. In terms of overall environmental and compliance performance by the consent holder over the last several years, this report shows that the consent holder's performance remains at a high level in the year under review.
43. Recommendations:
 - 43.1. THAT in the first instance, monitoring of consented activities at Waiinu Beach Settlement in the 2021-2022 year continues at the same level as in 2020-2021.
 - 43.2. THAT should there be issues with environmental or administrative performance in 2021-2022, monitoring may be adjusted to reflect any additional investigation or intervention as found necessary.

21-25 Todd Energy Aquatic Centre Monitoring Programme Annual Report 2020-2021

44. The New Plymouth District Council (NPDC) operates the Todd Energy Aquatic Centre (the Aquatic Centre) located on Tisch Avenue, New Plymouth. Wastewater from backwashing the water filtration system and emptying the outdoor pools is discharged from the ocean outfall situated on the Kawaroa Reef foreshore, to the east of the facility.
45. **During the monitoring period, New Plymouth District Council demonstrated a level of environmental performance that required improvement and a high level of administrative performance, with an overall improvement required level of environmental performance.**
46. NPDC holds two resource consents relating to the Aquatic Centre, which include a total of 13 special conditions setting out the requirements that NPDC must satisfy. NPDC holds one consent to allow them to discharge swimming pool wastewater into the Tasman Sea, and one consent to erect, place, use and maintain an ocean outfall at the site.
47. The Council's monitoring programme for the year under review included one site inspection, two marine ecological inspections, and two routine physicochemical samplings of the indoor or outdoor pool water, and receiving waters.
48. The monitoring showed that the samples from the indoor and outdoor pools and coastal waters adjacent to the outfall were compliant with consent limits, and did not appear to have any significant effects on the ecology of the Kawaroa Reef outside of the designated mixing zone.
49. The monitoring also showed that the Aquatic Centre was well managed throughout the period under review, and mostly in compliance with consent conditions. There was however, one instance of non-compliance during the monitoring period. A Council Officer discovered a discharge from the outfall was occurring outside of the authorised discharge times and causing discolouration of the reef. The discolouration was a result of algae being water blasted from the outdoor pool surfaces. An abatement notice was issued. A follow-up ecological inspection was carried out and determined that the discharges had not had any significant adverse effects on intertidal communities of the Kawaroa Reef. NPDC is implementing measures to improve future compliance with their discharge consent.
50. In terms of overall environmental and compliance performance by the consent holder over the last several years, this report shows that the consent holder's performance declined during the period under review.
51. Recommendations:
 - 51.1. THAT in the first instance, monitoring of consented activities at the Aquatic Centre in the 2021-2022 year continues at the same level as in 2020-2021.
 - 51.2. THAT should there be ongoing issues with environmental or administrative performance in 2021-2022, monitoring may be adjusted to reflect any additional investigation or intervention as found necessary.

21-34 Beach Energy Resources Kupe Production Station Monitoring Programme Annual Report 2020-2021

52. Beach Energy Resources NZ (Kupe) Ltd (the Company) operates a hydrocarbon production station located on Inaha Road at Manaia, in the Inaha and Kapuni

catchments. The Kupe Production Station processes oil and gas from the offshore Kupe wells.

- 53. During the monitoring period, Beach Energy Resources NZ (Kupe) Ltd demonstrated a high level of environmental and administrative performance.**
54. The Company holds 14 resource consents in relation to the Kupe facilities, which include a total of 154 conditions. The Company holds one consent to allow it to take and use groundwater, one consent to discharge stormwater into the Kapuni Stream, one consent to install groundwater bores, two consents to discharge emissions into the air from the production station, four coastal consents relating to the offshore facilities, and five consents which covered activities during the development phase of the Kupe project.
55. The Council's monitoring programme for the year under review included four inspections, eight samples collected for physiochemical analysis, two biomonitoring surveys of receiving waters, and two ambient air quality analyses. The consent holder provided data on flaring, water abstraction and stormwater discharges.
56. Site inspections found that the stormwater systems were constructed and maintained in accordance with consent conditions and were operating effectively.
57. Biomonitoring of the receiving waters did not indicate that the stormwater discharges from the Kupe Production Station had caused adverse effects on the water quality of the Kapuni Stream.
58. There were no adverse effects on the environment resulting from the exercise of the air discharge consents. The ambient air quality monitoring at the site showed that levels of carbon monoxide, combustible gases, PM10 particulates, and nitrogen oxides were all below levels of concern at the time of sampling. No offensive or objectionable odours were detected beyond the boundary during inspections and there were no complaints in relation to air emissions from the site.
59. There were no unauthorised incidents recorded by the Council in relation to the Company's activities. The Kupe Production Station was well managed and maintained.
60. In terms of overall environmental and compliance performance by the consent holder over the last several years, this report shows that the consent holder's performance remains at a high level.
61. Recommendations:
- 61.1. THAT in the first instance, monitoring of consented activities at the Kupe Production Station in the 2021-2022 year continue at the same level as in 2020-2021.
- 61.2. THAT should there be issues with environmental or administrative performance in 2021-2022, monitoring may be adjusted to reflect any additional investigation or intervention as found necessary.

21-35 TWN Ltd Partnership Waihapa Production Station Annual Report 2020-2021

62. TWN Ltd Partnership (the Company) operates a hydrocarbon production station located on Bird Road Stratford, in the Patea catchment. The Waihapa Production Station processes oil and gas from numerous associated wellsites.
- 63. During the monitoring period, TWN Ltd Partnership demonstrated a high level of environmental and administrative performance.**

64. The Company holds three resource consents in relation to the Waihapa Production Station, which include a total of 41 conditions setting out the requirements that the Company must satisfy. The Company holds one consent to discharge treated impounded stormwater from the Waihapa Production Station into the Ngaere Stream and to discharge treated stormwater from perimeter drains to land where it may enter the Ngaere Stream, one consent to abstract water from the Ngaere Stream, and one consent to discharge emissions related to production activities into the air at the site.
65. The Council's monitoring programme for the year under review included four inspections, 12 water samples collected for physicochemical analysis, two biomonitoring surveys of receiving waters, and two ambient air quality surveys. The Company provided the results of monitoring of impounded stormwater and abstraction volumes.
66. Stormwater system and receiving water inspections and monitoring of discharges and receiving waters showed that discharges from the site at the time complied with consent conditions. Biological surveys of the receiving water showed that the discharges were not causing any adverse effects on the Ngaere Stream at the time of monitoring.
67. There were no adverse effects on the environment resulting from the exercise of the air discharge consent. Ambient air quality monitoring at the site showed that levels of carbon monoxide, combustible gases, PM10 particulates, and nitrogen oxides were all below levels of concern at the time of sampling. No offensive or objectionable odours were detected beyond the boundary during inspections and there were no complaints in relation to air emissions from the site.
68. In terms of overall environmental and compliance performance by the consent holder over the last several years, this report shows that the consent holder's performance remains at a high level.
69. Recommendations:
 - 69.1. THAT in the first instance, monitoring of consented activities at Waihapa Production Station and associated facilities in the 2021-2022 year continue at the same level as in 2020-2021.
 - 69.2. THAT should there be issues with environmental or administrative performance in 2021-2022, monitoring may be adjusted to reflect any additional investigation or intervention as found necessary.
 - 69.3. THAT the option for a review of resource consents 3457-2, 3767-3 and 4049-3 in June 2022, as set out in conditions of the consents, not be exercised, on the grounds that the current conditions are adequate.

21-37 OMV Maui Production Station Monitoring Programme Annual Report 2020-2021

70. OMV Taranaki Ltd (OMV) operates the Maui Production Station located on Tai Road, Oaonui, in the Ngapirau catchment.
71. **During the monitoring period, OMV Taranaki Ltd demonstrated a high level of environmental and administrative performance.**
72. OMV holds four resource consents, which include a total of 40 conditions setting out the requirements that they must satisfy. OMV holds two consents relating to discharges to water, one consent to discharge emissions to the air, and one to maintain a structure in the coastal marine area.

73. The Council's monitoring programme for the year under review included four inspections, ten discharge and receiving water samples collected for physicochemical analysis, one biomonitoring survey of receiving waters, and two ambient air quality analyses. The consent holder supplied information on flaring and the results of discharge and receiving water quality analysis.
74. Council inspections and sampling, in conjunction with sampling conducted by OMV during the 2020-2021 period, showed that the discharges were unlikely to be causing any adverse effects on the Ngapirau Stream. This was supported by the findings of the macroinvertebrate survey carried out in the stream.
75. There were no adverse effects noted on the environment resulting from the exercise of the air discharge consent. The ambient air quality monitoring at the Maui Production Station showed that levels of carbon monoxide, combustible gases, PM10 particulates, and nitrogen oxides were all below levels of concern at the time of sampling. No offensive or objectionable odours were detected beyond the boundaries during inspections. The Maui Production Station was well managed and maintained.
76. In terms of overall environmental and compliance performance by the consent holder over the last several years, this report shows that the consent holder's performance remains at a high level.
77. Recommendations:
 - 77.1. THAT in the first instance, monitoring of consented activities at Maui Production Station in the 2021-2022 year continue at the same level as in 2020-2021.
 - 77.2. THAT should there be issues with environmental or administrative performance in 2021-2022, monitoring may be adjusted to reflect any additional investigation or intervention as found necessary.

21-42 OMV NZ Ltd Production Pohokura Production Station Annual Report 2020-2021

78. OMV NZ Production Ltd (OMV), previously Shell Exploration NZ Ltd, operates a hydrocarbon production station and associated wellsites, located on Lower Otaraoa Road at Motunui in the Waipapa and Manu catchments.
- 79. During the monitoring period, OMV NZ Production Ltd demonstrated a high level of environmental and administrative performance.**
80. OMV holds 12 resource consents which were actively monitored during the period under review, including a total of 122 conditions setting out the requirements that OMV must satisfy. OMV holds one consent to allow it to take and use water, three consents to discharge stormwater, two consents to discharge emissions into the air, two consents for various structures, two consents relating to deep well injection, and one consent each to disturb and occupy the coastal marine area.
81. The Council's monitoring programme for the year under review included five inspections, three water samples collected for physicochemical analysis, and two ambient air quality analyses. The consent holder also collected various data as required by consent conditions and for self-monitoring purposes.
82. The monitoring showed that the results from stormwater samples complied with the limits prescribed by consents. The results from OMV's stormwater monitoring also complied with consent limits. No adverse effects were noted on the receiving environment as a result of the discharge.

83. There were no adverse effects on the environment resulting from the exercise of the air discharge consent. Ambient air quality monitoring at the site showed that levels of carbon monoxide, combustible gases, PM10 particulates, and nitrogen oxides were all below levels of concern at the time of sampling. No offensive or objectionable odours were detected beyond the boundary during inspections and there were no complaints in relation to air emissions from the site. Monitoring commissioned by OMV showed that the relevant New Zealand Workplace Exposure Standards for BTEX constituents were complied with.
84. Ecological assessments voluntarily commissioned by OMV of the intertidal coastal area surrounding the Pohokura site found high species diversity and abundance on two of the three reefs surveyed, indicating a stable and healthy reef environment with high water quality. The third reef had lower species diversity due to high levels of sand inundation (a natural phenomenon) which can decrease both species diversity and abundance. The ongoing ecological surveys have shown that the health of the reefs in the vicinity is comparable to other reefs around the Taranaki coastline that are subjected to periodic sand inundation. OMV's activities in the area do not appear to have had any adverse effect on the coastal environment.
85. In terms of overall environmental and compliance performance by the consent holder over the last several years, this report shows that the consent holder's performance remains at a high level.
86. Recommendations:
 - 86.1. THAT in the first instance, monitoring of consented activities at the Pohokura Production Station and associated facilities in the 2021-2022 year continue at the same level as in 2020-2021.
 - 86.2. THAT should there be issues with environmental or administrative performance in 2021-2022, monitoring may be adjusted to reflect any additional investigation or intervention as found necessary.

21-43 NPDC Crematorium Monitoring Programme Annual Report 2020-2021

87. The New Plymouth District Council (NPDC) operates a crematorium located on Junction Road, New Plymouth.
88. **During the monitoring period, NPDC demonstrated a high level of environmental performance and a high level of administrative compliance, with an overall high level of environmental performance.**
89. NPDC holds one resource consent, which includes a total of 22 conditions setting out the requirements that they must satisfy.
90. The Council's monitoring programme for the year under review included four compliance monitoring inspections, focusing on process control and possible visible emissions and odours.
91. There were a total of 395 cremations carried out at the NPDC crematorium during the 2020-2021 monitoring period.
92. A total of 673 cremations were performed in the Taranaki region between the NPDC and Abraham's crematorium during the 2020-2021 monitoring period.
93. NPDC is in the process of replacing the Newton cremator and completion of this work is anticipated to occur in the 2020-2021 monitoring period.

94. In terms of overall environmental and compliance performance by the consent holder over the last several years, this report shows that the consent holder's performance improved in the year under review.
95. Recommendations:
 - 95.1. THAT in the first instance, monitoring of air emissions from the New Plymouth crematorium in the 2021-2022 year continue at the same level as in 2020-2021.
 - 95.2. THAT should there be issues with environmental or administrative performance in 2021-2022, monitoring may be adjusted to reflect any additional investigation or intervention as found necessary.
 - 95.3. THAT prior to the new cremator being installed, a variation to consent 5202-2 will be required.
 - 95.4. THAT when the new cremator is installed consent 5202-2 special conditions 3, 16 & 20 will be exercised.

21-47 Ample Group Ltd Monitoring Programme Annual Report 2020-2021

96. Ample Group Ltd (the Company) operate an abattoir and rendering plant, located on Mountain Road at Stratford, in the Kahouri Stream catchment, a tributary of the Patea River. The Company currently processes only beef. Wastewater is treated in a two pond system, which is either irrigated to land when conditions allow, or to the Kahouri Stream, ideally during high flow conditions.
97. **During the monitoring period, Ample Group Ltd demonstrated a poor level of environmental and administrative performance.**
98. The Company holds six resource consents, which include a total of 92 conditions setting out the requirements that the Company must satisfy. The Company holds one consent to allow it to take and use water, two consents to discharge effluent and stormwater into the Kahouri Stream, two consents to discharge wastewater and degenerating product to land, and one consent to discharge emissions into the air at this site.
99. The Council's monitoring programme for the year under review included four inspections, eight water samples and two wastewater samples collected for physiochemical analysis, four hydrological gaugings and two, three site biomonitoring surveys.
100. The monitoring indicated that while environmental performance was good in some areas, there were also areas that needed improvement. There needs to be a focus on minimising the generation of wastewater as a significant amount of wastewater appears to be sourced from groundwater infiltration of the wastewater ponds. Water abstraction levels were not recorded due to power failure to a datalogger. The discharge of wastewater into the Kahouri Stream did not meet the required dilution level but did not cause any noticeable impact on the macroinvertebrate communities of the Kahouri Stream. The irrigation of wastewater onto land needs to be improved, with better rotation of paddocks to prevent excessive amounts of wastewater being discharged onto the same paddock. There was no evidence of excessive leaching of irrigation water into nearby waterbodies, with only minor changes in water quality parameters for the unnamed tributary and Kahouri Stream as they flowed through the Company's site.
101. The rendering plant did not operate during the period under review and this has significantly reduced odour issues with no odour complaints related to the site. Furthermore, disposal of dead stock/material is being achieved by sending all material

offsite as opposed to burying waste, further reducing the potential for odour to be generated at the site, and the flow of contaminants to groundwater.

102. There were several incidents of non-compliance during the period under review. Firstly, there was an incident in relation to a faulty datalogger. The purpose of the datalogger was to record water abstraction from the Kahouri Stream. Its failure prevented assessment of several consent conditions. Secondly, the wastewater records indicated that there were several instances of discharges to land that exceeded the maximum allowable irrigated depth as a 15 day rolling average. Thirdly, the wastewater records indicated that discharges to the Kahouri Stream did not meet the 1:100 dilution factor. Fourthly, provided wastewater data had significant amounts of information missing which prevented a comprehensive assessment of several consent conditions in two separate consents. The Company is under three separate abatement notices for previous non-compliance of consent conditions relating to water abstraction, discharge of wastewater to land and discharge of wastewater to the Kahouri Stream. Two infringement notices for non-compliance with resource consents have been issued.
103. While there were no significant adverse environmental effects arising from the Company's non-compliance, there were several issues of non-compliance that required enforcement interventions by the Council.
104. In terms of overall environmental and compliance performance by the consent holder over the last several years, this report shows that the consent holder's performance has continued to be poor overall. This report includes recommendations for the 2021-2022 year.
105. Recommendations:
 - 105.1. THAT monitoring of consented activities at Ample Group Ltd in the 2021-2022 year continue at the same level as in 2020-2021.
 - 105.2. THAT should there be issues with environmental or administrative performance in 2021-2022, monitoring may be adjusted to reflect any additional investigation or intervention as found necessary.
 - 105.3. THAT the Company in the 2021-2022 monitoring year prioritise administrative performance, particularly in regard to recording hydrological and wastewater data.
 - 105.4. THAT the Company in the 2021-2022 monitoring year prioritise environmental performance, particularly in regard to wastewater discharge volumes to the Kahouri Stream and paddocks.
 - 105.5. THAT the option for a review of resource consents in June 2022, as provided for by conditions of consents 5221-2, 7662-1, 4055-3, 7660-1 and 5176-1 not be exercised, on the grounds that the consents are adequate to deal with the activities currently undertaken.

21-48 Westside New Zealand Ltd Deep Well Injection Monitoring Programme Annual Report 2020-2021

106. Westside New Zealand Ltd (the Company) currently operates the Manutahi, Rimu, Kauri and Pohutukawa wellsites located between Hawera and Patea, in South Taranaki. Each wellsite contains varying numbers of producing wells and associated production infrastructure.

- 107. During the monitoring period, the Company demonstrated a high level of environmental performance and a good level of administrative compliance, with an overall high level of environmental performance.**
108. The Company held three resource consent for DWI activities during the review period, which included a total of 45 conditions setting out the requirements that the Company must satisfy.
109. The Council's monitoring programme for the year under review included four inspections, two injectate samples and two groundwater samples collected for physicochemical analysis. The monitoring programme also included a significant data review component, with all injection data submitted by the Company assessed for compliance on receipt.
110. The monitoring showed that the Company's DWI activities were being carried out in compliance with the conditions of the applicable resource consents. There is no evidence of any issues with any injection well currently in use or the ability of the receiving formation to accept injected fluids. The results of groundwater quality monitoring undertaken show no adverse effects of the activity on local groundwater resources. Inspections undertaken during the monitoring year found sites being operated in a professional manner and there were no Unauthorised Incidents reported in relation to the Company's DWI consents.
111. In terms of overall environmental and compliance performance by the Company over the last several years, this report shows that the Company's performance remains at a generally high level.
112. Recommendations:
- 112.1. THAT in the first instance, monitoring of consented activities in the 2021-2022 year continue at the same level as in 2020-2021.
 - 112.2. THAT should there be issues with environmental or administrative performance in 2021-2022, monitoring may be adjusted to reflect any additional investigation or intervention as found necessary.
 - 112.3. THAT the option for a review of resource consents in June 2022, as set out in the respective consent conditions not be exercised.

21-49 Cheal Petroleum Deep Well Injection Annual Report 2020-2021

113. Cheal Petroleum Ltd (the Company) operate a number of wellsites located within their Cheal oil and gas field, south of Stratford. Each wellsite contains varying numbers of producing wells and associated production infrastructure.
- 114. During the monitoring period, the Company demonstrated a high level of environmental and administrative performance.**
115. The Company held four resource consents for DWI activities during the review period, which included a total of 68 conditions setting out the requirements that the Company must satisfy. All four consents were exercised during the period.
116. The Council's monitoring programme for the year under review included 11 site inspections, two injectate samples and seven groundwater samples collected for physicochemical analysis. The monitoring programme also included a significant data review component, with all injection data submitted by the Company assessed for compliance on receipt.

117. The monitoring showed that the Company's DWI activities were being carried out in compliance with the conditions of the applicable resource consents. There is no evidence of any issues with any injection well currently in use, or the ability of the receiving formations to accept injected fluids. The results of groundwater quality monitoring undertaken show no adverse effects of the activity on local groundwater resources. Inspections undertaken during the monitoring year found sites being operated in a professional manner and there were no Unauthorised Incidents in relation to any of the Company's DWI consents.
118. In terms of overall environmental and compliance performance by the Company over the last several years, this report shows that the Company's performance remains at a high level.
119. Recommendations:
- 119.1. THAT in the first instance, monitoring of consented activities in the 2021-2022 year continue at the same level as in 2020-2021.
 - 119.2. THAT should there be issues with environmental or administrative performance in 2021-2022, monitoring may be adjusted to reflect any additional investigation or intervention as found necessary.
 - 119.3. THAT the option for a review of resource consents in June 2022, as set out in the respective consent conditions not be exercised.

21-54 SDC Closed Landfills Monitoring Programme Annual Report 2020-2021

120. The Stratford District Council (SDC) maintains a closed landfill located on Victoria Road at Stratford, in the Patea catchment. The landfill was closed to the public and commercial disposers in 2002, following which it was used to dewater and dispose of oxidation pond sludge from the adjacent municipal wastewater treatment plant. This activity ceased in early 2006, and the landfill was recapped and reinstated. The only external material now accepted at the landfill is soil from a local sawmill site remediation project. This activity is covered by separate consent² held by a third party.
- 121. During the year, SDC demonstrated a high level of environmental and administrative performance with the Stratford, Huiroa and Pukengahu landfill resource consents.**
122. SDC also maintains closed landfills at Douglas Road, Huiroa, and Wingrove Road, Pukengahu, in the Patea catchment. Both the Huiroa and Pukengahu landfills have been closed since 1991, but are still monitored with regards to maintenance and leachate discharge on a triennial basis. Triennial monitoring of these sites was undertaken in the 2020-2021 year.
123. SDC holds three resource consents in association with these landfills, which include a total of 17 conditions setting out the requirements that SDC must satisfy. The consents allow SDC to discharge stormwater and leachate from the landfills.
124. The Council's monitoring programme for the year under review for the Stratford closed landfill included four site inspections and six ground water samples collected for physicochemical analysis. This report also includes the results of the surface water samples taken in conjunction with the Stratford Wastewater Treatment Plant (WWTP).

² Consent 7645-1 Alby M Limited

125. The Council's monitoring programme for the year under review for the Huiroa and Pukengahu closed landfills included one site inspection each, along with two water samples collected from each site for physicochemical analysis.
126. The monitoring showed that there were no significant adverse effects occurring as a result of the exercise of the Stratford, Huiroa or Pukengahu landfill consents. There were no unauthorised incidents noted in respect to either landfill during the year under review.
127. In terms of overall environmental and compliance performance by the consent holder over the last several years, this report shows that the consent holder's performance remains at a high level.
128. Recommendations:
 - 128.1. THAT in the first instance, the triennial monitoring for the Pukengahu landfill remains unchanged in the 2020-2021 year, continuing at the same level, with monitoring next undertaken in 2023-2024.
 - 128.2. THAT should there be issues with environmental or administrative performance in 2021-2022, monitoring may be adjusted to reflect any additional investigation or intervention as found necessary.
 - 128.3. THAT the option for a review of resource consent 3891-3 in June 2022, as set out in condition 6 of the consent, not be exercised, on the grounds that the current conditions are adequate.

21-60 McKechnie Aluminium Monitoring Programme Annual Report 2020-2021

129. McKechnie Aluminium Solutions Ltd (MASL) operates an aluminium foundry and extrusion plant located at Bell Block, in the Mangaone and Mangati catchments. Processing of copper and brass (copper/zinc) at the plant ceased in June 2002 and January 2003, respectively.
- 130. During the year, MASL demonstrated an overall high level of environmental and administrative performance. There were no unauthorised incidents recorded at the site during the year.**
131. MASL holds two resource consents that are covered within this particular report: consent 1857 to discharge stormwater into an unnamed tributary of the Mangaone Stream, and consent 4034 to discharge emissions into the air, which together include a total of 22 conditions setting out the requirements that they must satisfy.
132. The Council's monitoring programme for the year under review included three inspections, 21 water samples collected for physicochemical analysis, two biomonitoring surveys of receiving waters, and one deposition gauge survey in the vicinity of the foundry site.
133. Sample results during the period under review support the trend of reductions in the levels of contaminants in the receiving water at Sanger's Intake seen during recent years. No samples outside of the mixing zone exceeded the relevant USEPA receiving water criteria for the protection of aquatic ecosystems for zinc or copper, and all other parameters were below levels stipulated by consent conditions.
134. Biomonitoring results indicated that treated stormwater discharged from the site was not having a detrimental effect on the macroinvertebrate communities of the unnamed tributary of the Mangaone Stream.

135. The results from deposition gauging indicated that there was an environmentally acceptable level of particulate deposition in the vicinity of the foundry site. No visible emissions or odour issues were noted during inspections and no complaints were received during the period under review.
136. In terms of overall environmental and compliance performance by the consent holder over the last several years, this report shows that MASL's performance remains at a good or high level.
137. Recommendations:
- 137.1. THAT in the first instance, monitoring of consented activities at the McKechnie Aluminium Solutions Ltd site in the 2021-2022 year continue at the same level as in 2020-2021.
- 137.2. THAT should there be issues with environmental or administrative performance in 2021-2022, monitoring may be adjusted to reflect any additional investigation or intervention as found necessary.

21-64 Todd Energy Ltd Deep Well Injection Annual Report 2020-2021

138. Todd Energy Ltd and its subsidiary (the Company) operate a number of wellsites across the Taranaki region including the Tuhua, Pouri, Mangahewa and McKee wellsites, located east of New Plymouth and the Kapuni wellsites, located south of Stratford. Each wellsite contains varying numbers of producing wells and associated production infrastructure.
- 139. During the monitoring period, the Company demonstrated a high level of environmental and administrative performance.**
140. The Company held nine resource consents for DWI activities, which included a total of 161 conditions setting out the requirements that the Company must satisfy. Four of the nine consents were exercised during the period being reported.
141. The Council's monitoring programme for the year under review included seven annual site inspections, four injectate samples and 18 groundwater samples collected for physicochemical analysis. The monitoring programme also included a significant data review component, with all injection data submitted by the Company assessed for compliance on receipt.
142. The monitoring showed that the Company's DWI activities were carried out in compliance with the conditions of the applicable resource consents. There is no evidence of any issues with any injection well currently in use, or the ability of the receiving formations to accept injected fluids. The results of groundwater quality monitoring undertaken show no adverse effects of the activity on local groundwater resources. Inspections undertaken during the monitoring year found sites being operated in a professional manner.
143. In terms of overall environmental and compliance performance by the Company over the last several years, this report shows that the Company's performance generally remains at a high level.
144. Recommendations:
- 144.1. THAT in the first instance, monitoring of consented activities in the 2021-2022 year continue at the same level as in 2020-2021.

144.2. THAT should there be issues with environmental or administrative performance in 2021-2022, monitoring may be adjusted to reflect any additional investigation or intervention as found necessary.

144.3. THAT the option for a review of resource consents in June 2022, as set out in the respective consent conditions not be exercised.

Financial considerations—LTP/Annual Plan

145. This memorandum and the associated recommendations are consistent with the Council’s adopted Long-Term Plan and estimates. Any financial information included in this memorandum has been prepared in accordance with generally accepted accounting practice.

Policy considerations

146. This memorandum and the associated recommendations are consistent with the policy documents and positions adopted by this Council under various legislative frameworks including, but not restricted to, the *Local Government Act 2002*, the *Resource Management Act 1991* and the *Local Government Official Information and Meetings Act 1987*.

Iwi considerations

147. This memorandum and the associated recommendations are consistent with the Council’s policy for the development of Māori capacity to contribute to decision-making processes (schedule 10 of the *Local Government Act 2002*) as outlined in the adopted long-term plan and/or annual plan. Similarly, iwi involvement in consenting and subsequent adopted work programmes has been recognised in the preparation of this memorandum.

Community considerations

148. This memorandum and the associated recommendations have considered the views of the community, interested and affected parties and those views have been recognised in the preparation of this memorandum.

Legal considerations

149. This memorandum and the associated recommendations comply with the appropriate statutory requirements imposed upon the Council.

Appendices/Attachments

Report Name	PDF Number	Reporting period
21-07 WestSide New Zealand Ltd Rimu Production Station Annual Report 2020-2021	2859874	2020-2021
21-10 RKM Farms Ltd Piggery Monitoring Programme Annual Report 2020-2021	2856700	2020-2021
21-17 SDC Water Supplies Monitoring Programme Annual Report 2020-2021	2892840	2020-2021
21-21 Cold Creek Community Water Supply Ltd Monitoring Programme Annual Report 2020-2021	2856301	2020-2021
21-24 Waiinu Beach Settlement Monitoring Programme Annual Report 2020-2021	2842683	2020-2021

Consents and Regulatory Committee - Consent Monitoring Annual Reports

Report Name	PDF Number	Reporting period
21-25 Todd Energy Aquatic Centre Monitoring Programme Annual Report 2020-2021	2890411	2020-2021
21-34 Beach Energy Resources Kupe Production Station Monitoring Programme Annual Report 2020-2021	2844684	2020-2021
21-35 TWN Ltd Partnership Waihapa Production Station Annual Report 2020-2021	2856398	2020-2021
21-37 OMV Maui Production Station Monitoring Programme Annual Report 2020-2021	2880000	2020-2021
21-42 OMV NZ Ltd Production Pohokura Production Station Annual Report 2020-2021	2861368	2020-2021
21-43 NPDC Crematorium Monitoring Programme Annual Report 2020-2021	2833793	2020-2021
21-47 Ample Group Ltd Monitoring Programme Annual Report 2020-2021	2877012	2020-2021
21-48 Westside New Zealand Ltd Deep Well Injection Monitoring Programme Annual Report 2020-2021	2855666	2020-2021
21-49 Cheal Petroleum Deep Well Injection Annual Report 2020-2021	2856026	2020-2021
21-54 SDC Closed Landfills Monitoring Programme Annual Report 2020-2021	2879119	2020-2021
21-60 McKechnie Aluminium Monitoring Programme Annual Report 2020-2021	2886177	2020-2021
21-64 Todd Energy Ltd Deep Well Injection Annual Report 2020-2021	2891497	2020-2021



Date 23 November 2021

Subject: **Incident, Compliance Monitoring Non-compliances and Enforcement Summary - 22 September 2021 to 28 October 2021**

Approved by: A D McLay, Director - Resource Management
S J Ruru, Chief Executive

Document: 2907451

Purpose

1. The purpose of this memorandum is to allow the Council to consider and receive the summary of the incidents, compliance monitoring non-compliances and enforcement for the period 22 September 2021 to 28 October 2021.
2. The annual inspection for farm dairy effluent monitoring programme commences in September each year and usually finishes around March, however follow up inspections and winter milking inspections are also carried out during the rest of the year.

Executive summary

Incidents

3. There are ninety nine (99) incidents reported.
4. Thirty four (34) of the incidents were found to be compliant and twenty one (21) were found to be non-compliant. Eleven (11) of the incidents reported relate to non-compliances from previous periods (updates). The action taken on the incidents is set out for Members information.
5. For the eighth reporting period in a row there continues to be a high number of incidents found to be compliant.

Compliance monitoring non-compliances

6. There are thirty six (36) compliance monitoring non-compliances reported. Six (6) of the compliance monitoring non-compliances reported are updates from previous periods.
7. Twenty five (25) of the non-compliances reported are as a result of the annual dairy inspection round.

Recommendations

That the Taranaki Regional Council:

- a) receives this memorandum Incident, Compliance Monitoring Non-compliances and Enforcement Summary - 22 September 2021 to 28 October 2021
- b) receives the summary of the incidents, compliance monitoring non-compliances and enforcement for the period from 22 September 2021 to 28 October 2021, notes the action taken by staff acting under delegated authority and adopts the recommendations therein.

Background

8. The Council receives and responds to pollution events and public complaints throughout the year. Consent compliance monitoring undertaken can also identify non-compliance. This information is recorded in the IRIS database together with the results of investigations and any follow-up actions. Such incidents and non-compliances are publicly reported to the Council through the Consents and Regulatory Committee via the Incidents, Compliance Monitoring Non-compliances and Enforcement Report or the Annual Compliance Monitoring Reports.
9. Attached is the summary of the Incidents, Compliance Monitoring Non-compliances and Enforcement for the period from 22 September 2021 to 28 October 2021.
10. Staff have been delegated by the Council to undertake enforcement actions. The enforcement policy and procedures are approved by the Council and then consistently implemented and reported on by staff.

Disclosure Restrictions

11. The incident register information presentation was reviewed in 2014-2015 to increase reader understanding in this complex area. The first section addresses compliant incidents and can be publically discussed. The second section provides an update on non-compliant incidents from previous meetings and where an incident has been resolved it can be publically discussed. The third and fourth sections provide information on non-compliant incidents and non-compliances found during compliance monitoring during the period that are still under investigation and staff are limited in terms of public disclosure of information, while the investigation is ongoing and enforcement responses have not been determined. The incident flow chart and definition of terms provide further operational detail.

Discussion

12. Council responds to all complaints received with most complaints responded to within four hours. This usually involves a site visit. Responses to complaints and non-compliances with rules in the Council's regional plans, resource consents and the Resource Management Act 1991 are recorded in the IRIS database. Where necessary, appropriate advisory or enforcement actions are undertaken. The latter may include issuing an inspection, abatement or infringement notice, or initiating a prosecution. Where an infringement notice or prosecution is possible, details of the information in the Incidents, Compliance Monitoring Non-compliances and Enforcement agenda item and staff comment will be restricted for legal disclosure reasons. Further information will be

provided at a later date to the Council and for prosecutions a detailed report will be provided for information purposes, in the confidential section of the agenda.

13. A summary of Incidents, Compliance Monitoring Non-compliances and Enforcement for the period 22 September 2021 to 28 October 2021 is attached. The 'compliant' incidents are presented first in a table and the 'non-compliant' incidents are presented after in a more detailed summary, followed by the compliance monitoring non-compliances.
14. Generally incidents in the 'compliant' table have a recommendation of 'no further action'. However, an incident is considered 'compliant' until such time as a non-compliance is found. Therefore occasionally an incident in the 'compliant' table will have a recommendation of 'investigation continuing', if an ongoing investigation is still underway to confirm compliance.
15. A series of graphs are also attached comparing the number of incidents between 2016-2017 and 2021-2022, and also showing how the incidents are tracking in 2021-2022 in relation to environment type and compliance status. There is a graph showing the non-compliances found during compliance monitoring. There is also a graph showing enforcement action taken to date during 2021-2022.
16. The data in the graphs for 2021-2022 to date is showing that there are more incidents but less compliance monitoring non-compliances. Although in the first month of this period there is limited data.

Decision-making considerations

17. Part 6 (Planning, decision-making and accountability) of the *Local Government Act 2002* has been considered and documented in the preparation of this agenda item. The recommendations made in this item comply with the decision-making obligations of the *Act*.

Financial considerations—LTP/Annual Plan

18. This memorandum and the associated recommendations are consistent with the Council's adopted Long-Term Plan and estimates. Any financial information included in this memorandum has been prepared in accordance with generally accepted accounting practice.

Policy considerations

19. This memorandum and the associated recommendations are consistent with the policy documents and positions adopted by this Council under various legislative frameworks including, but not restricted to, the *Local Government Act 2002*, the *Resource Management Act 1991* and the *Local Government Official Information and Meetings Act 1987*.

Iwi considerations

20. This memorandum and the associated recommendations are consistent with the Council's policy for the development of Māori capacity to contribute to decision-making processes (schedule 10 of the *Local Government Act 2002*) as outlined in the adopted long-term plan and/or annual plan. Similarly, iwi involvement in adopted work programmes has been recognised in the preparation of this memorandum.

Community considerations

21. This memorandum and the associated recommendations have considered the views of the community, interested and affected parties and those views have been recognised in the preparation of this memorandum.

Legal considerations

22. This memorandum and the associated recommendations comply with the appropriate statutory requirements imposed upon the Council.

Appendices/Attachments

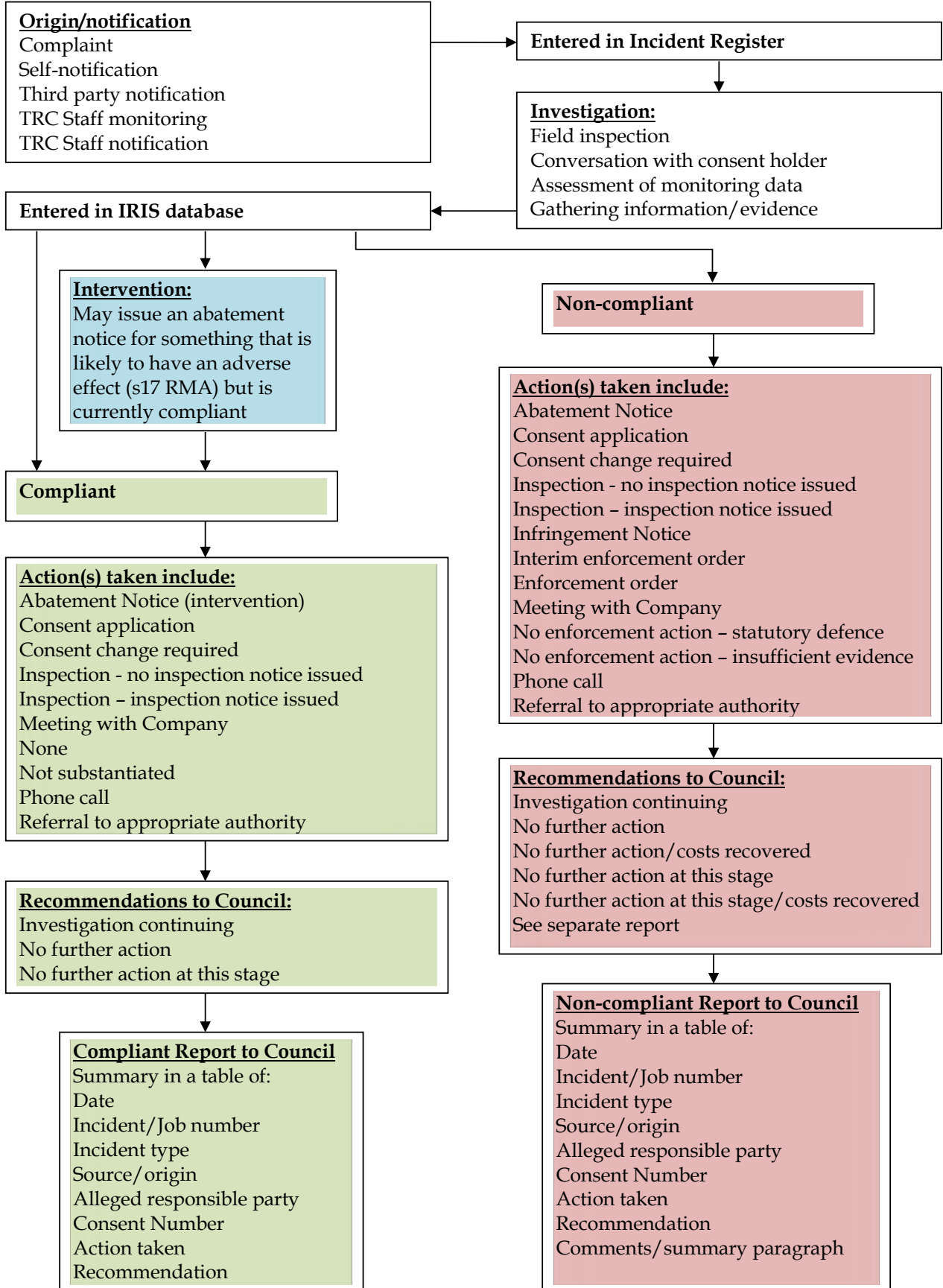
Document 1081324: Incident flowchart and terms explained

Document 2907460: Incident and Enforcement Graphs to 30 September 2021

Document 2908032: Incidents and Enforcement Summary 22 Sep 2021 to 28 Oct 2021

Incident flow chart

Doc # 1081324



Terms explained

Compliance rating

Compliant	After investigation the incident was found to be <u>compliant</u> with environmental standards or other regulations, permitted rules in a regional plan (e.g. RFWP, RAQP, RCP allowed), a resource consent and/or the Resource Management Act 1991.
Non-compliant	After investigation the incident was found to be <u>non-compliant</u> with environmental standards or other regulations, rules in a regional plan, a resource consent and/or the Resource Management Act 1991

Origin/Notification:

Complaint	Notification of incident received from public.
Self notification	Notification of incident received from the responsible party.
Third Party Notification	Notification of incident received from third party such as New Zealand Fire, District Council etc.
TRC Staff monitoring	Notification of incident found during routine compliance monitoring.
TRC Staff notification	Notification of incident found during unrelated monitoring/field work.

Action/s Taken:

14 day Letter	A letter was sent requesting an explanation for the non-compliance and why enforcement action should not be considered. The recipient is given 14 days to reply.
Abatement Notice	A notice was issued requiring something to be undertaken or something to cease to ensure compliance with Rules in the regional plans, resource consent or Resource Management Act 1991. Notice must be complied with or further enforcement action can be considered.
Consent application	A consent application has been received as a result of the investigation.
Consent change required	During the investigation it was found that a consent change was required.
Emergency Works	Emergency works was allowed under section 330 of the RMA. Often a subsequent resource consent is required.
Enforcement Order	An enforcement order has been issued by the Environment Court requiring action to be undertaken or something to cease. Notice must be complied with or further enforcement action can be

	considered.
Infringement Notice (\$xxx.xx)	An infringement notice was issued under Section 338(1)(a) of the Resource Management Act 1991 and Councils delegated authority.
Inspection Notice	An inspection was undertaken and a notice of advice/instruction was issued to landowner/alleged offender.
Inspection/no notice issued	An inspection was undertaken, however no inspection notice was issued as there was no alleged offender/landowner to issue one to (natural event, unsourced etc).
Interim Enforcement Order	An interim enforcement order has been issued by the Environment Court requiring action to be undertaken or something to cease. Notice must be complied with or further enforcement action can be considered.
Meeting with Company	A meeting was held with the Company to discuss the incident and ways to resolve any issues.
None	No action was required.
Not Substantiated	The incident could not be substantiated (i.e. it is not likely/possible/probable that the alleged incident could have taken place).
Phone call	A phone call was made to the alleged offender/authority.
Prosecution	A prosecution is being initiated for this incident.
Referral to Appropriate Authority	The incident was referred to the appropriate authority (District Council, Department of Conservation etc).

Recommendations to Council

Investigation continuing	Outcome has not been finalised. Investigation is continuing on this incident, information/evidence still being gathered. Further action, including enforcement are being considered and therefore legally all information cannot be reported on this incident at this stage. These incidents will continue to be reported as updates in the following agendas.
No Further Action	Investigation is completed, any required enforcement action has been undertaken and no further action is required.
No Further Action At This Stage	Investigation is completed, any required enforcement action has been undertaken and further action may be required at a later date.
No Further Action/Costs Recovered	Investigation is completed, any required enforcement action has been undertaken and no further action is required. Costs will be recovered from the alleged offender for the investigation.

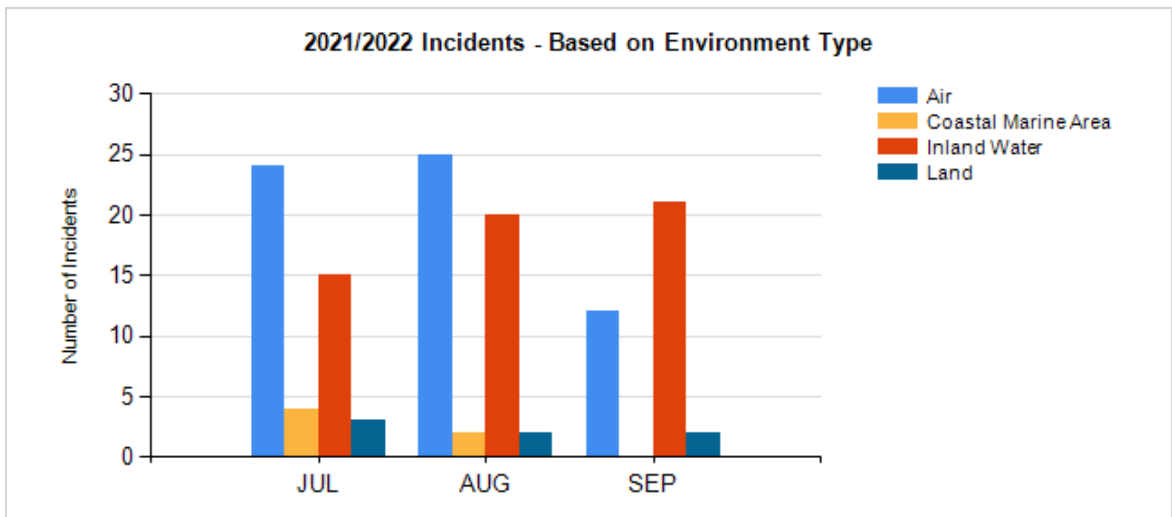
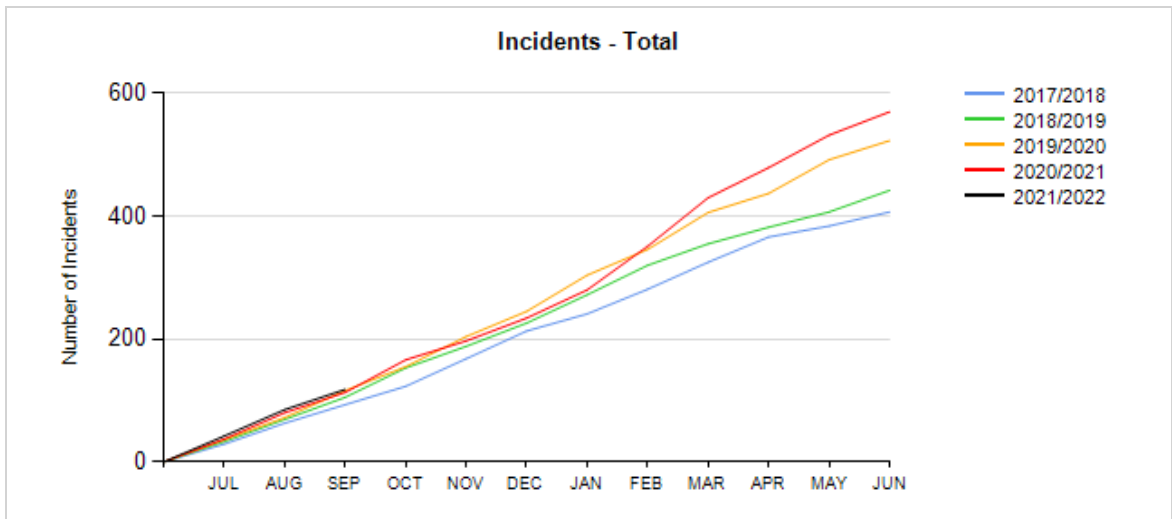
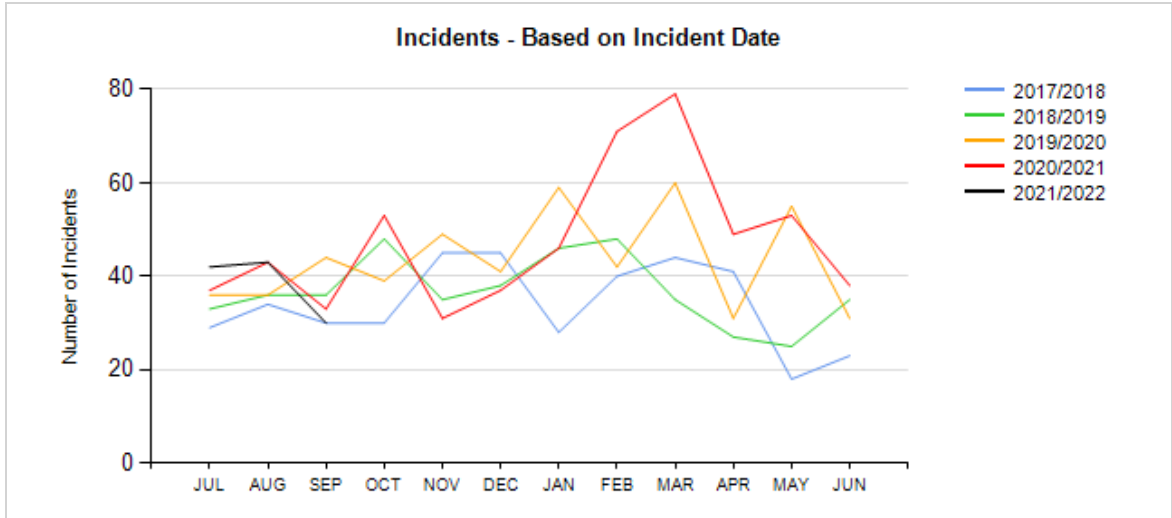
No further Action at this Stage/Costs Recovered	Investigation is completed, any required enforcement action has been undertaken and further action may be required at a later date (reinspection of Abatement Notice etc). Costs will be recovered from the alleged offender for the investigation.
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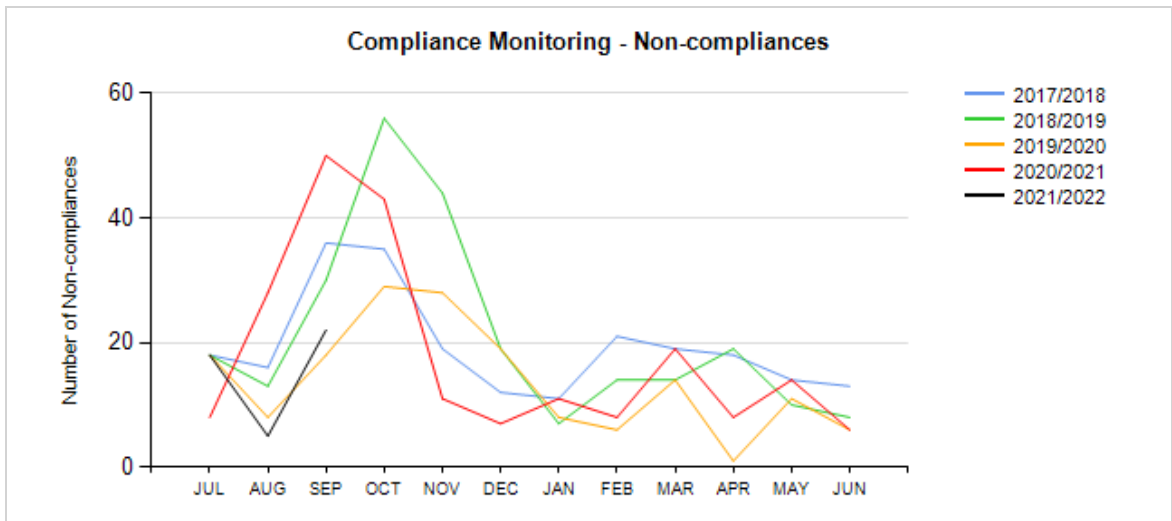
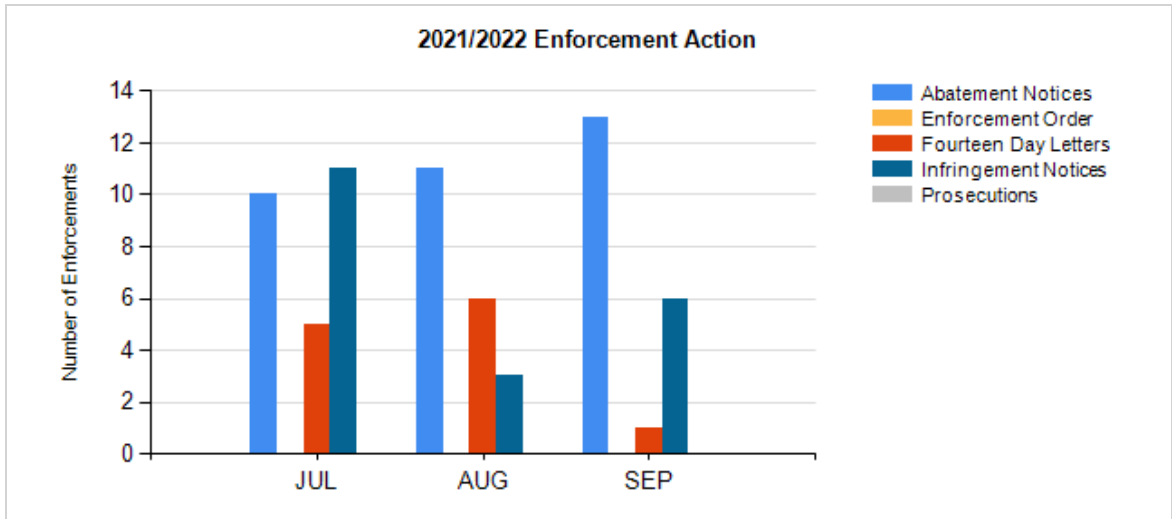
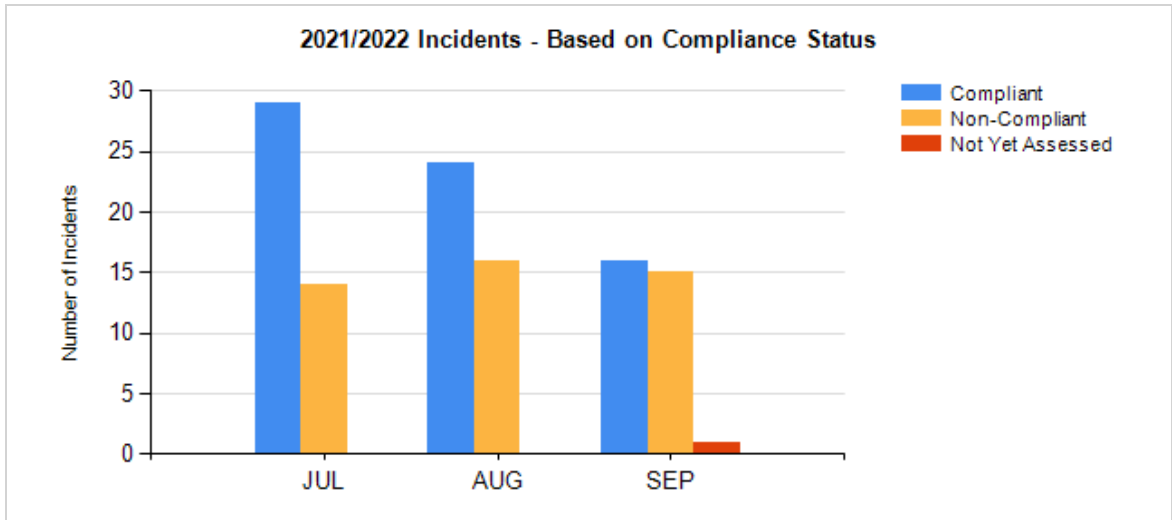
Defences under Sections 340 and 341 of the Resource Management Act 1991

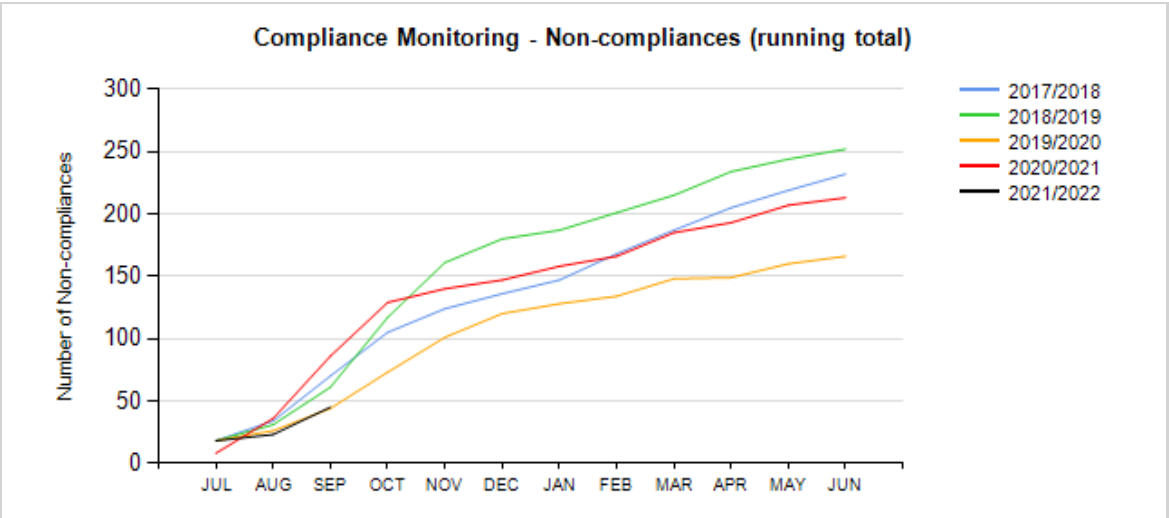
Sometimes no enforcement action is undertaken against an alleged offender for a non-compliant incident as they have a defence under Section 340 of the Resource Management Act 1991 including reasons such as:

- the defendant can prove that he or she did not know, and could not reasonably be expected to have known that the offence was to be or was being committed, or
- that he or she took all reasonable steps to prevent the commission of the offence, or
- the action or event could not reasonably have been foreseen or been provided against by the defendant.

Incident and Enforcement Graphs to 30 September 2021







Compliant Incidents for the period 22 Sep 2021 to 28 Oct 2021

Incident Date	Job Number IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Compliance Status	Recommendation
22 Sep 2021	3301-22-105 IN/43347	Alleged odour - Port Taranaki - New Plymouth	Complaint	Port Taranaki Limited		RAQP Allowed	No Further Action
28 Sep 2021	3301-22-135 IN/43518	Alleged wastewater disposal - Wortley Road, Inglewood	Complaint	Kylie Koch		Not Applicable/Natural Event	No Further Action
28 Sep 2021	3301-22-112 IN/43638	Alleged earthworks - Devon Road, Waitara	Complaint	Mark Brough		RFWP Allowed	No Further Action
29 Sep 2021	3301-22-113 IN/43399	Alleged odour - Mokau Road, Uruti	Complaint	Remediation (NZ) Limited	R2/5839-2	Consent Compliance	No Further Action
30 Sep 2021	3301-22-117 IN/43452	Alleged grass clippings in stream - King Street, Opunake	Complaint	Un sourced		RFWP Allowed	No Further Action
1 Oct 2021	3301-22-116 IN/43418	Alleged odour - Mokau Road, Uruti	Complaint	Remediation (NZ) Limited	R2/5839-2	Consent Compliance	No Further Action
5 Oct 2021	3301-22-120 IN/43447	Alleged chemical spill - Main North Road, Motonui	Third Party Notification	JAE Services		RFWP Allowed	No Further Action
5 Oct 2021	3301-22-121 IN/43448	Alleged white/foamy Waimea Stream - Tukapa Street, New Plymouth	Complaint	Natural Event		RFWP Allowed	No Further Action
5 Oct 2021	3301-22-122 IN/43450	Alleged fridge in Mangamingi Stream - Ngawhini Road, Hawera	Complaint	Un sourced		RFWP Allowed	No Further Action
5 Oct 2021	3301-22-123 IN/43472	Alleged fertiliser drift - South Road, Omata	Complaint	Michael Terrill		RAQP Allowed	No Further Action

Compliant Incidents for the period 22 Sep 2021 to 28 Oct 2021

Incident Date	Job Number IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Compliance Status	Recommendation
5 Oct 2021	3301-22-127 IN/43480	Alleged odour - Mokau Road, Uruti	Complaint	Remediation (NZ) Limited	R2/5839-2	Consent Compliance	No Further Action
6 Oct 2021	3301-22-125 IN/43466	Alleged odour - Links Drive, Bell Block	Complaint	Un sourced		RAQP Allowed	No Further Action
6 Oct 2021	3301-22-126 IN/43469	Alleged odour - Airport Drive, New Plymouth	Complaint	Airport Farm Trustee Limited Westown Agriculture Limited		RAQP Allowed	No Further Action
6 Oct 2021	3301-22-129 IN/43481	Alleged odour - Mokau Road, Uruti	Complaint	Remediation (NZ) Limited	R2/5839-2	Consent Compliance	No Further Action
6 Oct 2021	3301-22-128 IN/43482	Alleged odour - Mahoetahi Road, Sentry Hill	Complaint	Westown Horticulture Ltd		RAQP Allowed	No Further Action
7 Oct 2021	3301-22-137 IN/43489	Alleged dairy effluent discharge - Stent Road, Warea	Complaint	Patrick Rees & Barbara Claire Baker	R2/1059-2	Consent Compliance	No Further Action
7 Oct 2021	3301-22-138 IN/43492	Alleged earthworks - Wiremu Road, Opunake	Complaint	Neville Lynsay & Beverley Louisa Ardern		RFWP Allowed	No Further Action
7 Oct 2021	3301-131 IN/43493	Alleged stormwater discharge - Katere Road, New Plymouth	Complaint	IBR Holdings Limited		RFWP Allowed	No Further Action
9 Oct 2021	3301-22-134 IN/43509	Alleged wastewater discharge - Poplar Grove, New Plymouth	Complaint	Tyler Tulhopf		RFWP Allowed	No Further Action
11 Oct 2021	3301-22-133 IN/43503	Alleged odour - Mokau Road, Uruti	Complaint	Remediation (NZ) Limited	R2/5839-2	Consent Compliance	No Further Action

Compliant Incidents for the period 22 Sep 2021 to 28 Oct 2021

Incident Date	Job Number IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Compliance Status	Recommendation
12 Oct 2021	3301-22-146 IN/43630	Alleged foaming in Herekawe Stream - Back Beach, New Plymouth	Complaint	Natural Event		Not Applicable/Natural Event	No Further Action
13 Oct 2021	3301-22-140 IN/43531	Alleged effluent odour - Kaiapi Road, Egmont Village	Complaint	Ross Bolton	R2/4349-2.2	Consent Compliance	No Further Action
14 Oct 2021	3301-22-164 IN/43641	Alleged dam in Tangaroa Stream - Armstrong Avenue, Waitara	Complaint	Allan Moody Sherril George		RFWP Allowed	No Further Action
15 Oct 2021	3301-22-141 IN/43550	Alleged odour - Mokau Road, Uruti	Complaint	Remediation (NZ) Limited	R2/5839-2	Consent Compliance	No Further Action
16 Oct 2021	3301-22-144 IN/43629	Alleged odour - Ngamotu Road, New Plymouth	Complaint	Un sourced		RAQP Allowed	No Further Action
20 Oct 2021	3301-22-147 IN/43631	Alleged odour - Mokau Road, Uruti	Complaint	Remediation (NZ) Limited		RAQP Allowed	No Further Action
21 Oct 2021	3301-22-150 IN/43593	Alleged green stream - Watino Road, Oeo	Complaint	Shane Ardern		RFWP Allowed	No Further Action
22 Oct 2021	3301-22-151 IN/43602	Alleged smoke - Devon Road/Mountain Road corner	Complaint	Delwyn Barnett		RAQP Allowed	No Further Action
22 Oct 2021	3301-22-152 IN/43603	Alleged discharge pipe - Manaia Road, Kapuni	Complaint	Stephen Taylor		RFWP Allowed	No Further Action
22 Oct 2021	3301-22-158 IN/43647	Alleged odour - Mountain Road, Inglewood	Complaint	Osflo Spreading Industries Ltd	R2/10578-1	Consent Compliance	No Further Action

Compliant Incidents for the period 22 Sep 2021 to 28 Oct 2021

Incident Date	Job Number IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Compliance Status	Recommendation
26 Oct 2021	3301-22-154 IN/43620	Alleged green stream - Kaihihi Road, Okato	Complaint	Unsourced		RFWP Allowed	No Further Action
26 Oct 2021	330122-155 IN/43621	Alleged hydrocarbon discharge - State Highway 3A, Inglewood	Complaint	Marshall Batteries		RFWP Allowed	No Further Action
27 Oct 2021	3301-22-156 IN/43627	Alleged roadworks discharge - State Highway 3, Inglewood	Complaint	Downer NZ Ltd		RFWP Allowed	No Further Action
28 Oct 2021	3301-22-165 IN/43658	Alleged odour - Mokau Road, Uruti	Complaint	Remediation (NZ) Limited	R2/5839-2	Consent Compliance	No Further Action

Updates of Non-Compliant incidents from previous agendas

Incident Date	Job Number IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
2 Nov 2020 <u>Update</u>	3301-21-366 IN/41730	Stream piping - Kahui Road, Rahotu	TRC Staff Notification	Ian Walden (52491)			Investigation Continuing

Comments: During routine monitoring it was found that approximately 120 metres of stream had been piped in contravention of the National Environmental Standards for Freshwater, at a property at Kahui Road, Rahotu. Enforcement action is being considered.

8 Dec 2020 <u>Update</u>	3301-21-215 IN/41182	Effluent discharge - Arawhata Road, Opunake	Complaint	Karl Stanley (72321) Noel Stanley (70950) Ronald Stanley (55413) Stanley Bros Trust (2510)	R2/10671-1.1 R2/5251-2.2	EAC-23752 - Abatement Notice EAC-23753 - Abatement Notice EAC-23754 - Abatement Notice EAC-23756 - Abatement Notice EAC-23772 - Explanation Requested - Letter EAC-23773 - Explanation Requested - Letter EAC-23774 - Explanation Requested - Letter EAC-24260 - Infringement Notice (\$750)	No Further Action/Costs Recovered
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Comments: A complaint was received concerning an overflowing effluent pond on Arawhata Road, Opunake. Investigation found that there had been cattle grazing in and around the effluent ponds causing damage to a wall of the second pond. The level of the pond had become high and discharged over the low point of the wall causing untreated effluent to discharge over land and to pond in the adjacent paddock. It was also found that the landowners had cut open and directed the ponded effluent and effluent from the pond via existing underground drainage that had discharged into the Arawhata Stream. Samples, photographs and videos were taken. Abatement notices were issued requiring the discharge to cease and for works to be undertaken to ensure compliance with resource consent conditions. Reinspection the following day found that the abatement notices were being complied with at the time of inspection. Letters of explanation were received. A meeting was held with the consent holder and changes to the operation agreed.

Updates of Non-Compliant incidents from previous agendas

Incident Date	Job Number IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
4 Apr 2021 <u>Update</u>	3301-21-449 IN/42076	Permeate spill - Whareroa Road, Hawera	Complaint	Fonterra Co-operative Group Limited, Whareroa - Hawera (50837)	R2/1450-3.1	EAC-24006 - Explanation Requested - Letter EAC-24292 - Abatement Notice	No Further Action/Costs Recovered

Comments: Self-notification was received from Fonterra regarding a spill of permeate into the stormwater system, which discharges into the Tasman sea. Inspection of the outfall could find no visual effects from the discharge. A report was received and accepted. There were no environmental effects.

25 Jun 2021 <u>Update</u>	3301-21-583 IN/42800	Foamy Haehanga Stream - Uruti	Complaint	Remediation (NZ) Limited (30679)	R2/5838-2.2	EAC-24146 - Explanation Requested - Letter EAC-24147 - Abatement Notice EAC-24265 - Infringement Notice (\$750)	No Further Action/Costs Recovered
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Comments: A complaint was received concerning the Haehanga Stream running foamy, near a composting site at Uruti. Investigation found a foamy non-odorous discharge into the Mimi Stream beyond the composting site boundary. An inspection was undertaken of the composting site, where the foamy discharge was observed upstream in the Haehanga Stream. Samples and photographs were taken. A follow up inspection the following morning found that the irrigation area on the composting site had been over irrigated and contaminants had ponded and discharge directly into the Haehanga Stream. Further samples and photographs were taken. A letter requesting explanation was sent. An abatement notice was issued requiring works to be undertaken to ensure compliance with resource consent conditions. Reinspection found that abatement notice was being complied with at the time of inspection. A meeting was held with the consent holder and changes to the operation were agreed.

Updates of Non-Compliant incidents from previous agendas

Incident Date	Job Number IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
30 Jul 2021 <u>Update</u>	3301-22-037 IN/43044	Smoky fire - Railway Road, Hawera	Complaint	Peter & Sheryl Nicholson (3607)		EAC-24242 - Infringement Notice (\$300)	No Further Action/Costs Recovered

Comments: A complaint was received concerning a smoky fire in an urban area. Investigation found that there was a medium sized green waste fire burning on the property. The fire also contained unauthorised materials, including PVC guttering, laser lite roofing, sock feed bags, galvanised wire, painted and treated timber. The land owner stated that the materials were from a rental house and that he was burning it as he wanted to graze some horses in the area.

5 Aug 2021 <u>Update</u>	3301-22-056 IN/43104	Stormwater discharge - Scott Street, Hawera	TRC Staff Notification	Adil Riaz (73235) Serena Vaz (73236) Taranaki Car Collection Limited (73270)		EAC-24193 - Abatement Notice EAC-24198 - Abatement Notice	Investigation Continuing
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Comments: During unrelated monitoring it was found that a stormwater discharge from a car wrecking site was in contravention of Rules in the Regional Fresh Water Plan for Taranaki. An abatement notice was issued requiring works to be undertaken to ensure compliance with the Regional Fresh Water Plan for Taranaki. Reinspection to be undertaken after 31 October 2021.

12 Aug 2021 <u>Update</u>	3301-22-060 IN/43119	Burning/smoke - South Road, Oakura	Complaint	Layne Greensill (69167)		EAC-24194 - Explanation Requested - Letter	Investigation Continuing
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Comments: A complaint was received concerning smoke discharging from a property on South Road, Oakura. Investigation found that objectionable smoke from a rural fire was discharging beyond the boundary of the site in contravention of Rule 33 of the Regional Air Quality Plan for Taranaki. An explanation was received. Enforcement action is being considered.

Updates of Non-Compliant incidents from previous agendas

Incident Date	Job Number IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
18 Aug 2021 <u>Update</u>	3301-22-066 IN/43153	Produced water leak - Cheal A and B wellsite, Sole Road, Ngaere	Self-Notification	Tamarind New Zealand Onshore Limited (70745)	R2/7048-1		Investigation Continuing

Comments: Self-notification was received that a pipeline between the Cheal A and Cheal B wellsites had ruptured at Sole Road, Ngaere. Investigation found that a pipeline carrying produced water under pressure had ruptured, resulting in produced water discharging onto and into land. It was highly likely that it had also discharged to surface water. Samples were taken and analysis showed a slight increase in chlorides. The pipeline was repaired and any contaminated material will be removed and disposed of at an approved site. A letter requesting explanation was sent. Enforcement action is being considered.

31 Aug 2021 <u>Update</u>	3301-22-085 IN/43228	Tyres in river - Tikorangi Road East, Tikorangi	Complaint	Un sourced (9768)			No Further Action
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Comments: A complaint was received concerning 8-10 tyres that had been dumped into the river (in a pooled area) near the corner of Otaraoa Road and Tikorangi Road East, Tikorangi. Investigation found a number of tyres had been dumped in the river. The responsible party could not be traced. The tyres were removed.

1 Sep 2021 <u>Update</u>	3301-22-086 IN/43238	Smoke - Otaraoa Road, Tikorangi	Complaint	Rowan and Jo Scott (73308) Simon Payne (51285)			Investigation Continuing
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Comments: A complaint was received concerning smoke from burning on a neighbouring property at Otaraoa Road, Tikorangi. Investigation found that there was a large burn pit that was burning at the time of inspection. Unauthorised materials including, but not limited to; building materials, plastic pipe, tyres, automotive parts, domestic rubbish, galvanised steel, treated timber, plastic ag chemical containers and dead cattle. It was obvious that burning/dumping had been occurring for some time as skeletal remains were visible at the bottom of the burn pit. The responsible party was spoken to and advised of rules in the Regional Air Quality Plan for Taranaki. They advised that no more burning will occur onsite and a rubbish/skip bin is now at the shed to deal with rubbish. Enforcement action is being considered.

Updates of Non-Compliant incidents from previous agendas

Incident Date	Job Number IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
6 Sep 2021 <u>Update</u>	3301-22-095 IN/43262	Hydrocarbons in Waiwhakaiho River - Rifle Range Road, New Plymouth	Complaint	Bryce Simons (73339)			Investigation Continuing

Comments: A complaint was received concerning diesel discharging from a stormwater pipe, into the Waiwhakaiho River at Rifle Range Road, Waiwhakaiho. Investigation found that hydrocarbons were entering the river. Sorbant booms were immediately deployed at the discharge point to contain and recover any further discharge. An extensive investigation upstream found that diesel had been spilled at a workshop on Atiawa Street, which had flowed overland and into the stormwater system. Reinspection the following morning found that only a minimal amount of hydrocarbons were still discharging from the stormwater pipe during heavy rain. Enforcement action is being considered.

Non-compliant incidents for the period 22 Sep 2021 to 28 Oct 2021

Incident Date	Job Number IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
1 Sep 2021	3301-22- IN/43362	Unconsented afforestation – Piko Road, Urenui	TRC Staff Compliance Monitoring	NZ Forestry Limited (51862) L&R Forestry Limited (73372)		EAC-24261 - Infringement Notice EAC-24261 - Abatement Notice EAC-24241 - Abatement Notice EAC-24210 - Explanation Requested - Letter	No Further Action At This Stage/Costs Recovered

Comments: During unrelated monitoring it was found that afforestation had occurred in a red zone without a consent at Piko Road, Urenui. An abatement notice was issued requiring works to be undertaken to ensure compliance. The Company applied for a resource consent. Granting of the consent will satisfy the requirement of the abatement notice. An explanation was received.

8 Sep 2021	3301-22-145 IN/43573	Burnt out car on river bank - Waitara	Complaint	Manmeet Singh (73404)		EAC-24257 - Abatement Notice	No Further Action
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Comments: A complaint was received concerning a burnt out car on the river bank of the Waitara River in Waitara. Investigation found that a burnt out car was on the bank of the river (on the stop bank), with potential for the car and/or contaminants from the car to discharge into the river during high river flows. Police had contacted the owner and requested it to be removed. The car was not removed. An abatement notice was issued to the owner requiring the car to be removed. Reinspection found the car had been removed.

Non-compliant incidents for the period 22 Sep 2021 to 28 Oct 2021

Incident Date	Job Number IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
20 Sep 2021	3301-22-124 IN/43453	Discharge to stream - Surrey Road, Tariki	TRC Staff Compliance Monitoring	Colin Boyd (3013)			No Further Action

Comments: During unrelated monitoring it was found that a small amount of agricultural products had been washed down a stream as a result of vehicle and heavy machinery washing. Investigation found that magnesium oxide and lime had been washed into a tributary as a result of washing farm equipment. The discharge was minimal and there were minimal environmental effects. The persons responsible were advised of the rules regarding discharges to water.

23 Sep 2021	3301-22-109 IN/43371	Concrete washings in stormwater - Manatu Lane, Inglewood	Complaint	Mike Baskin (73347)		EAC-24211 - Abatement Notice	No Further Action
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Comments: A complaint was received concerning concrete washings going into a stormwater drain at Manatau Lane, Inglewood. Investigation found that a contractor was cutting concrete and was allowing the discharge to flow into a stormwater drain, despite the fact that he was aware of methods to prevent/mitigate the discharge. An abatement notice was issued requiring the contractor to undertake works to ensure compliance with Section 15(1)(b) of the Resource Management Act 1991. Reinspection found that the abatement notice was being complied with.

24 Sep 2021	3301-22-110 IN/43373	Smoky fire - King Edward Street, Eltham	Complaint	Lisa Gallyer (73445)			No Further Action
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Comments: A complaint was received regarding a smoky fire at a property on King Edward Street, Eltham. Investigation found that a small amount of green waste was being burnt in a drum. Off-site effects were minimal. Education was provided and the fire was covered with soil to immediately mitigate the smoke.

Non-compliant incidents for the period 22 Sep 2021 to 28 Oct 2021

Incident Date	Job Number IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
26 Sep 2021	3301-22-111 IN/43379	Dairy effluent discharge - Weld Road, Oakura	Complaint	John & Fiona Henschman (3879)	R2/1519-3	EAC-24213 - Abatement Notice	No Further Action At This Stage/Costs Recovered

Comments: A complaint was received concerning dairy effluent flowing through a property on Weld Road, Oakura. Investigation found that farm dairy effluent had discharged onto land via the stormwater diversion pipe, resulting in effluent flowing to surface water. An abatement notice was issued requiring works to be undertaken to ensure compliance with resource consent conditions. Reinspection will be undertaken after 2 October 2021.

30 Sep 2021	3301-22-114 IN/43407	Dairy effluent discharge - Corbett Road, Bell Block	Self-Notification	Chislehurst Farms Limited (1835)	R2/0629-4.0	No Enforcement Action – Statutory Defence	No Further Action/Costs Recovered
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Comments: Self-notification was received concerning farm dairy effluent discharging into the Mangati Stream from a property at Corbett Road, Bell Block. An inspection was undertaken and it was found that dairy effluent had flowed from a paddock into the Mangati Stream. It is likely that a stone in the irrigation line had blocked the impellor, causing back pressure and bursting a connection between two irrigation hoses. The pump had continued to pump effluent until the issue was found. A letter of explanation was received and accepted.

30 Sep 2021	3301-22-115 IN/43408	Green Stream - Kakaramea Road, Kakaramea	Complaint	Chris Rutten (70298) Gerald & Pauline Rutten (1578) GM & PJ Rutten Family Trust Partnership (15049)	R2/1348-3	EAC-24231 - Abatement Notice EAC-24232 - Explanation Requested - Letter EAC-24235 - Abatement Notice	Investigation Continuing
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Comments: A complaint was received concerning a stream running 'green' through a property at Kakaramea Road, Kakaramea. Investigation found that an unnamed tributary of the Patea River was discoloured and was traced to a property where untreated dairy effluent had been discharged onto land and into surface water. An abatement notice was issued requiring works to be undertaken to ensure consent compliance. Reinspection will be undertaken after 18 October 2021. Further enforcement action is being considered

Non-compliant incidents for the period 22 Sep 2021 to 28 Oct 2021

Incident Date	Job Number IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
2 Oct 2021	3301-22-118 IN/43455	Smoke - Airport Drive, New Plymouth	Complaint	Ian Jury (35407)			No Further Action
<p>Comments: A complaint was received regarding a smoky fire at Airport Drive, New Plymouth. Investigation found that freshly felled shelter belt material was being burnt. Smoke was affecting neighbouring properties. Education was provided and the fire was put out immediately.</p>							
4 Oct 2021	3301-22-119 IN/43467	Silage leachate - Dudley Road, Inglewood	TRC Staff Compliance Monitoring	JL & KS Gwerder Family Trust (2760) Joseph Gwerder (55291) Karyn Gwerder (71609)		EAC-24243 - Abatement Notice	No Further Action At This Stage
<p>Comments: During unrelated monitoring it as found that silage leachate was discharging within 25 metres of a stream on a dairy farm at Dudley Road, Inglewood. An abatement notice was issued requiring works to be undertaken to ensure compliance. Reinspection will be undertaken after 1 November 2021.</p>							
5 Oct 2021	3301-21-132 IN/43524	Non-notified river crossing - Ngatoto Road, Matau	TRC Staff Compliance Monitoring	NZ Mattock Logging Ltd (72677)			Investigation Continuing
<p>Comments: During unrelated monitoring, it was found that two river crossings had been installed without required notification, under the National Environmental Standards for Plantation Forestry, at a property at Ngatoto Road, Matau. Enforcement action is being considered.</p>							
9 Oct 2021	3301-21-136 IN/43525	Dairy effluent discharge - Normanby Road, Kaupokonui	Complaint	Kaupok Limited Partnership (52170) Kieran Bourke (68848)	R2/0725-3.0		Investigation Continuing
<p>Comments: A complaint was received regarding odour and spray drift from a dairy effluent disposal system at Normanby Road, Kaupokonui. Investigation found over application of dairy effluent had occurred in multiple locations across a paddock, and overspray had discharged beyond the boundary of the property in contravention of resource consent conditions. Enforcement action is being considered.</p>							

Non-compliant incidents for the period 22 Sep 2021 to 28 Oct 2021

Incident Date	Job Number IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
13 Oct 2021	3301-22-139 IN/43527	Odour - Devon Road, New Plymouth	Complaint	Osflo Spreading Industries Ltd (9846)		EAC-24251 - Explanation Requested - Letter	Investigation Continuing
<p>Comments: A complaint was received concerning odour from fertiliser which was being applied on a neighbouring property, at Devon Road, New Plymouth. Investigation found objectionable odour was discharging beyond the boundary of the property. A letter requesting explanation was sent.</p>							
14 Oct 2021	3301-22-142 IN/43539	Brine spill - Truck accident - SH45, Tataraimaki	Complaint	Symons Group Ltd (52574)		No Enforcement Action – Statutory Defence	No Further Action
<p>Comments: Notification was received concerning a discharge of brine, from a truck accident, into the Timaru Stream at State Highway 45, Tataraimaka, near the old dairy factory. Investigation found that a truck had rolled causing brine to discharge. At the time of inspection the discharge had ceased. There were no adverse environmental effects as a result of the discharge.</p>							
14 Oct 2021	330122-143 IN/43610	Poultry/silage odour - Ngamotu Road, New Plymouth	Complaint	Westown Agriculture Limited (55300)		EAC-24293 - Explanation Requested - Letter	Investigation Continuing
<p>Comments: A complaint was received regarding a 'poultry/silage' odour in a residential area. Investigation found an objectionable fertiliser odour was present in the Ngamotu Road area. The odour was traced to fertiliser being spread on neighbouring paddocks. A letter requesting explanation was sent.</p>							
20 Oct 2021	3301-148 IN/43581	Green Stream - Watino Road, Oeo	Complaint	Cameron Ardern (51150) Shane Ardern (29676)	R2/1922-3		Investigation Continuing
<p>Comments: A complaint was received regarding a 'green' stream at Watino Road, Oeo. Investigation found that the stream was running green. No obvious discharge point could be found. However, during inspection of upstream properties, one non-compliance was found due to ponding of dairy effluent from over irrigation. Enforcement action is being considered.</p>							

Non-compliant incidents for the period 22 Sep 2021 to 28 Oct 2021

Incident Date	Job Number IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
22 Oct 2021	3301-22-149 IN/43609	Offal pit odour - Puniho Road, Puniho	Complaint	Layne Greensill (69167)			No Further Action
<p>Comments: A complaint was received regarding an offal pit located close to a waterway and farm boundary causing odour issues at Puniho Road, Puniho. Investigation found that the offal pit complied with rules in the Regional Fresh Water Plan for Taranaki, however was not compliant with Rule 35 of the Regional Air Quality Plan for Taranaki. The land owner was advised to cover the offal pit and undertook to do so. Reinspection found that this had been done.</p>							
22 Oct 2021	3301-22-159 IN/43648	Smoky fire - Flint Road, Stratford	Complaint	Mark Zehnder (73435)			Investigation Continuing
<p>Comments: A complaint was received concerning a smoky fire on a property at Flint Road, Stratford. Investigation found that a significant amount of offensive smoke was discharging beyond the boundary of the property, from the burning of green waste material on a lifestyle block. There were also a number of tyres that the responsible party admitted he was going to burn. Fire and Emergency NZ were in attendance and the fire was extinguished at the time of inspection. Enforcement action is being considered.</p>							
23 Oct 2021	3301-22-160 IN/43649	Black smoke - Turuturu Road, Hawera	Complaint	Wayne & Linda Gopperth (29133)			Investigation Continuing
<p>Comments: A complaint was received concerning black smoke discharging from a fire at a property on Turuturu Road, Hawera. Investigation found that thick black smoke was discharging from a fire burning unauthorised materials including, but not limited to, steel chairs, plastic wheelie bins, steel wire, PVC spouting, treated and untreated timber, plasterboard and other building materials. Enforcement action is being considered.</p>							
23 Oct 2021	3301-22-161 IN/43650	Smokey fire – Airport Drive, New Plymouth	Complaint	Ian Jury (35407)			Investigation Continuing
<p>Comments: A complaint was received concerning a smokey fire from the burning of green waste at a property at Airport Drive, New Plymouth. Investigation found that a significant amount of offsite smoke was being created from the burning of large wet greenwaste piles. Smoke had enveloped a large area of residential housing. There has been recent previous incidents at the same location. Enforcement action is being considered.</p>							

Non-compliant incidents for the period 22 Sep 2021 to 28 Oct 2021

Incident Date	Job Number IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
26 Oct 2021	3301-22-153 IN/43618	Black smoke - Katere/Hurlstone Drives, New Plymouth	Complaint	Tuara Civilscape Ltd (73433)			No Further Action
<p>Comments: A complaint was received concerning black smoke from a fire on an industrial property at the corner of Katere Road and Hurlstone Drive, New Plymouth. Investigation found a small smouldering fire in the middle of a nearby yard. Items being burnt appeared to be only a wooden pallet. The site foreman was advised the burning on an industrial site requires a resource consent. The fire was immediately extinguished.</p>							
27 Oct 2021	330122-157 IN/43634	Log jam in Tangahoe River - Ohangai Road, Tawhiti, Hawera	Complaint	JC Duthie Trust (52582) Sole Logging Ltd (68878) Tree Awareness Management Limited (30257)	R2/10191-1.0 R2/10196-1.0		Investigation Continuing
<p>Comments: A complaint was received concerning a log jam in the Tangahoe River from forestry activities upstream at a property at Ohangai Road, Hawera. Investigation found a significant amount of logs and tree felling debris were jammed in the Tangahoe River. Photographs were taken. Extensive investigation was undertaken upstream where the likely source for the discharge was found. Enforcement action is being considered.</p>							

Updates of Compliance Monitoring – Non-compliances from previous agendas

Inspection Date	Job Number IRIS ID	Inspection Type	Compliance Status	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
10 Jun 2021 <u>Update</u>	332121-200 ENF-23104	Compliance Monitoring Insp.	Significant non-compliance	Sea Breeze Limited (36241)	R2/9276-1.1	EAC-24230 - Infringement Notice (\$750) EAC-24112 - Explanation Requested - Letter EAC-24111 - Abatement Notice	No Further Action/Costs Recovered

Comments: During routine monitoring it was found that farm dairy effluent was not being irrigated within resource consent conditions, by an agricultural contractor, at a property at Warea Road, Warea. An abatement notice was issued requiring works to be undertaken to ensure compliance with resource consent conditions. Reinspection found that the abatement notice was being complied with at the time of inspection. A meeting will be held with the consent holder.

14 Jun 2021 <u>Update</u>	330122-014 ENF-23147	Compliance Monitoring Insp.	Significant non-compliance	Port Taranaki Limited (26226)	R2/0197-2.1	EAC-24236 - Infringement Notice (\$750)	No Further Action/Costs Recovered
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Comments: During analysis of sample results it was found that there were high suspended solids in a stormwater discharge, in contravention of resource consent conditions and an abatement notice issued as a result of a previous non-compliance, at Port Taranaki, New Plymouth. An explanation was received.

17 Aug 2021 <u>Update</u>	332122-022 ENF-23170	Compliance Monitoring Insp.	Non-compliance	AML Limited (Trading as Allied Concrete) (30416)	R2/4539-2		Investigation Continuing
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Comments: During routing monitoring it was found that sediment laden stormwater was discharging from the vehicle exit/entry driveway in breach of Abatement Notice EAC-22058, issued as a result of a previous non-compliance. The consent holder is going to undertake work by 31 December 2021 to improve the run off. Enforcement action is being considered.

Updates of Compliance Monitoring – Non-compliances from previous agendas

Inspection Date	Job Number IRIS ID	Inspection Type	Compliance Status	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
<u>3 Sep 2021 Update</u>	332122-026 ENF-23176	Office Assessment	Significant non-compliance	Ample Group Limited (52845)	R2/5221-2	EAC-24229 - Infringement Notice (\$750)	No Further Action/Costs Recovered

Comments: During analysis of wastewater data, it was found that the application depth of wastewater had been exceeded on numerous occasions, and that the majority of the data was missing, in contravention of resource consent conditions and Abatement Notice EAC-22965, issued as a result of a previous non-compliance, at a meat processing plant just north of Stratford.

<u>3 Sep 2021 Update</u>	332122-027 ENF-23178	Office Assessment	Significant non-compliance	Ample Group Limited (52845)	R2/7662-1	EAC-24228 - Infringement Notice (\$750)	No Further Action/Costs Recovered
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Comments: During analysis of data it was found that wastewater had been discharged in excess of allowable discharge rates and the majority of the data was missing, in contravention of resource consent conditions and Abatement Notice EAC-22966, issued as a result of a previous non-compliance, at a meat processing plant just north of Stratford.

<u>8 Sep 2021 Update</u>	332122-025 ENF-23174	Annual Inspection	Significant non-compliance	Murray & Edna Saxton (3151)	R2/3610-2	EAC-24204 - Abatement Notice EAC-24203 - Abatement Notice	Investigation Continuing
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Comments: During the annual dairy inspection round it was found that the farm dairy effluent disposal system was not operating within resource consent conditions at Manawapou Road, Manutahi, Patea. Abatement notices were issued requiring the discharge to cease and for works to be undertaken to the farm dairy effluent disposal system to ensure compliance with resource consent conditions. Reinspection will be undertaken after 30 November 2021. Further enforcement action is being considered.

Compliance Monitoring – Non-compliances for the period 22 Sep 2021 to 28 Oct 2021

Inspection Date	Job Number IRIS ID	Inspection Type	Compliance Status	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
27 Jul 2021	332122-033 ENF-23194	Office Assessment	Significant non-compliance	Trustpower Limited (13970)	R2/0489-2.3	EAC-24227 - Abatement Notice	No Further Action At This Stage/Costs Recovered

Comments: During analysis of information in a report received on 27 July 2021 it was found that there was insufficient information related to the provision of the safe downstream passage for adult eels (the efficacy of the eel diverter system) and a lack of information related to the steps undertaken to support the establishment of lamprey within the catchment. The requirements of the report are outlined by condition 18 of the same consent, which outlines that the company must take reasonable steps to ensure the dam does not prevent the establishment and maintenance of populations of, but not limited to, longfin eels, shortfin eels and lamprey. An abatement notice was issued requiring steps to be undertaken and a report to be provided to ensure consent compliance. Compliance with the abatement notice will be ascertained during routine monitoring in the 2022 year.

8 Sep 2021	332122-051 ENF-23223	Compliance Monitoring Insp.	Non-compliance	Ravensdown Limited (52633)	R2/10513-1.1		Investigation Continuing
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Comments: During routine monitoring it was found that there was an unauthorised discharge of contaminated stormwater from a stormwater retention pond in contravention of Abatement Notice EAC-22667, issued as a result of a previous non-compliance, at a fertiliser dispatching site at Smart Road, New Plymouth. Further enforcement action is being considered.

14 Sep 2021	332122-035 ENF-23188	Annual Inspection	Non-compliance	Kent James & Linda Margaret Goodwin (20520)	R2/2620-3.0	EAC-24217 - Abatement Notice	No Further Action At This Stage/Costs Recovered
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Comments: During analysis of samples (28 September 2021), taken during the annual dairy inspection round (14 September 2021), it was found that the farm dairy effluent oxidation pond disposal system was not operating within resource consent conditions at Puniho Road, Okato. An abatement notice was issued requiring works to be undertaken to the farm dairy effluent disposal system to ensure compliance with resource consent conditions. Reinspection will be undertaken after 15 November 2021.

Compliance Monitoring – Non-compliances for the period 22 Sep 2021 to 28 Oct 2021

Inspection Date	Job Number IRIS ID	Inspection Type	Compliance Status	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
14 Sep 2021	332122-034 ENF-23187	Annual Inspection	Non-compliance	Jacob Glen (51766)	R2/2270-3.0	EAC-24216 - Abatement Notice	No Further Action At This Stage/Costs Recovered

Comments: During analysis of samples (28 September 2021), taken during the annual dairy inspection round (14 September 2021), it was found that the farm dairy effluent oxidation pond disposal system was not operating within resource consent conditions at Puniho Road, Okato. An abatement notice was issued requiring works to be undertaken to the farm dairy effluent disposal system to ensure compliance with resource consent conditions. Reinspection will be undertaken after 3 December 2021.

14 Sep 2021	332122-037 ENF-23186	Annual Inspection	Non-compliance	Moore Trustee Company Limited (73175)	R2/2396-3.0	EAC-24215 - Abatement Notice	No Further Action At This Stage/Costs Recovered
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Comments: During analysis of samples (28 September 2021), taken during the annual dairy inspection round (14 September 2021), it was found that the farm dairy effluent oxidation pond disposal system was not operating within resource consent conditions at Durham Road, Norfolk. An abatement notice was issued requiring works to be undertaken to the farm dairy effluent disposal system to ensure compliance with resource consent conditions. Reinspection will be undertaken after 29 October 2021.

20 Sep 2021	332122-043 ENF-23207	Annual Inspection	Significant non-compliance	Erin McDonald (51733) Rachel McColl (51732)	R2/2648-2		Investigation Continuing
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Comments: During analysis of samples (13 October 2021), taken during the annual dairy inspection round (20 September 2021), it was found that the farm dairy effluent disposal system was not operating within resource consent conditions and was also in contravention of Abatement Notice EAC-21664 issued as a result of a previous non-compliance at Main Road, Mauntauhi. Enforcement action is being considered.

Compliance Monitoring – Non-compliances for the period 22 Sep 2021 to 28 Oct 2021

Inspection Date	Job Number IRIS ID	Inspection Type	Compliance Status	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
20 Sep 2021	332122-050 ENF-23215	Annual Inspection	Significant non-compliance	Peter Hall & Celia Mary Duignan-Hall (37405)	R2/2107-4.0		Investigation Continuing

Comments: During analysis of samples (13 October 2021), taken during the annual dairy inspection round (20 September 2021), it was found that the farm dairy effluent disposal system was not operating within resource consent conditions and was also in contravention of Abatement Notice EAC-22690 issued as a result of a previous non-compliance at Albert Road, New Plymouth. Enforcement action is being considered.

21 Sep 2021	332122-045 ENF-23209	Annual Inspection	Non-compliance	Taramoa Farms Limited (1738)	R2/0416-4.0	EAC-24252 - Abatement Notice	No Further Action At This Stage/Costs Recovered
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Comments: During analysis of samples (14 October 2021), taken during the annual dairy inspection round (21 September 2021), it was found that the farm dairy effluent oxidation pond disposal system was not operating within resource consent conditions at Maude Road, New Plymouth. An abatement notice was issued requiring works to be undertaken to the farm dairy effluent disposal system to ensure compliance with resource consent conditions. Reinspection will be undertaken after 1 December 2021.

21 Sep 2021	332122-040 ENF-23204	Annual Inspection	Significant non-compliance	Dudley Farms Limited (24798)	R2/2221-2		Investigation Continuing
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Comments: During analysis of samples (12 October 2021), taken during the annual dairy inspection round (21 September 2021), it was found that the farm dairy effluent disposal system was not operating within resource consent conditions and was also in contravention of Abatement Notice EAC-22299 issued as a result of a previous non-compliance at Opua Road, Opunake. Enforcement action is being considered.

Compliance Monitoring – Non-compliances for the period 22 Sep 2021 to 28 Oct 2021

Inspection Date	Job Number IRIS ID	Inspection Type	Compliance Status	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
24 Sep 2021	332122-048 ENF-23234	Annual Inspection	Non-compliance	Kevin Allan & Jocelyn Mary Wisnewski (3298)	R2/0503-2.1		No Further Action At This Stage/Costs Recovered

Comments: During analysis of samples (14 October 2021), taken during the annual dairy inspection round (24 September 2021), it was found that the farm dairy effluent oxidation pond disposal system was not operating within resource consent conditions at Norfolk Road, Inglewood. The consent holder had undertaken significant works to upgrade the system to change to land application only.

24 Sep 2021	332122-047 ENF-23211	Annual Inspection	Non-compliance	Folkwood Farms Limited (50848)	R2/1698-3.1	EAC-24253 - Abatement Notice	No Further Action At This Stage/Costs Recovered
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Comments: During analysis of samples (14 October 2021), taken during the annual dairy inspection round (24 September 2021), it was found that the farm dairy effluent oxidation pond disposal system was not operating within resource consent conditions at Norfolk Road, Inglewood. An abatement notice was issued requiring works to be undertaken to the farm dairy effluent disposal system to ensure compliance with resource consent conditions. Reinspection will be undertaken after 15 November 2021.

24 Sep 2021	332122-041 ENF-23202	Annual Inspection	Non-compliance	George Julian (35863)	R2/0997-3	EAC-24247 - Abatement Notice	No Further Action At This Stage/Costs Recovered
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Comments: During analysis of samples (12 October 2021), taken during the annual dairy inspection round (24 September 2021), it was found that the farm dairy effluent oxidation pond disposal system was not operating within resource consent conditions at Dover Road, Okato. An abatement notice was issued requiring works to be undertaken to the farm dairy effluent disposal system to ensure compliance with resource consent conditions. Reinspection will be undertaken after 12 November 2021.

Compliance Monitoring – Non-compliances for the period 22 Sep 2021 to 28 Oct 2021

Inspection Date	Job Number IRIS ID	Inspection Type	Compliance Status	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
27 Sep 2021	332122-032 ENF-23193	Annual Inspection	Significant non-compliance	WR & KL Smillie & BR Pascoe Farm Partnership (52091)	R2/1866-3.0	EAC-24219 - Abatement Notice	Investigation Continuing

Comments: During the annual dairy inspection round it was found that the farm dairy effluent disposal system was not operating within resource consent conditions at Ngaro Road, Tariki. An abatement notice was issued requiring works to be undertaken to the farm dairy effluent disposal system to ensure compliance with resource consent conditions. Reinspection will be undertaken after 12 November 2021. Further enforcement action is being considered.

27 Sep 2021	332122-029 ENF-23196	Office Assessment	Non-compliance	Fonterra Limited (50606)	R2/0302-3	EAC-24237 - Explanation Requested - Letter	Investigation Continuing
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Comments: During analysis of data it was found that there appeared to be some discrepancy in the abstraction and discharge flow rate data for the period of approximately 5 July 2021 to 12 September 2021. Further investigation found that there was a fault in the abstraction flow rate metering system, which was subsequently repaired. A letter requesting explanation was sent.

28 Sep 2021	332122-031 ENF-23192	Annual Inspection	Significant non-compliance	Hugh & Ruth Wilson (3719)	R2/2520-2	EAC-24218 - Abatement Notice	Investigation Continuing
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Comments: During the annual dairy inspection round it was found that the farm dairy effluent disposal system was not operating within resource consent conditions at Lower Durham Road, Inglewood. An abatement notice was issued requiring works to be undertaken to the farm dairy effluent disposal system to ensure compliance with resource consent conditions. Reinspection will be undertaken after 12 November 2021. Further enforcement action is being considered.

Compliance Monitoring – Non-compliances for the period 22 Sep 2021 to 28 Oct 2021

Inspection Date	Job Number IRIS ID	Inspection Type	Compliance Status	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
30 Sep 2021	332122-062 ENF-23213	Annual Inspection	Non-compliance	Muir Farms Limited (20155)	R2/0589-3	EAC-24256 - Abatement Notice	No Further Action At This Stage/Costs Recovered

Comments: During analysis of samples (19 October 2021), taken during the annual dairy inspection round (30 September 2021), it was found that the farm dairy effluent oxidation pond disposal system was not operating within resource consent conditions at Surrey Road, Tariki. An abatement notice was issued requiring works to be undertaken to the farm dairy effluent disposal system to ensure compliance with resource consent conditions. Reinspection will be undertaken after 18 November 2021.

30 Sep 2021	332122-049 ENF-23214	Office Assessment	Significant non-compliance	Burgess Crowley Partnership (67500)	R2/7964-1.1		Investigation Continuing
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Comments: During analysis of data it was found that no data had been received for a quarry site at East Road, Toko, in contravention of resource consent conditions and Abatement Notice EAC-23436. Data was subsequently received, however not all conditions were being met. Enforcement action is being considered.

4 Oct 2021	332122-036 ENF-23197	Annual Inspection	Significant non-compliance	Joseph Gwerder (55291) Karyn Gwerder (71609)	R2/2899-3.0	EAC-24239 - Abatement Notice EAC-24238 - Explanation Requested - Letter	Investigation Continuing
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Comments: During the annual dairy inspection round it was found that the farm dairy effluent disposal system was not operating within resource consent conditions. An abatement notice was issued requiring works to be undertaken to ensure compliance with resource consent conditions. Reinspection found that the system was operating within resource consent conditions. A letter of explanation was received. Enforcement action is being considered.

Compliance Monitoring – Non-compliances for the period 22 Sep 2021 to 28 Oct 2021

Inspection Date	Job Number IRIS ID	Inspection Type	Compliance Status	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
5 Oct 2021	332122-038 ENF-23199	Annual Inspection	Non-compliance	Jes Trust (19629)	R2/2917-2	EAC-24244 - Abatement Notice	No Further Action At This Stage/Costs Recovered

Comments: During annual dairy inspection round it was found that the farm dairy effluent oxidation pond disposal system was not operating within resource consent conditions at Norfolk Road, Inglewood. An abatement notice was issued requiring works to be undertaken to the farm dairy effluent disposal system to ensure compliance with resource consent conditions. Reinspection will be undertaken after 18 November 2021.

5 Oct 2021	332122-039 ENF-23201	Compliance Monitoring Insp.	Non-compliance	NZ Mattock Logging Ltd (72677)	PA/20313-01	EAC-24246 - Abatement Notice	No Further Action At This Stage/Costs Recovered
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Comments: During routine monitoring it was found that a forest harvesting site was not operating within the National Environmental Standards for Plantation Forestry (NESP), at Tarata Road, Purangi. There were a number of issues including sediment in streams, minimal sediment controls and tree felling debris within the AEP zones. An abatement notice was issued requiring works to be undertaken to ensure compliance with the NESP. Reinspection will be undertaken after 1 November 2021.

6 Oct 2021	332122-042 ENF-23205	Annual Inspection	Non-compliance	Irene Phillips (69381)	R2/3239-3.0	EAC-24250 - Abatement Notice	No Further Action At This Stage/Costs Recovered
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Comments: During analysis of samples (12 October 2021), taken during the annual dairy inspection round (6 October 2021), it was found that the farm dairy effluent oxidation pond disposal system was not operating within resource consent conditions at Upper Newell Road, Warea. An abatement notice was issued requiring works to be undertaken to the farm dairy effluent disposal system to ensure compliance with resource consent conditions. Reinspection will be undertaken after 2 November 2021.

Compliance Monitoring – Non-compliances for the period 22 Sep 2021 to 28 Oct 2021

Inspection Date	Job Number IRIS ID	Inspection Type	Compliance Status	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
12 Oct 2021	332122-054 ENF-23216	Annual Inspection	Non-compliance	Mark John & Shelley Maree Dravitzki (11318)	R2/2624-3.0	EAC-24258 - Abatement Notice	No Further Action At This Stage/Costs Recovered

Comments: During analysis of samples (12 October 2021), taken during the annual dairy inspection round (6 October 2021), it was found that the farm dairy effluent oxidation pond disposal system was not operating within resource consent conditions at Rugby Road, Tariki. An abatement notice was issued requiring works to be undertaken to the farm dairy effluent disposal system to ensure compliance with resource consent conditions. Reinspection will be undertaken after 12 November 2021.

12 Oct 2021	332122-055 ENF-23218	Annual Inspection	Significant non-compliance	Irene Gladding (70288)	R2/5718-2.0		Investigation Continuing
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Comments: During the annual dairy inspection round, it was found that the farm dairy effluent oxidation pond disposal system was not operating within resource consent conditions and was also in contravention of Abatement Notice EAC-23029 issued as a result of a previous non-compliance at Ngaro Road, Tariki. Enforcement action is being considered.

12 Oct 2021	332122-057 ENF-23224	Annual Inspection	Non-compliance	Barry Gladding (70287) Irene Gladding (70288)	R2/1883-2	EAC-24285 - Abatement Notice	No Further Action At This Stage/Costs Recovered
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Comments: During the annual dairy inspection round it was found that the farm dairy effluent disposal system was not operating within resource consent conditions at Ngaro Road, Tariki. An abatement notice was issued requiring works to be undertaken to the farm dairy effluent disposal system to ensure compliance with resource consent conditions. Reinspection will be undertaken after 12 November 2021.

Compliance Monitoring – Non-compliances for the period 22 Sep 2021 to 28 Oct 2021

Inspection Date	Job Number IRIS ID	Inspection Type	Compliance Status	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
13 Oct 2021	332122-063 ENF-23220	Annual Inspection	Non-compliance	Andrew Phillip Jones & Janette Gay Craw (11061)	R2/1706-4.0	EAC-24262 - Abatement Notice	No Further Action At This Stage/Costs Recovered

Comments: During the annual dairy inspection round it was found that the farm dairy effluent disposal system was not operating within resource consent conditions at Warea Road, Warea. An abatement notice was issued requiring works to be undertaken to the farm dairy effluent disposal system to ensure compliance with resource consent conditions. Reinspection will be undertaken after 12 November 2021.

13 Oct 2021	332122-058 ENF-23227	Annual Inspection	Non-compliance	Frederick John & Wendy Marshall (2769)	R2/2914-3.0	EAC-24287 - Abatement Notice	No Further Action At This Stage/Costs Recovered
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Comments: During the annual dairy inspection round it was found that the farm dairy effluent disposal system was not operating within resource consent conditions at Mountain Road, Inglewood. An abatement notice was issued requiring works to be undertaken to the farm dairy effluent disposal system to ensure compliance with resource consent conditions. Reinspection will be undertaken after 12 November 2021.

19 Oct 2021	332122-059 ENF-23228	Annual Inspection	Non-compliance	Peter John & Marilyn Lesley Joy Clegg (2442)	R2/2439-2	EAC-24288 - Abatement Notice	No Further Action At This Stage/Costs Recovered
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Comments: During the annual dairy inspection round it was found that the farm dairy effluent disposal system was not operating within resource consent conditions at Tariki Road, Inglewood. An abatement notice was issued requiring works to be undertaken to the farm dairy effluent disposal system to ensure compliance with resource consent conditions. Reinspection will be undertaken after 12 November 2021.

Compliance Monitoring – Non-compliances for the period 22 Sep 2021 to 28 Oct 2021

Inspection Date	Job Number IRIS ID	Inspection Type	Compliance Status	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
22 Oct 2021	332122-060 ENF-23229	Annual Inspection	Non-compliance	AJ & DI Dravitzki Trusts Partnership (53385)	R2/1963-2	EAC-24289 - Abatement Notice	No Further Action At This Stage/Costs Recovered

Comments: During the annual dairy inspection round it was found that the farm dairy effluent disposal system was not operating within resource consent conditions at Tariki Road, Ratapiko. An abatement notice was issued requiring works to be undertaken to the farm dairy effluent disposal system to ensure compliance with resource consent conditions. Reinspection will be undertaken after 12 November 2021.

26 Oct 2021	332122-056 ENF-23226	Annual Inspection	Non-compliance	Ratapiko Dairies Limited (31638)	R2/3154-3.0	EAC-24286 - Abatement Notice	No Further Action At This Stage/Costs Recovered
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Comments: During the annual dairy inspection round it was found that the farm dairy effluent disposal system was not operating within resource consent conditions at Ratapiko Road, Ratapiko. An abatement notice was issued requiring works to be undertaken to the farm dairy effluent disposal system to ensure compliance with resource consent conditions. Reinspection will be undertaken after 12 November 2021.

28 Oct 2021	332122-061 ENF-23230	Follow Up Inspection	Non-compliance	Finnerty Road Land Company Limited (35365)	R2/1218-2	EAC-24290 - Abatement Notice	Investigation Continuing
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Comments: During a follow up inspection as part of the annual dairy inspection round it was found that the farm dairy effluent disposal system was not operating within resource consent conditions at Finnerty Road, Stratford. An abatement notice was issued requiring works to be undertaken to ensure compliance with Resource Consent conditions. Reinspection will be undertaken after 1 December 2021.



Date 23 November 2021

Subject: **Analysis of the 2020-2021 Compliance Monitoring and Enforcement metrics for the Regional Sector**

Approved by: A D McLay, Director - Resource Management
S J Ruru, Chief Executive

Document: 2899668

Purpose

1. The purpose of this memorandum is to present a report following an independent analysis of the 2020-2021 compliance monitoring and enforcement metrics for the regional sector.
2. The report provides an opportunity to put what this council does, in terms of compliance monitoring and enforcement, into context.
3. A copy of the report is attached to this agenda item.

Executive summary

4. In 2018 the Compliance Monitoring and Enforcement Special Interest Group (CESIG), with support from regional council and unitary council chief executives, commissioned an independent consultant to complete a report into Compliance, Monitoring and Enforcement (CME) using data from 2017-2018.
5. The report has been prepared using data from the sector every year since 2018. In year one and two the report was conducted by independent consultant Dr Marie Doole from the Catalyst Group. From year three onward reporting was conducted by Sprout Customer Research.
6. All 16 regional and unitary councils provided data, resulting in the most comprehensive report available on the sector's CME activities under the RMA's 30-year history. The report exceeds the publicly available detail on the activities of any other environmental regulatory regime in the country.
7. Effective compliance, monitoring and enforcement of the activities carried out under resource consents or permitted activities is a significant tool in protecting the environment and taonga. Carried out well CME can drive good environmental outcomes and prevent incidents. Carried out poorly, it can allow environmental damage to occur.

8. Across New Zealand there are around 280,000 resource consents issued by the 16 regional and unitary councils under the Resource Management Act 1991. There are also regional plans, including national standards, that allow activities to occur as permitted activities. Both allow people and organisations to use natural resources – air, land, water – provided they comply with conditions to minimise any potential environmental effects.
9. Around 38,000 of these resource consents needed monitoring because of possible environmental effects, and 83% were monitored in the reporting year. There were, however, variable levels of compliance from region to region.
10. In addition, regional and unitary councils received over 23,000 pollution complaints, of which 99 % were responded to, 63% were physically attended.
11. Across the 16 regional and unitary councils, 542 full time employees were assigned to compliance, monitoring and enforcement roles including monitoring of resource consents and responding to pollution incidents. The Council has a high level of resourcing in this important area relative to other councils.
12. The independent report found across the country, CME activities are in relatively good shape. Regional and unitary councils have generally improved significantly over the past decade in the way they administer their compliance monitoring and enforcement role. Increasing capacity, professionalism, and monitoring and reporting processes are evident.
13. This Council has an established CME regime in place that is mostly funded by resource users. The regime compares very well against that existing elsewhere in the country and has been successful in maintaining and enhancing environmental quality in Taranaki, over the years, including when environmental pressures have increased.
14. As part of the CESIG Strategic Compliance Framework, adopted by Council in March 2017, audits are completed of Council CME activities against best practice. The Council was thoroughly audited by our peers in 2018 and received a very positive audit report.
15. The Council has a long and successful history in CME and considers it to be a vital part of a properly functioning resource management system. The Council has been a national leader in many aspects of CME for many years and has made continuous improvements in its systems and processes, when needed. The report is a very useful review of CME for the sector as a whole and for this Council.

Recommendations

That the Taranaki Regional Council:

- a) receives the Memorandum *Analysis of the 2020-2021 Compliance Monitoring and Enforcement Metrics for the Regional Sector*
- b) notes the survey shows this Council's compliance monitoring and enforcement regime is well established and resourced
- c) notes the Council's compliance monitoring and enforcement regime compares very well against that existing elsewhere in the country.

Background

16. The report arose from criticism from the incoming government that the sector was not undertaking sufficient CME. There was also a lack of accurate reporting of these activities in sufficient detail at a national level by the Ministry for the Environment.
17. Effective compliance, monitoring and enforcement of the activities carried out under resource consents or permitted activities is a significant tool in protecting the environment. Carried out well CME can drive good environmental outcomes and prevent incidents. Carried out poorly it can allow environmental damage to occur.
18. The Compliance Monitoring and Enforcement Special Interest Group, with support from regional council and unitary council chief executives, commissioned an independent consultant (Dr M Doole from the Catalyst Group) to complete a report into CME using data from 2017-2018. Dr M Doole had previously prepared a report for the Environmental Defence Society Last line of defence- compliance, monitoring, and enforcement of NZ's environmental law (2017). Members received an agenda memorandum on this report in May 2017.
19. The report has been prepared annually since 2018. In year one and two the report was conducted by independent consultant Dr M Doole. From year three onward reporting was conducted by Sprout Customer Research.

Report

20. The report was compiled from questionnaire information supplied by the 16 regional councils and unitary councils. As such, the report represents the most comprehensive survey available on the sector's CME activities under the RMA's 30-year history. The report exceeds the publicly available detail on the activities of any other environmental regulatory regime in the country.
21. Across New Zealand there are around 280,000 resource consents issued by the 16 regional and unitary councils under the Resource Management Act. There are also regional plans and national standards that allow activities to occur as permitted activities. Both allow people and organisations to use natural resources – air, land, water – provided they comply with conditions to minimise any potential environmental effects.
22. Around 38,000 of these resource consents needed monitoring because of possible environmental effects, and 83% were monitored in the reporting year. There were, however, variable levels of compliance from region to region.
23. Across the 16 regional and unitary councils, 542 full time employees were assigned to CME and responding to pollution incidents. The Council has a high level of resourcing in this important area relative to other councils.
24. During the reporting year, the sector took more than 8,000 formal actions – 802 formal warnings, 5,225 abatement notices, 2,150 infringement fines and 18 enforcement orders. Forty-five individuals and 75 corporate defendants were convicted, with the dominant offence being the discharge of contaminants. Collectively, the prosecutions resulted in over \$5,000,000 in fines, in addition to other approaches such as restorative work.
25. In Taranaki during 2020-2021 there were no formal warnings issued as the Council believes in using abatement notices instead. Two hundred and fifty five abatement notices were issued, representing 5% of the total. One hundred and fifty two infringement fines were issued, representing 7% of the total. One enforcement order

was issued representing 6% of the total. Three individuals were convicted, as a result of a prosecution, representing 7% of the total and four corporates were convicted, representing 5% of the total.

26. The fines imposed by the Courts were some of the highest in NZ and showed the seriousness of the non-compliance.
27. Collectively, the sector receives over 23,000 complaints annually, 99% of which were responded to. Regional councils and unitary authorities monitored 83% of consents requiring monitoring and encountered highly variable levels of compliance region by region.
28. This Council is responding to a growing number of complaint calls, receiving calls about 590 incidents in 2020-2021. All of these were responded to (100%). Other council response rates were between 87 and 100%.
29. The Council also administers around 4,517 resource consents. Potential environmental risks of those activities mean that about 2,500 of these consents need to be regularly monitored. The Council monitored a relatively high number of consents and during the period monitored 100% of those requiring monitoring. Other councils managed to monitor between 57% and 100%.
30. The report concluded regional and unitary councils have generally improved significantly over the past decade in the way they administer their compliance monitoring and enforcement role. Increasing capacity, professionalism, and monitoring and reporting processes are evident. The report and its recommendations provide a blueprint for the regional sector as it looks at the sectors collective capability and performance, highlighting where we are doing well and where we can make improvements.
31. The Council has a long and successful history in CME and considers it to be a vital part of a properly functioning resource management system. The Council has been a national leader in many aspects of CME for many years and has made continuous improvements in its systems and processes, when needed. The report is a very useful review of CME for the sector as a whole and for this Council.

Strategic Compliance Framework

32. As part of the CESIG Strategic Compliance Framework, adopted by Council in 2017, audits are completed of Council CME activities against best practice. The Council was thoroughly audited by our peers in late 2018 and received a very positive audit report. There was no criticism of the Council's approach, particularly concerning how prosecution decisions are made, and of any political interference.

Financial considerations—LTP/Annual Plan

33. This memorandum and the associated recommendations are consistent with the Council's adopted Long-Term Plan and estimates. Any financial information included in this memorandum has been prepared in accordance with generally accepted accounting practice.

Policy considerations

34. This memorandum and the associated recommendations are consistent with the policy documents and positions adopted by this Council under various legislative frameworks

including, but not restricted to, the *Local Government Act 2002*, the *Resource Management Act 1991* and the *Local Government Official Information and Meetings Act 1987*.

Iwi considerations

35. This memorandum and the associated recommendations are consistent with the Council's policy for the development of Māori capacity to contribute to decision-making processes (schedule 10 of the *Local Government Act 2002*) as outlined in the adopted long-term plan and/or annual plan. Similarly, iwi involvement in adopted work programmes has been recognised in the preparation of this memorandum.
36. Iwi are involved in major non compliances incidences and in providing victim impact assessments at sentencing time for prosecutions. Funding for such assessments is now available.

Community considerations

37. This memorandum and the associated recommendations have considered the views of the community, interested and affected parties and those views have been recognised in the preparation of this memorandum.

Legal considerations

38. This memorandum and the associated recommendations comply with the appropriate statutory requirements imposed upon the Council.

Appendices/Attachments

Document 2896855: 2020-2021 CME Metrics Report

**ANALYSIS OF THE
2020/2021
COMPLIANCE
MONITORING AND
ENFORCEMENT
METRICS
FOR THE REGIONAL SECTOR**



PREPARED BY
SPROUT



FOREWORD

Kia ora,

Every year the councils of Aotearoa’s regional sector commission a report to measure our own performance in the areas of compliance, monitoring and enforcement, associated with our role under the Resource Management Act.

Compliance, monitoring and enforcement isn’t done for it’s own sake. Our work programmes are some of the key drivers we use to support positive behaviour change and positive outcomes on behalf of New Zealand’s environment.

This is the fourth year of these annual reports with a different appearance this year. Trends in individual CME metrics are becoming more evident.

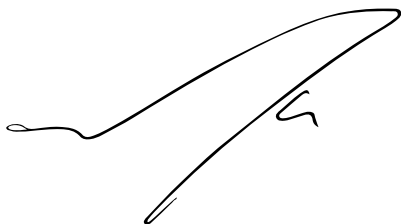
When compared to the last three years, it was ‘business as usual’ in the 2020-21 year and there’s a consistent delivery of CME work streams across New Zealand. It is great to see more people working in CME roles across the sector since the last report, actively monitoring, responding to and enforcing in favour of the environment. By tracking and providing these metrics on our work, we’re seeing for ourselves an improving record of environmental regulation as well as opportunities for improvement.

The analysis that follows will be a useful reference for the reform that is currently taking place around resource management, Three Waters (stormwater, waste water and drinking water) and the review of Local Government.

The solid evidence base of these metrics in relation to compliance, monitoring and enforcement can assist informed decision-making, both nationally and at a regional level.

Readers should have confidence in our commitment to continuous improvement. The Compliance and Enforcement Special Interest Group (CESIG) is made up from relevant representatives of regional and unitary councils in New Zealand. We will continue to support the funding of this annual survey as we explore ways to improve our own performance and get the most intelligence from what the survey tells us year on year.

Ngā mihi nui



Michael McCartney

Chief Executive Officer at Horizons Regional Council

SUMMARY



542 FTE'S
IN CME ROLES



283,470
ACTIVE RESOURCE
CONSENTS



UP 11%
FROM LAST
YEAR

83%

COUNCILS MONITORED AN AVERAGE
OF **83%** OF ALL CONSENTS THAT
REQUIRED MONITORING UNDER THE RMA



802
FORMAL
WARNINGS



5,225
ABATEMENT
NOTICES



2,150
INFRINGEMENT
FINES



18

**ENFORCEMENT
ORDERS**



95

PROSECUTIONS
(71 IN PROGRESS)



**75 CORPORATES
CONVICTED**



**45 INDIVIDUALS
CONVICTED**



\$5,187,565
IN FINES

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INTRODUCTION

PART 1

This report is the fourth report in a series of reports aimed at increasing information available to the sector. Improving the availability of CME functions information is a sector-led effort, under the leadership of CESIG. The questions are designed by the regional sector with the aim of improving and complementing the present national monitoring system's compliance, monitoring and enforcement related questions and analysis.

All 16 of New Zealand's regional councils and unitary authorities (the 'regional sector') have participated since 2018. Each year we see three distinct groups within the regional sector Auckland Council, the small unitary councils and the regional councils.

CME is a tool in achieving the purpose of the RMA. The RMA is New Zealand's environmental legislation with the purpose of sustainably managing natural and physical resources. Regional councils, unitary authorities and territorial local authorities have the primary role in compliance, monitoring and enforcement of the Resource Management Act 1991 (RMA).

In February this year the government announced it would repeal the RMA and enact new legislation based on the recommendations of the Resource Management Review Panel, replacing it with three new pieces of legislation. This will be based on the Natural and Build Environments Act, Strategic Planning Act and the Climate Adaption Act.

Monitoring and understanding implementation remains critical to understanding our nations environmental management. The success of that management is largely dependent on the quality of implementation.

In this reporting period we must acknowledge COVID-19 and the impact it is having worldwide. In June 2020 New Zealand was through the initial nationwide lockdown. During the lockdown periods CME monitoring is considered an essential service, so continues as 'normal' but this is not at 100%. This year the most significant impacts are to the Auckland Region who went into Alert level 3 on the following dates:

- 12th August to the 30th August
- 14th of February to the 17th of February
- 28th February to the 7th of March

READING THIS REPORT

Each council was sent an online survey comprising 44 questions (Appendix 1). They were given 2 weeks to collect and input the data into an online platform. After inputting the initial data, they were sent a link that allowed them to log in and change their information at any time.

This report sets out data provided for each section of the survey, as follows:

- A short analysis of the findings, at both a regional and national scale
- The tables and graphs of the information
- A boxed section containing the exact questions relevant to that section
- Responses to open-ended questions have been aggregated and analysed and the theme of the response presented in this report.
- Verbatim answers are provided where responses can not be summarised

HOW DOES THIS REPORTING PROCESS DIFFER YEAR ON YEAR?

The questionnaire has not differed following year two, this allows us to track the successes and improvements over time. For this reason, it is critical the consistency is maintained.

Following the first year there were significant learnings and improvements to the questionnaire, the questionnaire was refined based on these improvements.

Throughout this document we have aimed to report data from previous years so we can see patterns when they are arising. In year two questions were condensed and rearranged, with the purpose of enriching the data by ensuring clarity in wording. This year's format follows year two, meaning all results are directly comparable.

In year one and two the report was conducted by independent consultant Dr Marie Doole. From year three onwards collection and reporting was conducted by Sprout Customer Research.

DATA LIMITATIONS

Reporting of activities in complex, reflective measures can be difficult. When reading the report keep in mind the following aspects and data:

- Not all requested information can be provided by all councils which results in gaps in the dataset.
- The project does not include any data auditing and it is therefore unknown how accurate the information provided by councils is. Each council had a representative that sense checked and was responsible for the final data points entered into the survey.
- Throughout the report there are some instances where the way a council reports has changed or improved. Making the data incomparable to prior years.

CME UNDER THE RESOURCE MANAGEMENT ACT NEW ZEALAND

This report is a sector led effort by the Compliance and Enforcement Special Interest Group (CESIG). It aims to improve the quality of information available on the CME functions. Whilst the data set is not perfect it provides interesting insight into CME operations under the RMA and, it's value increases year on year. As we enter the fourth year we are seeing trends arising. The outcomes of improvements made by individual councils to improve how they implement CME is also evident.

Implementation of CME and the way it is adopted and exercised is up to individual councils under the broad framework of the RMA. Implementation in a robust manner leads to positive environmental outcomes. Limited national direction has placed an emphasis on individual councils to develop their own operations under the relatively broad framework of the RMA. This role has developed differently over the jurisdictions. The regions also differ based on GDP, area, population and population growth.

As the sector develops, formalisation and standardisation of parameters have been developed. In 2018, the Ministry released Best Practise Guidelines, this has been influential in forming standardised and comparable measures.

KEY DEFINITIONS

Compliance: adherence to the RMA, including the rules established under regional and district plans and meeting resource consent conditions, regulations and national environmental standards.

Monitoring: the activities carried out by councils to assess compliance with the RMA. This can be proactive (e.g., resource consent or permitted activity monitoring) or reactive (e.g., investigation of suspected offences).

Enforcement: the actions taken by councils to respond to non-compliance with the RMA. Actions can be punitive (seek to deter or punish the offender) and/or directive (e.g. direct remediation of the damage or ensure compliance with the RMA).

ANALYSIS

PART 2

REGIONAL CONTEXT

The graph below shows the diversity of the regions reported on. Regionally New Zealand is diverse and contextually there are large differences.

The population of Auckland is more than double other regions. To demonstrate the diversity of the differences in population the West Coast is home to the equivalent of 2% of Auckland's population. Population in the West Coast is declining, in other regions we see an increase.

The Southmost regions (Southland, Canterbury and Otago) cover the largest geographical area. The area Nelson covers is considerably lower than the rest of New Zealand.

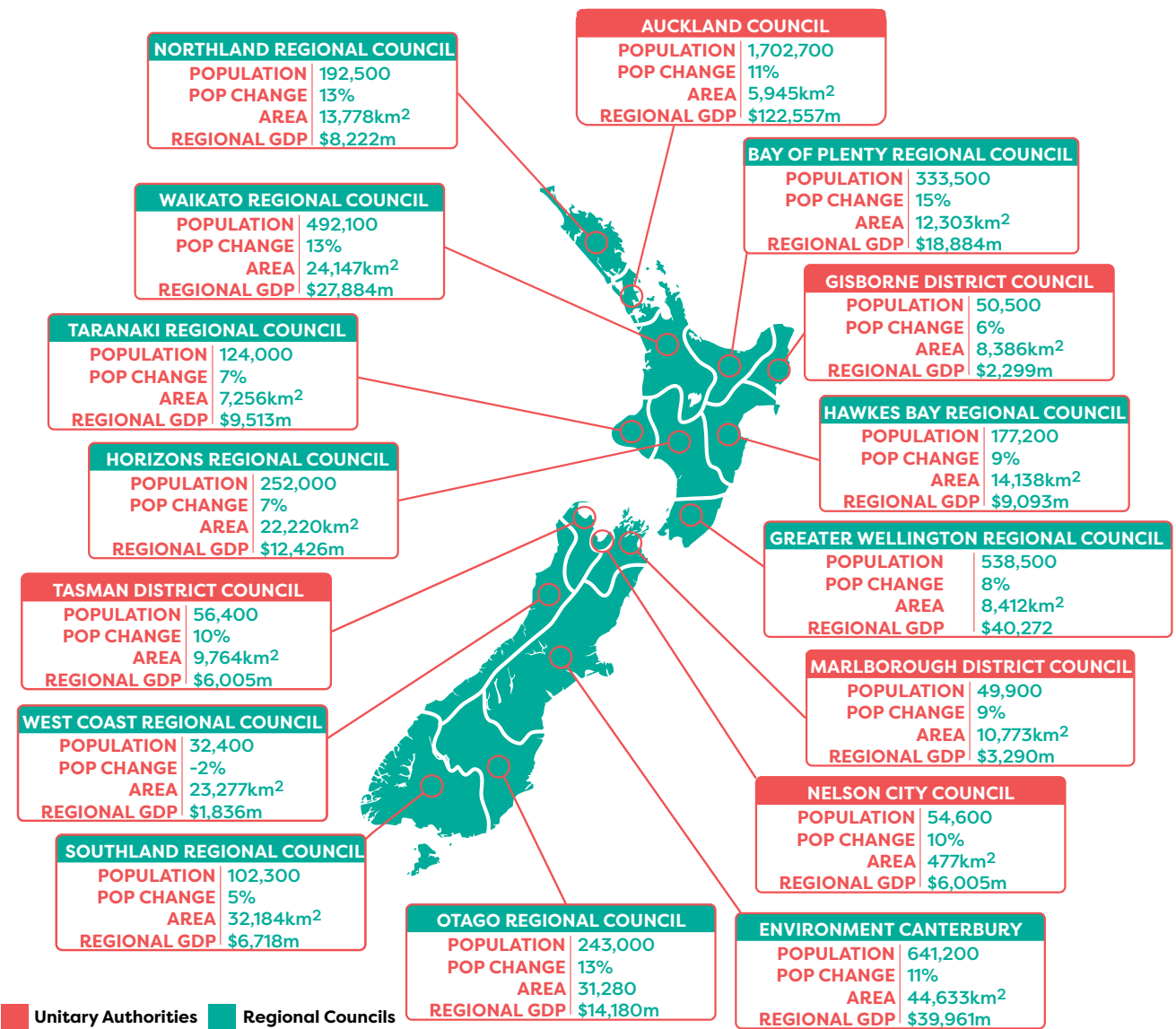


Figure 1: Regional context data

WORKING WITH IWI

Having good relationships with iwi and hapū is becoming increasingly important as we strive towards proper recognition to the principles of Te Tiriti of Waitangi and providing greater recognition of te ao Māori including mātauranga Māori in the RM reform.

Qualitative reports show there is a commitment from councils to strengthen these relationships. Majority of councils have formalized agreements or are actively working towards these; four councils have no formal agreements.

Many councils:

- Advise iwi if major incident occurs or advise when an incident occurs in waterways
- Have iwi involvement in cultural impact assessment
- Iwi provide victim impact statements for sentencing

Other commitments included:

- Appointed iwi representatives
- Paid advisory roles
- Positions on committees or council
- Working parties
- Identifying iwi priorities as part of decision making
- On going co design processes with mana whenua
- Planning and policy interactions
- Iwi involvement in operational meetings
- Meetings with iwi to discuss opportunities for iwi and hapū to be involved in compliance and monitoring
- Joint work programs to identify where council and iwi can work together to improve incident response, compliance and enforcement
- Mutual education on compliance monitoring
- Involvement in monitoring
- Involvement of iwi in notified consents
- Involvement in consents management (or sent consent applications)
- Financial support from councils to build environmental monitoring capacity
- Reporting to iwi on CME (summary updates of enforcement actions (prosecutions, enforcement orders, abatement notices and infringement notices)

Northland Regional Council and Southland Regional Council show strong commitments to iwi on CME based on historical partnerships.

“Environment Southland, refers to the iwi relationship as te kōura tuia – the ‘golden thread’ that we weave through all our work. It’s just part of how we operate. There is a commitment to the responsibility of improving Southland’s local government understanding of all things Māori.”

A full set of responses is available in appendix 2.

Question 4: In no more than 300 words describe your regional key commitments to work with iwi/ Māori on CME. For example, joint management agreements or other co-management agreements.




CME OPERATIONS - MANAGING THE WORKLOAD

REGISTERING NOTIFICATIONS

Complaints are registered by individual councils in one of two ways, either as individual incidents or by event. The 2017/2018 report recommends it would be optimal for the sector to work towards a standardised approach.

This year 3 councils have changed the way they register complaints West Coast and Gisborne all opted to change to one incident per event. Horizons changed to an individual incident per notification. Majority of councils now register an “incident” per notification.

RECORDING CONVENTIONS FOR INCOMING COMPLAINTS

-  An individual “incident” per notification
-  One incident per event, regardless of the number of separate complainants
-  Both an individual “incident” per notification and one incident per event, regardless of the number of separate complainants

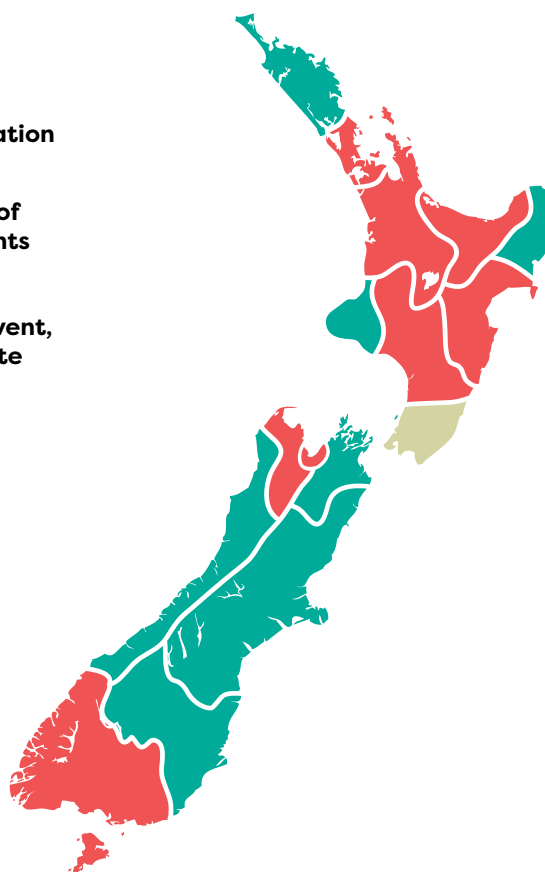
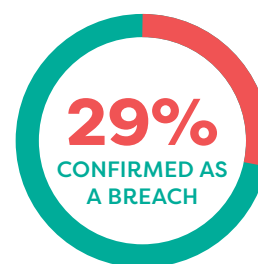
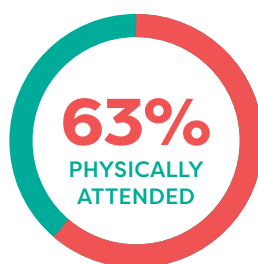


Figure 2: Recording conventions for incoming complaints across the regional sector

Question 5. Does your council register/count:

- An individual “incident” per notification?
- One incident per event, regardless of the number of separate complainants?

NATIONWIDE COMPLAINTS



COMPLAINTS RECEIVED

Nationwide there continues to be a large variation, explained by the contextual differences of regions. At first glance the regional individual complaints look like they are on an upward trend, however this can be accounted for by Horizons Regional Council individual complaints. Similarly at first glance individual complaints appear to be increasing, Southland now have individual incidents. Gisborne's incidents exclude 1,276 noise complaints accounting for the variation from last year.

Significant points of interest include are the

- An increase in complaints for Environment Canterbury (642) and Waikato (495)
- A decrease in complaints from Auckland (1,900) and Otago (326)
- An increase in incidents from Environment Canterbury (564)
- A decrease in incidents in Northland (208)

COMPLAINTS RESPONDED & ATTENDED

Nearly all complaints made to councils were responded to. Councils responded to 100% of complaints with the exception of 2 regional councils Bay of Plenty responded to 99% of complaints, Environment Canterbury responded to 87% of complaints.

The percentage of events physically attended increases year on year, with the West Coast Regional Council and Southland Regional Council physically attending an increasing number of incidents. This year Gisborne District Council provided data, having the second highest percentage behind Taranaki Regional Council (100% physically attended).

Question 6. How many notifications (complaints) were received from members of the public (or other sources, but excluding information from council monitoring activity) relating to environmental incidents or potential breaches of environmental regulation?

This might include information from, for example, emergency services attending an incident or perhaps a council staff member observing something while on other duties but excludes information from council monitoring activity. Please note answer unknown if your council does not record the information requested.

Question 7. How many of these notifications were responded to by council?

This response may be in any form – e.g. phone call, site visit, desktop audit.

Question 8. How many of these notifications were physically attended by council staff?

If one incident had multiple visits, only count this as one.

NUMBER OF INDIVIDUAL COMPLAINTS AND INCIDENTS

■ 2017 / 2018
 ■ 2018 / 2019
 ■ 2019 / 2020
 ■ 2020 / 2021

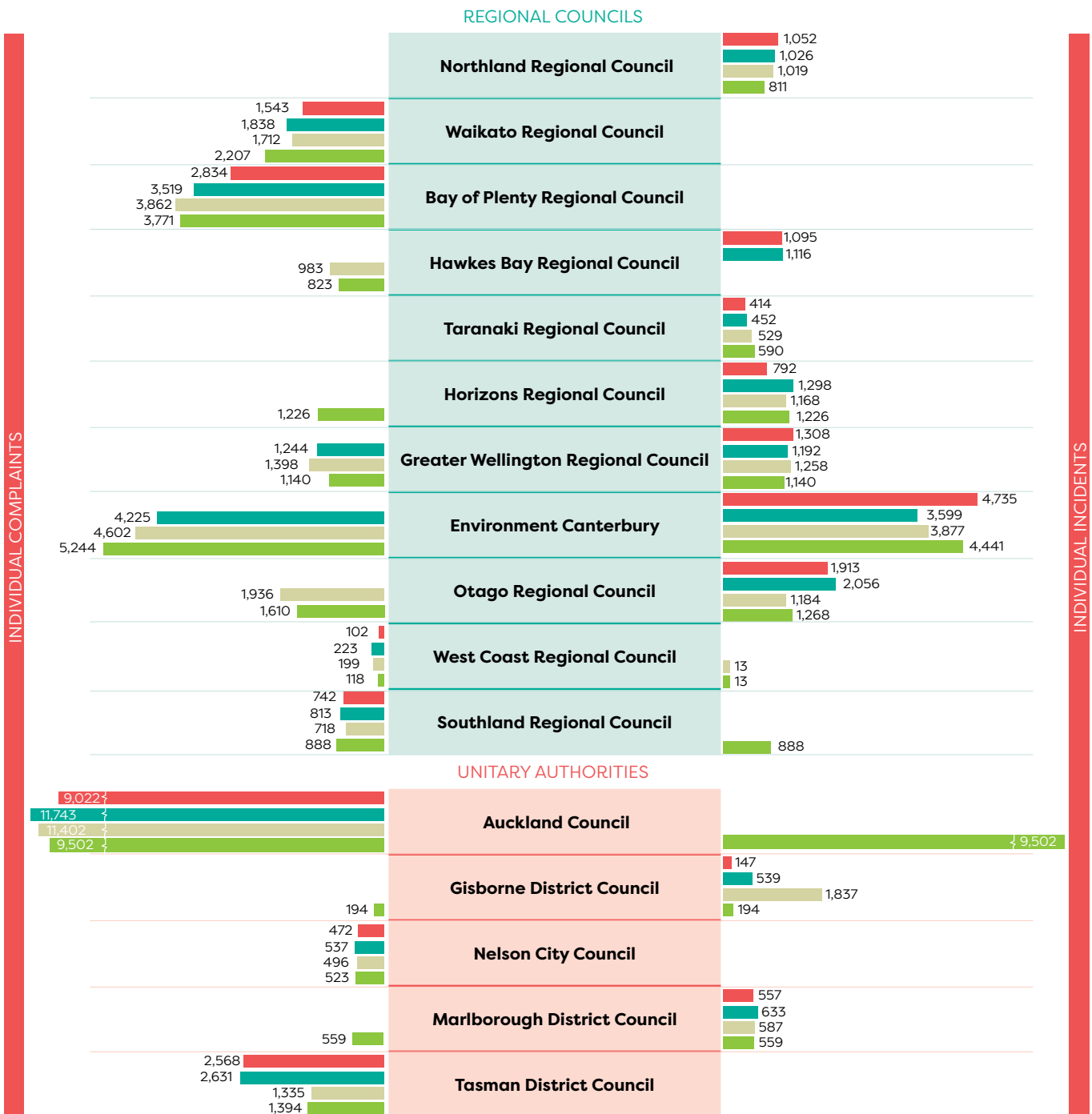


Figure 3: Number of individual complaints and incidents

NUMBER OF INDIVIDUAL COMPLAINTS RESPONDED TO AND PHYSICALLY ATTENDED

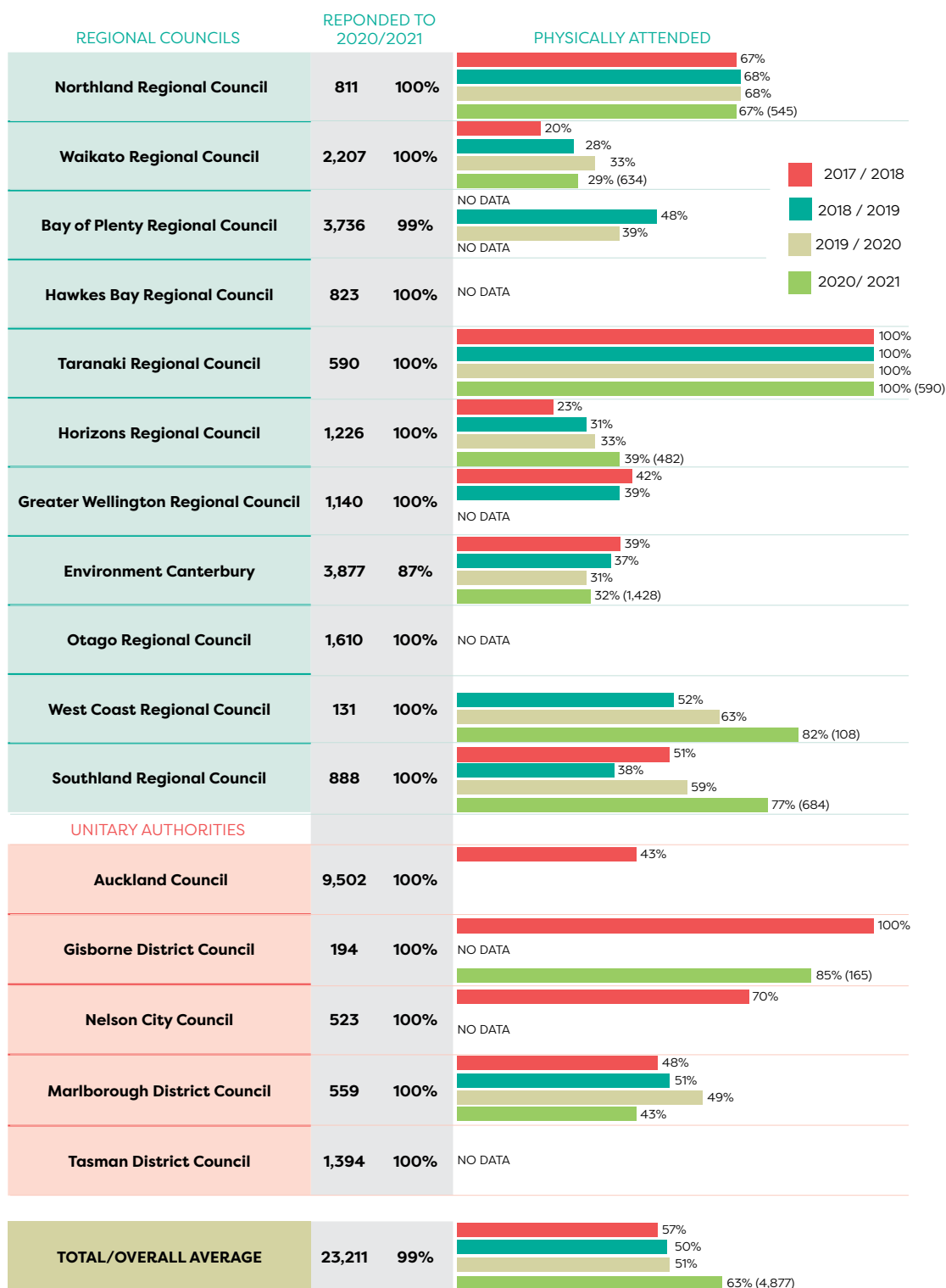


Figure 4: Number of individual complaints and incidents responded to and physically attended.

CONFIRMED BREACHES

The average confirmed breaches has remained relatively stable year on year, on both unitary and regional levels. Year on year Waikato Regional Council shows a consistent increase in notifications confirmed as breaches. Environment Canterbury shows a decrease on last year, this year breaches are inline with year 2018/2019. No data was provided by Auckland Council.

PERCENTAGE OF CONFIRMED BREACHES

REGIONAL COUNCIL	2017 / 2018	2018 / 2019	2019 / 2020	2020 / 2021	Resource consent	Non-consented activity
Northland Regional Council		48%	42%	47% (379)	10%	90%
Waikato Regional Council	24%	7%	26%	37% (810)	58%	42%
Bay of Plenty Regional Council		25%	20%	23% (866)		
Hawkes Bay Regional Council						
Taranaki Regional Council	37%	37%	40%	39% (233)	16%	84%
Horizons Regional Council						
Greater Wellington Regional Council	17%	15%	18%	19% (213)		
Environment Canterbury	23%	29%	68%	24% (1,085)	30%	70%
Otago Regional Council						
West Coast Regional Council	50%	41%	17%	21% (28)	50%	50%
Southland Regional Council	17%	18%	29%	34% (298)	23%	NA
UNITARY AUTHORITIES						
Auckland Council		29%	22%			
Gisborne District Council				35% (67)	55%	45%
Nelson City Council	70%					
Marlborough District Council	34%	23%	21%	22% (122)	28%	NA
Tasman District Council						
TOTAL AVERAGE	40%	27%	27%	29% (4,101)		

Table 1: Percentage and types of breaches

Question 9. How many of these notifications were confirmed as breaches of the RMA or subsidiary instruments?

Question 10. How many of the breaches were for:

Breach of a resource consent?

Breach of permitted activity rules?

NATIONWIDE COMPLIANCE INSPECTIONS

CONSENTS **283,470** / REQUIRED MONITORING **38,214** / PERCENTAGE MONITORED **83%**

MONITORING RESOURCE CONSENTS

This year the number of consents increases a further 11% bringing the total active consents to 283,470.

While it appears that consents that require monitoring are decreasing, Auckland and Waikato were unable to provide data this year. Annually Auckland has the largest consent volumes, this year they have confirmed consent volumes including those that require monitoring have increased but could not provide accurate figures. The largest increases in consents that require monitoring is Southland Regional Council (1,793 more). Environment Canterbury (3,096 less), and Tasman District Council (1,448 less) reported significantly less consents that required monitoring.

For the majority, the proportion monitored is on a par with last year. All regional councils monitored over 70% of consents that required monitoring. Unitary authorities monitored around 60% or above.

Marlborough District Council has a lower proportion monitored (active consents and those that required monitoring were on par with previous years). Gisborne provided data this year.

Question 11. How many individual, active resource consents exist in your region?

Exclude Land Use Consents where the activity is completed e.g., Land use subdivisions where the subdivision is complete, and certificates issued or land use – building where the building has been constructed.

Question 12. How many consents required monitoring during this period, in accordance with your monitoring prioritisation model/strategy?

Question 13. How many of these consents were monitored (including desktop audit) in the period?

		TOTAL CONSENTS				REQUIRED MONITORING				NUMBER MONITORED				
		2017 / 2018	2018 / 2019	2019 / 2020	2020 / 2021	2017 / 2018	2018 / 2019	2019 / 2020	2020 / 2021	2017 / 2018	2018 / 2019	2019 / 2020	2020 / 2021	
REGIONAL COUNCILS	Northland Regional Council	3,812	9,738	9,910	10,164	3,724	3,847	3,731	3,505	94%	93%	88%	86%	3,001
	Waikato Regional Council	4,500	4,787	11,419	11,839	1,500	525	1,674		77%	100%+	100%		
	Bay of Plenty Regional Council	5,500	9,057	8,458	8,407	1,900	2,380	3,316	3,324	69%	70%	85%	86%	2,858
	Hawkes Bay Regional Council	3,144	5,928	8,300	8,452	3,144	3,446	3,550	3,355	94%	93%	93%	93%	3,116
	Taranaki Regional Council	4,837	4,784	4,625	4,517	2,930	2,743	2,788	2,510	100%	100%	100%	100%	2,510
	Horizons Regional Council	4,700	5,204	5,468	6,619	1,700	1,648	1,367	1,823	82%	80%	81%	89%	1,618
	Greater Wellington Regional Council	6,375	6,604	6,863	7,138	1,544	1,782	1,633	1,779	94%	95%	94%	87%	1,547
	Environment Canterbury	20,417	18,500	22,051	22,648	20,417	4,625	4,410	1,314	28%	72%	89%	96%	1,258
	Otago Regional Council	5,984	5,588	5,656	5,785	3,827	1,161	3,256	3,136	66%	52%	64%	71%	2,237
	West Coast Regional Council		3,474	3,000	5,682		868	900	1,268		100%+	87%	92%	1,167
	Southland Regional Council	5,376	5,590	5,824	5,995	3,188	4,586	4,127	5,920	100%	78%	73%	72%	4,265
REGIONAL SUBTOTAL		64,645	79,254	91,574	97,246	43,874	27,611	30,752	27,934	80%	85%	87%	87%	23,577
UNITARY AUTHORITIES	Auckland Council	103,690	108,326	115,723	130,371	17,759	11,778	13,162		71%	60%	72%		18,708
	Gisborne District Council	1,250		10,500	8,893	699			1,135	34%			60%	681
	Nelson City Council	1,200	784	656	675	550	619	656	675	100%	100%	100%	100%	675
	Marlborough District Council	20,802	21,377	29,459	29,459	2,686	3,261	3,529	3,529	83%	89%	93%	98%	3,475
	Tasman District Council	15,764	13,042	7,230	16,826	4,250	2,478	6,389	4,941	46%	75%	26%	57%	2,833
	UNITARY SUBTOTAL		142,706	143,529	163,568	186,224	25,944	18,136	23,736	10,280	67%	81%	73%	79%
TOTAL		207,351	222,783	255,142	283,470	69,818	45,747	54,488	38,214	74%	83%	80%	83%	

Table 2: Total consents that require monitoring

COMPLIANCE GRADINGS

In 2018 the MfE released Best Practise Guidelines, including a suite of recommended compliance categories. The intention of this is to make data on compliance levels nationally comparable. Uptake of the framework is now at 100%, with the remaining two councils adopting it this year.



Question 14. In the 2020/2021 year, did you use the four compliance grades as recommended by Ministry for the Environment?

Yes / No

Question 16. When will your council be adopting the four compliance grades recommended by Ministry for the Environment?

COMPLIANCE ASSESSMENT

The following section focuses on the levels of compliance amongst those monitored based on the MfE framework. This year Gisborne's data is included, meaning for the first year there is data available for all regional councils and regulatory authorities based on the MfE framework.

The report analyses the compliance gradings of over 64,000 consent monitoring events, overall this is on a par with last year for both regional councils and unitary authorities.

Levels of full compliance differ between 36% in Otago Regional Council and 95% West Coast Regional Council. Previously we were seeing a downward trend in full compliance, however this year there is a slight increase in full compliance. Northland Regional Council, Waikato Regional Council, Taranaki Regional Council, Horizons Regional Council, West Coast Regional Council, Auckland Council and Nelson City Council are reporting more full compliance than last year, with Hawkes Bay Regional Council, Otago Regional Council, Southland Regional Council and Tasman District Council reporting less.

Southland's moderate and significant non-compliance is increasing. Hawkes Bay have seen an increase in moderate non-compliance. Gisborne has higher significant-non compliance than others.

*Numbers provided will not equate to the consents totals earlier in this report as some sites had more than one monitoring visit over the year. The tables below relate to the percentage of monitoring visits that fit within different grades.

*GWRC are unable to exclude telemetry water readings from statistics.

Question 15. What grades do you apply to non-compliance? (e.g., technical non-compliance, significant non-compliance)

Fully Compliant

Technical/Low Non-Compliance

Moderate Non-Compliance

Significant Non-Compliance

Other (please specify)

Question 15. What were the levels of compliance with consents according to the grades you use?

Note 1: Numbers provided under each grade is per monitoring event not per consent. E.g. a consent may be monitored four times in the year: on one occasion it may be Technically Non-Compliance and on three occasions it may be Fully Compliant, this would add three to the total of Fully Compliant and one to the total for Technical Non-compliance.

Note 2: The compliance grade is based on the condition with the worst compliance grade. e.g. a consent with five conditions Fully Compliant and one condition Moderate Non-Compliance has an overall compliance grade of Minor Non-Compliance

Note 3: Daily telemetry water readings where compliance with water take limits is continuously monitored are to be excluded from compliance grade totals.

TOTAL NUMBER OF CONSENTS IN DIFFERENT CATEGORIES OF COMPLIANCE ON A PER MONITORING EVENT BASIS

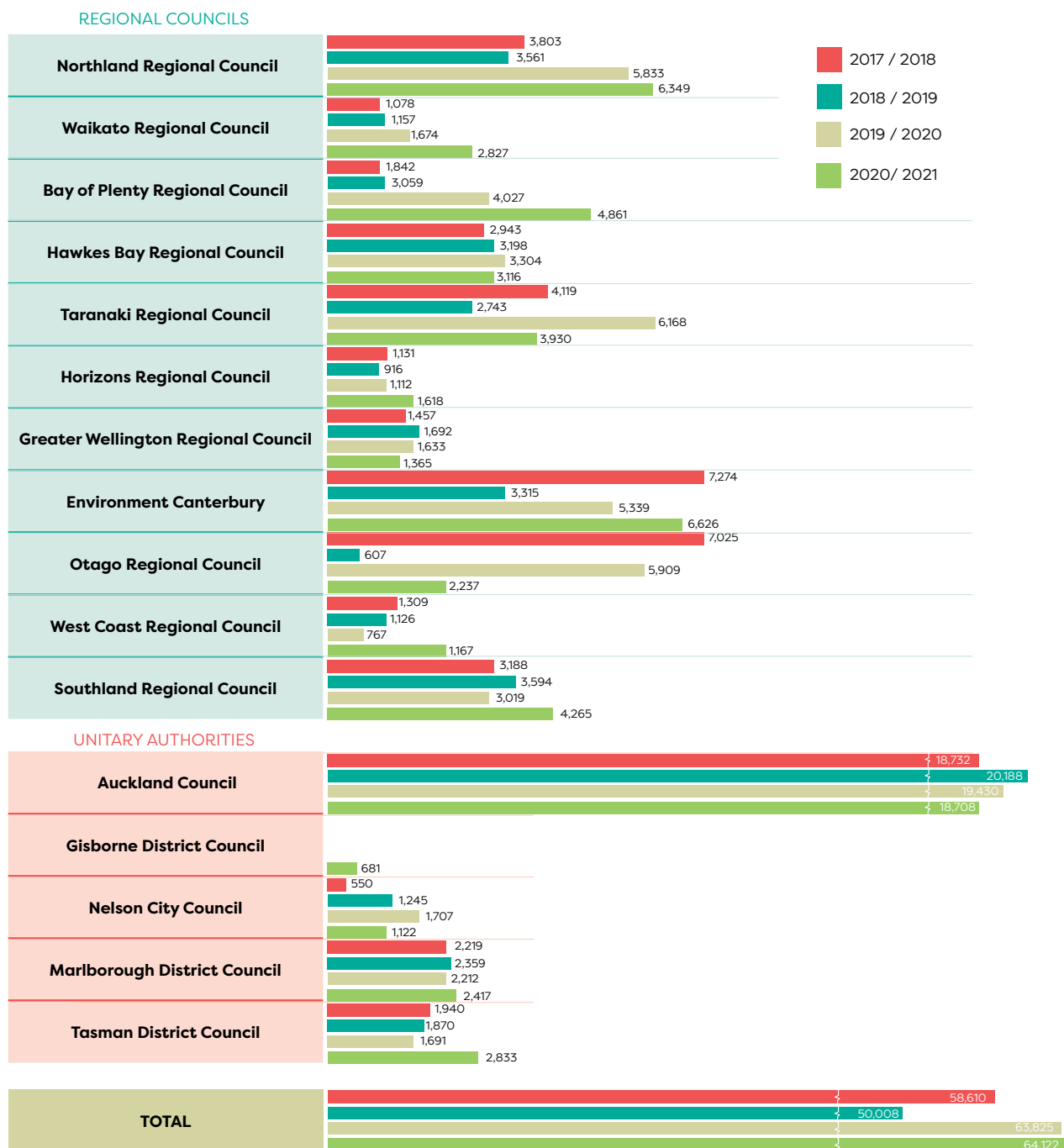


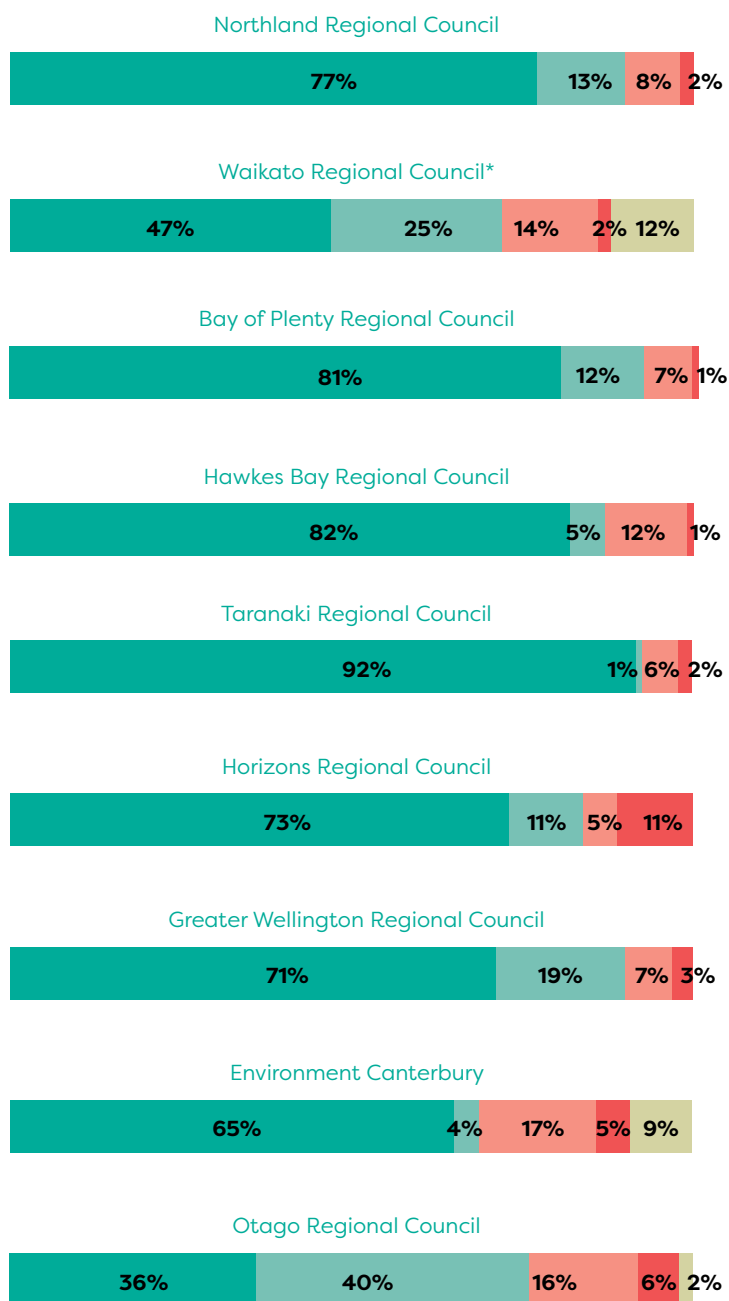
Figure 5: Total Number of Consents in Different Categories of Compliance on a Per Monitoring Event Basis

Question 15. What grades do you apply to non-compliance? (e.g., technical non-compliance, significant non-compliance)

- Fully Compliant
- Technical/Low Non-Compliance
- Moderate Non-Compliance
- Significant Non-Compliance
- Other (please specify)

PERCENTAGES OF CONSENTS IN FULL COMPLIANCE, LOW RISK/ TECHNICAL NON COMPLIANCE, MODERATE NON COMPLIANCE AND SIGNIFICANT NON COMPLIANCE ON A PER MONITORING EVENT BASIS

■ FULL COMPLIANCE
 ■ LOW RISK/TECHNICAL NON-COMPLIANCE
 ■ MODERATE NON-COMPLIANCE
 ■ SIGNIFICANT NON-COMPLIANCE
 ■ OTHER COMPLIANCE GRADING



* The non-compliance rating system used at WRC considers multiple factors, and not solely whether the non-compliance results in actual significant environmental effect. As such the data is not directly comparable to those Councils that apply the MfE compliance rating system.

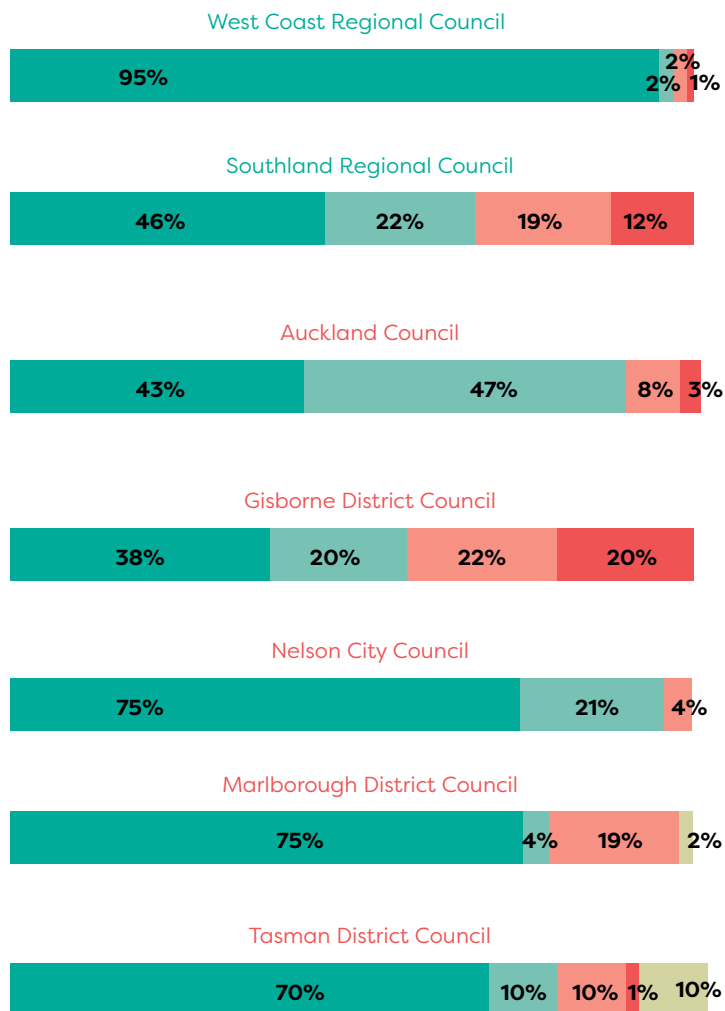


Figure 6: Percentages of consents in full compliance, low risk/ technical non compliance, moderate non compliance and significant non compliance on a per monitoring event basis.

NATIONWIDE COMPLIANCE RATING OF CONSENTS MONITORED

TOTAL CONSENTS MONITORED **64,122**

NATIONWIDE COMPLIANCE RATING OF CONSENTS MONITORED

- FULL COMPLIANCE
- LOW RISK/TECHNICAL NON-COMPLIANCE
- MODERATE NON-COMPLIANCE
- SIGNIFICANT NON-COMPLIANCE
- OTHER COMPLIANCE GRADING

REGIONAL COUNCILS



UNITARY AUTHORITIES



Figure 7: Nation wide percentages of consents in full compliance, low risk/ technical non compliance, moderate non compliance and significant non compliance on a per monitoring event basis.

MONITORING PERMITTED ACTIVITIES

Permitted activities remained similar to 2019/2020, with forestry and dairy making up nearly half of permitted activities. Last year Greater Wellington Regional Council did not have a monitoring program for Forestry, this year they have adopted one meaning all regional councils and unitary authorities now have a monitoring program in place.

PERMITTED ACTIVITY MONITORING PROGRAMMES FOR DIFFERENT INDUSTRIES

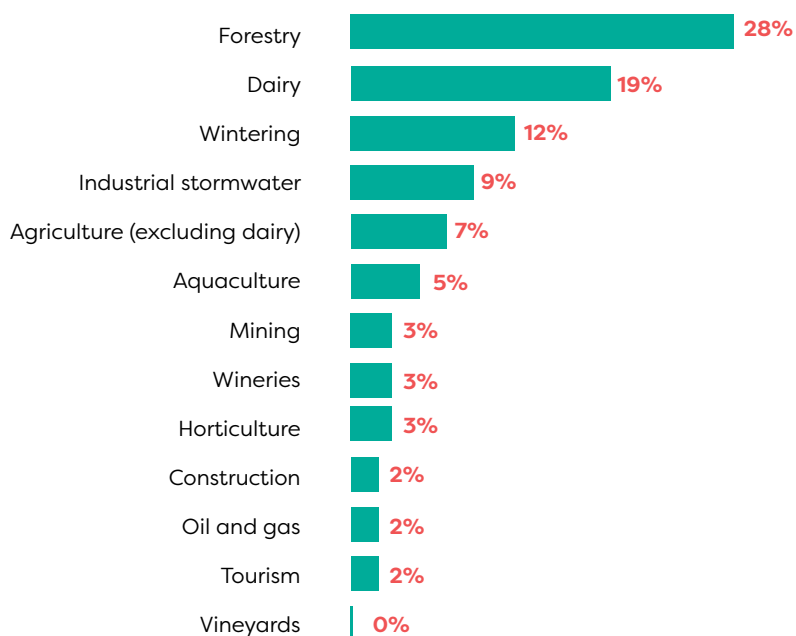


Figure 8: Proportion of permitted activity monitoring programmes for different industries

Question 18. Which permitted activities do you have a monitoring programme for?

List of activities with tick box if yes:

- Agriculture (excluding dairy)
- Aquaculture
- Construction
- Dairy
- Forestry
- Horticulture
- Mining
- Oil and gas
- Tourism
- Vineyards
- Wineries
- Wintering
- Other (please specify)

MAKING DECISIONS ON PRIORITIES

All councils have established formalised prioritisation assessment for complaints, notifications and incidents, with many having a response time. Most have some form of coding to prioritise.

Methods of determining priority and urgency for physical attendance are:

- Elevated response programs
- Triage plans or dedicated triage personal
- Risk based priority models
- Attending all within a timeframe (e.g., 4 hours)
- Priority setting matrix
- Categorisation based on impact score and escalation factors

Assessment for appropriate action include:

- Environmental impact/ adverse effect/ consequence
- Zone priority
- If still happening
- Duration
- Clean up/ mitigation
- Quality of the information provided
- Reliability of the source
- Hours- out of hours response is limited to 'High priority/Significant' incidents
- Balance against health, safety and wellbeing considerations
- History of compliance
- Frequency of notification

To determine which consents are monitored the following methods are used:

- Risk-based approaches/ priority systems
- Zone Delivery models
- Approved RMA Compliance Plan 2020-22
- Active monitoring
- Strategic Compliance Monitoring Programme based on the National Strategic Compliance Framework
- Individual monitoring programmes per consent
- Strategic priority setting framework

QUESTION 19. What basis is used for determining what notifications/complaints/incidents are physically attended and with what urgency or priority?

QUESTION 20. Describe how you determine which consents are monitored and how frequently? If there is a prioritisation model or compliance strategy, add link

QUESTION 21. Describe the basis, which was used for determining what, if any, permitted activities were monitored. If there is a prioritisation model or compliance strategy, add link

STAFFING LEVELS

The number of FTE's continues to increase, this year there is a 9% increase overall. Most regions report smaller increases of between 1-3 FTE's. The largest increase is Horizons Regional Council at 13 more FTE's, followed by Environment Canterbury with 8 more FTE's. Taranaki Regional Council has an increase of 7 FTE's. Gisborne District Council has seen an increase of 2 FTE's and is currently recruiting more. There are no significant decreases in the number of FTE's.

There continues to be large variation in the total number of FTE's, this is expected because of the variation in regions (population, area, GDP, development type, intensity and council funding base). Auckland Council has around a third of all FTE's. Taranaki Regional Council remains the highest ratio of FTE per 100 (0.4), with Greater Wellington Regional Council having the lowest (0.03).

Note: FTEs should only be counted once under each of these categories. However, if a team member has more than one role then calculate what portion of their time is generally spent in each role, or only answer question 24 if your officers do a combination of roles. An example of an answer to each of the questions in this section might look like 22 FTEs spread across 40 individuals. Exclude any in-house or contract lawyers. Include managers in your count. Include any vacant positions in your counts.

Question 22. How many FTEs does your council have who carry out monitoring roles?

Question 23. How many FTEs does your council have who carry out environmental incident or pollution response roles?

Question 24. How many FTEs does your council have who carry out investigation or enforcement roles?

Question 25. How many FTEs does your council have who carry out a combination of the above roles?

Note 1: Include contractors

Note 2: Only answer this question if you have not included these staff in questions 21, 22 or 23

Question 26. How many FTEs does your council have in CME support roles?

This includes administrative roles, e.g. staff who assist with issue of notices, reminder notices, upload of unpaid infringements to Ministry of Justice.

COUNCIL FTEs IN CME ROLES

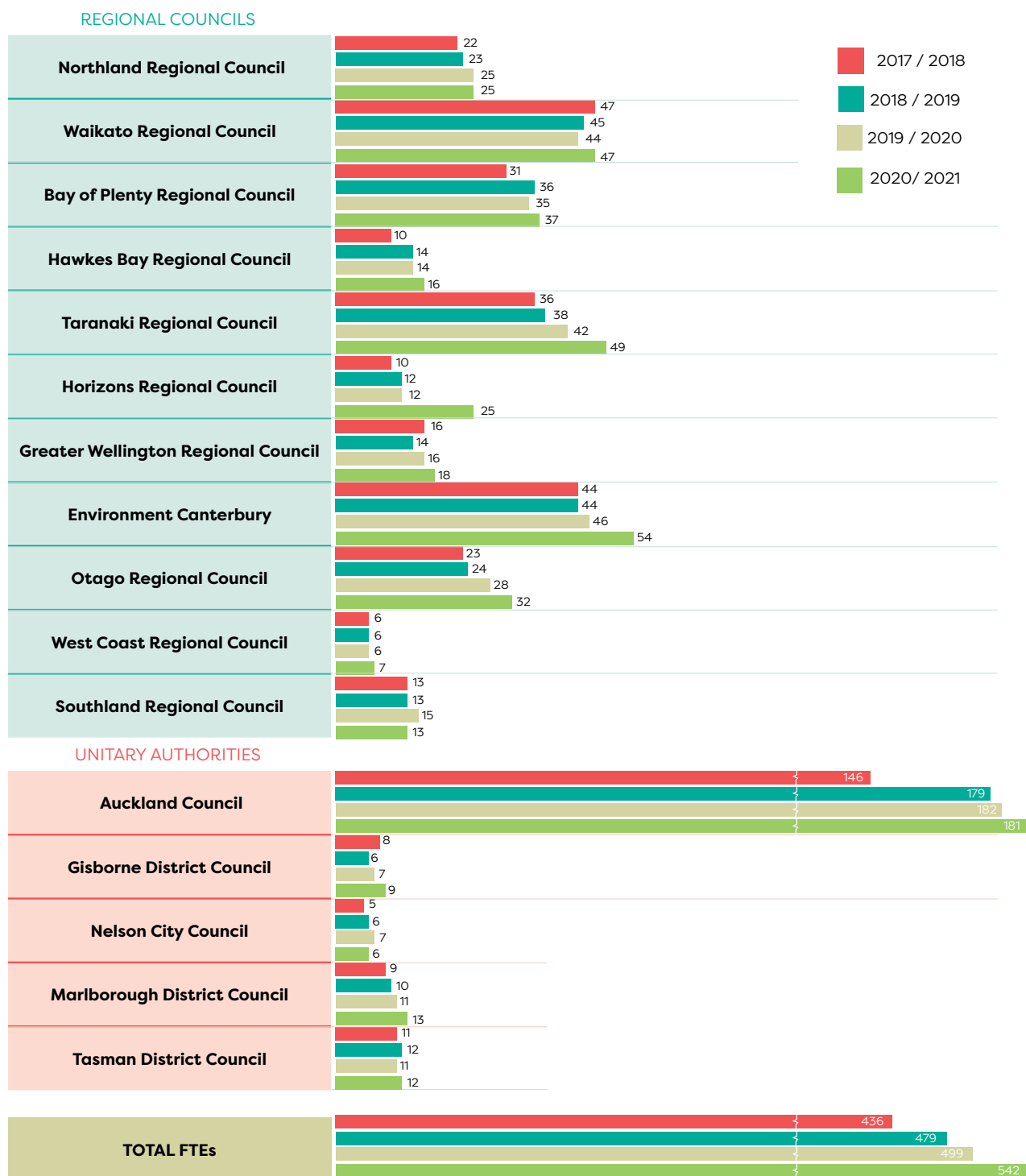


Figure 9: Council FTEs in CME roles

COUNCIL FTE'S IN SPECIFIC ROLES

		MONITORING			COMBINATION			ENVIRONMENTAL INCIDENT OR POLLUTION			INVESTIGATION OR ENFORCEMENT			SUPPORT			
		2018 / 2019	2019 / 2020	2020 / 2021	2018 / 2019	2019 / 2020	2020 / 2021	2018 / 2019	2019 / 2020	2020 / 2021	2018 / 2019	2019 / 2020	2020 / 2021	2018 / 2019	2019 / 2020	2020 / 2021	
REGIONAL COUNCILS	Northland Regional Council				20	21	22	0	0	0	1	1	1	2	3	2	
	Waikato Regional Council	20	20	22				9	8	9	10	10	10	7	6	6	
	Bay of Plenty Regional Council	17	16	17				4	4	4	4	3	4	12	12	12	
	Hawkes Bay Regional Council	9	9	10	0	0	0	2	2	3	1	1	1	2	2	2	
	Taranaki Regional Council	27	29	35	2	2	2	3	4	5	4	5	5	2	2	2	
	Horizons Regional Council	0	0	13	10	10	0	0	0	9	1	1	1	1	1	2	
	Greater Wellington Regional Council	0	0	0	13	15	17	0	0	0	0	0	0	1	1	1	
	Environment Canterbury	31	31	28	0	0	0	8	5	7	4	4	4	1	6	15	
	Otago Regional Council	15	15	18	8	3	2	0	3	4	0	3	3	1	4	5	
	West Coast Regional Council	0	0	0	5	5	6	0	0	0	0	0	0	1	1	1	
	Southland Regional Council	8	8	8	0	0	0	1	1	1	2	3	2	3	3	2	
	REGIONAL SUBTOTAL	126	128	151	57	56	49	26	27	42	26	31	31	32	40	50	
UNITARY AUTHORITIES	Auckland Council	65	69	69	19	16	88	32	41	0	49	43	0	14	13	24	
	Gisborne District Council	4	0	0	0	7	8	0	0	0	1	0	0	1	0	1	
	Nelson City Council	0	0	0	5	6	5	0	0	0	0	0	0	1	1	1	
	Marlborough District Council	2	2	5	7	8	1	0	0	0	1	0	5	0	1	2	
	Tasman District Council	0	0	0	10	9	10	0	0	0	0	0	0	2	2	2	
		UNITARY SUBTOTAL	71	71	74	41	46	112	32	41	0	51	43	5	18	17	30
		UNITARY SUBTOTAL MINUS AUCKLAND	6	2	5	22	30	24	0	0	0	2	0	5	4	4	6
	TOTAL	197	198	225	98	102	160	58	68	42	77	74	36	50	57	79	
	TOTAL MINUS AUCKLAND	132	129	156	79	86	72	26	27	42	28	31	36	36	44	55	

Table 3: Council FTEs for different aspects of the CME role

COUNCIL FTE'S AND FORMAL ACTIONS BASED ON POPULATION

		FTE/1000				FTE 2020/2021	Population Estimates 2020	Formal actions per 1000 2020/2021
		2017 / 2018	2018 / 2019	2019 / 2020	2020 / 2021			
REGIONAL COUNCILS	Northland Regional Council	.13	.13	.13	.13	25.00	192,500	1.59
	Waikato Regional Council	.10	.10	.09	.10	47.18	492,100	0.95
	Bay of Plenty Regional Council	.10	.11	.11	.11	37.20	333,500	0.39
	Hawkes Bay Regional Council	.06	.08	.08	.09	16.00	177,200	0.98
	Taranaki Regional Council	.31	.32	.34	.40	49.00	124,000	3.29
	Horizons Regional Council	.04	.05	.05	.10	25.00	252,900	1.83
	Greater Wellington Regional Council	.03	.03	.03	.03	17.75	538,500	0.25
	Environment Canterbury	.07	.07	.07	.08	54.00	641,200	0.97
	Otago Regional Council	.10	.10	.12	.13	31.60	243,000	0.35
	West Coast Regional Council	.17	.16	.17	.20	6.50	32,400	1.23
	Southland Regional Council	.13	.13	.15	.12	12.50	102,300	1.63
REGIONAL SUBTOTAL / AVERAGE		.11	.12	.12	.14	29.25	284,509	1.22
UNITARY AUTHORITIES	Auckland Council	.09	.11	.11	.11	181.00	1,702,700	3.12
	Gisborne District Council	.18	.13	.14	.18	8.90	50,500	1.56
	Nelson City Council	.10	.10	.12	.10	5.50	54,600	0.57
	Marlborough District Council	.20	.20	.21	.25	12.50	49,900	1.12
	Tasman District Council	.15	.22	.20	.21	12.00	56,400	0.99
	UNITARY SUBTOTAL		.15	.15	.16	.17	43.98	382,820
AVERAGE		0.12	0.13	0.13	0.15			

TABLE 4: Comparison of council FTEs, population and number of formal actions (excluding prosecutions but including warnings)

The relationship between FTE's per thousand and formal actions per thousand is shown below, councils with higher staffing levels per thousand tend to have more formal actions per thousand.

Taranaki Regional Council has the highest levels of formal actions per thousand and also the highest FTE per thousand. Greater Wellington has the lowest formal actions per thousand and also the lowest FTE's per thousand.

Horizons Regional Council and Taranaki Regional Council have the largest increases in FTE's per thousand. Horizons Regional Council has seen a large increase in the number of FTE's last year, while for Taranaki Regional Council his has happened gradually over time.

CME RESOURCING AND NUMBER OF FORMAL ENFORCEMENT ACTIONS

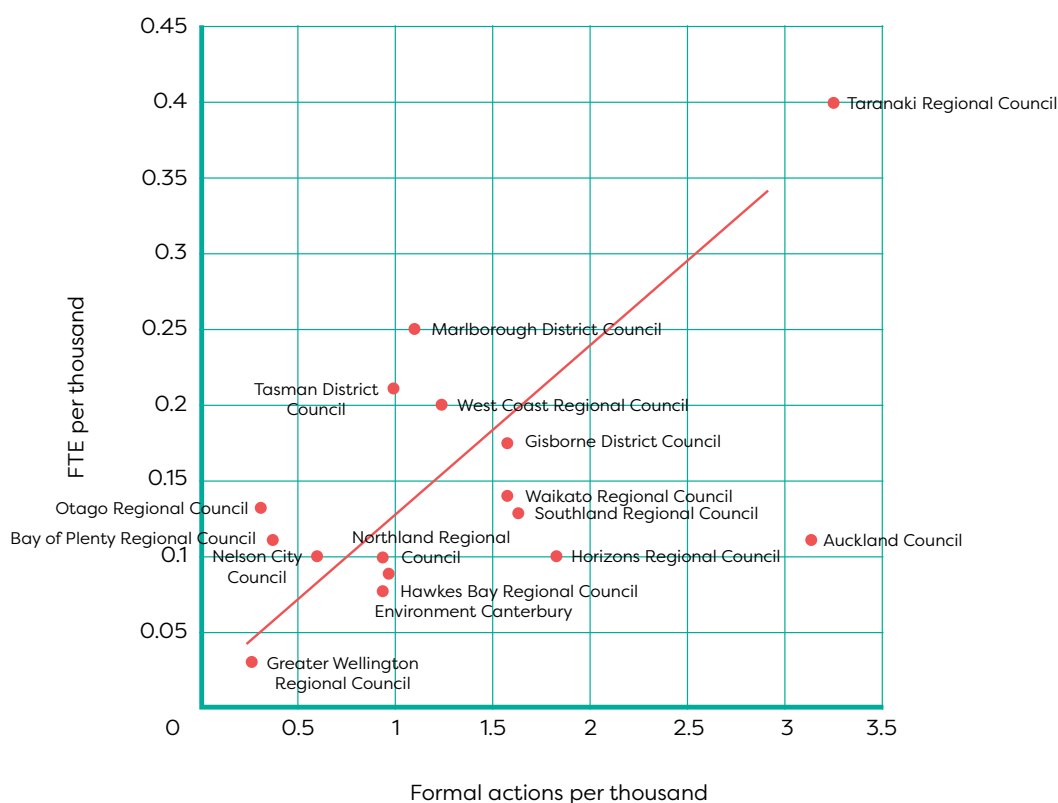


Figure 10: Comparison of CME resourcing and number of formal enforcement actions

This figure shows regions with higher GDP tend to have more FTE's. While this holds true for Auckland Council, Environment Canterbury and Waikato Regional Council, Greater Wellington Regional Council has the second highest GDP and is mid range for the number of FTE's.

COMPARISON OF CME RESOURCING AND GDP

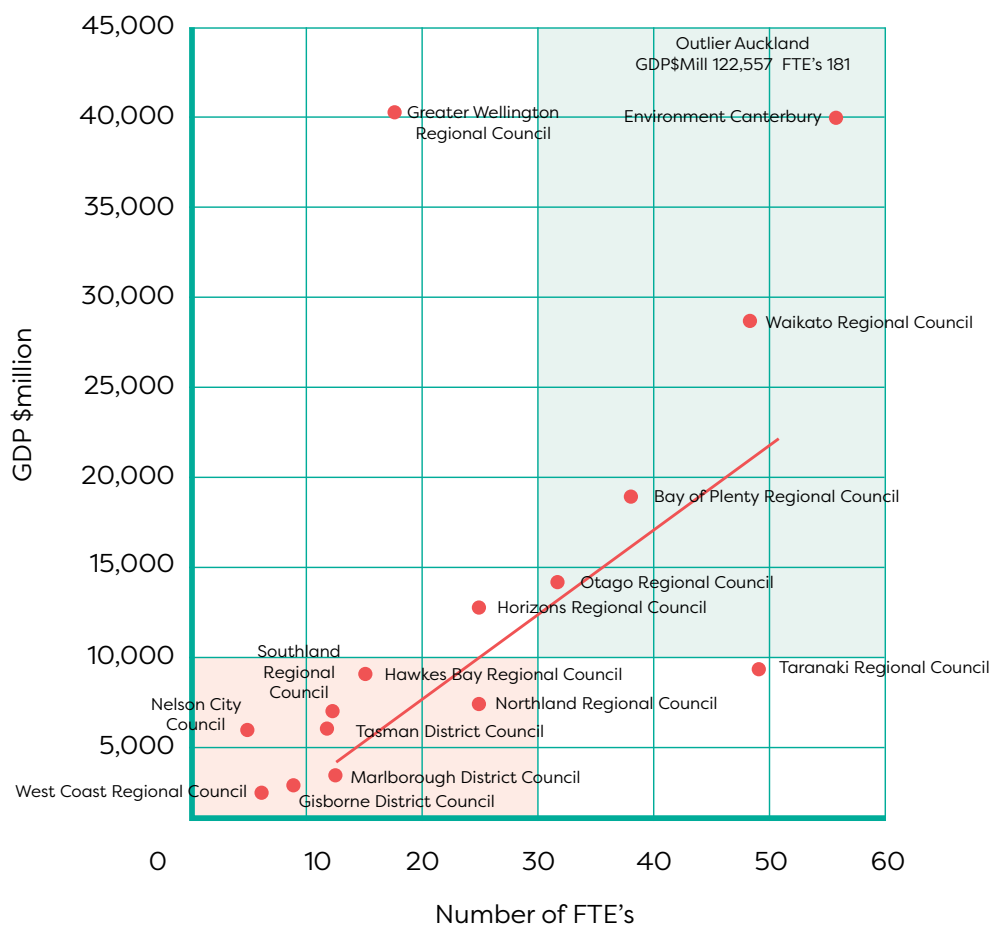


Figure 11: Comparison of CME resourcing and GDP

CME POLICIES AND PROCEDURES

Credibility of regulators is maintained through having coherent policy in place. These questions help us understand how policy informs CME operations and the decision-making process with regulators.

This year the remaining councils have adopted enforcement policies. Meaning all councils and unitary authorities have both active enforcement and conflict of interest policies inline with Best Practise Guidelines.

The Guidelines state that all councils 'should have an operational enforcement policy, which the council uses to determine what enforcement action (if any) to take in response to non-compliance'.

Decisions on prosecutions are usually a process with multiple parties, those involved include:

- Investigating officer
- Senior officer
- Team leader
- Manager
- Compliance Manager
- Regulatory Manager
- Group Manager
- Director Resource Management
- Prosecution panel/ Prosecution Decision Group
- Enforcement Decision Group
- Enforcement and Prosecution Committee
- Enforcement Specialist
- Legal council
- General Manager
- CEO/ CE

Delegation usually fell with a Manager, Director, General Manager, Group Manager, General Manager, CE, or CEO.



**ENFORCEMENT
POLICIES**



**CONFLICT OF
INTEREST POLICIES**

* MfE Best Practice Guidelines at p73

Question 27. Does your council have an enforcement policy? Yes No

Question 28. What is your process for making decisions on prosecutions?

Question 29. Who has the delegation to authorise filing of charges for a prosecution at your council?

Question 20. Does your council have a conflict of interest policy? Yes No

DECISION MAKING PROCESS AND DELEGATION TO AUTHORISE FILING OF CHARGES

DECISIONS ON PROSECUTION	DELEGATION
Northland Regional Council	
Enforcement decision group meets (this group changes depending on the alleged offence). Usually consists of the investigating officer plus their manager, plus the Enforcement Specialist.	Group Manager - Regulatory Services or the Compliance Monitoring Manager/Deputy GM - Regulatory Services.
Waikato Regional Council	
Investigating officer reports to a panel of 3 senior managers with recommendations. If the panel authorises prosecutions, this will be conditional on an independent legal review, which studies the file in entirety and applies the Evidential and Public Interest Tests. If the legal review is satisfied that the tests are met, charges are filed.	See decisions on prosecution
Bay of Plenty Regional Council	
Significant incidents/breaches are delegated to our dedicated investigators, who will undertake a thorough investigation of the matter and present the outcomes to an Enforcement Decision Group (EDG). The EDG makes a recommendation (by consensus) for a response; if the recommendation is to prosecute, then the recommendation is subject to a legal opinion, before being referred to the General Manager for Regulatory Services.	General Manager - Regulatory Services
Hawkes Bay Regional Council	
1) EDG recommends prosecution. 2) Councils' solicitor provides a legal opinion. Must pass the evidential and public interest tests. 3) Signed off by GM Policy & Regulation 4) To CEO for final sign off	CEO
Taranaki Regional Council	
Chief executive in collaboration with Director Resource Management and Compliance Manager	Chief Executive
Horizons Regional Council	
All incidents and significantly noncomplying resource consent assessments are assessed. If the matter is deemed serious it is referred to the investigation programme. If a subsequent investigation determines a prosecution is required, then the investigation file is sent for legal review. This review focuses on whether the evidential sufficiency and public interest tests have been satisfied. Once this review is completed a report is prepared and provided to the Regulatory Manager and Group Manager Strategy and Regulation, who then pass the matter onto the Chief Executive for consideration and final decision	Group Manager Strategy and Regulation Regulatory Manager Team Leader Consents Monitoring Senior Consents Monitoring Officer
Greater Wellington Regional Council	
All decisions on enforcement outcomes for breaches of the RMA are made by the Enforcement Decision Group (EDG) to ensure consistency, transparency and fairness, with the exception of some formal warnings and advice letters. Any EDG recommendations to prosecute are required to go to the Prosecution Decision Group (PDG). Normally and EDG consists of a minimum 3 persons. Delegation on decisions sits at team leader level. Decisions are generally made by consensus of the attendees. Where agreement cannot be reached the person with the delegated authority will make the decision. In extreme circumstances consultation with other delegated authority holders may be required. For recommendations of Infringement or less EDG may consist only of Officer and Team Leader. All enforcement action taken must be in accordance with the Resource Management Act 1991, Summary Proceedings Act 1957, Criminal Procedure Act 2011, Search and Surveillance Act 2012, Disclosure Act 2008, Sentencing Act 2002, Resource Management (Infringement Offences) Regulations 1999 and the GWRC Environmental Regulation Prosecution Guidelines.	General Manager - Environment Group

REGIONAL COUNCILS

REGIONAL COUNCILS	Environment Canterbury	Follow MFE CME guidelines, and an internal enforcement Decision Panel makes recommendations	Chief Executive
	Otago Regional Council	Recommendations for prosecution are considered at an 'Enforcement Decision Group' with Compliance Manager, Team Leaders, in-house legal counsel and Senior officer presenting the case. If considered appropriate by EDG, the file is reviewed by legal counsel to consider whether it meets the evidential test for prosecution. If it meets the evidential test, the file is considered by a 'Prosecution Decision Group' meeting with CEO, GM Regulatory, Compliance Manager and senior officer presenting the case.	To initiate and/or withdraw a prosecution for an offence against the RMA (GM Regulatory or GM Operations). If a decision has been made to prosecute, authority to file a charging document on decisions to prosecute for offences (Compliance Manager).
	West Coast Regional Council	Recommendation on action report submitted to the manager. Approval given to prepare a staff report for consideration at an EGD meeting. EDG consists of The CE, another manager separate from Consents and Compliance, the C & C Manager and officer in charge of the case. Final decision rests with the CE	The CE and the Consents and Compliance Manager
	Southland Regional Council	Incident response – investigation – enforcement decision group meeting – legal opinion – CEO approval	Chief Executive
UNITARY AUTHORITIES	Auckland Council	Enforcement criteria is utilized, followed by team leader discussion, then Manager discussion. Prosecution panel made up of Manager(s) and legal counsel is the final step.	Manager Compliance Response and Investigations
	Gisborne District Council	Enforcement Decision Group.	Director Environmental Services & Protection. Compliance Monitoring and Enforcement Manager. (There is an expectation of consultation with Chief Executive)
	Nelson City Council	Recommendation by investigating officer to team leader, then manager, then to two group managers (tier 2) after receiving legal advice	Authorised by two group managers after receiving legal advice
	Marlborough District Council	Stage 1: QA per review panel Stage 2: Enforcement and Prosecution Committee Stage 3: Legal Counsel Review	Enforcement and Prosecution Committee
	Tasman District Council	Investigating officer prepares a case which is presented to a decision-making group. If case meets the tests a detailed recommendation to proceed goes to the group manager who carries delegated authority to initiate prosecutions.	Group manager (Tier 2)

Table 5: Decision making process and delegation to authorise filing of charges

Question 28. What is your process for making decisions on prosecutions?

Question 29. Who has the delegation to authorise filing of charges for a prosecution at your council?

EDUCATING AND ENGAGING WITH THE REGULATED COMMUNITY

Inline with the 'four E approach' giving clear direction on what is expected to the regulated community creates a robust approach. This question helps us understand the programs councils have in place.

All councils had at least one initiative in place. The most common education was about farming/dairy, earthworks and forestry. Majority did this through workshops and presentations.



**HAVE OR SUPPORT
EDUCATION AND
ENGAGEMENT
PROJECTS**

Delivery methods of information include:

- Workshops
- Presentations
- Meetings e.g., Industry stakeholder meetings
- Hui
- Information evenings
- Pocket guides
- Superhero programs
- Engagement programs
- Attendance at Fieldays
- Attendance at farm dairy effluent forums
- Attendance at liaison groups
- Contributions to Land Use and other Council publications
- Emails
- Newsletters
- Website
- Advertising campaigns
- Citizen science
- 0800 number
- Educational visits

Areas covered in education or engagement projects include:

- Dairy/ farming
- Earthworks
- Forestry
- Construction
- Wineries
- Marine Farms
- General community
- Catchment groups

Question 42. Does your council have, or support, any education or engagement projects relating to compliance with the RMA or any of its derivative regulation? For example, workshops for earthworks contractors around erosion and sediment controls. Yes No
If yes, briefly describe

ACTING ON NON-COMPLIANCE

Question 31 helps us to identify what at sector level is occupying the largest proportion of resources and how/ if that resource allocation is shifting over time. In turn this helps with understanding priority areas and challenges for compliance programs.

In total there were nearly 8,195 actions this year, this is 1,287 more than last year. Councils are highly variable in the number of actions taken. This year Gisborne District Council showed the most significant increase in the proportion of formal actions (5 times last year). Hawkes Bay Regional Council, Taranaki Regional Council, Otago Regional Council, Southland Regional Council and Auckland Council all have more formal actions than last year. Majority of these cases are abatement notices with abatement notices increasing on last year.

Abatement notices make up the largest proportion of formal warnings, this year they have increased by around a quarter. Taranaki Regional Council, Environment Canterbury, Northland Regional Council and Auckland Council issue the most abatement notices. This year Environment Canterbury issued 191 more than last year, Auckland Council issued 843 more than last year.

367 more infringement fines were issued this year, an increase of 21%.

Waikato Regional Council and Environment Canterbury make up seven in ten formal warnings. This year there is an 18% drop in formal warnings, this is driven by Environment Canterbury with 218 less formal warnings compared to last year.

Auckland Council then Taranaki Regional Council have the most infringement notices, both increase in this period (Auckland increases 40%, Taranaki increases 46%).

QUESTION 31. Question 31 relates to the instruments issued in relation to the different sections of the Act (listed once for brevity)

- Section 9 Use of land
- Section 12 Coastal marine area
- Section 13 Beds of lakes and rivers
- Section 14 Water
- Section 15 Discharges of contaminants
- Section 17 Duty to avoid, remedy & mitigate
- Other breach e.g., Section 22

Formal warnings issued

Abatement notices issued

Infringement notices issued

Enforcement orders applied for

NATIONWIDE: ENFORCEMENT ACTIONS AND SECTIONS BREACHED





	 FORMAL WARNINGS	 ABATEMENT NOTICES	 INFRINGEMENT ORDERS	 ENFORCEMENT ORDERS	TOTAL ACTIONS
	802	5,225	2,150	18	8,195
SECTION 9 Use of land	45	141	201	7	394
SECTION 12 Coastal marine area	27	24	11	0	62
SECTION 13 Beds of lakes and rivers	51	90	26	3	170
SECTION 14 Water	68	222	28	0	318
SECTION 15 Discharges of contaminants	567	777	1,014	6	2,364
SECTION 17 Duty to avoid, remedy & mitigate	6	12	3	0	21
OTHER e.g. Section 22	38	7	867	2	914
Auckland Council (total abatement notices- no breakdown available this year)		3,965			3,965

Table 6: Total use of formal instruments against relevant section of the Act (i. e., group of possible offences).

**Note this year Auckland Council only had total abatement notices available. These are included in the overall figure. Horizons Regional Council had 13 abatement notices that fell into more than one section these are counted in individual sections, but only count once in totals.*

TOTAL USE OF FORMAL INSTRUMENTS (EXCLUDING PROSECUTION)

2017 / 2018 2018 / 2019 2019 / 2020 2020 / 2021

REGIONAL COUNCILS

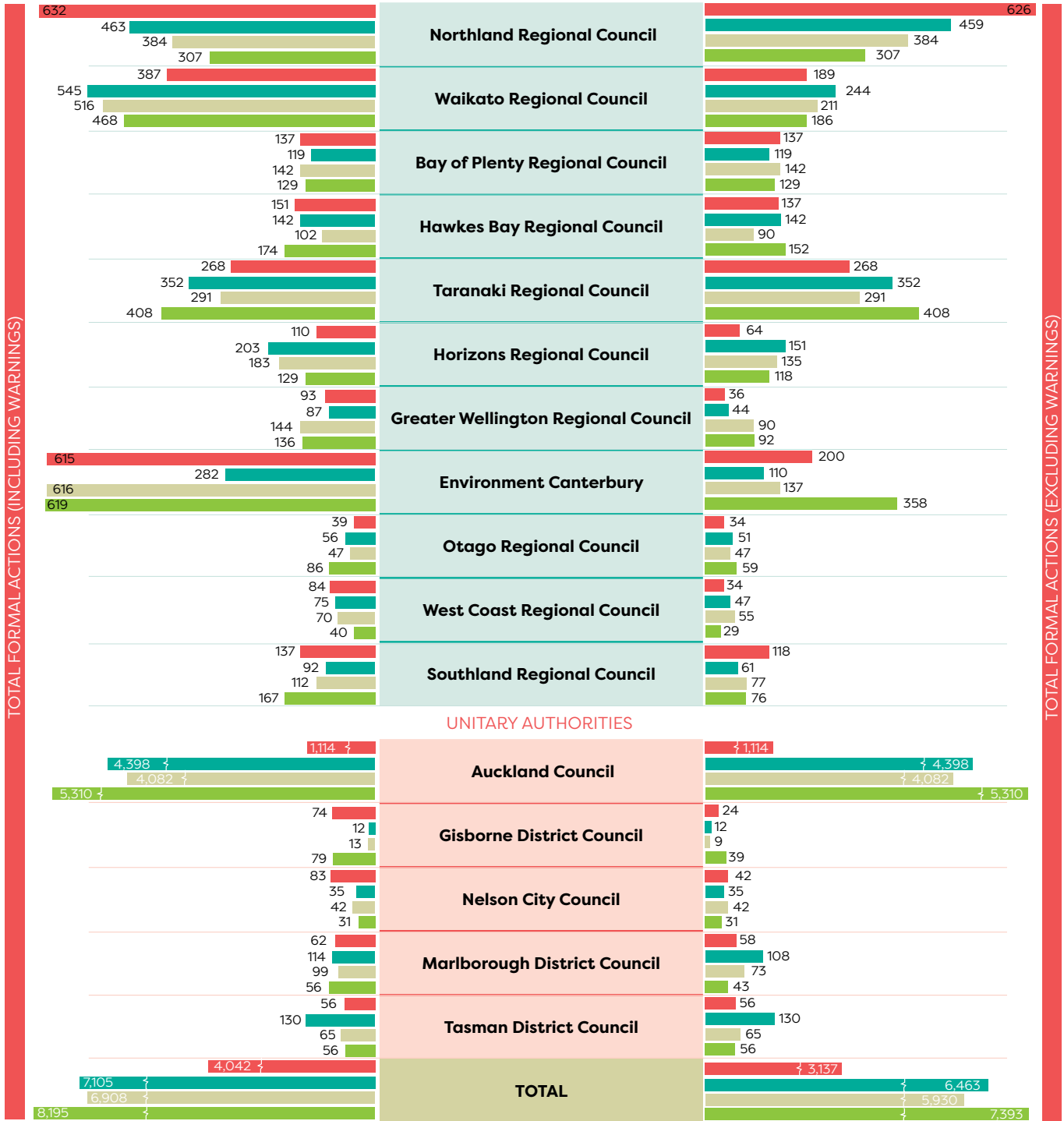


Figure 12: Total use of formal instruments (excluding prosecution)

TOTAL FORMAL WARNINGS AND ABATEMENT NOTICES

2017 / 2018 2018 / 2019 2019 / 2020 2020 / 2021

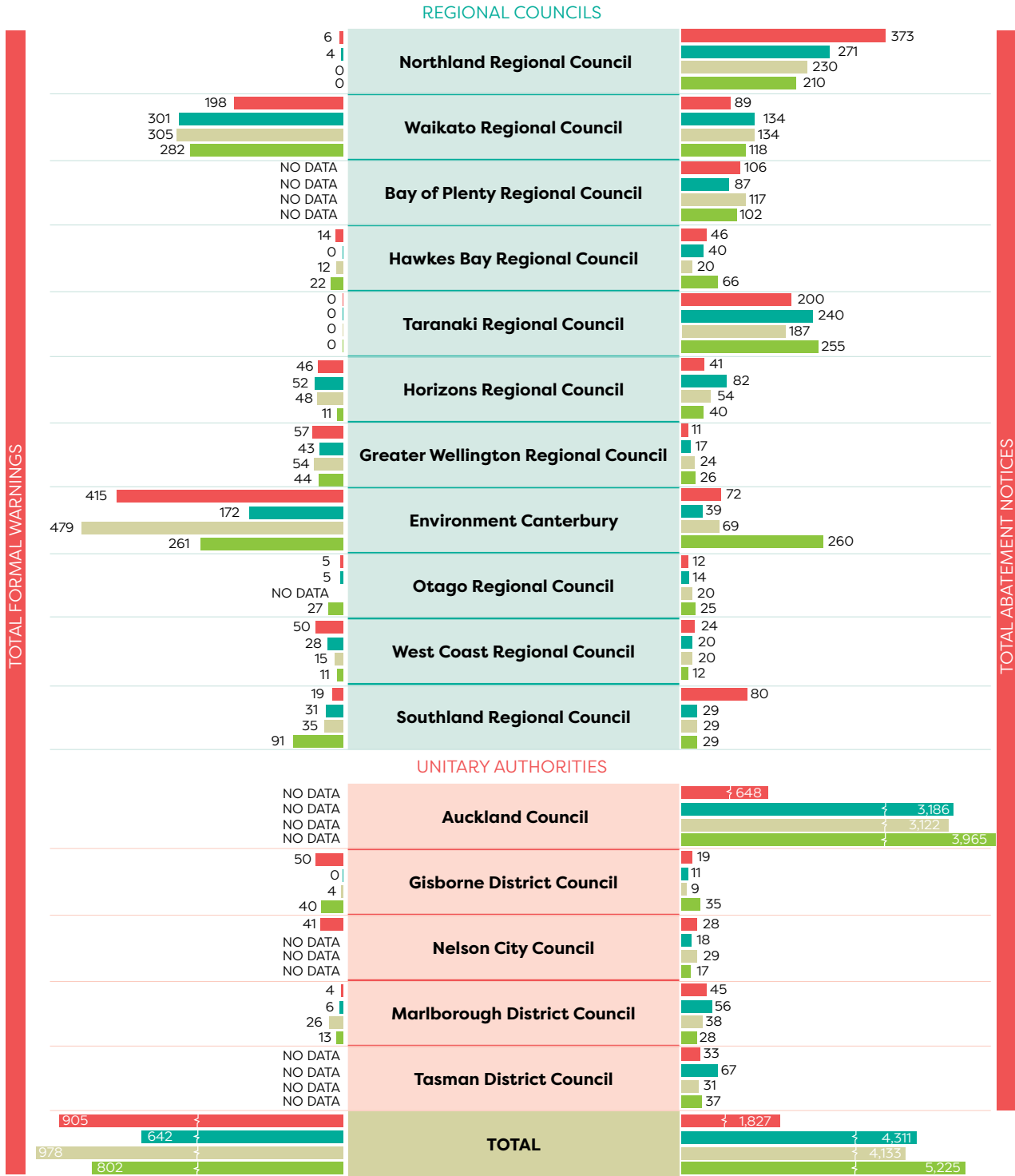


Figure 13: Total formal warnings and abatement notices

TOTAL INFRINGEMENT NOTICES AND ENFORCEMENT ORDERS

2017 / 2018 2018 / 2019 2019 / 2020 2020 / 2021

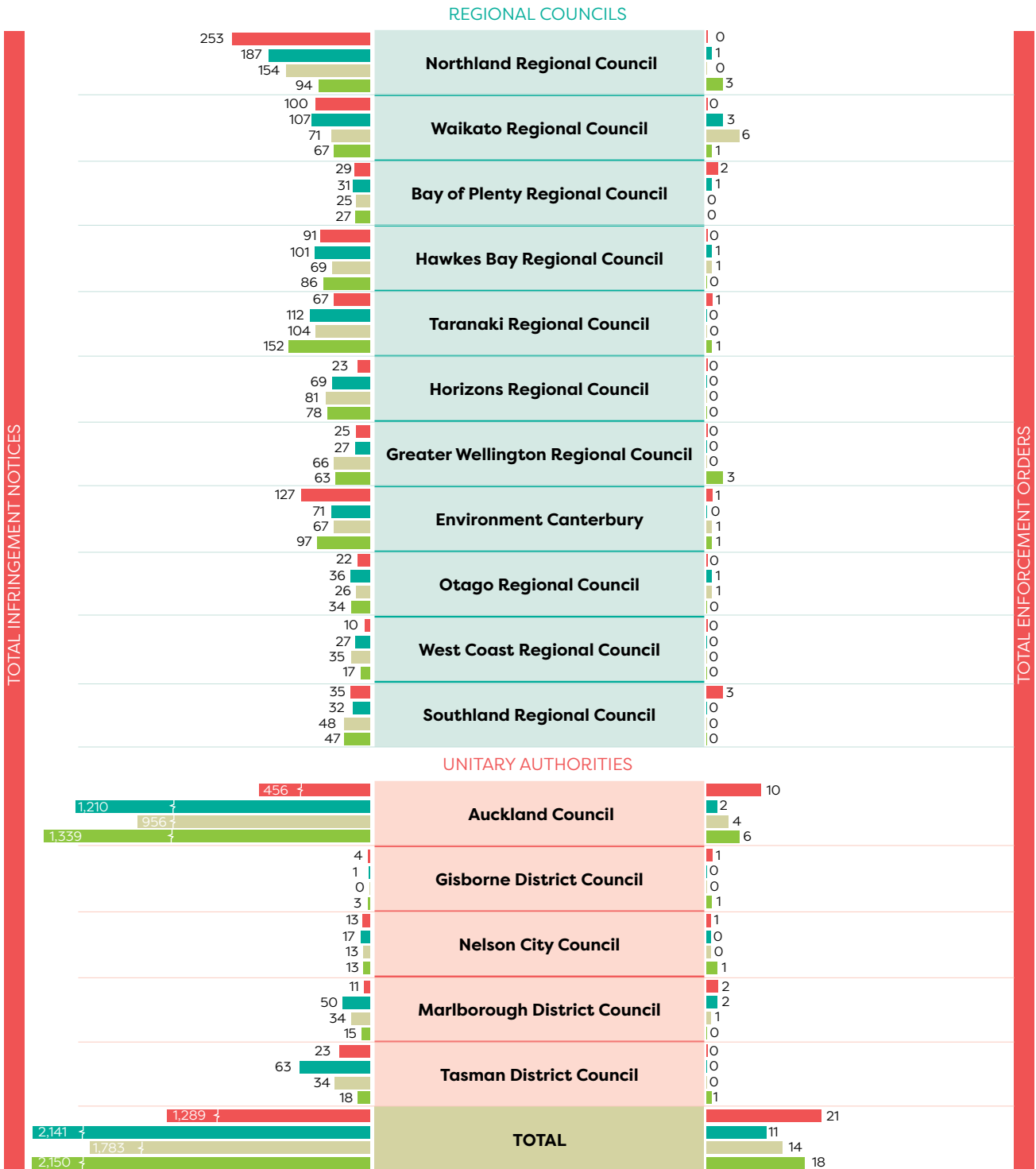


Figure 14: Total infringement notices and enforcement orders



PROSECUTIONS

Questions 32 to 37 address prosecutions, defendants and convictions. The degree to which prosecutions are used shows the willingness of agencies to use tools at the heavy end of the spectrum. Prosecutions work to deter offenders, they are valuable in encouraging compliance and behaviour change when used appropriately.

Where councils are unlikely to prosecute it may be perceived that non compliance is unlikely to result in consequence.

The overall prosecutions concluded are up 36% on last year, while those in progress are down on last year (39%). Regionally there are differences, this is between 0 and 20 for those that have concluded, and between 0 and 12 for those still in progress.

Number of individuals convicted remains on par with last year, the number of convictions entered is decreasing year on year. The number of corporates convicted has increased steadily since 2018, this year by around a quarter.

QUESTION 32. How many RMA prosecutions were:

Note: For this question please consider an entire case (regardless of number of charges and defendants) as one prosecution.

Concluded in the period?

Still in progress in the period?

QUESTION 33. What is the total number of individual (person) defendants convicted as a result of RMA prosecutions concluded in this period?

QUESTION 34. For all of these (person) defendants what is the total number of convictions entered against them? For example, there may be a total of 27 separate convictions entered against a total of nine 'individual' defendants.

QUESTION 35. What is the total number of corporate (e.g., Crown, company, body corporate etc.) defendants convicted as a result of RMA prosecutions concluded in this period?

QUESTION 36. For all of these (corporate) defendants what is the total number of convictions entered against them? For example, there may be a total of 30 separate convictions entered against a total of 12 corporate defendants.

QUESTION 37. Total number of convictions against an individual [see categories for sections of the Act as above]
 Total fine potential (Total x \$300,000)

Total number of convictions against a corporate entity [see categories for sections of the Act as above] Total fine potential (Total x \$600,000)

NATIONWIDE PROSECUTIONS ACROSS THE REGIONAL SECTOR

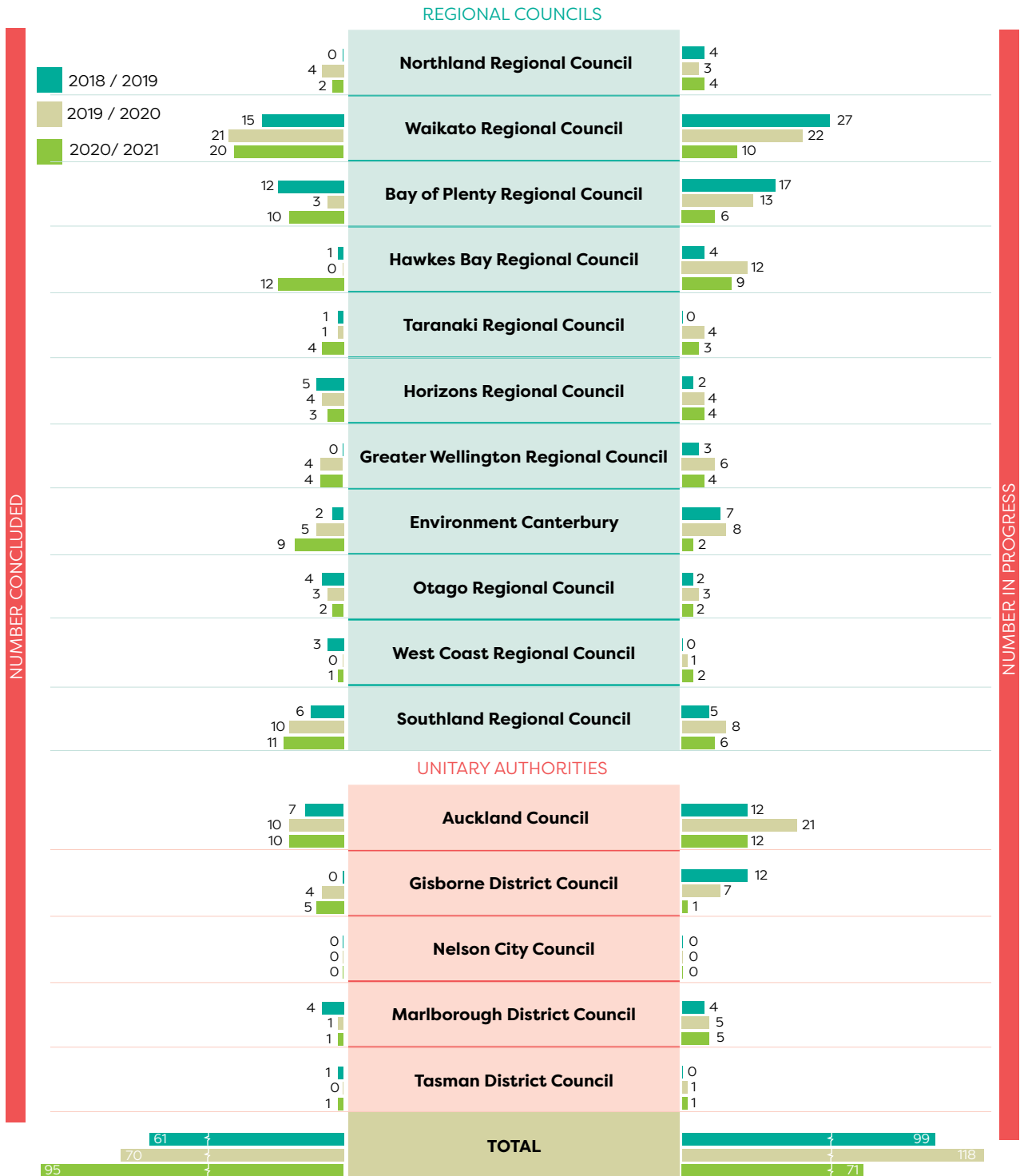


Figure 15: Prosecutions across the regional sector

INDIVIDUALS CONVICTED ACROSS THE REGIONAL SECTOR

■ 2017 / 2018
 ■ 2018 / 2019
 ■ 2019 / 2020
 ■ 2020 / 2021

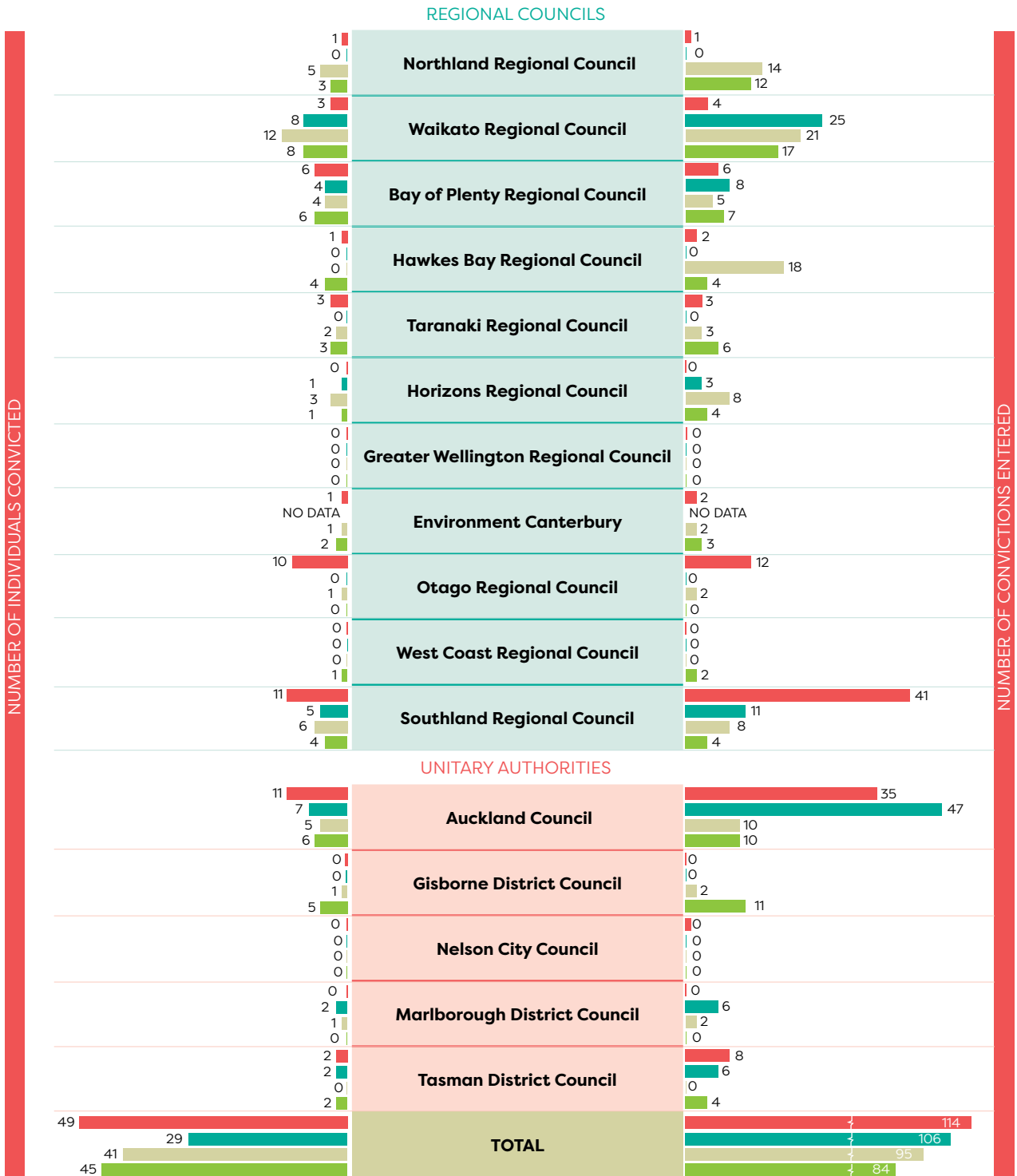


Figure 16 : Individuals convicted across the regional sector

CORPORATES CONVICTED ACROSS THE REGIONAL SECTOR

2017 / 2018 2018 / 2019 2019 / 2020 2020 / 2021

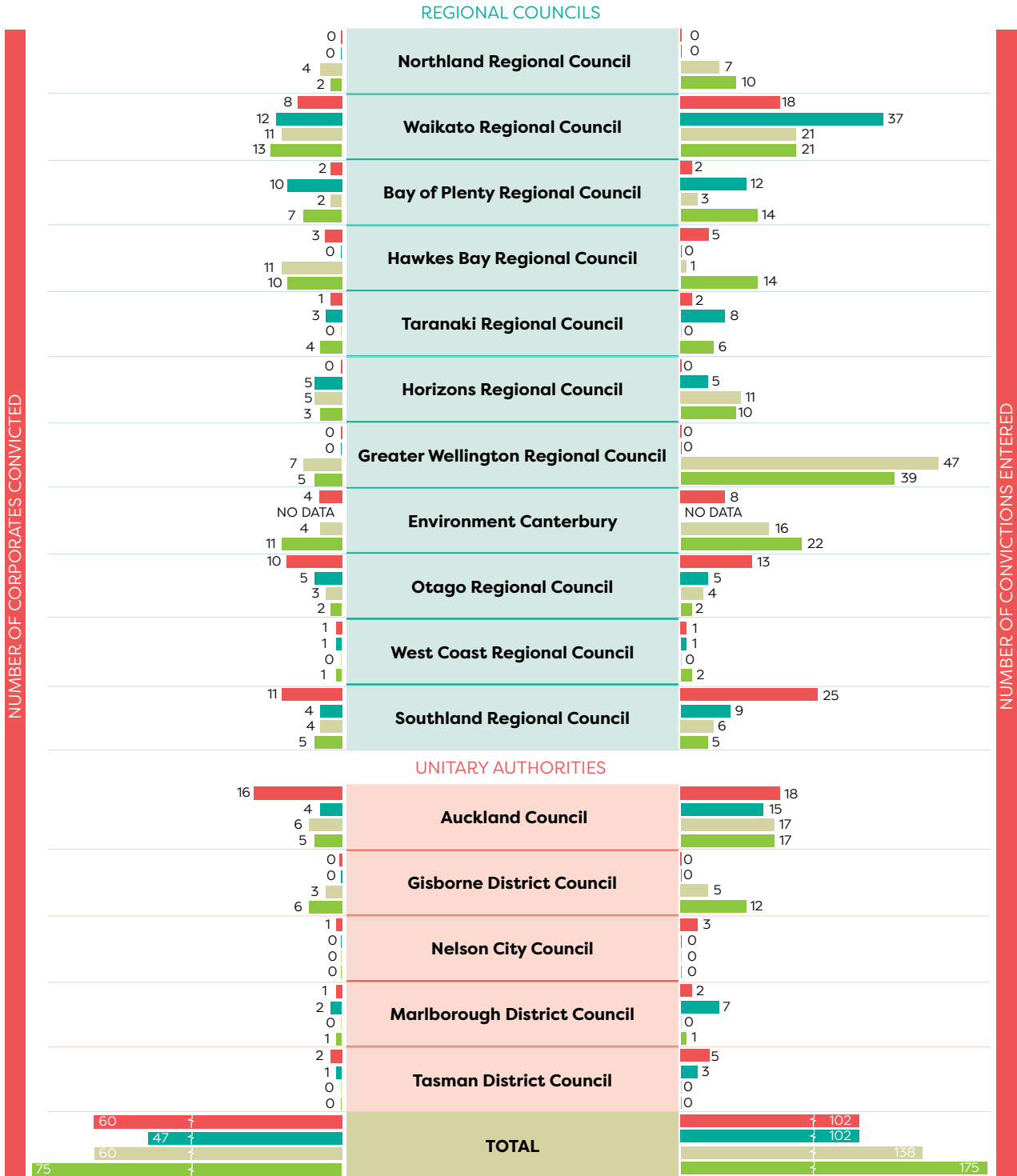


Figure 17 : Corporates convicted across the regional sector

PENALTIES

Fines increased significantly this year totalling \$5,187,565 (\$1.7m more than last year). The majority of these are corporate fines \$4,273,025. This year 5 councils had no individual fines, 2 had no corporate fines. Following last year Waikato has more fines than other councils with \$1.34m of fines.

There were a range of sanctions handed down. This year there were no prison sentences. Nelson City Council was the only council this year to issue no fines or penalties as they had no prosecutions.

	NUMBER OF COUNCILS
ENFORCEMENT ORDER	7
REPARATION	4
COMMUNITY SERVICE	4
RESTORATIVE JUSTICE	6
DIVERSION	1
ALTERNATIVE JUSTICE	1
DISCHARGE WITHOUT CONVICTION	5

Table 7: Other sanctions handed down under the RMA

QUESTION 38. What is the total amount of fines imposed by the courts as a result of RMA prosecutions concluded in this period? Individual / Corporate

QUESTION 39. What other sanctions, if any, have been imposed by the courts as a result of RMA prosecutions concluded in this period? Prison sentence / Enforcement order / Reparation / Community Service / Discharge without conviction / Other

QUESTION 40. How many prosecutions involved restorative justice, diversion or other alternative justice process?

- Restorative justice
- Diversion
- Alternative justice

QUESTION 41. Describe any outcomes relating to these processes.



	INDIVIDUAL FINES	CORPORATE FINES
REGIONAL COUNCILS		
NORTHLAND REGIONAL COUNCIL	\$3,000	\$60,800
WAIKATO REGIONAL COUNCIL	\$397,000	\$948,475
BAY OF PLENTY REGIONAL COUNCIL	\$69,800	\$326,450
HAWKES BAY REGIONAL COUNCIL	\$34,690	\$161,700
TARANAKI REGIONAL COUNCIL	\$105,000	\$600,000
HORIZONS REGIONAL COUNCIL	\$0	\$214,000
GREATER WELLINGTON REGIONAL COUNCIL	\$0	\$310,000
ENVIRONMENT CANTERBURY	\$36,000	\$319,300
OTAGO REGIONAL COUNCIL	\$0	\$547,750
WEST COAST REGIONAL COUNCIL	\$25,500	\$25,500
SOUTHLAND REGIONAL COUNCIL	\$51,250	\$103,500
REGIONAL SUBTOTAL	\$722,240	\$3,617,475
UNITARY AUTHORITIES		
AUCKLAND COUNCIL	\$67,500	\$232,250
GISBORNE DISTRICT COUNCIL	\$96,800	\$408,300
NELSON CITY COUNCIL	\$0	\$0
MARLBOROUGH DISTRICT COUNCIL	\$0	\$15,000
TASMAN DISTRICT COUNCIL	\$28,000	\$0
UNITARY SUBTOTAL	\$192,300	\$655,550
TOTAL	\$914,540	\$4,273,025

Table 8: Prosecution outcomes: fines

QUESTION 42. What is the total amount of fines imposed by the courts as a result of RMA prosecutions concluded in this period?

PROSECUTIONS INVOLVING OTHER SANCTIONS IMPOSED BY COURTS

	ENFORCEMENT ORDER	REPARATION	COMMUNITY SERVICE	DISCHARGE WITHOUT CONVICTION
REGIONAL COUNCILS				
NORTHLAND REGIONAL COUNCIL	1		1 (300hrs)	
WAIKATO REGIONAL COUNCIL	1	\$120,000		
BAY OF PLENTY REGIONAL COUNCIL		\$5,000		1
HAWKES BAY REGIONAL COUNCIL				
TARANAKI REGIONAL COUNCIL	1			
HORIZONS REGIONAL COUNCIL				
GREATER WELLINGTON REGIONAL COUNCIL				1
ENVIRONMENT CANTERBURY	1		1 (45hrs)	1
OTAGO REGIONAL COUNCIL				
WEST COAST REGIONAL COUNCIL				
SOUTHLAND REGIONAL COUNCIL	1	1 (\$15,000)		1
REGIONAL SUBTOTAL	5			4
UNITARY AUTHORITIES				
AUCKLAND COUNCIL	4			2
GISBORNE DISTRICT COUNCIL		\$6,500	(150hrs)	
NELSON CITY COUNCIL				
MARLBOROUGH DISTRICT COUNCIL				
TASMAN DISTRICT COUNCIL	1			
UNITARY SUBTOTAL	5			2
TOTAL	10			6

Table 9: Prosecutions involving other sanctions imposed by courts

QUESTION 43. What other sanctions, if any, have been imposed by the courts as a result of RMA prosecutions concluded in this period?

PROSECUTIONS INVOLVING RESTORATIVE JUSTICE, DIVERSION OR OTHER ALTERNATIVE JUSTICE

	RESTORATIVE JUSTICE	DIVERSION	ALTERNATIVE JUSTICE
REGIONAL COUNCILS			
NORTHLAND REGIONAL COUNCIL	1		
WAIKATO REGIONAL COUNCIL	1		
BAY OF PLENTY REGIONAL COUNCIL	2		
HAWKES BAY REGIONAL COUNCIL	2		
TARANAKI REGIONAL COUNCIL			
HORIZONS REGIONAL COUNCIL			
GREATER WELLINGTON REGIONAL COUNCIL			
ENVIRONMENT CANTERBURY			
OTAGO REGIONAL COUNCIL	1		
WEST COAST REGIONAL COUNCIL			1
SOUTHLAND REGIONAL COUNCIL		1	
REGIONAL SUBTOTAL	7	1	1
UNITARY AUTHORITIES			
AUCKLAND COUNCIL			
GISBORNE DISTRICT COUNCIL			
NELSON CITY COUNCIL			
MARLBOROUGH DISTRICT COUNCIL	1		
TASMAN DISTRICT COUNCIL			
UNITARY SUBTOTAL	1	0	0
TOTAL	8	1	1

Table 10: Prosecutions involving restorative justice, diversion or other alternative justice

QUESTION 44. How many prosecutions involved restorative justice, diversion or other alternative justice process?

CME REPORTING

Question 44 addressed the ways in which this operational function was carried out, providing a range of 'standard' options and giving council respondents space to describe alternate approaches.

Most commonly councils use reports to other Councillors and Council committee meetings that are open to the public. Other mechanisms include zone meetings, putting data on the website, regulation committee meetings, compliance monitoring report, rates newsletter, media release and individual prosecutions.

CME REPORTING CHANNELS

	ANNUAL REPORT	REPORT TO COUNCILLORS	SNAPSHOT	REPORT(S) TO COUNCIL COMMITTEE MEETINGS (OPEN TO PUBLIC)	OTHER	TOTAL REPORTING CHANNELS
REGIONAL COUNCILS						
NORTHLAND REGIONAL COUNCIL	✓	✓	✓	✓	✓	5
WAIKATO REGIONAL COUNCIL		✓	✓		✓	3
BAY OF PLENTY REGIONAL COUNCIL	✓	✓	✓	✓		4
HAWKES BAY REGIONAL COUNCIL	✓	✓	✓	✓		4
TARANAKI REGIONAL COUNCIL	✓	✓		✓	✓	4
HORIZONS REGIONAL COUNCIL	✓	✓		✓		3
GREATER WELLINGTON REGIONAL COUNCIL	✓	✓		✓		3
ENVIRONMENT CANTERBURY	✓	✓	✓	✓	✓	5
OTAGO REGIONAL COUNCIL		✓		✓		2
WEST COAST REGIONAL COUNCIL		✓		✓	✓	3
SOUTHLAND REGIONAL COUNCIL					✓	1
UNITARY AUTHORITIES						
AUCKLAND COUNCIL					✓	1
GISBORNE DISTRICT COUNCIL	✓	✓		✓		3
NELSON CITY COUNCIL	✓	✓		✓		3
MARLBOROUGH DISTRICT COUNCIL	✓	✓	✓	✓		4
TASMAN DISTRICT COUNCIL	✓	✓		✓		3

Table 11: CME reporting channels



REGIONAL SCORECARDS

PART 3

The following pages are summaries of the key data for the regional and unitary councils on an individual basis. They enable councils to quickly and easily communicate the findings of the national scale analysis as it applies to them, and to use these figures as a basis for regional scale performance improvement. All pages contain identical categories of information, all of which is based on tables found elsewhere throughout the report.

CME METRICS REPORT 2020 / 2021

NATIONAL SUMMARY



5,042,900
NEW ZEALAND POPULATION
ESTIMATE 2020



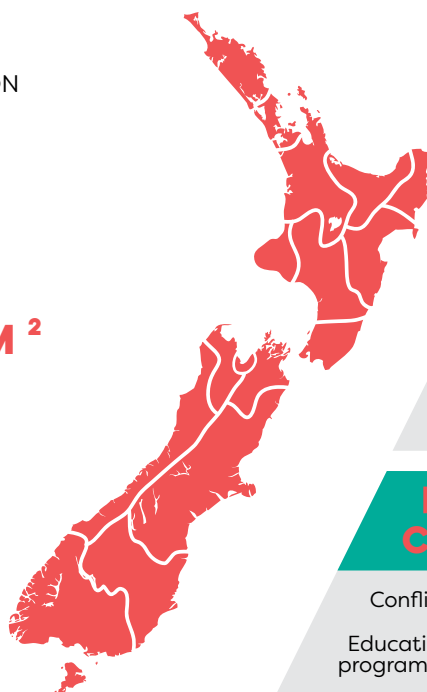
10.5%
POPULATION GROWTH
2015-2020



268,000KM²
GEOGRAPHIC
AREA



\$323,142M
GDP TO MARCH
2020



CME STAFF



FULL TIME EMPLOYEES **542**

FTE/1000 **0.15**

POLICY CHECKLIST



Conflict of interest policy **16 / 16**

Education / engagement programmes **16 / 16**

Enforcement policy **16 / 16**

CONSENTS



283,470
ADMINISTERED



38,214
REQUIRED
MONITORING



83%
CONSENTS MONITORED
OF THOSE REQUIRING IT

INCIDENTS



29,468
ENVIRONMENTAL
INCIDENTS REPORTED



99%
RESPONSE
RATE

ENFORCEMENT

802

WARNINGS
ISSUED

5,225

ABATEMENT NOTICES
ISSUED

2,150

INFRINGEMENT FINES
ISSUED

18

ENFORCEMENT ORDER
APPLICATIONS

95

PROSECUTIONS
CONCLUDED

71

PROSECUTIONS IN
PROGRESS

CME METRICS REPORT 2020 / 2021

NORTHLAND REGIONAL COUNCIL



192,500
NEW ZEALAND POPULATION
ESTIMATE 2020



13.1%
POPULATION GROWTH
2015-2020



13,778 KM²
GEOGRAPHIC
AREA



\$8,222 M
GDP TO MARCH
2020



CME STAFF



FULL TIME EMPLOYEES **25**
FTE/1000 **0.13**

NATIONAL AVERAGE 0.15

CONSENTS



10,164
ADMINISTERED



3,505
REQUIRED
MONITORING



86%
CONSENTS MONITORED
OF THOSE REQUIRING IT
NATIONAL AVERAGE 83%

INCIDENTS



811
ENVIRONMENTAL
INCIDENTS REPORTED



100%
RESPONSE RATE
NATIONAL AVERAGE 99%

ENFORCEMENT

0

WARNINGS
ISSUED

210

ABATEMENT NOTICES
ISSUED

94

INFRINGEMENT FINES
ISSUED

3

ENFORCEMENT ORDER
APPLICATIONS

2

PROSECUTIONS
CONCLUDED

4

PROSECUTIONS IN
PROGRESS

CME METRICS REPORT 2020 / 2021

WAIKATO REGIONAL COUNCIL



492,100
NEW ZEALAND POPULATION
ESTIMATE 2020



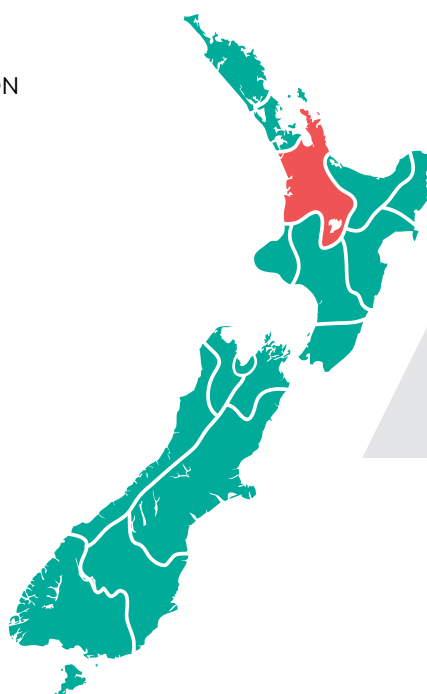
12.5%
POPULATION GROWTH
2015-2020



24,147KM²
GEOGRAPHIC
AREA



\$27,884 M
GDP TO MARCH
2020



CME STAFF



FULL TIME EMPLOYEES **47**
FTE/1000 **0.1**
NATIONAL AVERAGE 0.15

CONSENTS



11,839
ADMINISTERED



NO DATA
REQUIRED
MONITORING



NO DATA
CONSENTS MONITORED
OF THOSE REQUIRING IT
NATIONAL AVERAGE 83%

INCIDENTS



2,207
ENVIRONMENTAL
INCIDENTS REPORTED



100%
RESPONSE RATE
NATIONAL AVERAGE 99%

ENFORCEMENT

282

WARNINGS
ISSUED

118

ABATEMENT NOTICES
ISSUED

67

INFRINGEMENT FINES
ISSUED

1

ENFORCEMENT ORDER
APPLICATIONS

20

PROSECUTIONS
CONCLUDED

10

PROSECUTIONS IN
PROGRESS

CME METRICS REPORT 2020 / 2021

BAY OF PLENTY REGIONAL COUNCIL



333,500
NEW ZEALAND POPULATION
ESTIMATE 2020



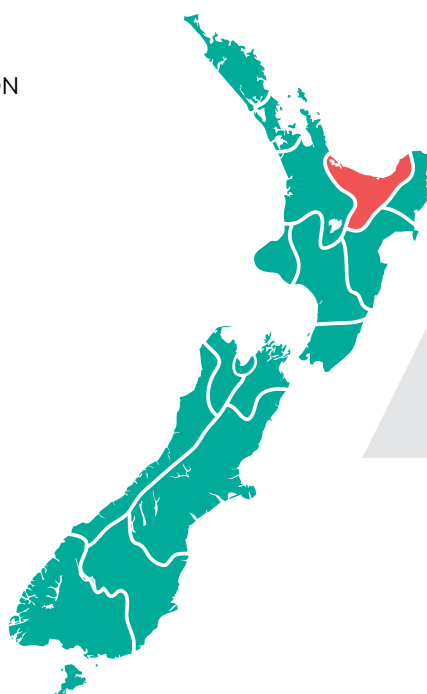
15.1%
POPULATION GROWTH
2015-2020



12,303 KM²
GEOGRAPHIC
AREA



\$18,884 M
GDP TO MARCH
2020



CME STAFF



FULL TIME EMPLOYEES **37**
FTE/1000 **0.11**
NATIONAL AVERAGE 0.15

CONSENTS



8,407
ADMINISTERED



3,324
REQUIRED
MONITORING



86%
CONSENTS MONITORED
OF THOSE REQUIRING IT
NATIONAL AVERAGE 83%

INCIDENTS



3,771
ENVIRONMENTAL
INCIDENTS REPORTED



100%
RESPONSE RATE
NATIONAL AVERAGE 99%

ENFORCEMENT

NO DATA

WARNINGS
ISSUED

102

ABATEMENT NOTICES
ISSUED

27

INFRINGEMENT FINES
ISSUED

0

ENFORCEMENT ORDER
APPLICATIONS

10

PROSECUTIONS
CONCLUDED

6

PROSECUTIONS IN
PROGRESS

CME METRICS REPORT 2020 / 2021

HAWKES BAY REGIONAL COUNCIL



177,200
NEW ZEALAND POPULATION
ESTIMATE 2020



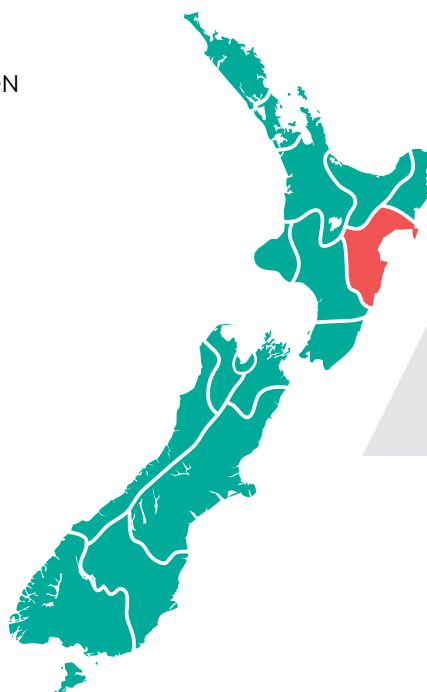
9.2%
POPULATION GROWTH
2015-2020



14,138 KM²
GEOGRAPHIC
AREA



\$9,093 M
GDP TO MARCH
2020



CME STAFF



FULL TIME EMPLOYEES **16**
FTE/1000 **0.09**

NATIONAL AVERAGE 0.15

CONSENTS



8,452
ADMINISTERED



3,355
REQUIRED
MONITORING



93%
CONSENTS MONITORED
OF THOSE REQUIRING IT
NATIONAL AVERAGE 83%

INCIDENTS



823
ENVIRONMENTAL
INCIDENTS REPORTED



100%
RESPONSE RATE
NATIONAL AVERAGE 99%

ENFORCEMENT

22

WARNINGS
ISSUED

66

ABATEMENT NOTICES
ISSUED

86

INFRINGEMENT FINES
ISSUED

0

ENFORCEMENT ORDER
APPLICATIONS

12

PROSECUTIONS
CONCLUDED

9

PROSECUTIONS IN
PROGRESS

CME METRICS REPORT 2020 / 2021

TARANAKI REGIONAL COUNCIL



124,000
NEW ZEALAND POPULATION
ESTIMATE 2020



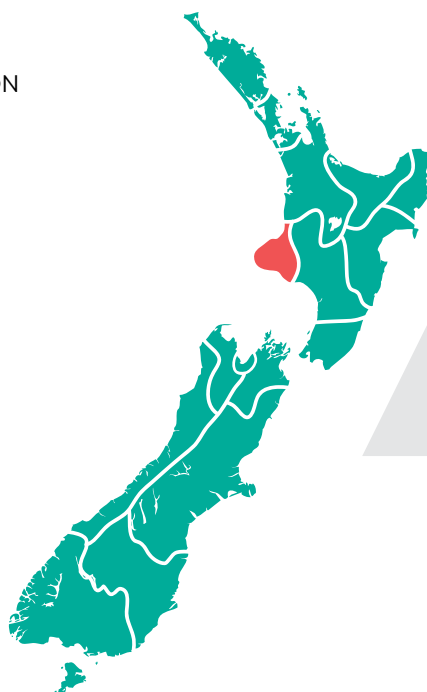
7.1%
POPULATION GROWTH
2015-2020



7,256 KM²
GEOGRAPHIC
AREA



\$9,513 M
GDP TO MARCH
2020



CME STAFF



FULL TIME EMPLOYEES **49**
FTE/1000 **0.4**

NATIONAL AVERAGE 0.15

CONSENTS



4,517
ADMINISTERED



2,510
REQUIRED
MONITORING



100%
CONSENTS MONITORED
OF THOSE REQUIRING IT
NATIONAL AVERAGE 83%

INCIDENTS



590
ENVIRONMENTAL
INCIDENTS REPORTED



100%
RESPONSE RATE
NATIONAL AVERAGE 99%

ENFORCEMENT

0

WARNINGS
ISSUED

255

ABATEMENT NOTICES
ISSUED

152

INFRINGEMENT FINES
ISSUED

1

ENFORCEMENT ORDER
APPLICATIONS

4

PROSECUTIONS
CONCLUDED

3

PROSECUTIONS IN
PROGRESS

CME METRICS REPORT 2020 / 2021

HORIZONS REGIONAL COUNCIL



252,900
NEW ZEALAND POPULATION
ESTIMATE 2020



7.2%
POPULATION GROWTH
2015-2020



22,220 KM²
GEOGRAPHIC
AREA



\$12,426 M
GDP TO MARCH
2020



CME STAFF



FULL TIME EMPLOYEES **25**
FTE/1000 **0.1**

NATIONAL AVERAGE 0.15

CONSENTS



6,619
ADMINISTERED



1,823
REQUIRED
MONITORING



89%
CONSENTS MONITORED
OF THOSE REQUIRING IT
NATIONAL AVERAGE 83%

INCIDENTS



1,226
ENVIRONMENTAL
INCIDENTS REPORTED



100%
RESPONSE RATE
NATIONAL AVERAGE 99%

ENFORCEMENT

11

WARNINGS
ISSUED

40

ABATEMENT NOTICES
ISSUED

78

INFRINGEMENT FINES
ISSUED

NO DATA

ENFORCEMENT ORDER
APPLICATIONS

3

PROSECUTIONS
CONCLUDED

4

PROSECUTIONS IN
PROGRESS

CME METRICS REPORT 2020 / 2021

GREATER WELLINGTON REGIONAL COUNCIL



538,500
NEW ZEALAND POPULATION
ESTIMATE 2020



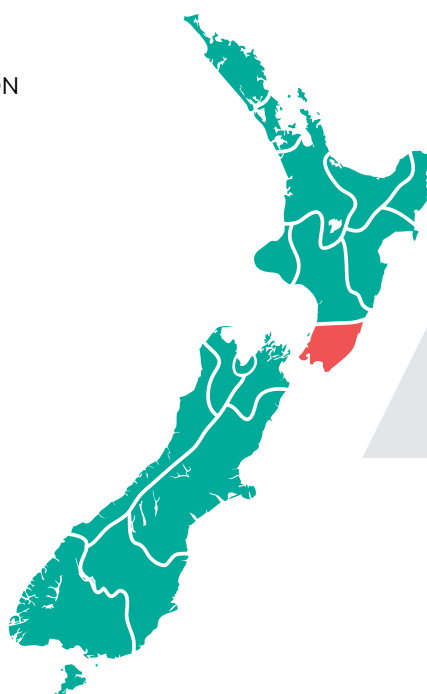
8.1%
POPULATION GROWTH
2015-2020



8,142 KM²
GEOGRAPHIC
AREA



\$40,272 M
GDP TO MARCH
2020



CME STAFF



FULL TIME EMPLOYEES **18**
FTE/1000 **0.03**

NATIONAL AVERAGE 0.15

CONSENTS



7,138
ADMINISTERED



1,779
REQUIRED
MONITORING



87%
CONSENTS MONITORED
OF THOSE REQUIRING IT
NATIONAL AVERAGE 83%

INCIDENTS



1,140
ENVIRONMENTAL
INCIDENTS REPORTED



100%
RESPONSE RATE
NATIONAL AVERAGE 99%

ENFORCEMENT

44

WARNINGS
ISSUED

26

ABATEMENT NOTICES
ISSUED

63

INFRINGEMENT FINES
ISSUED

3

ENFORCEMENT ORDER
APPLICATIONS

4

PROSECUTIONS
CONCLUDED

4

PROSECUTIONS IN
PROGRESS

CME METRICS REPORT 2020 / 2021

ENVIROMENT CANTERBURY



641,200
NEW ZEALAND POPULATION
ESTIMATE 2020



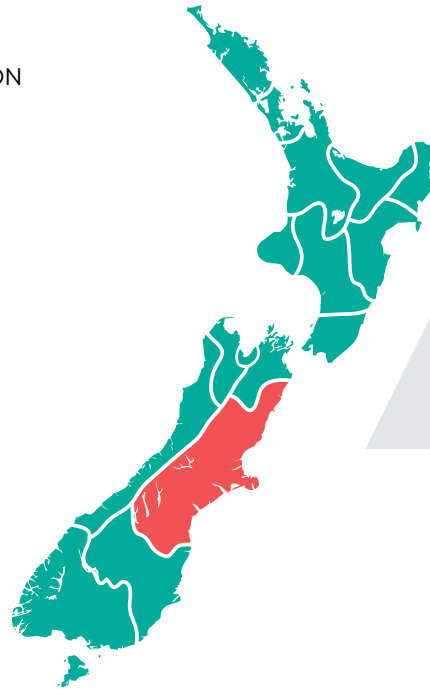
10.8%
POPULATION GROWTH
2015-2020



44,633 KM²
GEOGRAPHIC
AREA



\$39,961M
GDP TO MARCH
2020



CME STAFF



FULL TIME EMPLOYEES **54**
FTE/1000 **0.08**
NATIONAL AVERAGE 0.15

CONSENTS



22,648
ADMINISTERED



1,314
REQUIRED
MONITORING



96%
CONSENTS MONITORED
OF THOSE REQUIRING IT
NATIONAL AVERAGE 83%

INCIDENTS



4,441
ENVIRONMENTAL
INCIDENTS REPORTED



100%
RESPONSE RATE
NATIONAL AVERAGE 99%

ENFORCEMENT

261

WARNINGS
ISSUED

260

ABATEMENT NOTICES
ISSUED

97

INFRINGEMENT FINES
ISSUED

1

ENFORCEMENT ORDER
APPLICATIONS

9

PROSECUTIONS
CONCLUDED

2

PROSECUTIONS IN
PROGRESS

CME METRICS REPORT 2020 / 2021

OTAGO REGIONAL COUNCIL



243,000
NEW ZEALAND POPULATION
ESTIMATE 2020



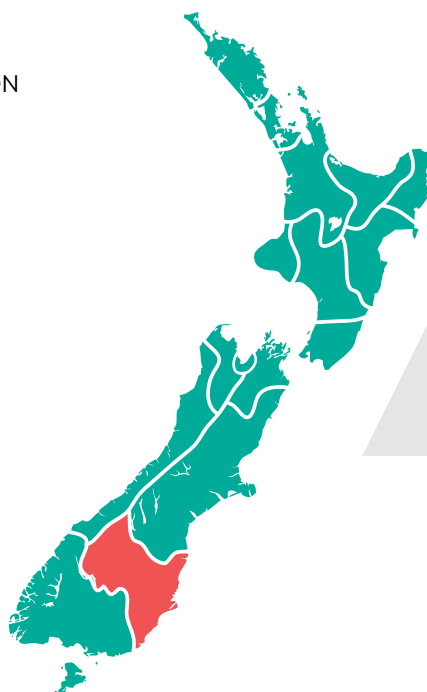
13%
POPULATION GROWTH
2015-2020



31,280 KM²
GEOGRAPHIC
AREA



\$14,180 M
GDP TO MARCH
2020



CME STAFF



FULL TIME
EMPLOYEES **32**
FTE/1000 **0.13**

NATIONAL AVERAGE 0.15

CONSENTS



5,785
ADMINISTERED



3,136
REQUIRED
MONITORING



71%
CONSENTS MONITORED
OF THOSE REQUIRING IT
NATIONAL AVERAGE 83%

INCIDENTS



1,268
ENVIRONMENTAL
INCIDENTS REPORTED



100%
RESPONSE RATE
NATIONAL AVERAGE 99%

ENFORCEMENT

27

WARNINGS
ISSUED

25

ABATEMENT NOTICES
ISSUED

34

INFRINGEMENT FINES
ISSUED

0

ENFORCEMENT ORDER
APPLICATIONS

2

PROSECUTIONS
CONCLUDED

2

PROSECUTIONS IN
PROGRESS

CME METRICS REPORT 2020 / 2021

WEST COAST REGIONAL COUNCIL



32,400
NEW ZEALAND POPULATION
ESTIMATE 2020



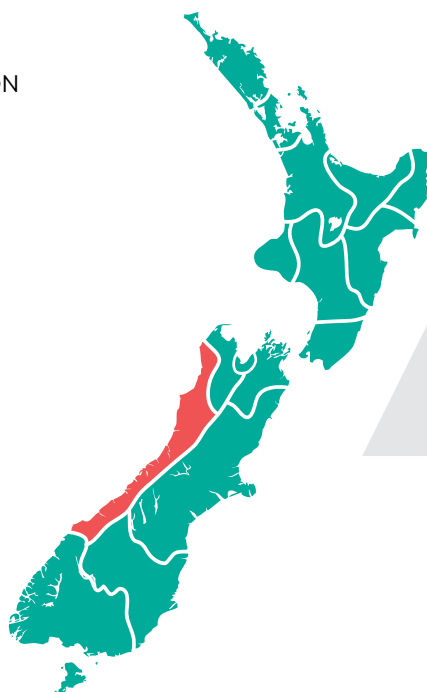
-1.5%
POPULATION GROWTH
2015-2020



23,277 KM²
GEOGRAPHIC
AREA



\$1,836 M
GDP TO MARCH
2020



CME STAFF



FULL TIME EMPLOYEES **7**
FTE/1000 **0.20**
NATIONAL AVERAGE 0.15

CONSENTS



5,682
ADMINISTERED



1,268
REQUIRED
MONITORING



92%
CONSENTS MONITORED
OF THOSE REQUIRING IT
NATIONAL AVERAGE 83%

INCIDENTS



131
ENVIRONMENTAL
INCIDENTS REPORTED



100%
RESPONSE RATE
NATIONAL AVERAGE 99%

ENFORCEMENT

11

WARNINGS
ISSUED

12

ABATEMENT NOTICES
ISSUED

17

INFRINGEMENT FINES
ISSUED

NO DATA

ENFORCEMENT ORDER
APPLICATIONS

1

PROSECUTIONS
CONCLUDED

2

PROSECUTIONS IN
PROGRESS

CME METRICS REPORT 2020 / 2021

SOUTHLAND REGIONAL COUNCIL



102,300
NEW ZEALAND POPULATION
ESTIMATE 2020



5.1%
POPULATION GROWTH
2015-2020



32,184 KM²
GEOGRAPHIC
AREA



\$6,718 M
GDP TO MARCH
2020



CME STAFF



FULL TIME EMPLOYEES **13**
FTE/1000 **0.12**
NATIONAL AVERAGE 0.15

CONSENTS



5,995
ADMINISTERED



5,920
REQUIRED
MONITORING



72%
CONSENTS MONITORED
OF THOSE REQUIRING IT
NATIONAL AVERAGE 83%

INCIDENTS



888
ENVIRONMENTAL
INCIDENTS REPORTED



100%
RESPONSE RATE
NATIONAL AVERAGE 99%

ENFORCEMENT

91

WARNINGS
ISSUED

29

ABATEMENT NOTICES
ISSUED

47

INFRINGEMENT FINES
ISSUED

0

ENFORCEMENT ORDER
APPLICATIONS

11

PROSECUTIONS
CONCLUDED

6

PROSECUTIONS IN
PROGRESS

CME METRICS REPORT 2020 / 2021

AUCKLAND COUNCIL



1,702,700
NEW ZEALAND POPULATION
ESTIMATE 2020



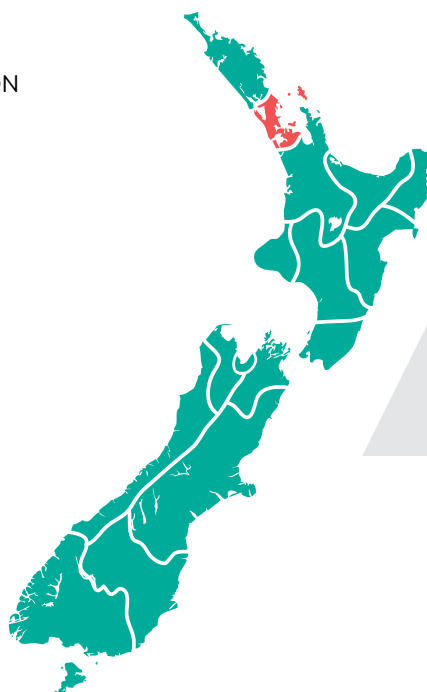
10.8%
POPULATION GROWTH
2015-2020



5,945 KM²
GEOGRAPHIC
AREA



\$122,557 M
GDP TO MARCH
2020



CME STAFF



FULL TIME EMPLOYEES **181**
FTE/1000 **0.11**

NATIONAL AVERAGE 0.15

CONSENTS



130,371
ADMINISTERED



NO DATA
REQUIRED
MONITORING



NO DATA
CONSENTS MONITORED
OF THOSE REQUIRING IT
NATIONAL AVERAGE 83%

INCIDENTS



9,502
ENVIRONMENTAL
INCIDENTS REPORTED



100%
RESPONSE RATE
NATIONAL AVERAGE 99%

ENFORCEMENT

NO DATA

WARNINGS
ISSUED

3,965

ABATEMENT NOTICES
ISSUED

1,339

INFRINGEMENT FINES
ISSUED

6

ENFORCEMENT ORDER
APPLICATIONS

10

PROSECUTIONS
CONCLUDED

12

PROSECUTIONS IN
PROGRESS

CME METRICS REPORT 2020 / 2021

GISBORNE DISTRICT COUNCIL



50,500
NEW ZEALAND POPULATION
ESTIMATE 2020



5.6%
POPULATION GROWTH
2015-2020



8,386 KM²
GEOGRAPHIC
AREA



\$2,299 M
GDP TO MARCH
2020



CME STAFF



FULL TIME EMPLOYEES **9**
FTE/1000 **0.18**
NATIONAL AVERAGE 0.15

CONSENTS



8,893
ADMINISTERED



1,135
REQUIRED
MONITORING



60%
CONSENTS MONITORED
OF THOSE REQUIRING IT
NATIONAL AVERAGE 83%

INCIDENTS



194
ENVIRONMENTAL
INCIDENTS REPORTED



100%
RESPONSE RATE
NATIONAL AVERAGE 99%

ENFORCEMENT

40

WARNINGS
ISSUED

35

ABATEMENT NOTICES
ISSUED

3

INFRINGEMENT FINES
ISSUED

1

ENFORCEMENT ORDER
APPLICATIONS

5

PROSECUTIONS
CONCLUDED

1

PROSECUTIONS IN
PROGRESS

CME METRICS REPORT 2020 / 2021

TASMAN DISTRICT COUNCIL



56,400
NEW ZEALAND POPULATION
ESTIMATE 2020



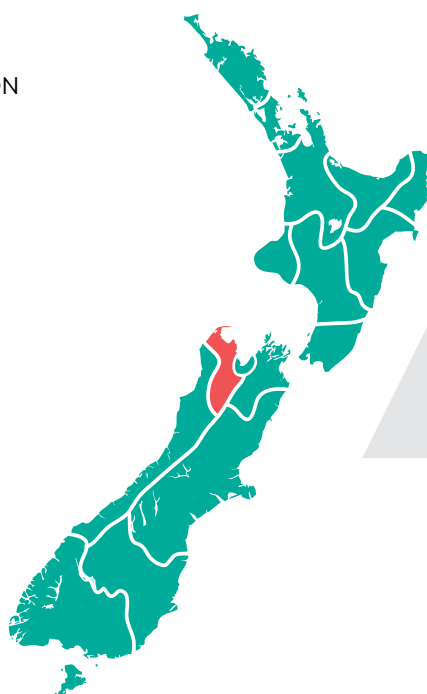
9.7%
POPULATION GROWTH
2015-2020



9,764 KM²
GEOGRAPHIC
AREA



\$6,005 M
GDP TO MARCH
2020



CME STAFF



FULL TIME EMPLOYEES **12**
FTE/1000 **0.21**
NATIONAL AVERAGE 0.15

CONSENTS



16,826
ADMINISTERED



4,941
REQUIRED
MONITORING



57%
CONSENTS MONITORED
OF THOSE REQUIRING IT
NATIONAL AVERAGE 83%

INCIDENTS



1,394
ENVIRONMENTAL
INCIDENTS REPORTED



100%
RESPONSE RATE
NATIONAL AVERAGE 99%

ENFORCEMENT

NO DATA

WARNINGS
ISSUED

37

ABATEMENT NOTICES
ISSUED

18

INFRINGEMENT FINES
ISSUED

1

ENFORCEMENT ORDER
APPLICATIONS

1

PROSECUTIONS
CONCLUDED

1

PROSECUTIONS IN
PROGRESS

CME METRICS REPORT 2020 / 2021

NELSON CITY COUNCIL



54,600
NEW ZEALAND POPULATION
ESTIMATE 2020



9.7%
POPULATION GROWTH
2015-2020



477 KM²
GEOGRAPHIC
AREA



\$6,005 M
GDP TO MARCH
2020



CME STAFF



FULL TIME EMPLOYEES **6**
FTE/1000 **0.1**
NATIONAL AVERAGE 0.15

CONSENTS



675
ADMINISTERED



675
REQUIRED
MONITORING



100%
CONSENTS MONITORED
OF THOSE REQUIRING IT
NATIONAL AVERAGE 83%

INCIDENTS



523
ENVIRONMENTAL
INCIDENTS REPORTED



100%
RESPONSE RATE
NATIONAL AVERAGE 99%

ENFORCEMENT

NO DATA

WARNINGS
ISSUED

17

ABATEMENT NOTICES
ISSUED

13

INFRINGEMENT FINES
ISSUED

1

ENFORCEMENT ORDER
APPLICATIONS

0

PROSECUTIONS
CONCLUDED

0

PROSECUTIONS IN
PROGRESS

CME METRICS REPORT 2020 / 2021

MARLBOROUGH DISTRICT COUNCIL



49,900
NEW ZEALAND POPULATION
ESTIMATE 2020



9%
POPULATION GROWTH
2015-2020



10,773KM²
GEOGRAPHIC
AREA



\$3,290M
GDP TO MARCH
2020



CME STAFF



FULL TIME
EMPLOYEES **13**
FTE/1000 **0.25**

NATIONAL AVERAGE 0.15

CONSENTS



29,459
ADMINISTERED



3,529
REQUIRED
MONITORING



98%
CONSENTS MONITORED
OF THOSE REQUIRING IT
NATIONAL AVERAGE 83%

INCIDENTS



559
ENVIRONMENTAL
INCIDENTS REPORTED



100%
RESPONSE RATE
NATIONAL AVERAGE 99%

ENFORCEMENT

13

WARNINGS
ISSUED

28

ABATEMENT NOTICES
ISSUED

15

INFRINGEMENT FINES
ISSUED

0

ENFORCEMENT ORDER
APPLICATIONS

1

PROSECUTIONS
CONCLUDED

5

PROSECUTIONS IN
PROGRESS



METRICS SURVEY QUESTIONS

APPENDIX 1

1. Which council are you completing this survey on behalf of? [Regional/ Unitary]

2. And this is for?

- Northland Regional Council
- Waikato Regional Council
- Bay of Plenty Regional Council
- Hawkes Bay Regional Council
- Taranaki Regional Council
- Horizons Regional Council
- Greater Wellington Regional Council
- Environment Canterbury
- Otago Regional Council
- West Coast Regional Council
- Southland Regional Council
- Auckland Council
- Gisborne District Council
- Nelson City Council
- Marlborough District Council
- Tasman District Council

3. What is your name and contact details?

COMMENTS TO IWI

Post 2017/2018 regional context data from common national sources (e.g. Statistics New Zealand) instead of requiring councils to submit it. This also helped ensure comparability

4. In no more than 300 words describe your regional key commitments to work with iwi/Maori on CME. For example, joint management agreements or other co-management agreements.

Note: The report author may contact you for further information or clarification of your response.

CME OPERATIONS (MANAGING THE WORKLOAD)

COMPLAINTS

5. Does your council register/count:

- an individual “incident” per notification?
- one incident per event, regardless of the number of separate complainants?

6. How many notifications (complaints) were received from members of the public (or other sources, but excluding information from council monitoring activity) relating to environmental incidents or potential breaches of environmental regulation?

This might include information from, for example, emergency services attending an incident or perhaps a council staff member observing something while on other duties, but excludes information from council monitoring activity.

- No. of individual complaints/calls?
 - No. of individual incidents logged?
 - Unknown
7. How many of these notifications were responded to by council?
This response may be in any form – e.g. phone call, site visit, desktop audit
 8. How many of these notifications were physically attended by council staff?
If one incident had multiple visits, only count this as one.
 9. How many of these notifications were confirmed as breaches of the RMA or subsidiary instruments?
 10. How many of the breaches were for:
 - Breach of a resource consent?
 - Breach of permitted activity rules?

MONITORING RESOURCE CONSENTS & PERMITTED ACTIVITIES RESOURCE CONSENTS

11. How many individual, active resource consents exist in your region?
Exclude Land Use Consents where the activity is completed e.g. Land use subdivisions where the subdivision is complete and certificates issued or land use – building where the building has been constructed.
12. How many consents required monitoring during this period, in accordance with your monitoring prioritisation model/strategy?
13. How many of these consents were monitored (including desktop audit) in the period?

COMPLIANCE GRADINGS

14. In the 2020/2021 year, did you use the four compliance grades as recommended by Ministry for Environment?
Yes/No
15. What grades do you apply to non-compliance? (e.g. technical non-compliance, significant noncompliance)
 - Fully Compliant
 - Technical/Low Non-Compliance
 - Moderate Non-Compliance
 - Significant Non-Compliance
 - Other (please specify)
16. When will your council be adopting the four compliance grades recommended by Ministry for Environment?
17. What were the levels of compliance with consents according to the grades you use?

Note 1: Numbers provided under each grade is per monitoring event not per consent. E.g. a consent may be monitored 4 times in the year on one occasion it may be Technically Non-Compliance and on three occasions it may be Fully Compliant, this would add 3 to the total of Fully Compliant and one to the total for Technical Noncompliance.

Note 2: The compliance grade is based on the condition with the worst compliance grade. (e.g. a consent with five conditions Fully Compliant and one condition Moderate Non-Compliance has an overall compliance grade of Minor Non-Compliance)

Note 3: Daily telemetry water readings where compliance with water take limits is continuously monitored are to be excluded from compliance grade totals.

- Fully Compliant
- Technical/Low Non-Compliance
- Moderate Non-Compliance
- Significant Non-Compliance
- Other (please specify)

MONITORING PERMITTED ACTIVITIES

18. Which permitted activities do you have a monitoring programme for?

- Agriculture (excluding dairy)
- Aquaculture
- Construction
- Dairy
- Forestry
- Horticulture
- Industrial Stormwater
- Mining
- Oil and gas
- Tourism
- Vineyards
- Wineries
- Wintering
- Other (please specify)

MAKING DECISIONS ON PRIORITIES

19. What basis is used for determining what notifications/complaints/incidents are physically attended and with what urgency or priority?

20. Describe how you determine which consents are monitored and how frequently?

If there is a prioritisation model or compliance strategy, add link

21. Describe the basis, which was used for determining what, if any, permitted activities were monitored.

If there is a prioritisation model or compliance strategy, add link

STAFFING LEVELS

22. How many FTEs does your council have who carry out monitoring roles?

Include contractors.

23. How many FTEs does your council have who carry out environmental incident or pollution response roles?

Include contractors.

24. How many FTEs does your council have who carry out investigation or enforcement roles?

25. How many FTEs does your council have who carry out a combination of the above roles? Note 1: Include contractors

Note 2: Only answer this question if you have not included these staff in questions 21, 22 or 23

26. How many FTEs does your council have in CME support roles?

This includes administrative roles, e.g. staff who assist with issue of notices, reminder notices, upload of unpaid infringements to MoJ.

CME POLICIES AND PROCEDURES

27. Does your council have an enforcement policy?

Yes/ No

28. What is your process for making decisions on prosecutions?

29. Who has the delegation to authorise filing of charges for a prosecution at your council?

30. Does your council have a conflict of interest policy?

Yes/ No

ACTING ON NON-COMPLIANCE

31. What was the total number of actions taken during the period for:

- Formal warnings issued
- Abatement notices issued
- Infringement notices issued
- Enforcement orders applied for

Note: This relates to the instruments issued in relation to the different sections of the Act (listed once for brevity)

- *Section 9 Use of land*
- *Section 12 Coastal marine area*
- *Section 13 Beds of lakes and rivers*
- *Section 14 Water*
- *Section 15 Discharges of contaminants*
- *Section 17 Duty to avoid, remedy & mitigate*
- *Other breach e.g. Section 22*

PROSECUTION

32. How many RMA prosecutions were:

Note: For this question please consider an entire case (regardless of number of charges and defendants) as one prosecution.

- Concluded in the period
- Still in progress in the period

33. What is the total number of individual (person) defendants convicted as a result of RMA prosecutions concluded in this period?

34. For all of these (person) defendants what is the total number of convictions entered against them?

For example, there may be a total of 27 separate convictions entered against a total of nine 'individual' defendants.

35. What is the total number of corporate (e.g. Crown, company, body corporate etc) defendants convicted as a result of RMA prosecutions concluded in this period?

36. For all of these (corporate) defendants what is the total number of convictions entered against them?

For example, there may be a total of 30 separate convictions entered against a total of 12 corporate defendants.

37. Total number of convictions against: [see categories for sections of the Act as above]

- *an individual*
- *a corporate entity*

Total fine potential (Individual total x \$300,000, corporate entity total x \$600,000)

38. What is the total amount of fines imposed by the courts as a result of RMA prosecutions concluded in this period?

- *Individual fines*
- *Corporate fines*

38. What other sanctions, if any, have been imposed by the courts as a result of RMA prosecutions concluded in this period?

- *Prison sentence*
- *Enforcement order*
- *Reparation*
- *Community Service*
- *Discharge without conviction*
- *Other*

40. How many prosecutions involved restorative justice, diversion or other alternative justice process?

- *Restorative justice*
- *Diversion*
- *Alternative justice*

41. Describe any outcomes relating to these processes.

EDUCATING AND ENGAGING WITH THE REGULATED COMMUNITY

42. Does your council have, or support, any education or engagement projects relating to compliance with the RMA or any of its derivative regulation? For example, workshops for earthworks contractors around erosion and sediment controls. Yes/No

43. If yes, briefly describe

CME REPORTING

44. What mechanisms do your council use to report CME data to the public? e.g. annual reports, reports to councillors

- *Annual Report*
- *Report to Councillors*
- *Snapshot*
- *Report(s) to Council committee meetings (open to public)*
- *Other (please specify)*

LONG FORM RESPONSES

(QUESTION 3)

APPENDIX 2

Northland Regional Council

NRC has a range of initiatives to work in partnership with Māori. A key one is the Te Tai Tokerau Māori & Council Working Party (TTMAC), which is an advisory committee established in 2014. This group meets monthly. Four of council's five other working parties have an equal number of Maori representatives sitting alongside councilors. This includes the Planning & Regulatory Working Party, which has oversight of CME as part of its purpose. Council has signed with two hapū the Mana Whakahono a Rohe; Patuharakeke and Ngatirehia with the intention to sign with Te Uri o Hau and Te Hikutu. This will be reviewed in terms of implementation in 2022. There is an agreed process for hapū signatories to meet with the Northland Regional Council to discuss opportunities for hapū to be involved in council compliance and monitoring activities.

SOUTHLAND REGIONAL COUNCIL

Ngāi Tahu ki Murihiku (tangata whenua) have a particular interest in the work of Environment Southland. And mutually, the council has responsibilities towards Māori and Māori cultural and spiritual values. The approach we have in Southland today is unique in the South Island. Its aim is to ensure Māori values are reflected in the council's decision-making, so that Southland's mauri is protected for now and generations to come. Te Aō Marama Incorporated (the environmental arm of Ngāi Tahu ki Murihiku) was one of the key facilitators when the relationship between the council and iwi began in the early 90s. Te Aō Marama was delegated the responsibility of dealing with councils on environmental matters, on behalf of the four papatipu rūnanga who hold mana whenua over all ancestral lands in Murihiku – Awarua, Hokonui, Ōraka Aparima and Waihōpai. For 25 years the relationship with Environment Southland continues to grow, with various protocols being developed to ensure smooth and efficient processes for plan development and consents management, a jointly funded iwi policy advisor position, an iwi management plan Te Tangi a Taura, and a partnership to improve Southland's water and land through the People Water and Land programme – Te Mana o te Tangata, te Wai, te Whenua. The most recent milestone in the council's relationship with iwi is the inclusion of mana whenua positions on two of Environment Southland's committees. The successful candidates for these positions will start their work after the elections in October. Environment Southland, refers to the iwi relationship as te kōura tuia – the 'golden thread' that we weave through all our work. It's just part of how we operate. There is a commitment to the responsibility of improving Southland's local government understanding of all things Māori.

WAIKATO REGIONAL COUNCIL

The WRC has operative Joint Management Agreements (JMAs) with five 'River' Iwi – Waikato-Tainui, Raukawa, Te Arawa, Ngāti Maniapoto and Ngāti Tuwharetoa – as required by legislation. A key purpose of JMAs is to provide a framework for Iwi and the Council to discuss and agree processes for enabling co-management of planning, regulatory and other functions within the relevant Iwi's geographic area of interest. For all currently operative JMAs, this includes RMA compliance, monitoring and enforcement (CME) functions of Council. Whilst each of the JMAs was individually negotiated, there are common themes across all in relation to CME. The key commitments relating to CME within the JMAs generally include biannual operational meetings to discuss monitoring priorities, extent and methods; the potential for Iwi involvement in monitoring and enforcement processes; responses to non-compliance; consent review opportunities; the effectiveness of conditions and the effectiveness of compliance policies and procedures generally. The JMAs require various CME-related information to be provided, at different times – for example, summary updates of enforcement actions (prosecutions, enforcement orders, abatement notices and infringement notices) undertaken by the Council under the RMA for the JMA area. Agreed outcomes and actions from biannual operational meetings will, where appropriate, be reported up to the corresponding co-governance committees. The JMAs have facilitated closer personal and working relationship with Iwi which itself has engendered more effective engagement, co-operation and flow of information in both directions.

TARANAKI REGIONAL COUNCIL

The Council has 3 iwi appointed representatives on each of its Consents and Regulatory and Policy and Planning Committees. This provides for CME input at this level. In addition the Council engages directly with iwi over prosecutions and obtains victim impact statements for sentencing. The 4 local authorities in the region are currently trying to develop Iwi Relationship Agreements, under the Mana Wakahono a Rohe provisions of the RMA, with 7 iwi in the region, which potentially includes CME provisions.

HAWKES BAY REGIONAL COUNCIL

Hasn't changed from last year response which covered more the planning and policy interactions with iwi. We are obtaining cultural impact statements from iwi for most prosecutions as part of the sentencing.

ENVIRONMENT CANTERBURY

To give effect to the obligations under the Local Government Act 2002 and the related obligations under the Resource Management Act 1991, we have committed with Ngāi Tahu to improve relationships and interaction and integrate improved working practices across Environment Canterbury. The way we do this falls under the umbrella of our joint work programme Tuia, which includes a commitment to including rūnanga input to our 5-year CME plan. The 5-year plan has identified key areas where Rūnanga and Environment Canterbury can work together to improve Incident Response, compliance and enforcement. For example, we have begun alerting Rūnanga to compliance issues/ incidents in their areas through incident response, have identified opportunities with providing and receiving mutual education and training around compliance monitoring, and are identifying Rūnanga priorities to help with decision making. Environment Canterbury are also funding rūnanga to provide advice to help inform our decisions relating to enforcement action.

WEST COAST REGIONAL COUNCIL

The West Coast Regional Council and Poutini Ngai Tahu have signed a Mana Whakahono a Rohe - Iwi Participation Arrangement. The arrangement formally acknowledges the partnership and relationship between Council and Ngai Tahu. The document can be found on Councils web site under Strategies - publications. Te Runanga Ngati Waewae and Te Runanga Makaawhio have representation on Council and in decision making on relevant Council committees such as the Resource management Committee.

AUCKLAND COUNCIL

Our Compliance Monitoring Unit has been part of the Council's review of the Cultural Values Assessment processes. This is a co-design process with mana whenua that has been on-going for the last few years. We are currently working through a 'winter works' shadowing programme with mana whenua and are working across Council departments to improve the application of Accidental Discovery Protocols which apply where cultural sensitive material is unearthed during construction.

GISBORNE DISTRICT COUNCIL

Joint management agreement over Waiapu catchment. Discussions on certain notified resource consent applications. Department of Internal affairs pilot 'strengthening treaty partnerships' currently underway.

MARLBOROUGH DISTRICT COUNCIL

MDC engage with Iwi and hapū in relation to CME with cultural impact and prioritises as required. MDC operates a Iwi working group in the development of plans. MDC currently have a draft Iwi Engagement Plan

BAY OF PLENTY REGIONAL COUNCIL

We do not currently have any formal CME focused arrangements with tangatawhenua; however, we are currently in the process of developing agreements in this regard in relation to a number of specific matters. Further to this, the role and importance of Māori tikanga is considered in the day-to-day implementation of our compliance programme. In practical terms, this may include ensuring tangatawhenua are notified of incidents in their rohe ('no surprises' approach) and involved in project where appropriate (e.g., marae wastewater). CME information is also formally reported to co-governance groups (eg. Rangitaiki River Authority and TeMaru o Kaituna)

HORIZONS REGIONAL COUNCIL

No formal agreements under CME but is in early-stage development. Currently only engagement is through consent imposed conditions and cultural impacts assessments.

GREATER WELLINGTON

The Council has no formal CME agreements with Iwi. The proposed Natural Resource Plan for the Wellington Region lays out the collaborative work and strategy for involving Iwi. Part of that collaborative work is the ongoing establishment of Whaitua's to engage Iwi and communities in a catchment focused approach to management of the environment. This intrinsically includes a CME element.

OTAGO REGIONAL COUNCIL

No formal agreements at this stage with Iwi around CME, however, in the event of a major incident or comprehensive investigation Iwi are advised. We have used Iwi for cultural impact assessment reports on prosecution cases. We also notify Aukaha of any incidents involving waterways. ORC is working with Aukaha and Te Aō Marama Incorporated to improve engagement and involvement in CME activities.

NELSON CITY COUNCIL

No formal agreements are in place, Iwi are involved in revising Plan provisions and Council facilitates having an Iwi monitor on site alongside Council's monitoring officer when this is requested. All Iwi are sent a summary of all resource consent applications on a weekly basis. Council is also financially supporting Iwi to build capacity in state of the environment monitoring and to establish cultural health monitoring practices.

TASMAN DISTRICT COUNCIL

No formal agreements under CME responsibility at this stage but being developed. At a very early scoping stage.