

Annual Compliance Report 2018-19

Presented to Council: 27 November 2019

November 2019
Hawke's Bay Regional Council Publication No. 5432

Regulation

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Executive Summary

This report gives an overview of our compliance monitoring activity undertaken by Hawke's Bay Regional Council under the Resource Management Act from 1 July 2018 to 30 June 2019. It is the first year we have reported using information from a new Integrated Regional Information System. Reporting is based on the Ministry for the Environment (MfE) national compliance grading framework.¹

Compliance monitoring involves carrying out inspections to assess some or all conditions placed on resource consents. We use compliance to promote behaviour change and enable consent holders, and the wider community, to take ownership of resource management issues, and incorporate best practice which goes beyond the minimum requirements.

The Compliance Team uses both regulatory and non-regulatory tools and works with a range of teams across Council to achieve a coordinated approach.

2,965 consents were monitored last year. Nearly 65% of these were for irrigation. The remainder of consents were for land use activities or discharges to land, air and water. Agricultural and horticultural activities (cropping, orchards, viticulture, dairy and pastoral) made up the majority of consents monitored.

The following gradings were achieved:

- 93% (2750) Full Compliance
- 3% (94) Low-risk non-compliance
- 3% (94) Moderate non-compliance
- 1% (27) Significant non-compliance

Water take consents for irrigation were generally compliant. There is only one issue of note relating to failure to undertake bore security works in an adequate timeframe to ensure protection of the underlying aquifer. Compliance staff are working with the consent holder to bring the bore up to standard. The Regional Council has developed a bore security program that will require all 1,800 consented water take bores to comply with a set of mandatory conditions and submit a report confirming the security status. We have prioritised at-risk bores starting with public water supplies. Private water supplies servicing multiple households are now being looked at.

Across the dairy industry, full compliance rates dropped, the number of Gold award recipients increased. This suggests that higher-performing operators are maintaining and improving standards while others may require further support or encouragement.

This Regional Council has employed dedicated forestry staff to meet our requirements for monitoring and enforcement under the National Environment Standard for Forestry. We have set up an online portal and system for managing applications, notifications, monitoring and enforcement. It is expected that the forestry compliance workload will increase significantly in 2019-2020.

Although improvements have occurred, there continue to be non-compliance with various discharge requirements at some industrial sites. Non-compliance will be monitored more closely in the 2019-2020 year.

The stormwater and sewage networks in all cities and towns are old and under significant stress, especially during periods of heavy rainfall. This causes sewage overflows that are both an environmental and health risk. All councils in the Hawke's Bay region are aware of this and recognise that addressing this is a major priority.

From 1 July 2018 to 30 June 2019, we received 1,116 requests for service through the Pollution Hotline service, a 1.9% increase on the previous year, with an increasing trend of 86% increase over the previous 5 years. Most of those incidents related to air discharge complaints.

¹ Taken from MfE's *Best Practice Guidelines for Compliance Monitoring and Enforcement under the RMA 1991* published in 2018.

Infringement notices issued increased to 101 from 92. Most infringement notices issued were for outdoor burning. This increase reflects the continued zero tolerance approach to outdoor burning breaches confirmed during the air shed season.

The number of abatement notices issued decreased slightly from 46 in 2017-18 to 40 in 2018-19. There were 4 prosecutions initiated during the year. The one completed prosecution was successful and resulted in a conviction and an \$11,750 fine for burning prohibited items.

Introduction

Hawke's Bay Regional Council (HBRC) supports the sustainable development of the region by managing the effects of people's use of natural and physical resources. We also have a broader responsibility for the economic, social and cultural well-being of the community.

HBRC uses a range of regulatory and non-regulatory tools to manage the environmental impacts of activities throughout the region, including rules and resource consents made under the Resource Management Act 1991 (RMA). Compliance with the requirements of these rules and resource consents provides an important measure of how we, as a regulatory authority, engage with the community to manage environmental impacts.

The Compliance team is responsible for monitoring the following areas of HBRC business:

- Resource consents
- Pollution response
- Contaminated land and hazardous waste
- Oil spill response

This annual report provides an overview of all our compliance monitoring activity undertaken under the RMA from 1 July 2018 to 30 June 2019. It is the first year that we have reported using information from the new IRIS (Integrated Regional Information System) and reporting is based on the Ministry for the Environment (MfE) national compliance grading framework² (refer Table 1). While the results are not comparable to previous years, the report does provide a benchmark of compliance grading for following years and will allow comparison with National data sets.

Compliance is reported for the following activity areas:

- Agricultural
- Bore security
- Non-municipal effluent
- Forestry
- Horticulture and viticulture
- Industrial activities
- Territorial Authorities
- Low flow monitoring
- Private landfill
- Pollution and Oil spill response
- Contaminated land and hazardous waste

As with previous annual reports, significant non-compliance has been reported, as well as more detailed discussion of some more prominent and significant activities. An overview of compliance, pollution response, investigations and enforcement activities are also included.

Major industrial consents, or those of special interest to Hawke's Bay, that have been previously reported on, are included in the report.

New to this report is:

- The importance of understanding why and how we monitor compliance
- A new compliance grading framework (consistent with national best-practice)
- Why monitor compliance?
- The principles which underpin investigations and enforcement
- Discussion of the role of tāngata whenua in compliance and the need for further engagement and growth as a Council.

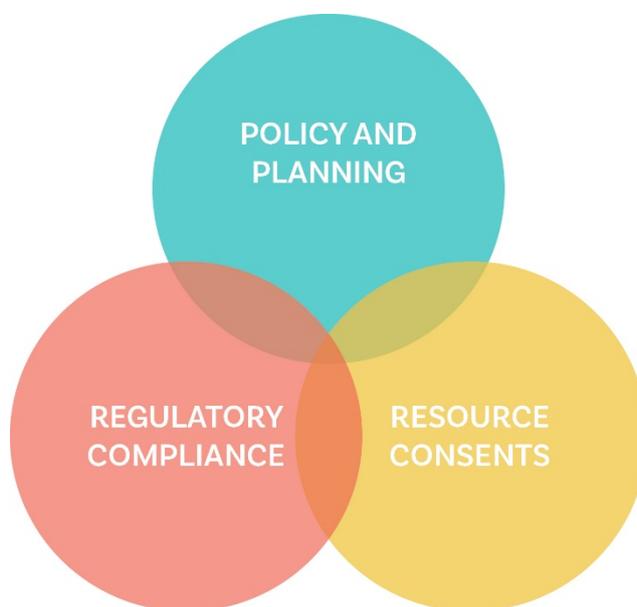
² Taken from MfE's *Best Practice Guidelines for Compliance Monitoring and Enforcement under the RMA 1991* published in 2018.

Why Monitor Compliance?

In its most basic form, achieving compliance is often seen as meeting a minimum acceptable standard of resource use. Regulatory Compliance only forms one aspect of the regulatory lifecycle (refer figure 1), which also includes policy development and resource consents.

Monitoring compliance with consent requirements and responding to pollution events and pollution hotline requests for service:

- Raises awareness about the required level of environmental management and why it is important.
- Allows early detection of activities that might be adversely affecting the environment and allows action to be taken to remedy and mitigate effects.
- Ensures any non-compliance with consent conditions is identified and appropriate action taken.
- Gives assurance to communities that the resource management framework they were consulted on is being upheld.
- Contributes to assessing long-term trends over time.
- Helps Council make informed decisions.



*Figure 1: Regulatory Lifecycle
(Source Bay of Plenty Regional Council)*

- Provides useful information about where policies and plans are not meeting the anticipated environmental outcomes. Feedback may lead to changes to policies and plans.

Our goal is to use compliance as a tool to promote behaviour change and enable consent holders, and the wider community, take ownership of resource management issues, and incorporate best practice which goes beyond the minimum requirements.

The Compliance Team seeks to achieve this using both regulatory and non-regulatory tools and works with a range of teams across Council to achieve a co-ordinated approach.

How We Monitor Compliance

Compliance monitoring involves carrying out inspections to assess some or all active conditions within resource consents.

The frequency of site inspections for each activity is set in our 2018-28 Long Term Plan and a review will be carried out for the 2019-2020 year as part of the annual Resource Management Act Section 36 charges review, which outlines the costs associated with maintaining resource consent. The inspection frequency considers the type of activity and its environmental risk profile. Other factors are also considered for particular consents, such as the consent holder's compliance history.

In addition to inspections, the team also undertakes desktop performance monitoring, which is the audit of incoming compliance returns from consent holders, such as test results, reports, records and monitoring data. These compliance grades are explained in the Table 1.

Table 1: Explanation of compliance grades

Compliance Grade	Explanation
Complying	Complying with all assessed consent conditions.
Low-risk Non-Compliance	Compliance with most consent conditions. Any non-compliance is of a low-risk to the environment.
Moderate Non-Compliance	Non-compliant with some consent conditions, where the environmental consequence of non-compliance is deemed to be minor to moderate risk, and/or has the potential to result in more serious environmental effects.
Significant Non-Compliance	Failure to comply with a number of consent conditions and/or the environmental consequences of non-compliance was deemed to be significant.

Strategic Compliance Framework

In March 2016, the Regional Sector Compliance and Enforcement Special Interest Group (CESIG) finalised and endorsed the Regional Sector Strategic Compliance Framework (SCF). More recently the CESIG has just completed its biennial 2018 review of the SCF. Staff from HBRC were involved in the development and recent review of the SCF. The HBRC compliance programme is being implemented to be consistent with the national framework and national best practice, for example, using the four-grade compliance system, previously three.

The Regional Sector SCF (along with the MfE’s Best Practice Guidelines) assists Regional and Unitary Authorities to develop a consistent approach to:

- Monitoring compliance (to assess the state of compliance).
- Encouraging compliance (so we all achieve the highest levels of compliance).
- Dealing with non-compliance (consistent use of enforcement tools to bring about behaviour change).
- Reviewing each of these components to gauge the effectiveness of the SCF.

The SCF encourages Regional and Unitary Authorities to implement the **4 Es Model** approach (engage, educate, enable, enforce) to compliance promotion (refer Figure 2).

It is important that councils take a comprehensive ‘spectrum’ approach to encourage compliance, through understanding what influences behaviour change. The inclusion of the ‘enforce’ element recognises that more coercive measures are available, if the softer approach is ineffective in achieving behaviour change.

Engage – consult with regulated parties, stakeholders and community on matters that may affect them. This will require maintaining relationships and communication until final outcomes have been reached. This will facilitate greater understanding of challenges and constraints, engender support and identify opportunities to work with others.

Educate – alert regulated parties to what is required to be compliant and where the onus lies to be compliant (i.e. with them). Education should also be utilised to inform community and stakeholders about what regulations are in place around them, so that they will better understand what is compliant and what is not.

Enable – provide opportunities for regulated parties to be exposed to industry best practice and regulatory requirements.

Link regulated parties with appropriate industry advisors.
Promote examples of best practice.

Enforce – when breaches of regulation, or non-compliance, are identified then an array of enforcement tools are available to bring about positive behaviour change. Enforcement outcomes should be proportional to individual circumstances of the breach and culpability of the party.

The SCF also encourages Regional and Unitary Authorities to undertake robust data collection and reporting on its compliance and monitoring activities, to understand compliance and non-compliance within the region, and to continue to improve and tailor the compliance programme accordingly.

Who Monitors Compliance?

Regulatory Compliance monitoring is largely driven through the HBRC Regulation Group which includes the Compliance and Harbour Master functions. The Compliance Team is made up of Environmental Compliance Officers, Environmental Pollution Response Officers and Compliance Coordinators based out of our Dalton Street Office in Napier.

Environmental compliance staff generally carry out the day-to-day compliance tasks, including scheduled inspections, Pollution Response and requests for service, investigations and enforcement. Officers focus on and lead a wide range of specialised compliance projects which are linked to escalated or high-profile issues such as plan changes and organisation challenges such as new emerging national issues.

More recently a regulatory policy implementation position has been added to the Regulation Group to help implement the Tukituki Catchment Plan (PC6) and that recognises the crucial link in the regulatory lifecycle and the important contribution that putting emphasis on the 'engage and educate' part of the 4'Es plays in delivering good compliance outcomes and ensuring that our policies are fit for purpose.

Enforcement

Depending on the severity of non-compliance, staff will often work with consent holders and other parties to achieve compliance without using enforcement. However, when this approach is unsuccessful or inappropriate, HBRC can use a variety of enforcement tools.

Directive options

- Compliance audit sheets and letters of direction – these set out actions required to achieve compliance.
- Abatement notices - formally require works or actions to be undertaken or ceased.
- Enforcement orders - are applied for through the Environment Court. This is more common during prosecution sentencing, as obtaining enforcement orders can be very time consuming and costly.

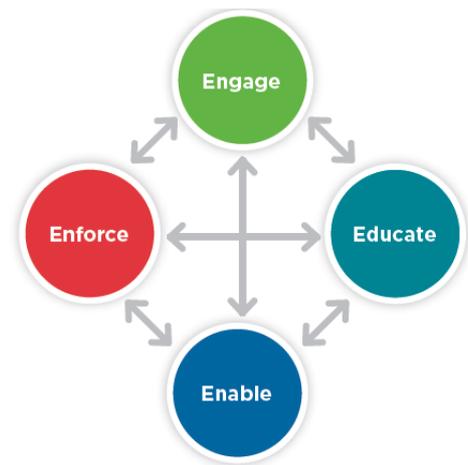


Figure 2: 4 Es source Regional SCF

Punitive options

- Formal warning letters - advise offenders of their non-compliance.
- Infringement notices – issue set fines ranging from \$300 to \$1,000. They can be issued to individuals or organisations that have breached the RMA³.
- Prosecution - the maximum penalty can be up to two years imprisonment and a fine of up to \$300,000 for individuals or up to \$600,000 for any other entity.

It is sometimes appropriate to use a mix of directive and punitive options, as these options are not exclusive of each other and can be very effective.

When considering which enforcement option to take, it is important that a fair, robust and consistent decision-making process is followed. Decisions can only be made using the facts, not assumptions or guesses. The following criteria are considered in each case as part of Enforcement Decision Making Process set out in HBRC Enforcement Policy 2018:

1. Actual adverse effects on the environment (effects that have occurred).
2. Likely adverse effects (potential effects).
3. Value or sensitivity of area affected.
4. Toxicity of discharge.
5. Deliberate or accidental action.
6. Degree of due care taken/foreseeability of incident.
7. Effort to remedy/mitigate effects.
8. Effectiveness of remedy/mitigation.
9. Profit or benefit gained by alleged offender.
10. Repeat non-compliance or previous enforcement action for the same or similar situation.
11. Failure to act on prior instructions.
12. Degree of deterrence required in relation to the party (specific deterrence and not a wider effect).
13. Degree of general deterrence required.

In addition, the Solicitor General's guidelines must be considered in the decision-making process for prosecutions.

Implications for Tāngata Whenua

The Māori population in the Hawke's Bay equates to about 26% of the total population⁴. HBRC has clear statutory obligations to Māori under the Local Government Act 2002 (LGA), and the Resource Management Act 1991 (RMA). In particular, Part 2, Sections 6 and 7 of the RMA recognises and provides for participation in decision-making, having regard to kaitiakitanga, consultation and fostering development.

Council is actively seeking to collaborate and improve the way we do business in the regulatory compliance space and strengthen relationships between the Regulatory Compliance team and tāngata whenua.

The core function of compliance is to ensure consent conditions, plans, policies, rules and the RMA are followed. The role of tāngata whenua as kaitiaki is to protect the natural and physical environment, waahi tapu and other sites of cultural significance to ensure community and cultural sustainability is achieved. Therefore, the role of compliance directly aligns with tāngata whenua and kaitiaki values; partnering with tāngata whenua is of mutual benefit to ensure the best environmental outcome is achieved.

³ Central Government are currently reviewing infringement notices as part of the RMA Amendment Bill with a view to increasing penalties

⁴ Source Ministry of Health 2018-19

Areas for involvement and improvement in relation to our compliance monitoring function include:

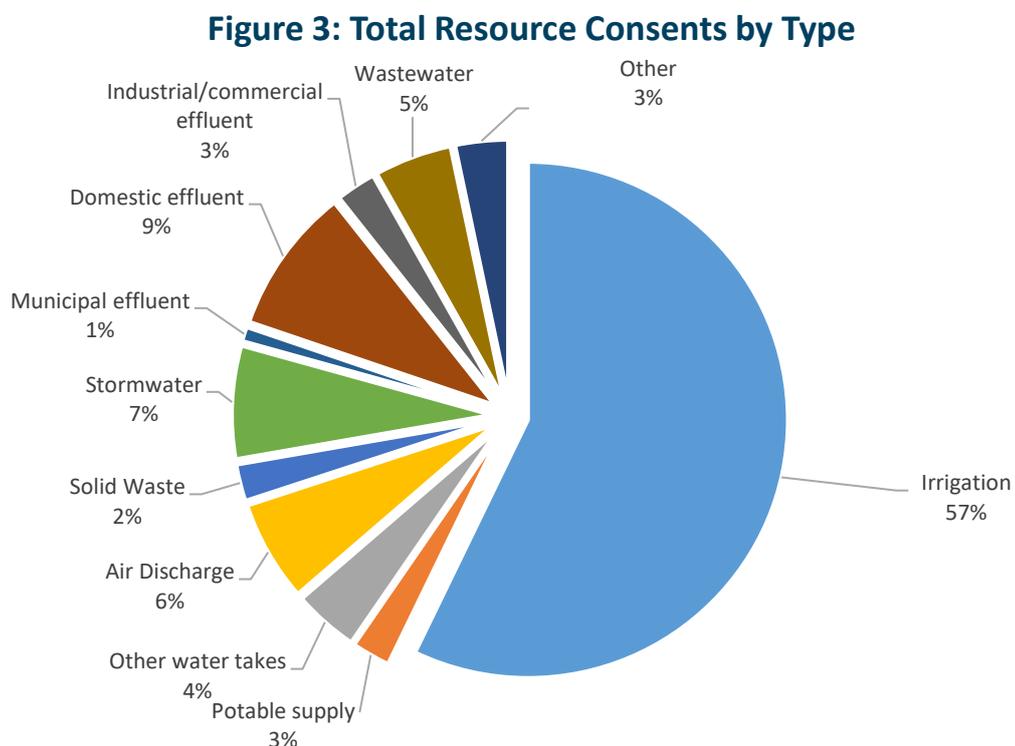
- Early notification aims to ensure all effects (i.e. cultural, environmental, socio-economic, spiritual) from incidents, particularly discharges to water, are dealt with early and provides tāngata whenua and kaitiaki an opportunity to inform their own decision-making. Their observations and involvement can then further inform relevant cultural assessments which feed into consent applications.
- Regular meetings and workshops with various tāngata whenua across the region to strengthen communication and relationships, build trust and increase accountability.

Doing the above will ultimately enable us to have an improved understanding and appreciation of mātauranga Māori. Greater understanding will drive consistency across the team and improve relationships and collaboration with tāngata whenua across the region.

Hawke’s Bay is experiencing economic and population growth, with development occurring throughout the region. Managing environmental outcomes can become more difficult under high growth situations and thus kaitiaki play a significant role in this space. One of the compliance teams focus areas is to progress collaboration initiatives across the region.

Compliance Inspection and Results

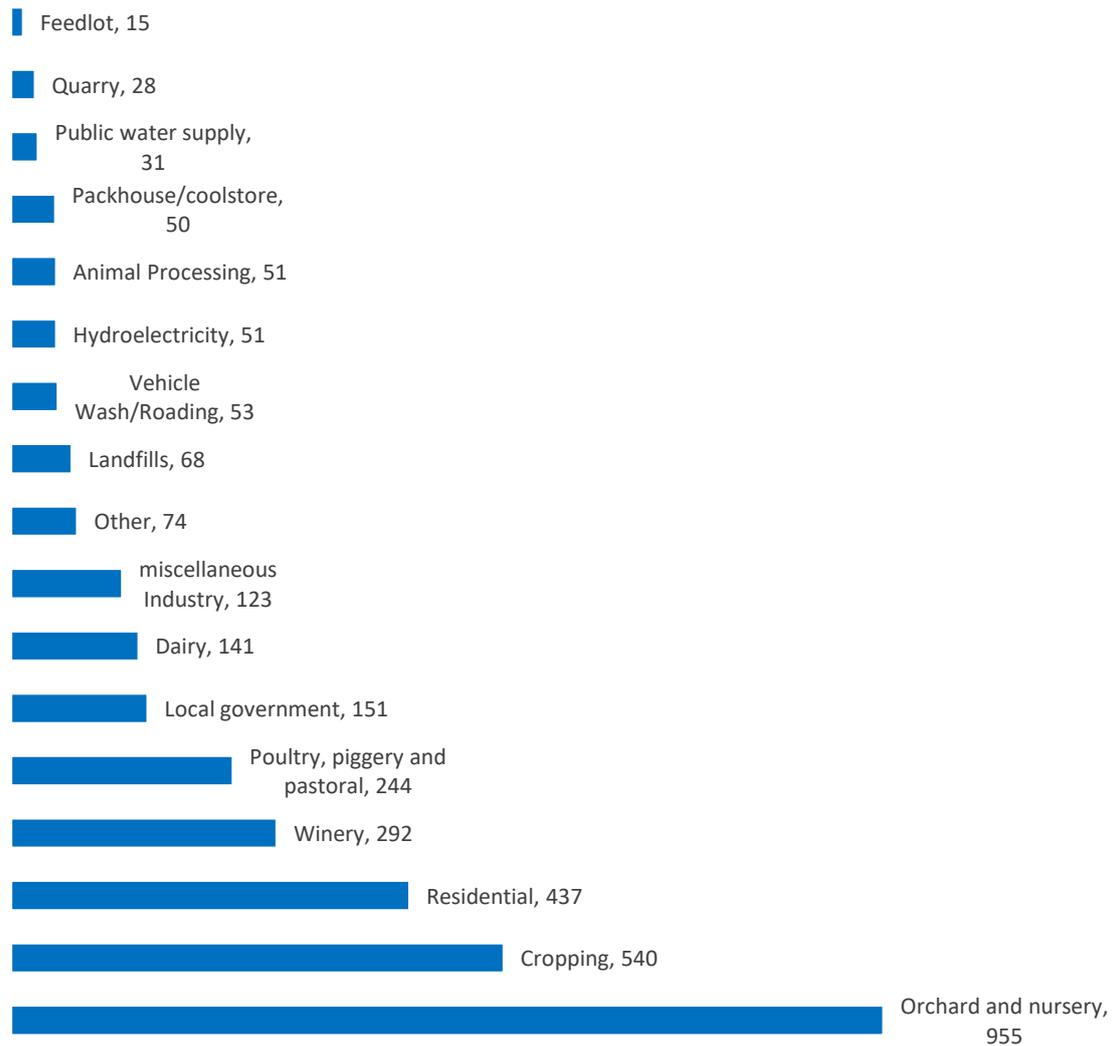
For the 2018-2019 reporting period, HBRC had approximately 8500 resource consents. Of these, 3290 required monitoring during the reporting period - 2040 water takes consents and the remaining 1250 consents predominantly for land use or discharges to land, air and water. Figure 3 shows the total percentage of the resource consents by type across the Hawke’s Bay region.



The resource consents that we issue are dominated by irrigation and other water supplies that make up approximately 64% of all resource consents for HBRC. Resource consents for discharging effluent are the next largest portion, with domestic, municipal and commercial effluent making up 13% of all monitored resource consents. Stormwater and wastewater consents are 7% and 5% respectively of all consents. Air discharges that make up approximately 6% comprise odour, dust, particulate matter and other contaminants.

The number of consents monitored by activity in 2018-19 (refer Figure 4) show that agricultural and horticultural activities namely; cropping, orchards, viticulture, dairy and pastoral, make up the majority of the consents monitored during this period. The other major portion are consents issued for domestic activities, this is predominantly domestic effluent consents.

Figure 4: Total Resource Consents by Activity

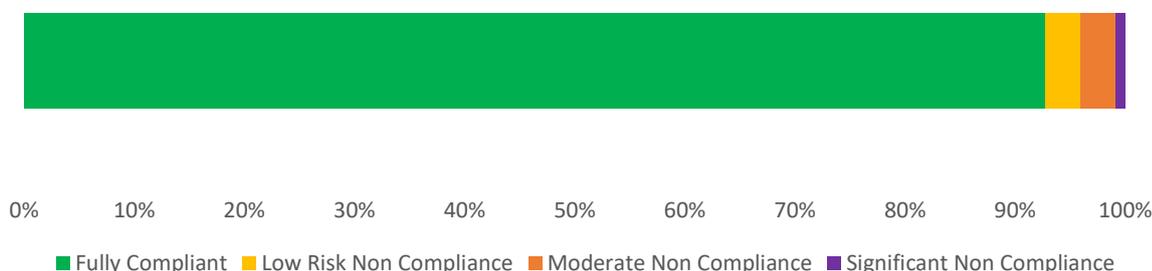


During the 2018-2019 period HBRC **compliance staff monitored 90% of the resource consents that required monitoring (2965 of 3290)**. Monitoring includes physical site inspections of the resource consents, assessments of performance and data returns received by the compliance and water information services team.

The chart below details the compliance grading for all of the consents monitored by HBRC during the 2018-2019 reporting period. Of the 2965 resource consents that were monitored the following gradings were achieved:

- 93% (2750) Full Compliance
- 3% (94) Low-risk non-compliance
- 3% (94) Moderate non-compliance
- 1% (27) Significant non-compliance

Total Consent Compliance 2018-2019



Compliance and Enforcement reporting for the 2018-2019 year is presented in this report in three main sections:

- Audit and Inspection activities
- Incident response and enforcement
- Contaminated land, hazardous waste and oil spill response.

The **Audit and inspection activities** section is based on industry groupings such as forestry, dairying and domestic effluent. The performance of resource consents held by local authorities is broken down to each individual local authority. Regionally significant consents have also been identified and are included in the report.

The performance of resource consents held by major industry sectors and regionally significant industries is presented as a table of summary figures and a graph detailing the overall compliance grading. Comments detailing other important information such as; the completeness and quality of the results provided, evidence of contingency planning, prompt notification of events, completion of full and thorough investigations, maintenance of good communications with HBRC and proactive in addressing or highlighting potential issues and evidence of environmental effects.

The **Incident response and enforcement** section is presented as complaints and enforcement action undertaken. The complaints received are shown by resource type such as land air or water. The enforcement reporting is shown as infringement notices, abatement notices and prosecutions completed or undertaken during the 2018-2019 reporting period. Both complaints and enforcement data is compared to previous years to indicate trends.

The **Contaminated Land and Hazardous Waste** section details the contaminated land information currently recorded on our Selected Land Use Register and outlines other projects that have been undertaken within the 2018-2019 reporting period. Upcoming projects and expected pressures are also highlighted. A summary is included for our subsidised Agricultural Chemical collection.

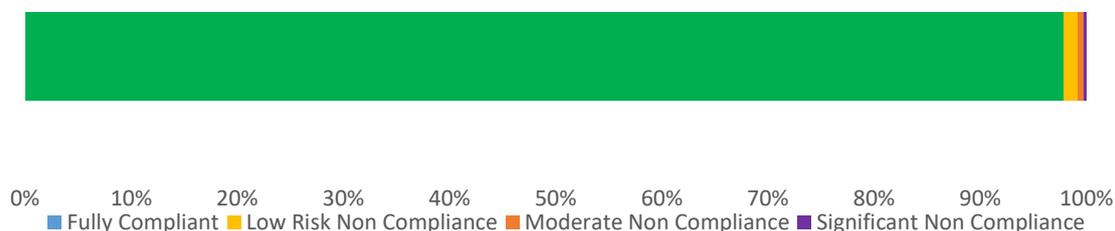
Audit and Inspection Activities

The following section details the total number of resource consents for each industry sector or regionally significant industry, the number of assessments made against these resource consents during the period, and the compliance grading achieved by the industry as a collective.

During the 2018-2019 period the compliance and water information services teams monitored 2965 resource consents which is 90% of the resource consents that required monitoring during the period.

Of the total 3290 resource consents that required monitoring during the 2018-2019 period, 2040 of these are water takes. Most water take data is automatically transmitted to Council through our telemetry system and any non-compliances are identified by the water information services team (WIS) and passed onto the compliance team for follow up.

Water Take Compliance 2018-2019

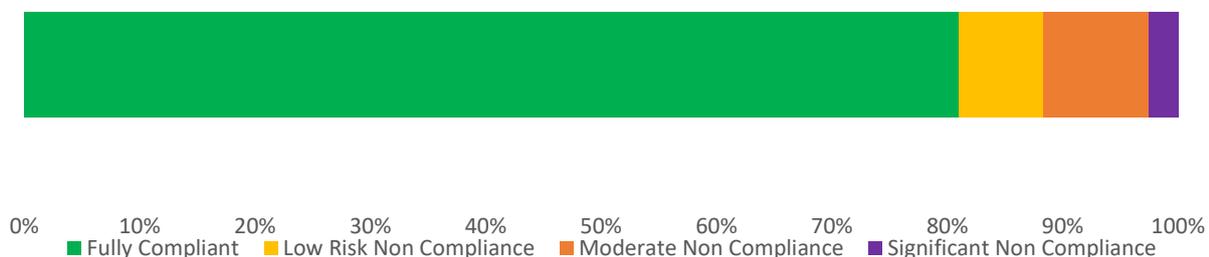


During the 2018-2019 monitoring period, the 2040 water take consents were predominantly compliant with only 2.2% (38) being identified as non-complying.

The remaining 1250 consents are for land use or discharge to air, land and water. HBRC received, logged and reviewed 2972 performance monitoring returns for 925 individual resource consents. 457 resource consents had a physical site visit undertaken and an additional overall assessment was made against 375 resource consents.

The compliance grading for every monitoring action or assessment undertaken is recorded and for the 2018-2019 period the compliance grading statistics for all land use and discharge consents monitored is presented below.

Discharge and Land Use Consent Compliance 2018-2019



The compliance grading shows that the discharge consents monitored were generally compliant with 81% (749) of all monitored consents achieving a grading of full compliance. Of the consents that did not achieve full compliance, 7% (68) were graded low-risk non-compliant, 9% (84) were graded moderately non-compliant and 3% (24) were graded significantly non-compliant. The low-risk, moderate and significant non-compliances are discussed further in the report.

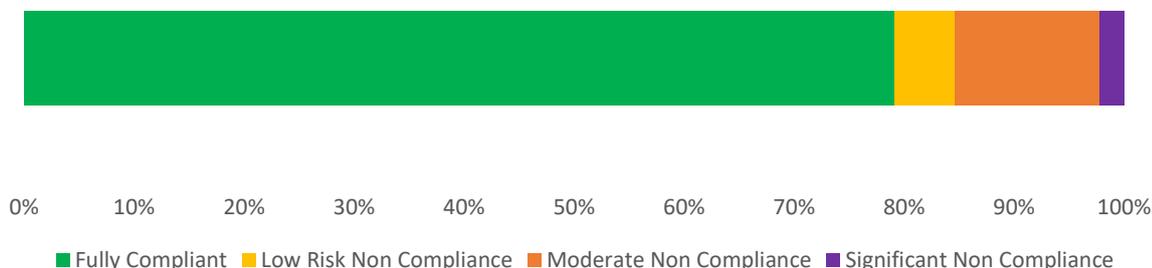
The following audit and inspection activities section details the compliance grading of the dominant industries within the Hawke's Bay region as well as regionally significant operations. The compliance of the following industries and activities are reported on for the 2018-2019 period:

- **Agricultural discharges**
- **Bore Security**
- **Low flow monitoring**
- **Non-municipal effluent discharges**
- **Forestry**
- **Horticulture and viticulture**
- **Industrial Discharges**
- **Territorial authority discharges**
- **Solid waste discharges**
- **Contaminated land and hazardous waste**

Agricultural Discharges

Dairy resource consents

Dairy Compliance 2018-2019



The discharge of dairy effluent to land in Hawke's Bay is a Controlled Activity requiring resource consent. Discharge consents allow farms to irrigate dairy shed effluent to land and some dairies also hold a consent to discharge odour to air. All dairy farms receive an annual compliance visit.

The compliance grading presented in the above chart shows that the consents monitored were generally compliant with 79% (72) of all monitored consents achieving a grading of full compliance. Only 7% (5) were graded low-risk non-compliant, 13% (12) were graded moderately non-compliant and only 2% (2) were graded significantly non-compliant.

The significantly non-compliant consents were held by Kiwitahi Pastoral dairy farm located on the Mahanga plains in the Wairoa District and Maxwell farms in Patoka. Two abatement notices and four infringement notices totalling \$4000 were issued to Kiwitahi pastoral. HBRC have increased monitoring of the farm with quarterly visits to help them achieve compliance. In the 2019-2020 period the dairy is currently graded fully compliant and have improved management practices and staff training in place to manage compliance and reduce environmental risk from their operations.

For Maxwell farms, the significant non-compliance grading was given for an effluent runoff event that resulted in irrigation of a race and runoff that nearly reached water. In this 2019-2020 period the farm is currently graded full compliance and no further incidents have been reported or discovered. It should be noted that this incident was self-reported by the consent holder and they have invested in upgrading the effluent disposal system to avoid future occurrences.

Dairy shed effluent is created from the clean down of the milking shed and yards and is a combination of water and effluent. It is regarded as an excellent natural liquid fertiliser. It contains potassium, nitrogen, phosphorus, magnesium, sulphur and trace elements essential for grass growth.

However, pasture can only use so much effluent at a time. It is important to match the irrigation depth to the capability of the pasture to utilise the nutrients. Over-application of effluent can result in the following outcomes:

- Kill pasture – especially where effluent has 'ponded' on the soil surface;
- Pollute groundwater – by seeping below the root zone;
- Pollute nearby waterways – where it runs off paddocks and into streams and rivers;

Council facilitates a *Dairy Industry Liaison Group* consisting of Council staff, dairy farmers, Fonterra and DairyNZ representatives. This group has adopted a goal of achieving 100% full compliance across all dairy farms in Hawke's Bay. Recognising those achieving this over a long period is one way to promote reaching this goal.

Farms must achieve full compliance at all inspections; both water take consents and farm dairy effluent discharge consents are included.

Bronze certificates are awarded for three consecutive years of full compliance, Silver certificates are awarded for four consecutive years of full compliance, and Gold certificates are awarded for five consecutive years of full compliance. Thirty-seven farms achieved Gold certificates in 2019-2020 year.

The count of compliant years is reset to zero at a change in farm ownership or noncompliance.

Current Gold certificate holders are:

- Anacott Farms Limited Partnership
- Ashton Family Trust
- Blatchford C D & B M
- Bluff Views Limited
- Brylee Farm Limited
- Cameron Dairies – Black Road
- Cameron Dairies – Boyle Road
- Cavan Downs Trust
- Chrystal C J J
- Cooper Del Este Limited
- Flat Hill Trust
- Galloway Enterprises Limited
- Great Glen Farm Limited
- Hayward Standring Trust
- HB Pastoral
- Hedley J H & J
- Incline Farm Limited
- Lansdown Family Trust
- Lyon Family Trust
- Lyons Family Partnership
- Mangatutu Station Limited
- McBaxter Investments Limited
- Mitchell Dairy Farms Limited
- Omatane Farms Limited
- Opoiti Limited
- Perthshire Farms Land Company Limited
- Pine Estate Limited
- Seven Oaks Partnership
- Spring Valley Holdings Limited
- Te Repo Farms Limited
- Thompson Perry Family Trust
- Tuki Tuki Awa Limited
- Waikare Dairy Company Limited-Tutira
- Waikare Dairy Company Limited-Putorino
- Wairua Farms Limited
- Wantara Farms
- Watts and Son Limited
- Wilson GP

Over time, compliance rates have improved considerably. Forty four dairy farms out of the 77 in Hawke’s Bay have been fully compliant for a minimum of three years, compared to 2012 when only 23 out of 92 farms were fully compliant.

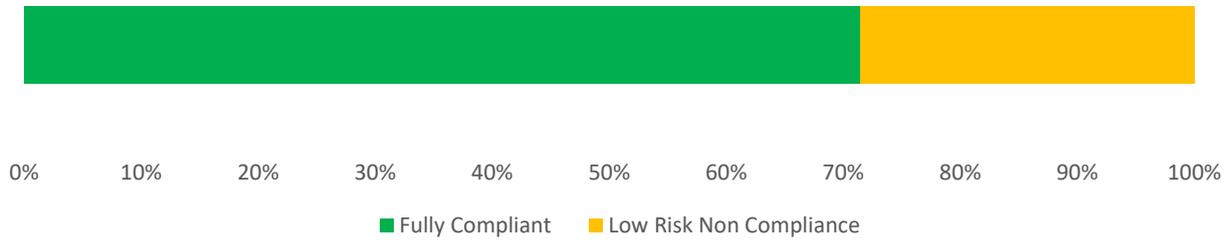
Table X HB Dairy Award holders 2012 to 2019

	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19
Gold	12	19	21	28	31	34	37
Silver	8	3	7	4	6	13	5
Bronze	3	8	4	7	13	7	5
Total	23	30	32	39	50	54	47

Across the whole dairy industry, full compliance rates have dropped, although the number of both Gold award recipients have increased. This would suggest that higher performing operators are maintaining and improving standards while others may require further scrutiny from monitoring officers. The main causes of noncompliance are failing to meet sampling requirements and not observing the nitrogen loading limit of 150kgN/ha/year limit. In some cases, this was a result of a lack of tracking by the consent holder of accumulative N loading during the year.

Feedlots

Feedlot Compliance 2018-2019



The compliance grading presented in the above chart shows that the majority of consents monitored were compliant with 71% (10) of all monitored consents achieving a grading of full compliance. The remaining 4% (4) were graded low-risk non-compliant. For the period there were no moderate or significantly non-compliant consents. Low-risk non-compliance is generally of a technical nature and considered a low-risk to the environment. For 2018-2019 the low-risk non-compliances were for late submissions of feedlot maps and in one case a missing analysis in the required sample.

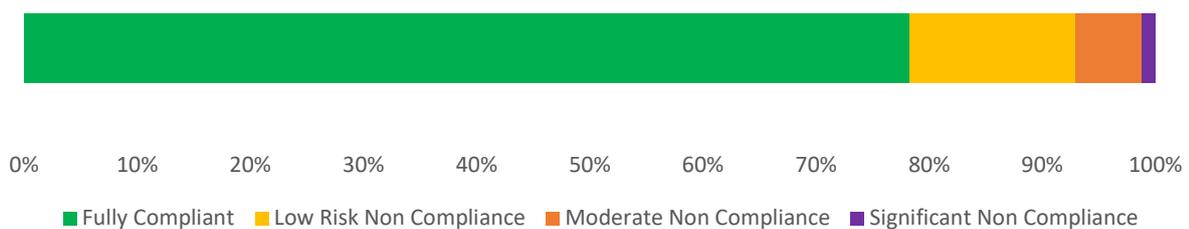
There has been wide commentary from the media and conservation organisations on feedlots and winter grazing. In 2017, HBRC clarified its position on what constituted a feedlot and considerable effort was made to work with the farming sector in this regard. This resulted in 16 operations that had previously operated as permitted activities applying for and obtaining resource consents to operate. There are other operations that continued to operate as permitted activities through complying with the requirements of Rule 5 of the Hawke’s Bay Regional Resource Management Plan.

Additionally, a few operators have since reassessed their farming practices and ceased the activity altogether. This has continued as the consenting requirement of Plan Change 6 draws near. Whether consented or not, winter grazing operations and feedlots are monitored by the compliance team as a priority during the year. Monitoring activities included a monitoring flight. In the 2018-2019 reporting year the winter rainfall was lower than normal and significantly fewer issues were discovered.

Irrigation

The majority of irrigation consent holders were compliant with their conditions. Over the summer there was enough rain at the right times therefore comparatively little irrigation was required by most consent holders. This in turn meant less investigations for water exceedances. The compliance team works closely with the Council Water Information Services team with regards to water exceedances, ensuring meter verifications are up to date and missing meter readings are submitted. The compliance grading information for irrigation water takes includes cropping, horticulture and frost protection water takes.

Irrigation Watertake Compliance 2018-2019



The compliance grading presented in the above chart shows that the consents monitored were generally compliant with 78% (133) of all monitored consents achieving a grading of full compliance. Only 15% (25) were graded low-risk non-compliant, 6% (10) were graded moderately non-compliant and only 1% (2) were graded significantly non-compliant.

Significant non-compliance relates to two consents held by Yule Partnership and Williams Family Trust. The Yule Partnership consent was graded non-compliant following repeated failure to submit meter readings and verify the meter. This has been investigated further by HBRC compliance staff and the consent is now fully compliant for the 2019-2020 period. The Williams Family Trust consent was graded significantly non-compliance for inadequate bore security to ensure protection of the underlying aquifer. This consent will be reassessed in the 2019-2020 period and bore security works are scheduled to be undertaken within this period.

Piggery

The region has three operational piggeries, one in Esk Valley, one in Takapau and the other in Te Pohue. All are operating under a current resource consent. In the 2018-2019 year the Esk Valley piggery achieved compliance and the Te Pohue piggery was graded moderately non-compliant. Steps have been taken to achieve compliance ahead of consent renewal in 2020. The Esk Valley piggery produces the most significant amount of effluent which is irrigated to land after passing through a three-stage settlement pond system. The resource consent has similar consent conditions as a dairy effluent discharge.

Bore Security

Following on from the Havelock North drinking water contamination crisis, the Council has developed a bore security program that will require all 1800 consented water take bores to comply with a set of mandatory conditions and submit to the Council a report confirming the security status. Assessing the security of a bore is a specialist role, the Council relies on the Blue Tick operators and well drillers to provide this service to the consent holders.

Due to the large number of consented bores compliance staff have prioritised at risk bores starting with public water supplies, working closely with the four TLAs who have been proactive in upgrading their public water supply bores. Private water supplies servicing multiple households are now being looked at. In addition, all new consents, renewals and consents that require a change of consent conditions must have a bore security check undertaken.

With only 250 bore security reports received, the Compliance team is assessing how to expedite this program.

The bore security requirements include:

- Flange gaskets in place and in good condition.
- Top plate cable glands in place.
- Other top penetrations sealed and secure.
- Welded connections and surface coating in good condition.
- Bores to have a concrete apron or impervious material like Bentonite to seal between the bore casing and the surrounding ground.
- Backflow prevention devices installed where applicable.



The Council has received great support from the industry with the bore security programme.



The image on the left shows common unsecured bores while the image of the right is a similar bore following bore security works.

Low Flow Monitoring

Throughout the year the compliance team, with the hydrology team, monitor the automatic river and stream level recording stations throughout the region.

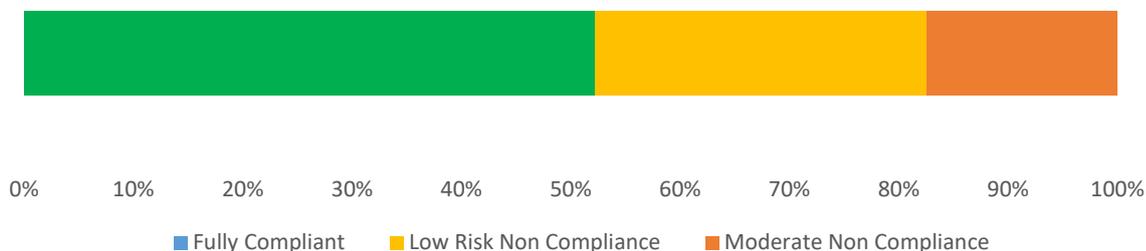
There are a number of resource consents for irrigation water takes that have cut off points for water extraction. These bans predominantly occur during the summer months and are strictly enforced.



Non-Municipal Effluent Discharges

Commercial and industrial effluent consents

Non-Municipal Effluent Compliance 2018-2019



The compliance grading presented in the above chart shows that the only 53% (24) of all monitored consents achieved a grading of full compliance. 30% (14) were graded low-risk non-compliant, 17% (8) were graded moderately non-compliant and none were graded significantly non-compliant.

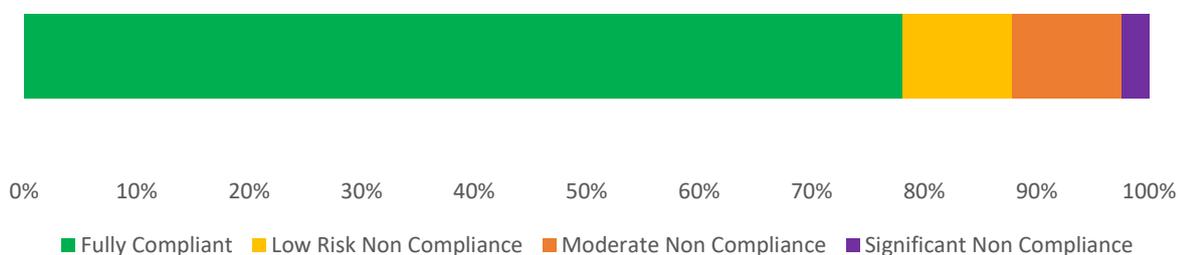
The low-risk non-compliance grading is mostly applied to consents where the required data submission date has been missed, even if only by a day.

The moderate non-compliance relates to eight different operations and is predominantly for effluent standards being breached on one occasion during the period. The consents that have continued to exceed on more than one occasion have had increased monitoring frequency and are on track to be graded compliant in the 2019-2020 year.

Commercial and industrial effluent is discharged from businesses and sites that are not connected to the municipal sewage network. In the Hawke's Bay region major contributors are Pan Pac Forest Products Limited (Pan Pac), Silver Fern Farms, Heretaunga plain companies and other commercial operations. Domestic wastewater is addressed in the following section.

Commercial and industrial wastewater consents

Commercial and Industrial Wastewater (Excluding Dairy) Compliance 2018-2019



The compliance grading presented in the above chart shows that the consents monitored were generally compliant with 78% (32) of all monitored consents achieving a grading of full compliance. Only 10% (4) were graded low-risk non-compliant, 10% (4) were graded moderately non-compliant and only 2% (1) were graded significantly non-compliant.

The significant non-compliance relates to AFFCO (Wairoa) Ltd and is discussed in detail in the meat processing section below.

Wastewater includes discharges to land and sea from manufacturing, cooling water, production and pack houses/cool stores where they are not connected to the municipal trade waste. This includes meat processing, timber treatment and other industrial and commercial activities.

Domestic effluent accreditation programme

Domestic Effluent Compliance 2018-2019



The compliance grading presented in the above chart shows that the domestic effluent consents monitored in the 2018-2019 period were generally compliant with 89% (80) of all monitored consents achieving a grading of full compliance. Only 9% (8) were graded low-risk non-compliant, 2% (2) were graded moderately non-compliant and no consents were graded significantly non-compliant. The low-risk non-compliances related to data submission dates not being met and the two moderate non-compliances were for poorly maintained or damaged systems. Both systems have been serviced and repaired during the 2019-2020 period and are on track to improve their compliance grading.

The Regulation team operates a Wastewater Accreditation Programme for on-site domestic wastewater treatment systems and industry professionals. Consent holders with an on-site domestic wastewater treatment system type that is on the Councils accredited manufacturer list and is installed and maintained by an HBRC accredited installer and service provider will not be subject to routine compliance inspection. Instead a desk top audit is carried out to ensure the system is being regularly serviced. We incentivise compliance through the Domestic Onsite Wastewater Accreditation Program through reduced compliance monitoring fees for newer or more advanced treatment systems.

Typically consents are issued for a period of ten years, upon expiry most household systems can become a permitted activity. Council has monitored systems prior to expiry to confirm compliance. HBRC has employed a full-time compliance officer in the 2019-2020 period to monitor compliance of onsite domestic wastewater systems. Having a dedicated officer will increase the oversight and enforcement of non-compliant consents and allow an increased volume of consents to be monitored.

Forestry

Forestry Compliance 2018-2019



The compliance grading presented in the above chart shows that only 57% (57) of all monitored consents achieved a grading of full compliance. Fourteen percent (14) were graded low-risk non-compliant, 29% (29) were graded moderately non-compliant and no consents were graded significantly non-compliant in the 2018-2019 period.

Most of the moderate non-compliance grading are related to forestry infrastructure that at the time of the visit required remedial action; this included water sediment retention structures and disturbed earthworks not yet stabilised. The required work had in most cases already been identified in the forest manager's internal auditing.

Other technical low-risk and moderate non-compliances resulted from insufficient information provided to HBRC in the application for activities. Re-education of the smaller forestry companies and the appointment of specialist environmental managers within the larger companies is improving outcomes and reducing non-compliance in the 2019-2020 period.

The NES-PF took effect on 1 May 2018. It covers eight core plantation forestry activities, being afforestation, pruning and thinning to waste, harvesting, replanting, river crossings, earthworks, quarrying, and mechanical land preparation. Miscellaneous activities such as installation of slash traps are also covered. HBRC has employed dedicated forestry staff to meet our requirements for monitoring and enforcement under the NES – Forestry. One position was filled in late 2018 and HBRC and HDC have jointly funded another role starting late 2019.

As part of managing the large volume of forestry permitted activities and resource consents the forestry compliance officers have set up an online portal and system for managing applications, notifications, monitoring and enforcement. It is expected that the forestry compliance workload will increase significantly in the 2019-2020 period compared to 2018-2019.

The NES-PF Regulations are based on achieving good forestry practices and use a risk-based approach to determine where resource consents are required. This includes the mapping of Erosion Susceptibility Class (ESC), and requiring consent for harvesting, afforestation and replanting within the Red (very high risk) ESC areas.

The Compliance and Consents team have been proactive in liaising with the forestry industry and neighbouring Regional Councils to get consistency throughout the mid and lower North Island, including:

- Ongoing attendance and contribution to lower North Island Regional Council NES PF workshops.
- Ongoing work with the **Hawke's Bay Forestry NES sub-group**. This small group was established to provide a forum for some of the key industry consents and compliance representatives to meet with Council staff to discuss and clarify areas of NES implementation.
- **Development of supporting information and resources** for applicants, including online application forms. Also developed is an information brochure for land owners which draws their attention to their liabilities, and encourages them to select high quality forestry contractors who integrate environmental best practice into their operations.

The larger forestry companies have made it clear to Council that they want and expect to see Council staff on the ground. This reflects the positive relationship that has been developed. 95 permitted activities notices were received, and 24 resource consents issued in the period.

Horticulture and Viticulture Discharges

Horticulture

Te Mata Mushrooms Co. Ltd

Te Mata Mushroom at Brookvale Road still has significant non-compliances with its resource consent. Prosecutions were taken in 2016 and 2018. An environment court enforcement order was issued requiring the company to obtain a new air discharge consent, and this is currently going through a hearing process.

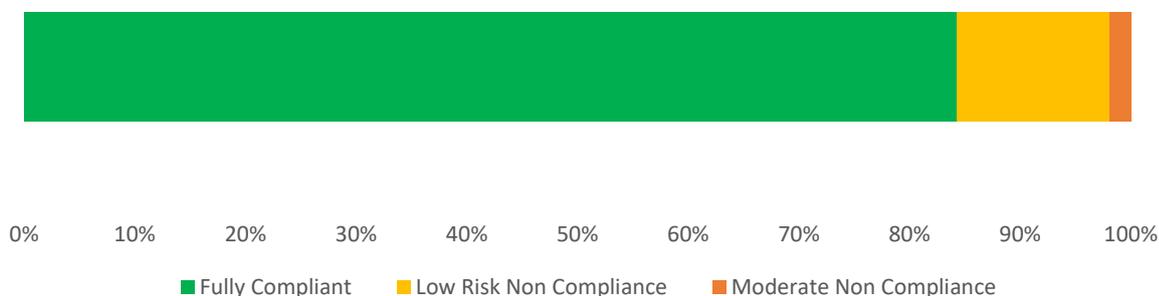
The Council received 175 odour complaints in the 2018-2019 reporting period, this is down from the 298 odour complaints from the previous year. No formal enforcement action was taken during this period while the consent hearings were in progress.

As part of its consent application Te Mata Mushroom are proposing a series of staged upgrades to its composting operations. They have proposed enclosure of the some of the key odour generating activities, with treatment of odorous air using biofilters. Including construction of additional filling/mixing buildings, which will contain conveyors to transport compost between Phase 1 and 2 buildings, construction of a new Phase 1 bunker and enclosure of the bale breaking and blending line. These upgrades are proposed to occur in a staged fashion, with key milestones at 13, 19 and 30 months from the date the consent commences.

The hearing on this application was recently concluded (November 2019), and the independent hearing panel will release their decision in the next few weeks.

Wineries

Winery Compliance 2018-2019



The compliance grading presented in the above chart shows that the consents monitored were mostly compliant with 84% (43) of all monitored consents achieving a grading of full compliance. Only 14% (7) were graded low-risk non-compliant, 2% (1) were graded moderately non-compliant and no consents were graded significantly non-compliant.

Hawke's Bay is the second largest wine growing region in the country. Wineries and vineyards generally have two forms of consent; consents to take water and consents to discharge winery waste or treated effluent from associated buildings. Unless water take exceedances are excessive or warrant enforcement action, they will not be highlighted in this report. The wine industry does not generally pose a significant risk in the region, but several properties reside over the Heretaunga Aquifer and require specific attention.

The wineries in this region, particularly the larger sites have significant requirements in their winery consents to report on the quantity and quality of the waste water generated. Most of the non-compliance is technical in nature from insufficient reporting of data. In contrast, environmental compliance observed during inspections is historically good. Other wine industry-led environmental auditing such as Sustainable Wine Growing New Zealand (SWINZ) incentivises compliance.

Industrial Discharges

Crematoriums

Hastings Crematorium

The Hastings crematorium operates at 202 Orchard Road in Hastings Central and was granted resource consent to discharge to air in 2017. For the 2018-2019 reporting period full compliance was achieved. There was a delay in providing the required stack test due to contractor difficulties however this did not impact the compliance grading.

This represents an improvement from significant non-compliance in 2017-2018 to full compliance.

Beth Shan (Invocare)

Beth Shan (Invocare) operate a crematorium at 401 Maraekakaho Road in Hastings Central and were granted consent to discharge to air in 2014. For the 2018-2019 reporting period full compliance was achieved. This represents an improvement from moderate non-compliance in 2017-2018 to full compliance.

Composting

For the 2018-2019 period BioRich was graded full compliance. There are no other major composting operations occurring within the Hawke's Bay region.

Fertiliser manufacturing

Ravensdown operate a fertiliser production facility along Waitangi Road in Awatoto. They hold two consents for discharge to air and discharge to water from the site. In the 2018-2019 reporting period the discharge to air was graded moderately non-compliant because of exceedances in discharge quality standards on several occasions. The discharge to water has not been assessed during the 2018/2019 period as we are waiting for technical review of the 4-yearly receiving environment monitoring. It is anticipated that this consent will be graded low-risk non-compliance because of a minor exceedance in suspended solids in one sample.

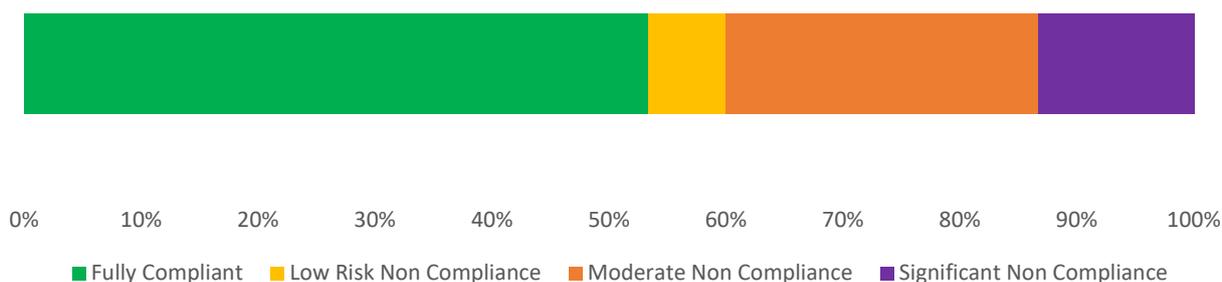
This is an improvement on the 2017/2018 grading of significant non-compliance with both consents. The consent holder has taken steps to dramatically improve compliance over the current reporting period. No enforcement action has been taken at this stage for the non-compliances.

Hydroelectricity

Waihi Dam is operated by the Eastland Network for the generation of Hydroelectricity and was granted consent in 1979. This consent is currently graded moderately non-compliant due to certain operational requirements not being maintained and issues with reporting data. HBRC have not received any substantiated complaints regarding the discharge of silt from the Waihi dam during this reporting period.

Meat processing

Meat Processing Compliance 2018-2019



The compliance grading presented in the above chart shows that approximately half of consents monitored were compliant with 53% (8) of all monitored consents achieving a grading of full compliance. 7% (1) were graded low-risk non-compliant, 27% (4) were graded moderately non-compliant and 13% (2) were graded significantly non-compliant.

The significant non-compliance was for the AFFCO (Wairoa) Ltd operations in the Wairoa Township and are detailed below. Other major producers such as Silver Fern Farms are also discussed.

AFFCO Wairoa

AFFCO operate a meat processing and rendering plant in Wairoa, they hold consent to discharge contaminants to air from processing, a discharge to the Wairoa River for treated wastewater and a discharge to the Wairoa River of stormwater from the site. Following the 2019 site visit in January 2019 significant non-compliance was identified with regards to the wastewater, stormwater and air discharges as detailed below;

The discharge of wastewater into the Wairoa River occurs through three diffusers during outgoing tides and outside of daylight hours when river users may otherwise be present. On 19 June 2019 diffuser number three was found to be leaking and subsequent repairs have not been able to identify the source of the leak. The consent holder is non-compliant with discharge standards, reporting timelines and maintenance of the infrastructure. The wastewater discharge is graded significant non-compliant for the 2018-2019 period.

The discharge to air is from the processing of meat, the rendering of fats and waste and the burning of coal in a boiler. The main discharge is for odour and coal related contaminants to air. The consent does not allow for odour or particulate matter to be discharged beyond the boundary of the site. During the 2018/2019 reporting period HBRC received 12 complaints regarding odour from AFFCO and in May 2019 AFFCO was issued with an infringement notice of \$1000 for breach of consent. This was challenged and a hearing requested but AFFCO withdrew the challenge prior to the hearing and accepted the notice. The discharge to air is graded moderately non-compliant for the 2018-2019 period. This is an improvement on the significant non-compliance of the previous reporting period.

The stormwater onsite discharges through four outlets into the Wairoa River. At the time of the compliance visit significant erosion was obvious as well as evidence of contaminants entering the stormwater system. This is reflected in the monitoring results with elevated e. coli levels in the discharge. The stormwater discharge is graded significantly non-compliant for the 2018-2019 period due to the discharge of contaminants other than stormwater through the infrastructure installed as part of this consent. The compliance team are currently reviewing the overall site compliance.

Hawke's Bay Protein

There were eight odour complaints lodged in the monitoring period and Hawke's Bay Protein are engaging with HBRC compliance staff to make improvements to contain the odour within their buildings such as adding internal walls and replacing the roof.

Silver Fern Farms

Silver Fern Farms operates meat processing facilities in Takapau and Whakatu (and previously Frasertown) that discharge waste water and domestic effluent to land.

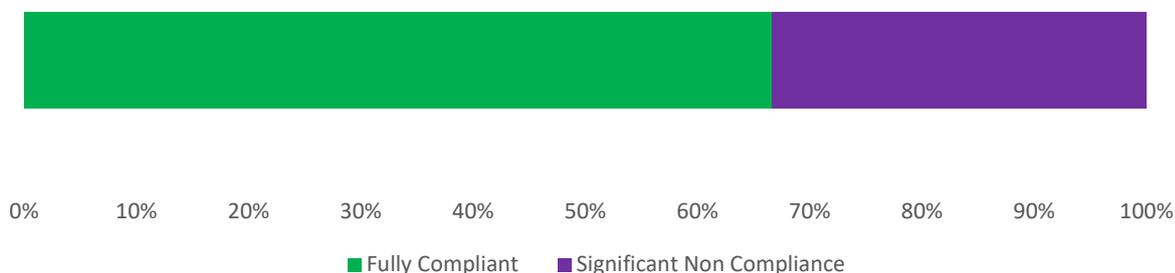
- Full compliance has been achieved for the discharge of stormwater and the discharge to air from the boilers.
- The domestic effluent discharge was graded low-risk non-compliance because of one minor exceedance of the total discharge volume during the period.
- The discharge of waste water to land was graded moderately non-compliant because of regular breaks in the effluent irrigation equipment resulting in unconsented discharges of wastewater to land.

The moderate non-compliance with some consents in the 2018-2019 reporting period is a decrease in compliance when compared with 2017-2018 when full compliance was achieved. The consent holder is undertaking a program of replacing the effluent infrastructure to stop breaks in the pipelines occurring.

Other food processing

KraftHEINZ (Watties)

KraftHEINZ Compliance 2018-2019



The compliance grading presented in the above chart shows that the consents monitored were mostly compliant with 67% (4) of all monitored consents achieving a grading of full compliance. No consents were graded low-risk or moderately non-compliant and 33% (2) consents were graded significantly non-compliant. The significant non-compliances are detailed below.

KraftHEINZ (Watties) operates a canning operation at King Street in Hastings Central and a crop receiving site and pet food factory in Tomoana. Each site discharges stormwater from the site to an adjacent site and discharge to air from production. Wastewater from the sites is diverted to Hastings District Council trade waste network.

King Street Operations

For the 2018/2019 reporting period the King Street operations were graded fully compliant. The King Street environmental team show a willingness to engage with HBRC staff and undertake environmental improvement works beyond the requirements of their consent.

Tomoana Operations

The operations at the Tomoana site were graded low-risk non-compliance for the discharge to air due to boiler heights not being confirmed to be at the required height. This information has since been received and the consent is now graded as compliant.

The discharge of stormwater from the site was initially graded significantly non-compliant and an interim report issued. The non-compliance was for not undertaking sampling, discharging other than storm water from the site, and not maintaining the infrastructure as required. An abatement notice was issued requiring these issues to be remedied, most have now been addressed. The abatement notice and compliance grading remain in place for the 2019-2020 period.

Port of Napier

During the 2018-2019 compliance period the Port of Napier was compliant with all of its resource consents. Port of Napier hold consents to discharge stormwater from the port and wharf to land and the coastal environment. They also hold consent for discharges to air from the burning of dunnage for biosecurity reasons.

During the 2018-2019 reporting period there have been several unconsented discharges to water including a moderate spill of tallow into the port waters. The tallow spill is considered an unauthorised discharge and not part of the consent. All discharges are recorded and reported to Council as required and no other major incidents have occurred this reporting period.

- Maintenance dredging was not undertaken in 2018-2019.
- No abrasive blasting was undertaken during 2018-2019
- Burning of Dunnage was fully compliant with the consent

Wharf 6 Extension Works

The Port of Napier was granted several consents by the Environment Court during the 2018-2019 period to undertake capital dredging, occupy the seabed and erect a structure for the purposes of the Wharf 6 extension. This work will be split into five stages and commenced in August 2019 will require regular monitoring and increased compliance monitoring resource for the duration of the works.

Skin and wool processing

Animal byproducts Compliance 2018-2019



The compliance grading presented in the above chart shows that the consents monitored were mostly compliant with 69% (9) of all monitored consents achieving a grading of full compliance. Only 8% (1) were graded low-risk non-compliant, 23% (3) were graded moderately non-compliant and no consents were graded significantly non-compliant.

Wool processors

Cavalier Bremworth operate a wool scour in Awatoto. There have been no major issues this compliance reporting period.

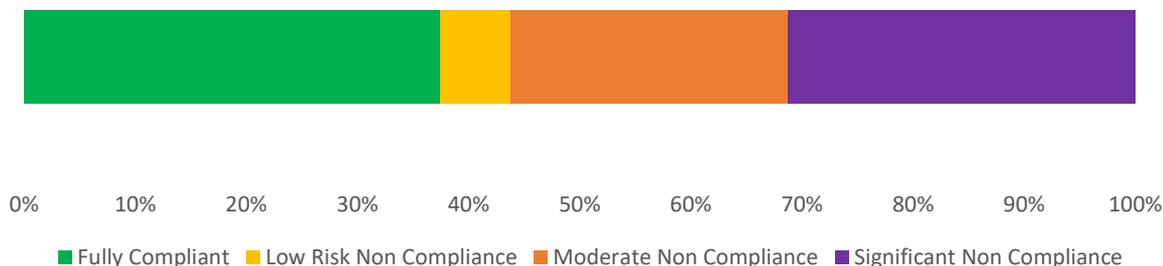
Tanneries

Hawke's Bay has five operating tanneries located in Pandora, Whakatu and Tomoana.

- AFFCO in Pandora is graded moderately non-compliant for the 2018-2019 period due to exceedances of the H2S emitted from the site.
- Progressive Leathers in Whakatu and is graded moderately non-compliant due to exceedances in H2S detected during the annual ambient air monitoring.
- Tomoana Pelt processors in Whakatu were graded low-risk non-compliance for the 2018-2019 period improving on the moderate non-compliance form 2017-2018. The low-risk non-compliance was for reporting timelines not being met.
- Lowecorp Tannery in Pandora was graded full compliance for the 2018-2019 period which is an improvement from moderate non-compliance in 2017-2018.
- Graeme Lowe Tannery in Coventry was graded full compliance in 2018-2019 for the discharge to air and low-risk non-compliance for the stormwater discharge due to notifications of roofing works not being undertaken.

Timber processing

Timber Processing Compliance 2018-2019



The compliance grading presented in the above chart shows that the consents monitored were mostly non-compliant with only 38% (6) of all monitored consents achieving a grading of full compliance. 6% (1) were graded low-risk non-compliant, 25% (4) were graded moderately non-compliant and 31% (5) consents were graded significantly non-compliant.

The significant non-compliance relates to the operations at Carters Wairoa, Central timbers Waipawa and Napier Pine in Omahu, additionally TUMU timbers in Hastings was graded moderately non-compliant. Since this significant non-compliance was identified HBRC has increased monitoring frequency of these sites and engaged with the site owners to reduce environmental risk and achieve compliance. In the 2019-2020 period Napier Pine and Carters Wairoa have chosen to cease timber treatment on their sites to completely remove the risk and it is anticipated that this will help them to achieve compliance. TUMU Timbers and Central Timbers are still graded as non-compliant and these are a focus for the 2019-2020 period.

Timber Treatment Plants

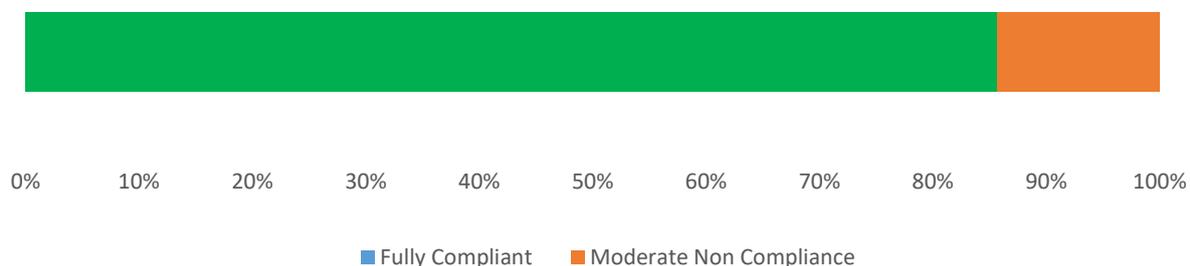
Central Timber Ltd hold a consent to discharge stormwater from a timber treatment site. During the 2018-2019 period they have been graded significantly non-compliant which is no change from the 2017-2018 period. The non-compliance relates to investigative reports and monitoring not being completed. Enforcement action is currently being considered to ensure compliance with the resource consent.

Tumu Timbers hold a consent to discharge stormwater from a timber treatment site. During the 2018-2019 period they have been graded as moderately non-compliant. Onsite monitoring showed elevated CCA contaminants in the drainage swales which was not reported or remediated within the required timeframes. The remediation has since been completed and ongoing monitoring is occurring. Moderate non-compliance is an improvement on the 2016-2017 assessment of significant non-compliance.

Carters Wairoa hold a consent to discharge stormwater from a timber treatment site in Wairoa. The consent is currently graded as significantly non-compliant due to contaminated soils within surface drains not being remediated as required and incomplete reporting. The consent holder has since addressed the majority of the concerns raised and it is anticipated that full compliance will be achieved in the 2019-2020 reporting period. The consent holder is currently in the process of decommissioning the treatment plant.

Napier Pine holds a consent for discharge of stormwater from a contaminated site. During the 2018-2019 reporting period this was graded significantly non-compliant. This is not changed from the 2017-2018 period. Napier Pine undertake groundwater monitoring which is indicating increased levels of contaminants within the groundwater from the CCA treatment of timber. The consent holder is currently in the process of decommissioning the treatment plant.

Pan Pac Pulp Mill Compliance 2018-2019



The compliance grading presented in the above chart shows that the consents monitored were generally compliant with 86% (6) of all monitored consents achieving a grading of full compliance. Only 14% (1) consent was graded moderately non-compliant.

Pan Pac operate a lumber and pulp mill in Whirinaki and hold resource consents to discharge stormwater and domestic effluent to land, discharge to air and a discharge of stormwater to the coastal environment. They also hold a consent to discharge green waste and organic material from the mill into a landfill on the property.

Coastal Discharge

The pipeline leak on the Whirinaki beach was discovered in September 2018 and continued until June 2019 while the consent holder undertook repairs. It was estimated that less than 2-5% of wastewater was being discharged through the leak. Previous reports have been prepared outlining the enforcement steps taken to mitigate impact to the environment during this time. It was decided that enforcement action was not warranted in this situation mainly because of the actions taken by the consent holder to remedy the leak and mitigate the impacts. The discharge through the leak was non-compliant with the consent which specifies that discharge must occur through the offshore diffuser.

Excluding the leak and subsequent discharge of treated wastewater to the nearshore environment, the consent holder was generally compliant with all of the other requirements of the consent. A new consent was granted by the Environment Court during this reporting period following expiry of the older consent. This new consent allows the discharge until 2052.

Other Discharges

- Pan Pac were fully compliant with their consent to discharge silt back into the Esk River for the 2018-2019 period.
- The discharge of stormwater from the site was graded as fully compliant for the 2018-2019 period which is an improvement from the 2017/2018 period when moderate non-compliance was given.
- The discharge of domestic effluent was graded moderately non-compliant for the 2018-2019 period due to a discharge of diluted effluent to land that may have entered water. No enforcement action was undertaken for this discharge.
- The private landfill achieved full compliance for the 2018-2019 period.
- The discharge to air from the pulp mill and lumber yard was graded full compliance for the 2018/2019 period.

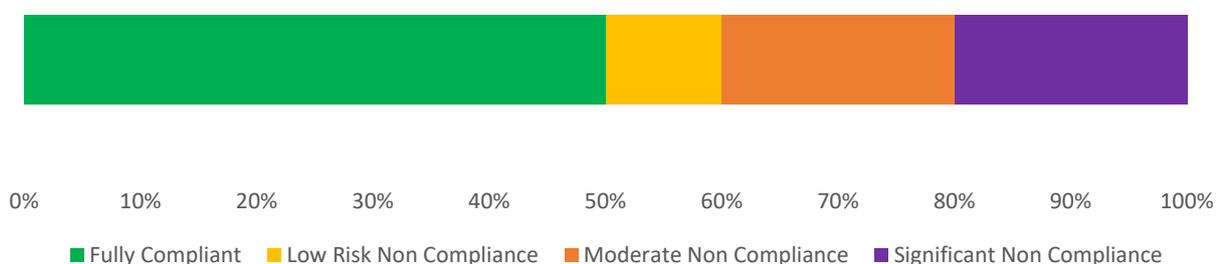
Territorial and Regional Authority Discharges

Our region has four local councils- Wairoa District, Hastings District, Central Hawke’s Bay District and Napier City Councils. These local councils (known as Territorial Authorities or TAs) undertake a wide range of activities that have an impact on the environment, and all hold numerous resource consents for activities including stormwater, municipal effluent discharge and land fill, water takes, and associated activities.

The stormwater and sewage network in all cities and towns are old and under significant stress especially during periods of heavy rainfall. This causes sewage overflows that are both an environmental and health risk. All councils are aware of this and recognise that fixing this is a major priority. The Havelock North water contamination event has raised drinking water security and infrastructure to the top of the priority list, no quick solution is expected in the short to medium term.

Central Hawke’s Bay District Council

CHBDC Compliance 2018-2019



The compliance grading presented in the above chart shows that 50% (5) of all monitored consents achieved a grading of full compliance. Only 10% (1) were graded low-risk non-compliant, 20% (2) were graded moderately non-compliant and 20% (2) consents were graded significantly non-compliant.

The significant non-compliance relates to two wastewater treatment plants operated by CHBDC at Waipawa and Waipukurau for effluent discharge quality exceedances during the period. For the Waipawa treatment plant there is currently an enforcement order in place requiring CHBDC to meet the required discharge standards. For the Waipukurau treatment plant HBRC and CHBDC have agreed that effluent quality will be improved as part of the enforcement order on the Waipawa plant. Both are still currently graded significantly non-compliant and the consent holder has engaged wastewater specialists to design a system that treats to the required quality standards.

There were only 10 consents monitored for Central Hawke’s Bay District Council in the 2018-2019 period and HBRC monitoring staff have focused resources on the higher-risk and previously non-compliant consents. As a result, it is anticipated that the data presented here displays a skewed representation of consent compliance for CHBDC and the majority of non-monitored consents such as landfills and stormwater consents were likely to be compliant in the 2018-2019 period based on monitoring actions undertaken in the current period.

Public Water Supply

The Council has completed upgrades to existing bores to comply with their consent conditions. There were some exceedances in rates of take at two bores otherwise they were fully compliant. CHBDC is currently investigating establishing new bores in some areas.

Stormwater

HBRC and CHBDC have formed a joint stormwater steering group that meets three times a year with regard to the main stormwater consent.

The Council has non-compliances with regards to not undertaking all sampling for the monitoring year as well as not meeting specified timeframes for reports as required by their stormwater consents.

There have been a few staff replacements but with the recent appointments of the 3 Waters Operation Manager and 3 Waters Officer these non-compliances will be addressed.

Wastewater

CHBDC operates six Wastewater Treatment Plants Otane, Waipawa, Waipukurau, Takapau, Porangahau Town and Te Paerahi (Porangahau Beach). All plants use oxidation ponds as the primary form of wastewater treatment and Waipawa and Waipukurau uses chemical dosing to strip Phosphorus and UV treatment for pathogens. The Te Paerahi treatment pond discharges to a wetland, all other discharges are to adjacent rivers.

The previous compliance issues at Waipawa and Waipukurau continued in this reporting period (ammonia and dissolved reactive phosphorus). CHBDC continued to comply with the enforcement order requiring an investigation and reporting on how the treatment limits could be achieved. CHBDC have developed a proposal to pipe the wastewater from Otane (where an upgrade is required in 2021) to Waipawa for treatment and discharge to rapid infiltration beds. The proposal also includes transferring the Waipukurau discharge to this site in subsequent years.

Landfills

CHBDC monitors seven closed municipal landfills at Ongaonga, Kairākau, Waipawa, Waipukurau, Tamumu, Takapau, and Porangahau. The closed landfill consents have not been fully assessed for the 2018-2019 period, but it is anticipated that they will be graded low-risk non-compliance for the reporting timeline not being met.

CHBDC also operate the Farm Road landfill which is undergoing improvement works to its leachate collection system. This was last assessed in 2014 when significant non-compliance grading was given. A site visit in the 2018-2019 reporting period identified significant non-compliance. The consent holder is undertaken improvement works to achieve compliance. Moderate non-compliance is the anticipated grade for the 2018-2019 period.

Hastings District Council

HDC Compliance 2018-2019



The compliance grading presented in the above chart shows that the monitored consents were generally compliant with 76% (31) of all monitored consents achieving a grading of full compliance. Only 10% (4) were graded low-risk non-compliant, 15% (6) were graded moderately non-compliant and no consents were graded significantly non-compliant.

Public Water Supply

The Council has upgraded all their existing bores in the last few years and currently are replacing some existing bores, and establishing new bores in some areas.



Stormwater

HBRC and HDC have formed a joint stormwater steering group that meets three times a year with regard to the main stormwater consent.

During heavy rainfall events, substantial stormwater enters the Hastings network causing sump lids to pop and discharges occurring. During these events, the Council has staff at the known hotspots with vacuum trucks on standby if required.

The Council has non-compliance with regards to not undertaking all sampling and submitting reports on time as required by their stormwater consents and HBRC are working with HDC staff to improve compliance in this area.

Wastewater

HDC operate a municipal and trade waste wastewater treatment plant at 284 Richmond Road in Clive. Consents are held for the discharge to air of odour and the discharge to the coastal environment from an outfall and a near shore (emergency) outfall. During the 2018-2019 period the consent was graded low-risk non-compliance for a minor deviation from the toxicity testing. All other consents were graded full compliance for the period.

Landfills

Omarunui is part owned and operated by HDC with consents for landfilling, stormwater and air discharge and a consent to irrigate leachate onto the landfill cap. The landfill operator is expected to lodge a consent this period to expand into a new valley. The consents for stormwater, gas and irrigation have been graded fully compliant for the 2018-2019 period.

The consent to landfill covers the historical capped 'Valley A' as well as the current 'Valley D'. All conditions relating to waste management with respect to current landfilling are graded compliant. There are several potentially major issues with regards to the 'Valley A' capped area. Groundwater monitoring in the area has detected trace levels of leachate into the groundwater indicating a potential leak. HDC are undertaking work during 2019-2020 period to replace the leachate pond which is suspected as the potential leak location. Groundwater monitoring will continue following replacement to see if the issue has been resolved before looking at a potential leak from the landfill liner itself.

HDC have four closed municipal landfills that are monitored at Tait Road, Roys Hill, Parkhill and Te Awanga. All consents are graded compliant for the 2018-2019 period

NCC Compliance 2018-2019



The compliance grading presented in the above chart shows that the monitored consents were generally compliant with 73% (16) of all monitored consents achieving a grading of full compliance. Only 9% (2) were graded low-risk non-compliant, 18% (4) were graded moderately non-compliant and no consents were graded significantly non-compliant for the 2018-2019 period.

Public Water Supply

NCC has upgraded all their existing bores in the last few years and are currently in the investigation stage into establishing new bores to replace the current ones.

There were a number of occasions when the maximum flow rate was exceeded. Most were minor except for the T6 pump which had 344 recorded days of exceedances. It was made very clear by HBRC compliance staff that these exceedances are not acceptable and they must abide by the allocated flow rates. NCC is in the process of installing a variable speed drive to the T6 pump which will eliminate the exceedances.

Stormwater

The HBRC has seen a vast improvement in relation to Napier City Council's management and compliance with their stormwater consent conditions. This improvement correlates with the establishment of the Environmental Solutions Team and the comprehensive effort they have administered since their inception. NCC has carried out extensive investigative work in the Pandora industrial area which includes walking the waterways in this catchment area looking for unlawful discharges and undertaking sampling beyond what is required in their consents.



The Council's sewerage network is vulnerable to stormwater entering the system during heavy rainfall events which lead to sump lids popping and discharges occurring. During these events, the Council has staff at the known hotspots with vacuum trucks on standby if required.

On 6 Sep 2018, the Napier City Council conducted an emergency discharge of untreated wastewater into the Purimu Stream during a significant rainfall event. NCC conducted the discharge to avoid and mitigate a public health emergency due to diluted wastewater entering the streets of Napier and the potential backflows into private properties.

Wastewater

NCC have a combined trade waste and municipal wastewater treatment plant at Awatoto that is consented for discharge to air and of odour and discharge to sea for treated wastewater. For the 2018-2019 period the discharge to air and water was graded low-risk non-compliance. The non-compliance relates to elevated levels of contaminants such as zinc in the final wastewater which has since been resolved.

The outfall pipeline for the wastewater passes under State Highway 2 and extends 1.7km out to sea. NCC have identified during the compliance period two leaking points at 70m and 700m offshore. The 70m leak has been repaired and the repair for the 700m leak is being tendered for following a review of available options. The consent holder is undertaking additional sampling to monitor potential impacts from the leak, and none have been observed outside a zone of reasonable mixing.

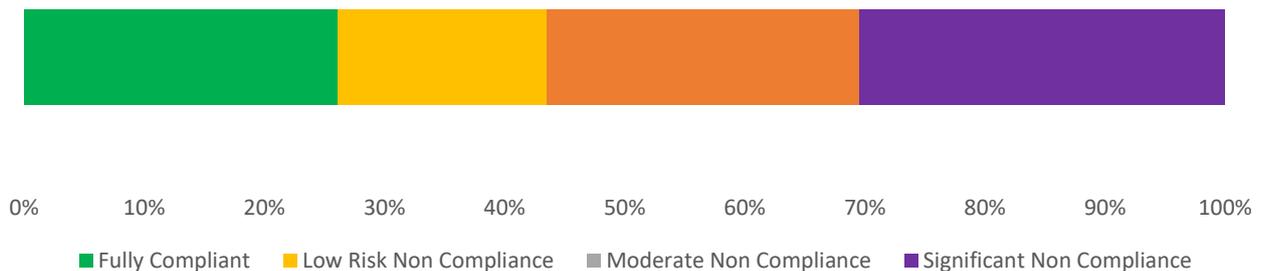
Landfills

Napier City Council funds and is a part owner of the Omarunui landfill but this is operated by Hastings District Council. Full comments refer page 44.

NCC also monitor seven closed landfills previously used for municipal tipping and earthquake rubble infilling. During the 2018-2019 period full compliance with the consents was achieved.

Wairoa District Council

WDC Compliance 2018-2019



The compliance grading presented in the above chart shows that the majority of monitored consents held by WDC were non-compliant with only 26% (6) of all monitored consents achieving a grading of full compliance. 17% (4) were graded low-risk non-compliant, 26% (6) were graded moderately non-compliant and 30% (7) consents were graded significantly non-compliant.

The significant non-compliance relates to the WDC wastewater treatment plants at Pilot Hill, Wairoa and Opoutama (Blue Bay) as well as the Municipal Landfill in Wairoa.

Since identifying the significant non-compliances outline above, HBRC has increased the monitoring frequency at these sites and requested additional and immediate works to be undertaken to minimise or remove the environmental risk.

The Fraser Street Landfill has undergone significant changes with OPUS completing and effecting a landfill remediation plan to bring the landfill up to standard. Additionally, WDC has engaged a suitable environmental monitoring company to carry out the required environmental sampling for all waste sites. For the 2019-2020 period the Fraser Street landfill is anticipated to be compliant with most conditions with the exception of a minor leachate spill resulting in a grade of moderate non-compliance.

The treatment plant at Opoutama (Blue Bay) is compliant with the majority of conditions with the exception of the effluent quality prior to discharge. The consent holder is unable to meet the nitrogen and nitrate limits on the consent and is investigating options for improving treatment. No enforcement action has been taken to date for this non-compliance.

The Wairoa waste water treatment plant has been graded significantly non-compliant since 2017 when an emergency overflow pipe was discovered by HBRC to be in regular use, discharging onto the foreshore of the Wairoa River. Since then four abatement notices have been issued and two infringement notices totalling \$2000.

Public Water Supply

Wairoa public water supply is drawn from the Wairoa River upstream from Frasertown. The water is filtered and then piped into town. The filtered sediment is then discharged back into a stream that discharges into the river downstream from the treatment plant.

Stormwater

Wairoa District Council (WDC) do not have a current stormwater discharge consent for the Wairoa Township. The only stormwater discharge consent in place is for Mahia Township which has not been assessed this reporting period.

Wastewater

WDC operate 4 community wastewater treatment systems in Mahia, Opoutama, Tuai and Wairoa. Tuai treatment plant is graded moderately non-compliant while Mahia, Opoutama and Wairoa are graded as significantly non-compliant for the 2018-2019 reporting period.

- The low-risk non-compliance at Tuai is related to follow up sampling not being undertaken following a quality exceedance.
- The Opoutama treatment plant is consistently failing to achieve the required nitrogen levels in the effluent prior to discharge.
- The Mahia treatment plant experienced several issues in management and maintenance resulting in exceeding the desired application rates and potentially discharging untreated effluent to a stream.
- The Wairoa treatment plant continues to be significantly non-compliant through use of the emergency overflow pipe and failure to conduct follow up sampling. The consent holder is under application to replace the outfall pipe, but it is not expected to be granted during the current compliance period.

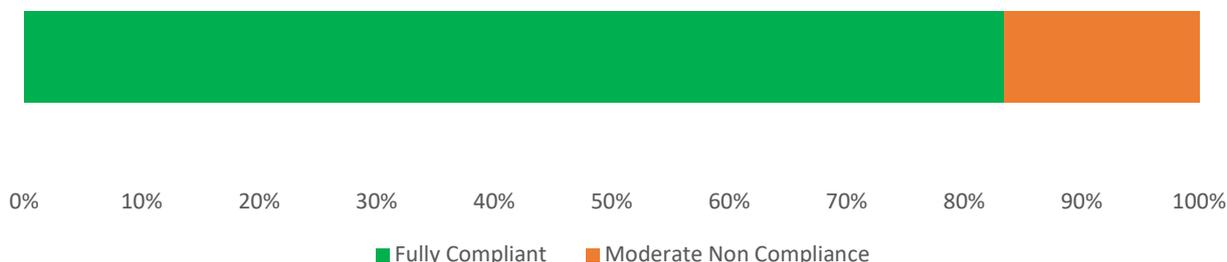
Two abatement notices are currently in place for the Wairoa treatment plant.

Landfills

WDC monitor five closed municipal landfills, the smaller landfills at Ruakituri, Frasertown and Raupunga were graded low-risk non-compliance due to the presence of additional waste on the closed landfill. For Mahia and Nuhaka, the landfills were graded as moderately non-compliant as the required groundwater sampling has not been undertaken for the 2018-2019 period.

WDC operate the Fraser Street landfill in Wairoa. For the 2018-2019 reporting period the landfill has been graded significantly non-compliant. This is due to the requirements of the consent largely being overlooked including sampling and reporting and management of the landfill. WDC have engaged a remediation expert and a new contractor and full compliance is expected to be achieved during the current period. An infringement notice for \$1000 was issued for the discharge of leachate to land from the Fraser Street Landfill in 2019.

HBRC Compliance 2018-2019



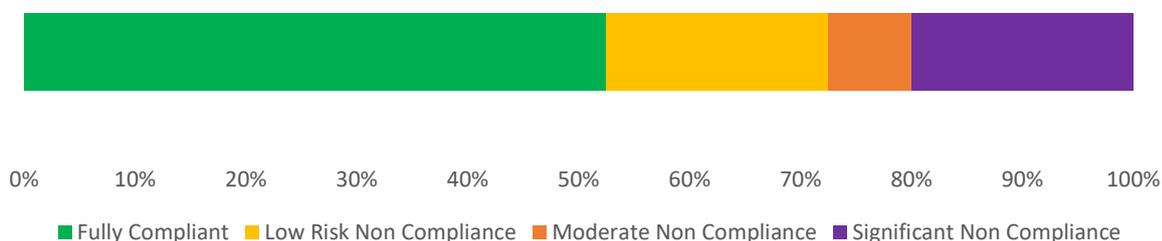
The compliance grading presented in the above chart shows that the majority of monitored consents held by HBRC were compliant with 83% (5) of all monitored consents achieving a grading of full compliance. No consents were graded low-risk non-compliant, 17% (1) were graded moderately non-compliant and no consents were graded significantly non-compliant.

The moderate non-compliance relates to a consent to undertake works in a stream bed, HBRC compliance team did not receive notification of commencement of works or a spill management plan. Works have been completed and this consent is no longer monitored.

The Hawkes Bay Regional Council holds 27 current discharge, water take or diversion resource consents. The HBRC resource consents are primarily for drainage, stormwater and pest control activities. During the 2018-2019 reporting period 22% (6) of the current resource consents were monitored. Compliance monitoring of resource consents held by HRBC is not currently undertaken to an adequate level and will be a focus of the 2019-2020 period. HBRC are also in the process of applying for discharge consents for 16 stormwater pump stations within the region which were previously unconsented.

Solid Waste Discharges

Solid Waste Compliance 2018-2019



The compliance grading presented in the above chart shows that the majority of monitored solid waste consents were non-compliant with only 52% (21) of all monitored consents achieving a grading of full compliance. 20% (8) were graded low-risk non-compliant, 8% (3) were graded moderately non-compliant and 20% (8) consents were graded significantly non-compliant.

Middle Road landfill

There is a major private landfill at 1199 Middle Road operated by Phoenix Contracting. This landfill accepts demolition and construction waste and other clean fill material. During the 2018-2019 reporting period the landfill underwent a full remediation to bring it up to the consented standard. The landfill is currently assessed as low-risk non-compliance for the period following the extensive remediation onsite.

The consent has been graded a low-risk non-compliance because of some asbestos accidentally arriving at the landfill which was subsequently removed. The consent holder is yet to submit a validation report from the remediation engineers confirming that all works were undertaken as required and the consent will be reassessed once this is received.

This is an improvement from a grading significant non-compliance in 2017-2018 to low-risk non-compliance.

Pollution Response and Enforcement

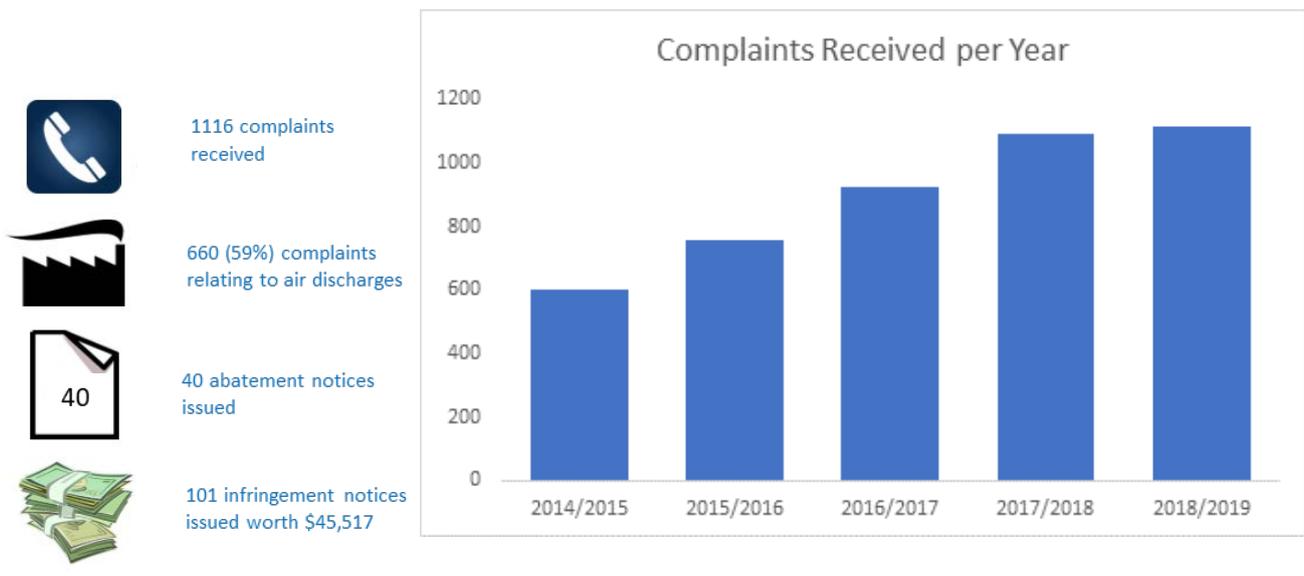
The Regional Council operates a 24 hour, 7 days a week Pollution Hotline for the purpose of receiving calls from members of the public reporting pollution events and other incidents of an environmental nature. During office hours, calls are directed to Environmental Officers who attend 100% of all calls received. Outside of office hours a duty roster is operated where calls are directed to the duty Environmental Officer via a call centre.

A wide range of incidents are reported that will generally be responded to within 12 hours of receipt and dealt with appropriately. The bulk of the Council's enforcement work arises as a result of incidents or complaints reported via the pollution hotline. Often Council will receive notice of incidents occurring even before those involved know themselves.

The regulation group contains several trained maritime oil spill responders that not only respond to marine spills but put that expertise towards dealing with other contaminant spills, often in liaison with other Councils and the District Health Board.

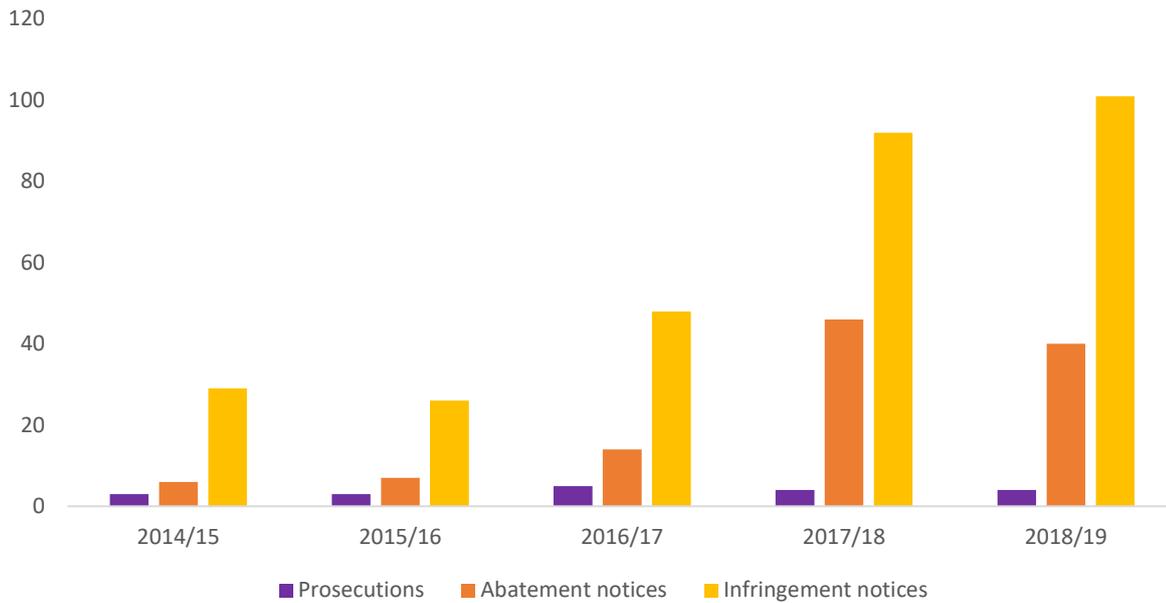
Each team vehicle holds equipment and tools to use in the event of most pollution events, supplemented by a Pollution Response van and trailer that holds larger equipment including generators, skimmers, booms and protective equipment.

What happened in 2018-19?



From 1 July 2018 to 30 June 2019, we received 1,116 requests for service through the pollution hotline service, a 1.9 % increase on the previous year with an increasing trend of 86% increase over the previous 5 years. Most of those incidents related to air discharge complaints. sam.staples@downer.co.nz

Enforcement Action per Year



Infringement notices [fines] are issued for serious non-compliance offences that don't warrant prosecuting. The fines are set by the Government and range from \$300 to \$1000 depending on the offence type. Infringement notices issued increased to 101 from 92. The vast majority of infringement notices issued were for outdoor burning. This increase reflects the continued zero tolerance approach to outdoor burning breaches confirmed during the air shed season.

Abatement notices are formal instructions. They are a direction to either cease doing something. Take action to address an environmental effect, or to comply with consent conditions. The number of abatement notices issued decreased slightly from 46 in 2017-18 to 40 in 2018-19.

Prosecutions are generally reserved for the most serious of offending. This can be for offences where significant environmental effects have resulted, or where repeated, serious offending has occurred. There were 4 prosecutions initiated during the year, the one completed prosecution was successful and resulted in a conviction and an \$11,750 fine for burning prohibited items.



Colville Prosecution: Nature of offence: Discharge to Air

Penalty: \$11,750

Orchard fire containing prohibited items (Plastic).



Following a heavy rainfall event, surface water erosion along the Tukituki river bank exposed a farm tip full of farm plastics that was swept down the upper stretches of the Tukituki River.

The local community got together to organise a clean-up day with Hawke's Bay Regional Council, Forest and Bird and local residents.

Oil Spill Response

Maritime New Zealand is responsible for managing the New Zealand Oil Spill Response Strategy. Regional Councils are an integral part of the implementation of that strategy. Depending on the severity of a spill, there are three “Tiers” within the response system

- Tier 1 – Industry responsibility
- Tier 2 – Regional Councils and Unitary Authorities involvement
- Tier 3 – Maritime New Zealand and International Partners involvement

Each tier is required to prepare contingency plans and a response capability appropriate to their respective levels of responsibility. This means that at Tier 1 level, the industries involved must have response plans prepared and these are audited by the Regional Council for suitability. Should a spill occur, that industry will have the capability to deal with it in some way and report the matter to the Regulation Group of the Regional Council who will assist as and when necessary. The Council may also take enforcement action.

Tier 2 are larger events where the Regional Council will always be involved. Examples may include a discharge of oil from a fishing boat, or a discharge at sea that risks washing up along the coast.

Presently the role of Regional On-Scene Commander for Tier 2 spills sits with two members of the Regional Council, one of those is a member of the Regulation Team. He is also responsible for the day to day running of the project including the maintenance and readiness of a large stock of oil spill containment and recovery gear stored at Napier Port. Other members of the response team are the complete Regulation Team and many others across all parts of Council including the Works Group.



On-Scene Commanders and other high-level planning staff undergo national training with Maritime New Zealand and can be utilised in national emergencies. A number of local training exercises, both desk top and actual are carried out throughout the year.

The photo above shows a rapid deployment boom being used to contain a tallow spill at Napier Port in 2019.

Contaminated Land

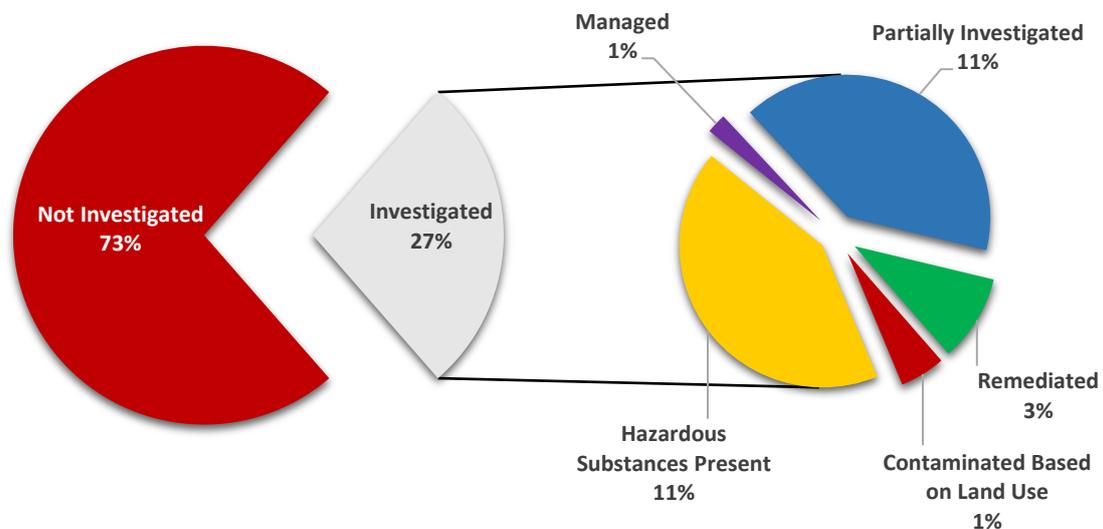
What do we do?

The Hawke's Bay Regional Council has a function under the Resource Management Act (1991) to investigate land for the purposes of identifying and monitoring contaminated land. As part of this HBRC maintains a Selected Land Use Register (SLUR) of all sites within the region where contamination has or may have occurred based on the current and historical activities taking place on a parcel of land. There are 50 individual activities defined by the Ministry for the Environment as having the potential to cause contamination of land. Land can also be contaminated through migration of contaminants from adjacent sites or from pollution events such as discharges to land.

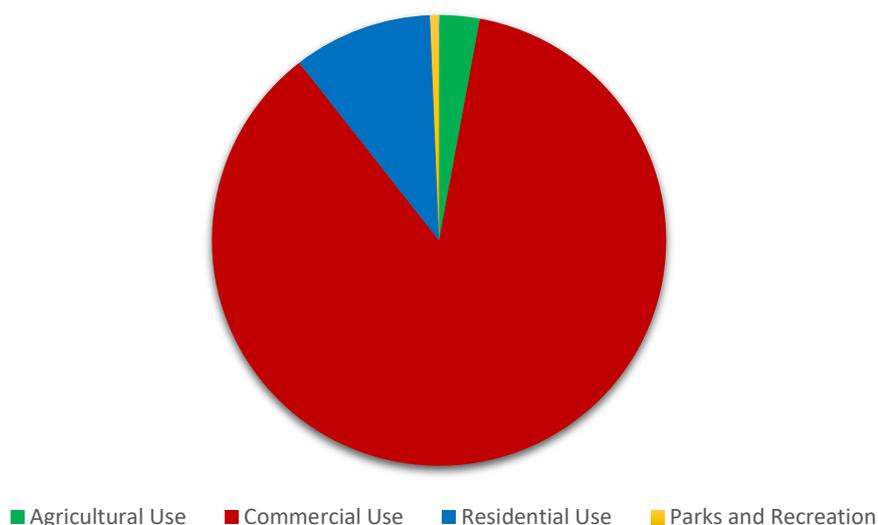
The information held by HBRC on the database includes site investigations, drainage records evidence of activities taking place and any remediation that has occurred onsite. These records are publicly available and are commonly requested by property valuers, property owners or potential buyers and land developers. This information is also shared freely between local authorities for the purposes of implementing and enforcing the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health.

The database maintained by HBRC currently has over **1894 selected land use records** where contamination may or has occurred. The charts below show the categories and land use for registered sites within the Hawke's Bay.

Categories of Registered Sites



Land Use of Registered Sites



In 2018-2019 HBRC received **133 requests for contaminated land information** held on our register. The requests were predominantly from developers and contaminated land specialists making requests as part of their due diligence under the NES:CS.

During the 2018-2019 reporting period, **68 new sites were added to the Selected Land Use Register**. This is normally completed as a response to a contaminated land information request as our current budget does not allow for active identification of new sites.

In addition to managing the database, the contaminated land team manages investigations into contaminated land. During the 2018-2019 reporting period there was significant focus on;

- Potential contamination caused by **PFAS containing firefighting foams** at Napier airport and the Hastings and Napier fire stations. These investigations are currently ongoing and should be completed by 2020.
- Identifying all **closed and operational landfills** within the region and assess their vulnerability to a range of factors including climate change and erosion.
- Assessing the extent of groundwater contamination from **timber treatment sites** and monitoring potentially impacted abstractions.
- Other **hydrocarbon impacted sites** from historical activities are also being investigated.

HBRC employs 0.5 FTE to manage the contaminated land database and undertake contaminated land investigations.

What are we planning to do?

The Hawke's Bay Regional Council has responsibilities regarding contaminated land management under the following sections of the Resource Management Act 1991

- Section 30 (1)(ca), to identify and monitor contaminated land.
- Section 35, to gather, monitor and keep records to effectively carry out functions.

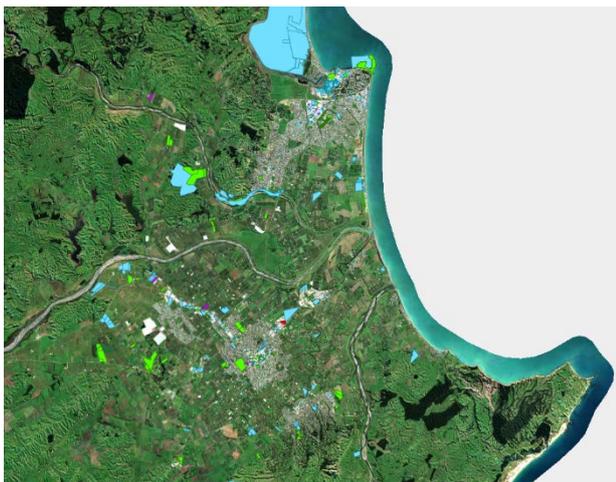
HBRC has signed up to national targets for contaminated land which have been set by the Ministry for the Environment, set out in the document: *A generation from now: our long-term goals, 2015*.

- 2020: All potentially contaminated HAIL sites are known and the creation of new HAIL sites is controlled (there are no new 'accidental' sites).
- 2028: All HAIL sites to be listed under the new contaminated land categories for national consistency.

- 2030: All known high risk HAIL sites existing in 2020 have been remediated or have a management plan in place.
- Currently undated: All HAIL parcels and databases to be GIS compatible.

In addition to these mandated targets the contaminated land special interest group for regulators and HBRC contaminated land team are pursuing projects aimed at achieving national data consistency and investigations into emerging contaminants of concern.

The Disaster waste management planning project aims to address how we manage waste and contamination during and following a natural disaster. A prime example of this was ECAN following the 2011 and 2015 earthquakes, their incomplete register of HAIL sites at the time mean that managing contaminated sites was difficult and slowed down the recovery process. The disaster waste planning project aims to build resilience in our response to natural hazards for waste management.



Selected Land Use Register Update project is currently underway with the older access database transferring to the new IRIS system. This project will validate all 3500 records that we currently hold as well creating a spatial database for mapping of this data. The project commenced in July 2019 and is expected to be completed by July 2020. After completion, contaminated site information will be easily accessible to other parts of the Council and can be used in consent and compliance decision making.

The update also includes the creation of a spatial database to meet our national obligations, this allows quick analysis of data and means that contaminated land information can be used in risk assessments of water takes and other sensitive receptors.

National HAIL portal and data consistency project aims to implement agreed information categories and Council records for use in a nationally administered HAIL database. HBRC have already updated all records to the new agreed categories and definitions. Extensive work needs to be undertaken to identify all sites within the Hawke's Bay. This project has already been scoped but the contaminated land department lacks the required budget to implement the program of identification. The target to identify all sites by 2020 was agreed to by HBRC and is a recognised national target.





Landfill Vulnerability Program following the Fox River landfill disaster in 2019 is a nationally driven project involving all Regional and Local Councils. Work is being undertaken to identify all closed and operational landfills within our region and assess them for vulnerability to erosion, flooding, coastal inundation and climate change. This is essential work to stop a repeat of the Fox River disaster which had significant environmental and financial costs.

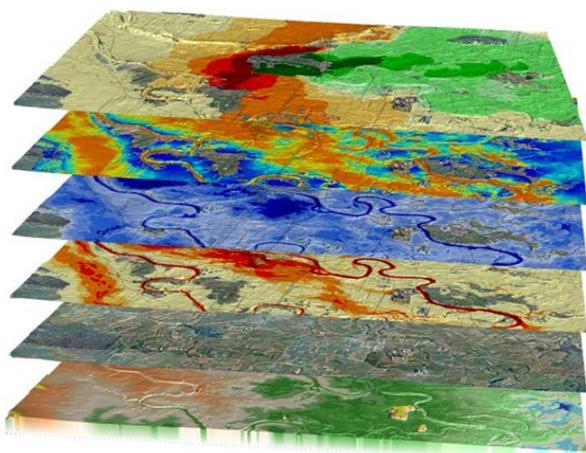
Implementation of Eco-SGVs which were published this year are standard for environmental protection with regards to certain contaminants of concern. The agreed Eco-SGVs provide a consistent approach to managing the impact on the environment from land affected by contamination or pollution events. The Eco-SGVs need to be imbedded in our assessment processes and should be included within regional policy documents to allow for better regulation.



Establishment of a Regional Contaminated land regulatory working group within the Hawke's Bay between the Regional and Local Councils, Worksafe New Zealand and the DHB to allow for sharing of contaminated land information and knowledge between regulatory bodies. This will improve communication and reduce the number of incidents where interested parties are left out of the loop.

Non-firefighting foam sources of PFAS contamination and other emerging contaminants of concern will be the focus following investigations into airports and fire stations in 2018/2019. Other common sources including manufacturing, landfill and wastewater treatment plants will need to be identified and assessed for risk to the environment and human health.





Rapid Risk Screening tool is being developed by Tonkin and Taylor on behalf of the Regional Council's sector group to allow relevant data held by multiple councils to be pulled into a risk assessment tool. This tool combines contaminated land, consent, pollution, land use and environmental data in a spatial resource designed for use by regulators and consultants.

The contaminated land team is **currently under resourced** within the Hawke's Bay Regional Council. There is a growing body of upcoming work that will be unable to be completed with current resourcing levels. Currently 60% of the annual budget is assigned to hazardous waste collections which are anticipated to cost more than 80% of the budget in the 2019-2020 period.

Current staffing levels are at 0.5 FTE for managing all of the projects underway and upcoming. Staff will be reviewing its resourcing requirements to meet our statutory obligations under the RMA for identifying and managing contaminated land as part of the Long-Term Plan Process.

Hazardous Waste

The Hawke's Bay Regional Council in conjunction with AgRecovery provide a subsidised collection for unused agrichemicals and household hazardous waste. This service is run by the 3R Group in Hastings on behalf of the Regional Council.



During the 2018-2019 reporting period HBRC subsidised either fully or partially approximately **\$60,000 worth of hazardous waste** and agrichemicals that may have otherwise been disposed of inappropriately. The 3R Group reported that approximately **1500L of hazardous chemicals were collected** on behalf of HBRC during the reporting period with more than half of this occurring between March and July 2019.

HBRC is also a **signatory on the Hawke's Bay asbestos liaison protocol** which is a framework for responding to significant asbestos related incidents. This agreement allows all relevant regulatory bodies such as Council, the HBDHB and Worksafe to collaborate and respond effectively to major incidents.

Increasing awareness of the environmental impacts of chemicals is driving more people with the region to dispose of their unwanted chemicals sustainably. We have already seen a **30% increase in collections** during the current reporting period and expect this to increase.