

Annual Resource Management Act (1991) Compliance and Enforcement Report

for the period 1 July 2009 - 30 June 2010



Everything is connected

Resource Management Act (1991)

Annual Compliance and Enforcement Report

1 July 2009 - 30 June 2010

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This report has been prepared for Environment Canterbury from members of the Compliance Monitoring and Enforcement Section.

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1.0

Executive summary

The purpose of this report is to:

- document the activities of the RMA Compliance and Enforcement section during the reporting period,
- describe the types of environmental incidents encountered in Canterbury, how they were responded to, and to comment on any trends that have become evident,
- provide an official record of Environment Canterbury's enforcement actions.

The report was delayed during late 2010 and early 2011 because of the Canterbury earthquakes. Our compliance monitoring data for 2009/10 were publicly reported in our annual report for 2009/10.

Regulatory implementation

The major achievement in this area in 2009/10 was a complete re-development of the internal knowledge database known as the rule implementation database (RID).

Compliance monitoring

The report covers consent monitoring and compliance across environmental sectors: air quality, land use, coastal, water quality, and water quantity.

Thirty-one certificates of compliance were processed in 2009/10. This was a slight drop from the previous year, which could be due to the downturn in the building industry.

930 consents were monitored and a total of 45,143 conditions were assessed. The majority of the consents assessed were either fully compliant or minor non-compliant (97%). A small proportion of consents were significant or repeated non-compliant (2%), major or persistent non-compliant (0.2%), or had enforcement action taken (0.5%).

There were 905 consents for the discharge of dairy effluent operating during the 2009/10 season. This was a 6% increase on the previous year and reflects the continued growth of dairying in Canterbury. Out of the 905 authorisations, 861 were visited during 2009/10. The majority (58.7%) of all dairy farms were found to be either fully compliant with their consent conditions or demonstrating minor non-compliance (32.9%). A small proportion was graded as significant/repeated or major/persistently non-compliant (8.4%). This is a pleasing improvement on the previous year where 43.2% were fully compliant and 19.3% were graded as significant/repeated or major/persistently non-compliant.

Complaints and incidents

There were 3959 complaints registered with the Pollution Hotline in 2009/10, which is close to the highest number recorded (July 2008-June 2009, 3978 complaints) since the Hotline began in 1991. Air quality is the reason behind most reported incidents.

Building Consent Authority

Of the eight building consents & certificate of acceptances that the BCA has or is currently processing, the average processing time to date is 16 working days

Investigations and enforcement

246 abatement notices were issued compared with 95 issued in the previous financial year. This significant increase is due to the number of abatement notices that were issued in relation to

water quantity. Enforcement action was due to unauthorised abstraction of water for irrigation and not having a water flow measuring and recording device installed.

By contrast, 103 infringement notices were issued in relation to breaches of the RMA, with fines totalling \$63,150. There were 124 infringement notices issued for the previous year.

There were also four enforcement orders issued, seven search warrants executed, and 16 environmental incidents taken to court. Three incidents proceeded along the path of Internal Issue Resolution. Full details of these incidents are provided in this report.

2.0

Introduction

One of Environment Canterbury's primary responsibilities is to give effect to the purpose of the Resource Management Act 1991 (RMA); to promote the sustainable management of natural and physical resources in the Canterbury region. Monitoring compliance, educating resource users, and enforcing the requirements of the RMA, the rules set out in the regional plans, and resource consent requirements, is a critical part of meeting this responsibility. It is Environment Canterbury's RMA Compliance and Enforcement section that undertakes this function.

The work of the RMA Compliance and Enforcement section is divided into two main areas:

1. Gathering intelligence about resource use in the Canterbury Region to determine what, if any, responses are required (enforcement action, prioritisation of resources, and feedback into policy development). This intelligence is gathered through compliance monitoring of authorised resource use (permitted activities and resource consents) and response to complaints received from the community through the Pollution Hotline.
2. Where non-compliances, resource use, or incidents are identified as having adverse effect, action is taken to ensure those effects are mitigated or remedied and the appropriate tools are used to educate and to deter people from continuing that activity.

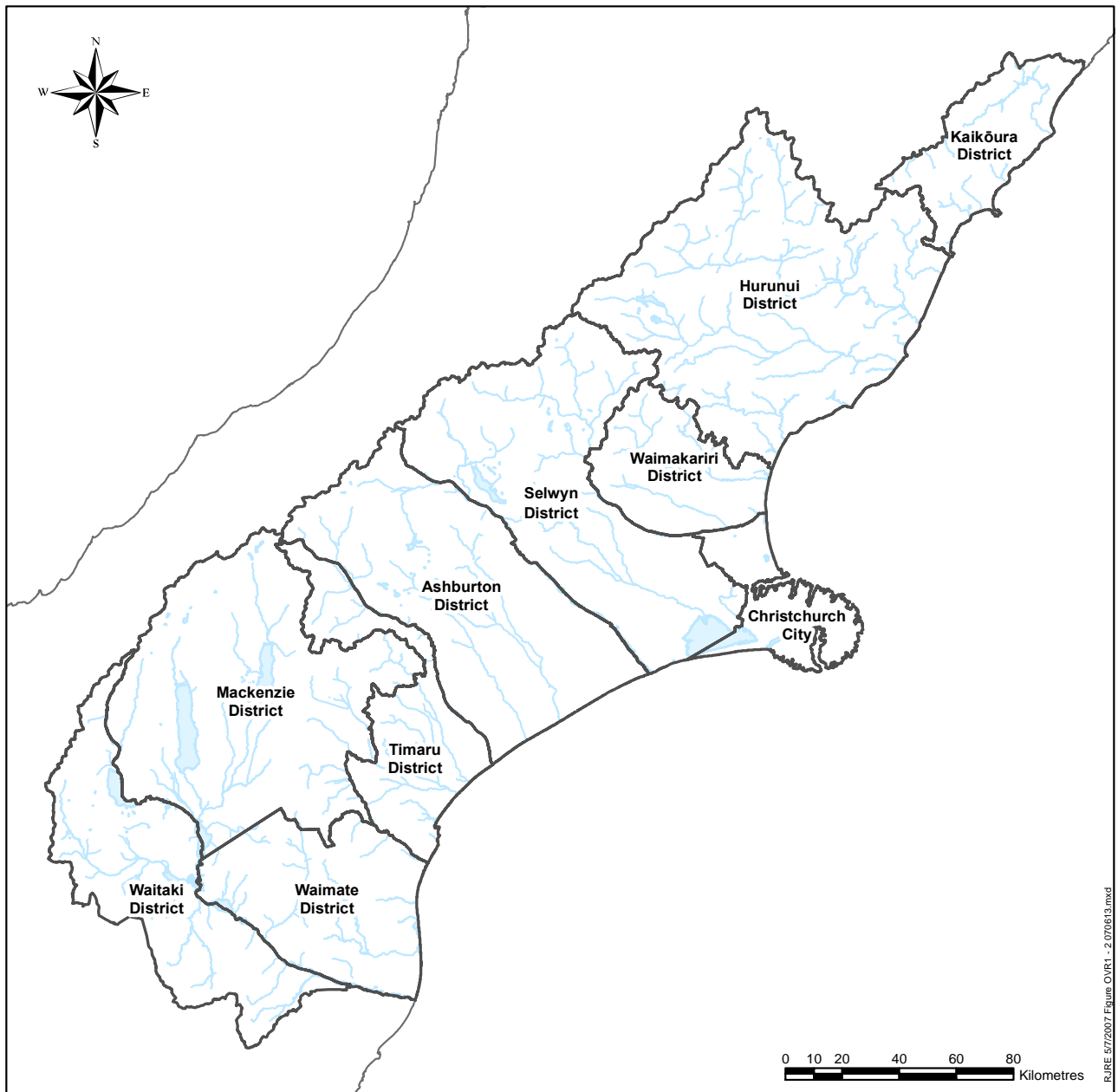
The purpose of this report is to:

- document the activities of the RMA Compliance and Enforcement section during the reporting period,
- describe the types of environmental incidents encountered in Canterbury, how they were responded to, and to comment on any trends that have become evident,
- provide an official record of Environment Canterbury's enforcement actions.

These details are publicly reported to council quarterly and this report is an annual compilation of this reporting. The report also provides a valuable context within which to assess performance against the section's agreed service to the community; to resolve non-compliances, complaints and environmental incidents.¹ This report documents the non-compliances and environmental incidents reported to, or identified by, Environment Canterbury's RMA Compliance and Enforcement section in the year from 1 July 2009 to 30 June 2010.

The report was delayed during late 2010 and early 2011 because of the Canterbury earthquakes. Our compliance monitoring data for the 2009/10 year were publicly reported in our annual report for 2009/10.

¹ Environment Canterbury Draft Annual Plan 2010/11: Levels of service for non-compliances are that 80% of significant or major non-compliance are resolved in six months, and 95% are resolved in 12 months. Levels of service for environmental incidents are that 95% of incidents are resolved in 12 months (no further action required).



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Figure 2.1 The Canterbury region, with territorial authority areas.

3.0

Intelligence

To undertake Environment Canterbury's regulatory function, the organisation must have knowledge about what activities are going on within the region, and where they are occurring. Environment Canterbury must also know whether the activities are lawful and what effects they may be having on the community and environment. This intelligence allows the prioritisation of resources and for regulatory activity to be focused on known environmental pressure points, or sectors where problems have been identified. To this end, gathering and receiving intelligence on resource use is fundamental to the functioning of the RMA Compliance and Enforcement section and the delivery of the compliance and enforcement function to the region. As discussed in the introduction, intelligence is gathered from two main sources; compliance monitoring of authorised resource use (permitted activities and resource consents), and response to complaints received via the Pollution Hotline.

Although monitoring and enforcing compliance is an important part of the RMA Compliance and Enforcement section function, it is equally important to facilitate compliance by proactively advising resource users of RMA requirements, and encouraging and assisting them to manage their operations within the law. The RMA Compliance and Enforcement section has a Regulatory Implementation Team to interpret RMA rules and regulations, develop communication and regional plan implementation packages, and liaise with local authorities and stakeholders within the region. The activity of this team also gives us important insight into potential pressures on resource use.

The following sections describe the operations of the RMA Compliance and Enforcement section as they relate to regulatory implementation, compliance monitoring and complaint response and as they occurred in the reporting period. It also summarises the main environmental issues identified by portfolio as a result of these operations. Finally, the report describes the types of enforcement action undertaken and details the prosecutions that have concluded in the Court.

4.0

Operations

4.1. Regulatory implementation

The Regulatory Implementation Team provides advice and education on regulatory matters pertaining to Environment Canterbury's plans, rules and the RMA. This proactive approach seeks to find enabling solutions to resource use within the prescribed regulatory framework. With the right advice to begin with, the correct course of action can be taken in a timely and efficient manner. The team also assesses activities against the appropriate rules. Specifically, these activities include, but are not limited to; storm water discharges, domestic wastewater discharges, bore-drilling, water abstraction, works in waterways and discharges to air from domestic wood burners. The team coordinates the processing of certificates of compliance for domestic wastewater applications (which is discussed in detail below).

The major achievement in this area in the 2009/10 year was a complete re-development of the internal knowledge database known as the rule implementation database (RID). The RID lists rules and rules linked to activities, along with interpretations of their meaning. This database enables the efficient navigation of appropriate rules, their interpretation, and their implementation. It includes rule history and new "variation" rules and plan changes, and the identification of decisions and interpretations that might be related to a specific activity.

The re-development was necessary to accommodate the newly released decisions on the Natural Resources Regional Plan and the changes that had occurred from the proposed version of the plan. This tool has already proved to be a valuable resource for the organisation. It is anticipated that in time certain aspects of this database may be directly accessed by the public, specifically, the relationship between activities and the relevant associated rules.

4.2. Compliance monitoring

Certificates of compliance

Resource users frequently request formal confirmation that their proposed activity meets the permitted activity rules in our regional plans or a national environmental standard. This is done through an application for a certificate of compliance. A certificate of compliance is a legal document that states a particular activity can be carried out as a permitted activity. Once granted, it is a deemed resource consent and thus subject to compliance monitoring and any related compliance monitoring charges.

The primary difference from a resource consent is that if regional rules or a national environmental standard for the activity change, then the certificate will no longer be valid. The other difference is that unlike a resource consent, conditions cannot be imposed on the certificate outside of those contained in the applicable national environmental standard and regional plan. The certificate must be issued by Environment Canterbury when requested, providing the proposed activity can be carried out lawfully at the time of application, at a particular location, without resource consent. This means that the applicant must prove that the activity can comply with all conditions in any relevant rule of an operative regional plan and any proposed regional plan.

Thirty-one certificates of compliance were processed within the reporting period 1 July 2009 to 30 June 2010. This was a slight drop from the previous year, which could be due to the downturn in the building industry.

Figure 4.1 illustrates the broad variety of activity types under which certificates of compliances were applied for:

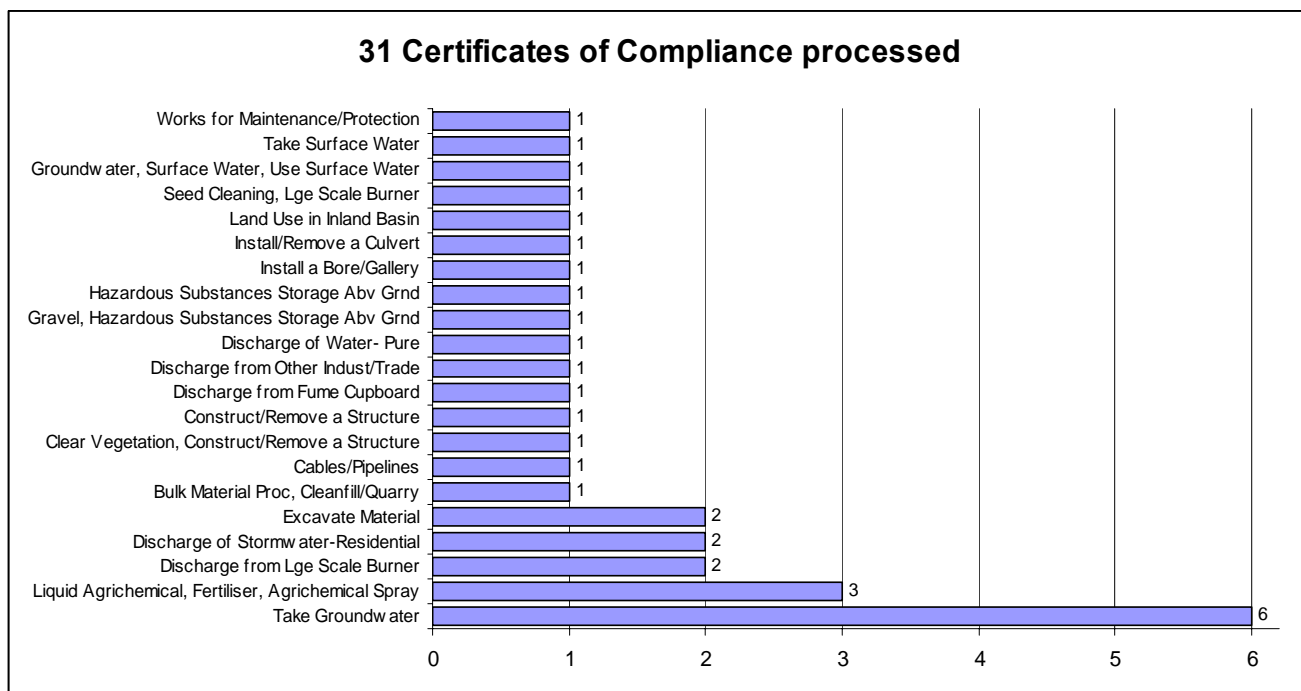


Figure 4.1. Certificates of compliance processed from 1 July 2009 – 30 June 2010, by activity type.

Resource consents

A resource consent is a required to undertake an activity that would otherwise contravene a section of the Resource Management Act (1991), a rule in a plan or proposed plan or a national environmental standard.

Resource consents cover a broad range of activities and are subject to conditions that place limitations on that activity, such as location, scale and specific standards that must be met. At the end of the reporting period there were 25,528 consents in the Canterbury region. Due to the large number of consents, not all are monitored in any one year, therefore officers must prioritise the consents they monitor.

The prioritisation of monitoring is based on the type of activity, the potential environmental affect, and the history of compliance. For example, activities that are ongoing (wastewater treatment plants, dairy discharges, water takes and industrial discharges) are monitored regularly, which may be monthly or up to five-yearly. The frequency of monitoring can be reduced if the consent holder has been consistently compliant or, conversely, increased if they are repeatedly non-compliant. Activities that are only short-term or temporary are, as a minimum, monitored at the start, during the activity, and at the finish (e.g. works in waterways, construction phase storm water consents), and more frequently if there are non-compliances.

The extent of monitoring is balanced between the need to ensure that compliance is continuous and consistent between certain activities within the region, and the need to keep monitoring costs reasonable for the consent holder.

Monitoring may involve site visits, collecting samples, measuring flow, downloading data, reviewing and analysing information provided by the consent holder, assessing consent conditions and writing a compliance monitoring report. Low priority consents may never be visited and only monitored when information from the consent holder is provided or a complaint from the public is received (e.g. on-site wastewater consents).

Site visits are generally undertaken with the consent holder present on site, primarily for the health and safety of the officer, but also to create a better working understanding between the consent holder and monitoring officer. Meeting the consent holder on site ensures there is transparency over what is being monitored and if any issues arise they can be brought to the attention of the consent holder immediately.

However, it is sometimes necessary to make unannounced site visits to ensure that the monitoring officer can see the normal day-to-day operation.

When a condition of a resource consent is monitored, a grade of compliance is recorded against that condition. The consent holder is notified of the grades for each condition along with an overall grade of resource consent compliance. The grading system for each condition is:

- Grade 1: Complies fully
- Grade 2: Minor non-compliance
- Grade 3: Significant non-compliance or repeated minor non-compliance
- Grade 4: Major and/or persistent non-compliance
- Grade 10: Enforcement action taken

During the reporting period, 12,930 consents were monitored and a total of 45,143 conditions were assessed. The majority of the consents assessed were either fully compliant or minor non-compliant (97%). A small proportion of consents were significant or repeated non-compliant (2%), major or persistent non-compliant (0.2%), or had enforcement action taken (0.5%).

Groundwater abstractions, agricultural discharges such as animal effluent spreading or irrigating and human waste discharges accounted for 19%, 15% and 13% of significant or repeated non-compliance, respectively (Figure 4.2). This reporting period saw a significant drop in Grade 3 non-compliances with respect to agricultural discharges from 23% (240 Grade 3 conditions) in the 1 July 2008 – 30 June 2009 year to 15% (120 Grade 3 conditions) in the current reporting period. This was partly due to drier conditions resulting in fewer incidences of ponded effluent. It is also the result of Environment Canterbury working closely with an industry liaison group, which includes Dairy NZ, Synlait, NZ Dairies, Fonterra and Federated Farmers, to provide advice to farmers on dairy effluent discharges. Industry representatives are also now available to provide advice to farmers on effluent storage and discharge.

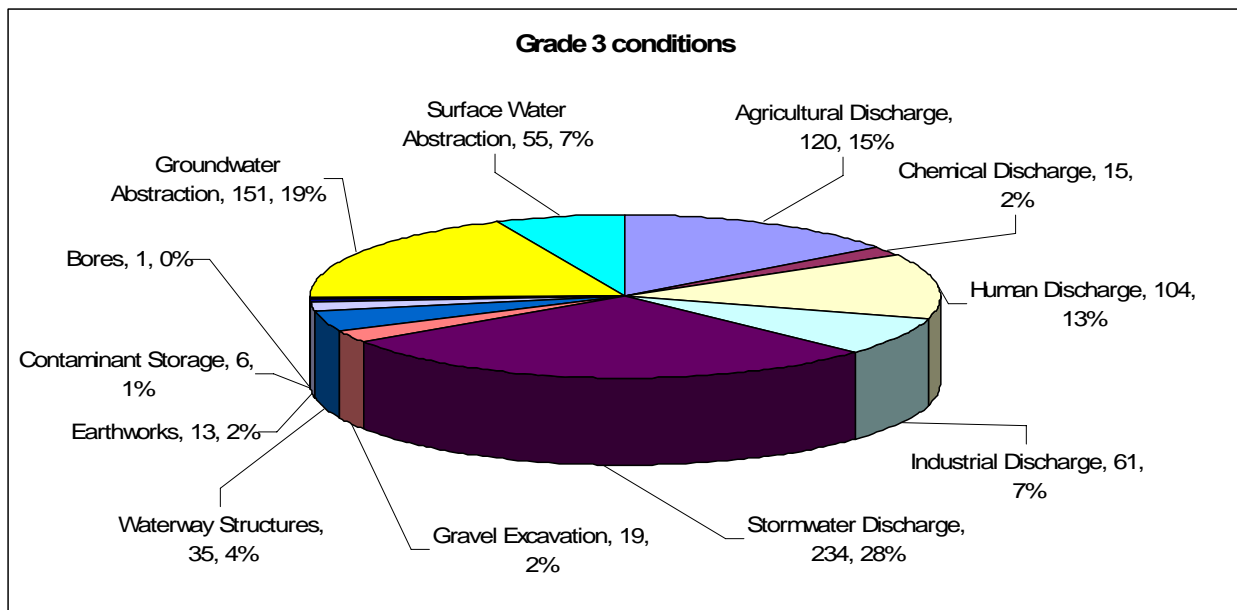


Figure 4.2. Summary of Grade 3 non-compliances 1 July 2009 – 30 June 2010.

A large proportion of the significant or repeated non-compliances (29%) and the majority of major and/or persistent non-compliances (62%) were related to storm water discharges,, (Figure 4.2 and 4.3). This is an increase from the previous year which is due to an increase in the number of large developments and consequential stormwater discharges that had ongoing compliance issues.

This year also saw a drop in major and persistent non-compliances from municipal wastewater treatment plants from 29% during the 1 July 2008 – 30 June 2009 year to only 5% during the current reporting period. This is the result of compliance monitoring officers working closely with the Territorial Local Authorities to resolve these non-compliances.

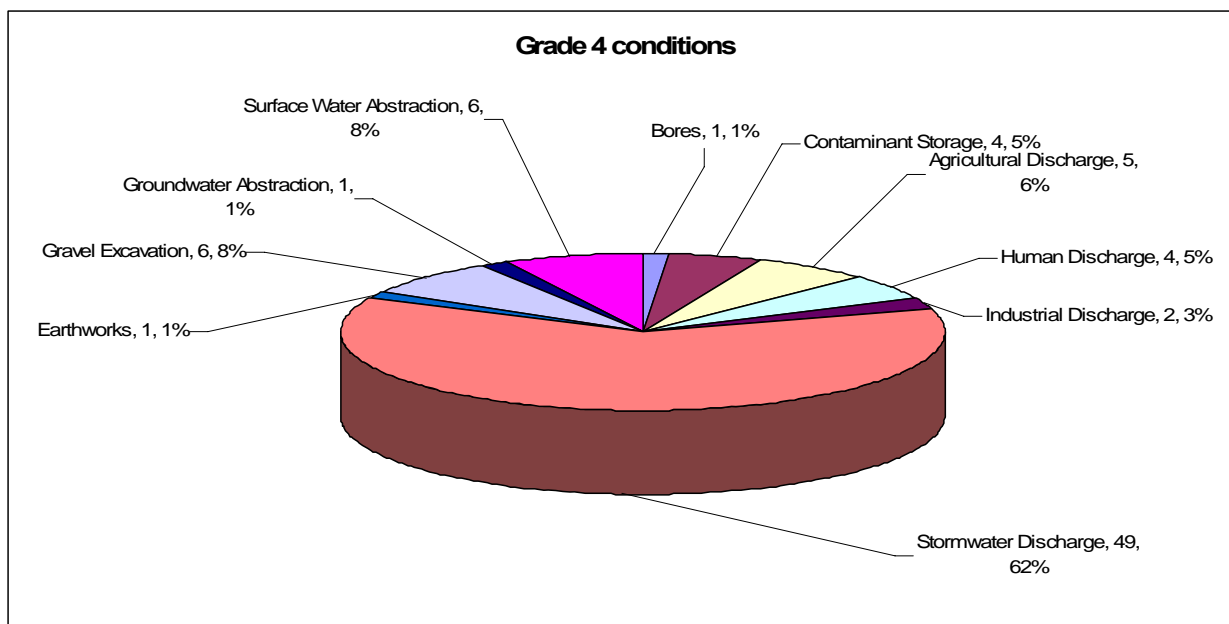


Figure 4.3. Summary of Grade 4 non-compliances 1 July 2009 – 30 June 2010.

Conditions are placed on resource consents to mitigate the potential environmental affects of an activity. When consent holders do not comply with all of the conditions of their resource consent, Environment Canterbury actively works with the consent holder to ensure that the consent conditions are adhered to. This approach has proven to be successful in most cases, but sometimes enforcement action is necessary.

Groundwater abstractions represented the majority of consents (64%) where enforcement action was taken (Figure 4.4). This has increased dramatically from the previous period where groundwater abstractions were only 2% of the Grade 10 non-compliances. This is because a number of the consents that were major non-compliant last year have not been resolved, which has resulted in enforcement action having to be taken. Conversely, agricultural discharges have dropped significantly since the previous year, from 74% in 2008/09 to 17% in 2009/10, which is due to the reasons outlined above.

See section 10.0, Investigations and Enforcement, for more detail on the type of enforcement action taken.

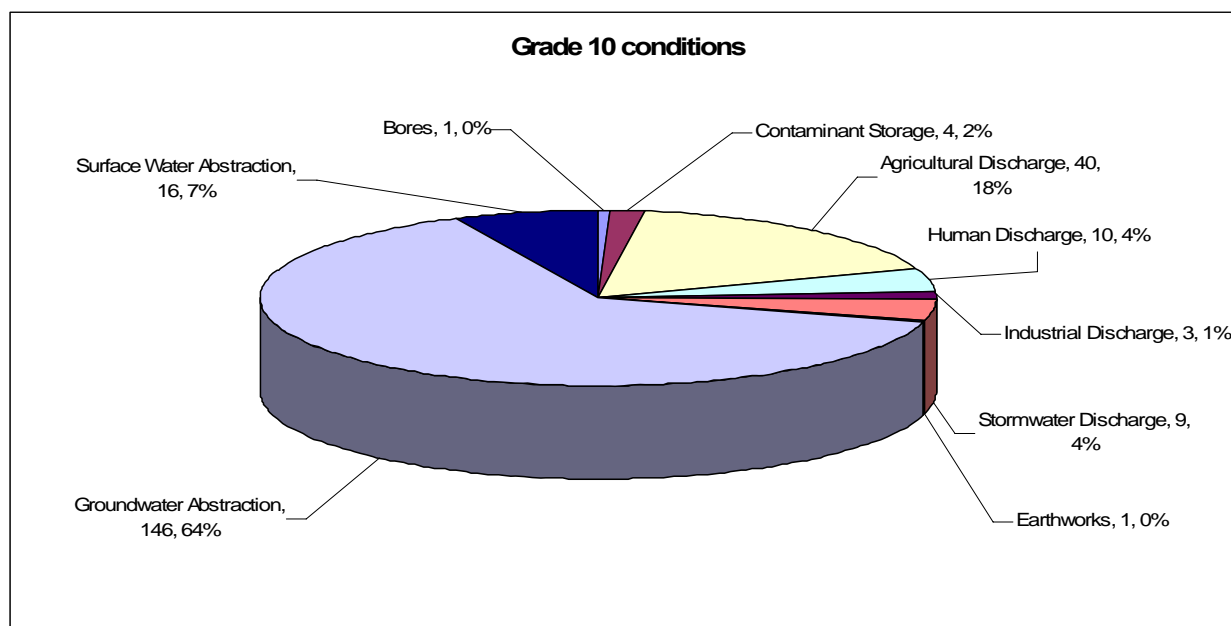


Figure 4.4. Summary of Grade 10 non-compliances 1 July 2009 – 30 June 2010.

Table 4.1 Monitoring activities, 1 July 2009 – 30 June 2010.

Monitoring Class	Total Consents		Consents Monitored		Conditions Monitored		Conditions Grade 3*		Conditions Grade 4*		Conditions Grade 10*	
	Count	Percentage	Count	Percentage	Count	Percentage	Count	Percentage	Count	Percentage	Count	Percentage
Agricultural Discharge	1357	5.3%	1009	7.8%	12700	28.1%	120	14.7%	5	6.3%	40	17.4%
Chemical Discharge	30	0.1%	13	0.1%	77	0.2%	15	1.8%		0.0%		0.0%
Human Discharge	5476	21.5%	1417	11.0%	9811	21.7%	104	12.8%	4	5.1%	10	4.3%
Industrial Discharge	2051	8.0%	692	5.4%	4578	10.1%	61	7.5%	2	2.5%	3	1.3%
Stormwater Discharge	3607	14.1%	725	5.6%	3874	8.6%	234	28.7%	49	62.0%	9	3.9%
Vegetation Burns	14	0.1%	1	0.0%	14	0.03%						
Development and Grazing of River Berms	27	0.1%	7	0.1%	31	0.1%						
Flood Control	40	0.2%	14	0.1%	26	0.1%						
Gravel Excavation	438	1.7%	354	2.7%	4473	9.9%	19	2.3%	6	7.6%		
Waterway Structures	1412	5.5%	290	2.2%	2421	5.4%	35	4.3%				
Earthworks	195	0.8%	59	0.5%	437	1.0%	13	1.6%	1	1.3%	1	0.4%
Contaminant Storage	227	0.9%	52	0.4%	399	0.9%	6	0.7%	4	5.1%	4	1.7%
Bores	2677	10.5%	1216	9.4%	237	0.5%	1	0.1%	1	1.3%	1	0.4%
Groundwater Abstraction	5827	22.8%	5180	40.1%	4320	9.6%	151	18.6%	1	1.3%	146	63.5%
Surface Water Abstraction	2122	8.3%	1876	14.5%	1740	3.9%	55	6.8%	6	7.6%	16	7.0%
Surface Water Use	28	0.1%	25	0.2%	5	0.01%						
TOTAL	25528		12930		45143		814		79		230	

* Grade 3 – Significant/repeated non-compliance (actual or potential adverse effects moderate).

* Grade 4 – Major and/or persistent non compliance (actual or potential adverse effects are serious or persistent).

* Grade 10 – Formal enforcement action taken.

The Long-Term Plan is a document produced by Environment Canterbury in consultation with the public every three years. It details the areas of priority and where resources are going to be allocated. The RMA Compliance and Enforcement section has made a commitment to the community, via this plan, to resolve 80% of significant/major non-compliances within in 6 months and 95% in 12 months.

Figure 4.5 illustrates the percentage of conditions with significant non-compliance that were resolved within 6-12 months, and the percentage that took more than 12 months to resolve, for the range of consented activities monitored.

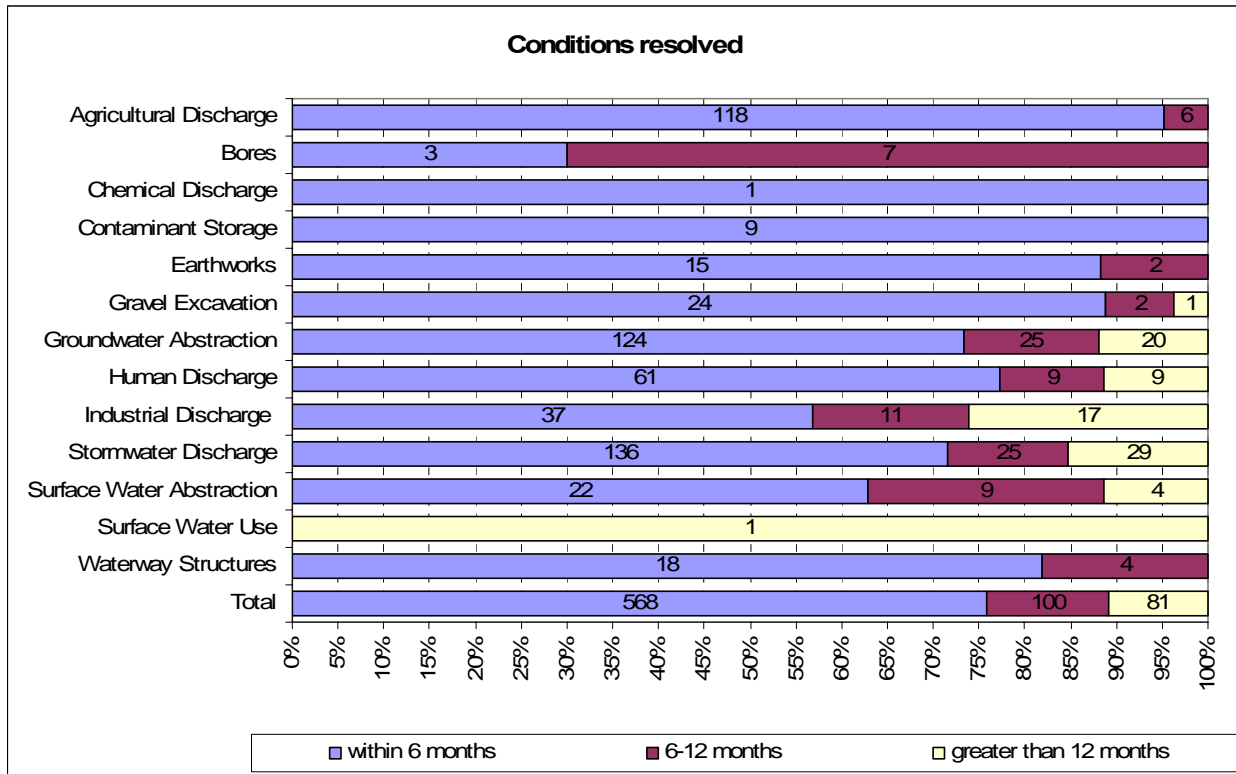


Figure 4.5. Non-compliance conditions resolved from 1 July 2009 – 30 June 2010.

The activities where targets were not met were wastewater discharges, industrial and stormwater discharges, groundwater and surface water abstraction, and surface water use. Resolving non-compliance for wastewater discharges, industrial and stormwater discharge consents can take considerably longer than for other activities. This is because the solution may require the consent holder to undertake works on a large scale, which can be a significant capital expenditure. or works on a large scale, which need to be approved through the planning and governance processes.

Additionally, the resolution of non-compliance for groundwater and surface water abstraction consents within a 12-month period is unable to be met as consent holders are often only required to submit their records on an annual basis, therefore the abstraction rate cannot be assessed until the following reporting period.

4.3. Complaints and incidents

While many environmental incidents and non-compliances come to the attention of Environment Canterbury through compliance monitoring of resource consents and proactive investigations into resource use, the vast majority of incidents are alerted by members of the public through the 24-Hour Pollution Hotline (0800 76 55 88). The Hotline service has been operating 24 hours a day, 365 days a year, since its establishment in 1991. Most environmental offending is actually offending against the community, in that it often involves members of the community making personal gain from a public good while restricting the ability for others to use a resource. The Pollution Hotline allows the community to be Environment Canterbury’s eyes and ears in this respect.

The RMA Compliance and Enforcement section responds to complaints lodged through the Pollution Hotline within the Canterbury region. These complaints vary widely in their nature, from nuisance smoky chimneys to large-scale sediment discharges and oil spills. The majority of complaints can be investigated and resolved without the need to undertake a site visit, but some reported incidents require a site visit to substantiate the complaint and alleviate any threat as a result of the incident.

All responses to non-compliances and environmental incidents require a dual approach. The first task is to cease the activity, clean up, and then remedy or mitigate any resulting adverse environmental effects. The second task is to investigate the facts surrounding the non-compliance or incident in order to establish what, if any, enforcement action may be required. Enforcement action can range from a formal warning through to prosecution. Compliance monitoring and incident response is primarily about responding promptly and effectively to incidents to minimise and remediate any adverse effects.

After normal office hours, RMA Compliance and Enforcement personnel and others within the organisation respond to complaints or incidents reported through the hotline.

Site visit response is limited to the Christchurch City and Timaru District boundaries unless the event is large-scale, with significant environmental and/or human effects. This is primarily for health and safety reasons. There have been instances in this reporting period where staff members responding to calls on the hotline have been abused and threatened whilst carrying out their duties. This has resulted in some health and safety precautions being taken, resulting in officers not attending incidents in high risk environments, and afterhours during the hours of darkness unaccompanied. This has reduced Environment Canterbury’s ability to attend certain types of calls. Despite this, all calls continue to be recorded during the 24 hour period and off-duty officers are called out to attend all significant incidents.

There were 3959 complaints registered with the Pollution Hotline in the year from 1 July 2009 to 30 June 2010, which is close to the highest number recorded (July 2008-June 2009, 3978 complaints) since the Hotline began in 1991 (Figure 4.6).

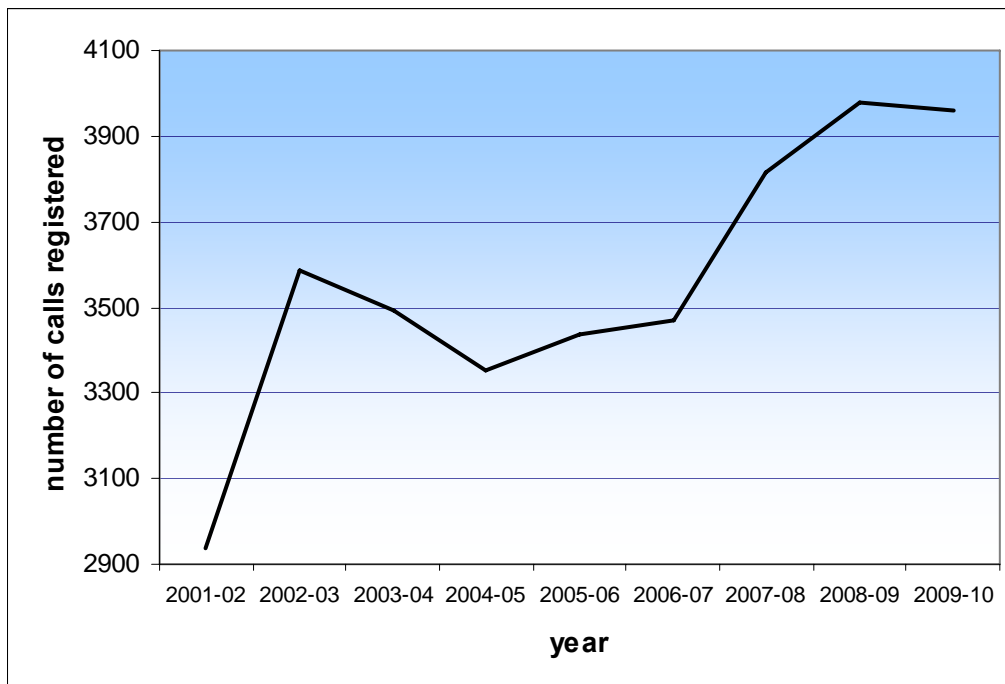


Figure 4.6. Number of calls registered with the Pollution Hotline in each of the years beginning 1 July 2001.

Air quality was still the reason behind most reported incidents (2664 complaints or 68%, Figure 4.7). The majority of these complaints occur in winter when the smoke from domestic chimneys has been a major nuisance in residential areas (Figure 4.8). Additionally, activities at some sites creating dust, odour, and smoke are a nuisance to communities and can generate numerous complaints over an indeterminate period.

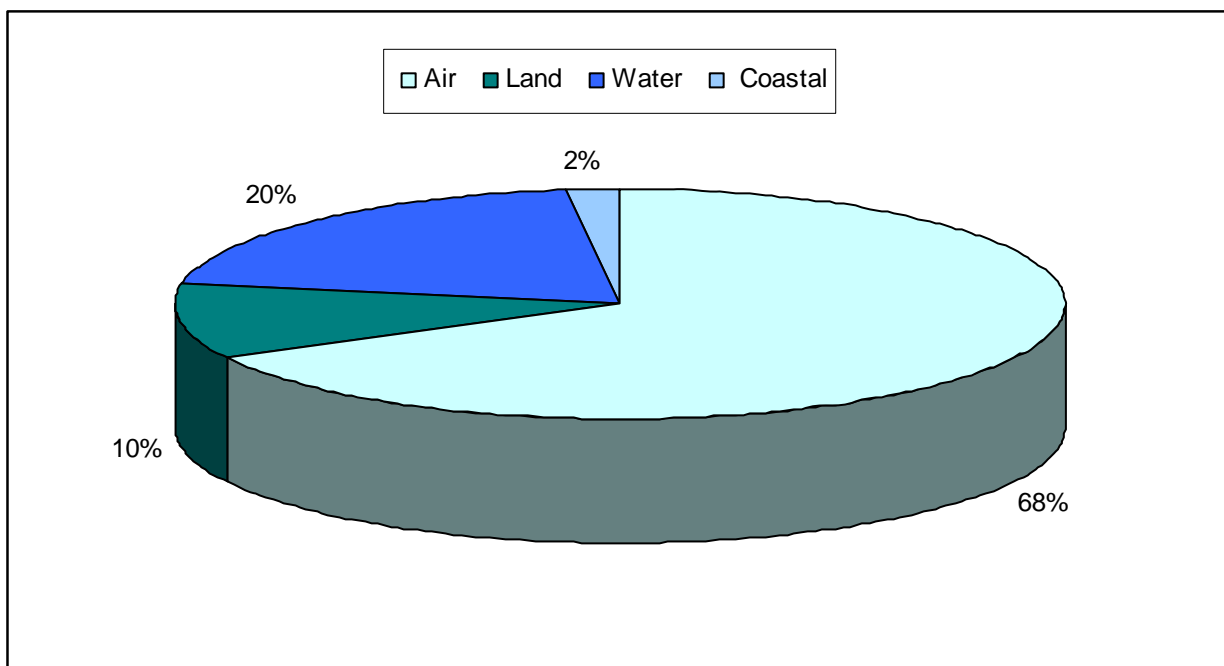


Figure 4.7. Environmental complaints by portfolio, 1 July 2009 – 30 June 2010.

The majority of complaints come from smoke from domestic chimneys, odour from industrial processes and smoke from outside fires in residential and rural areas (Figure 4.8). This is largely due to population density, proximity to neighbours, increased public awareness of the rules in the regional plan, and media coverage.

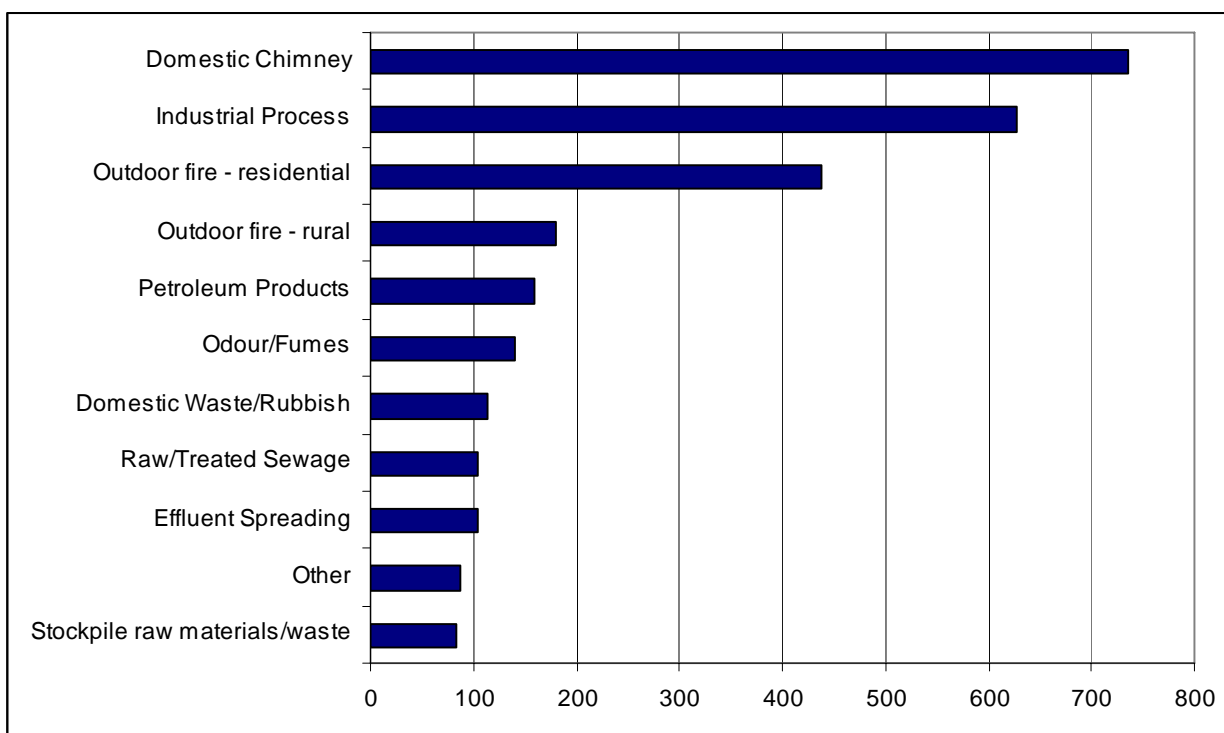


Figure 4.8. The most common environmental incidents registered with the Pollution Hotline from 1 July 2009 – 30 June 2010. Scale = number of incidents.

The activities that generated the least number of complaints were hill and high country burns, noise in the Coastal Marine Area, storage tanks, silage pits and water storage (Figure 4.9).

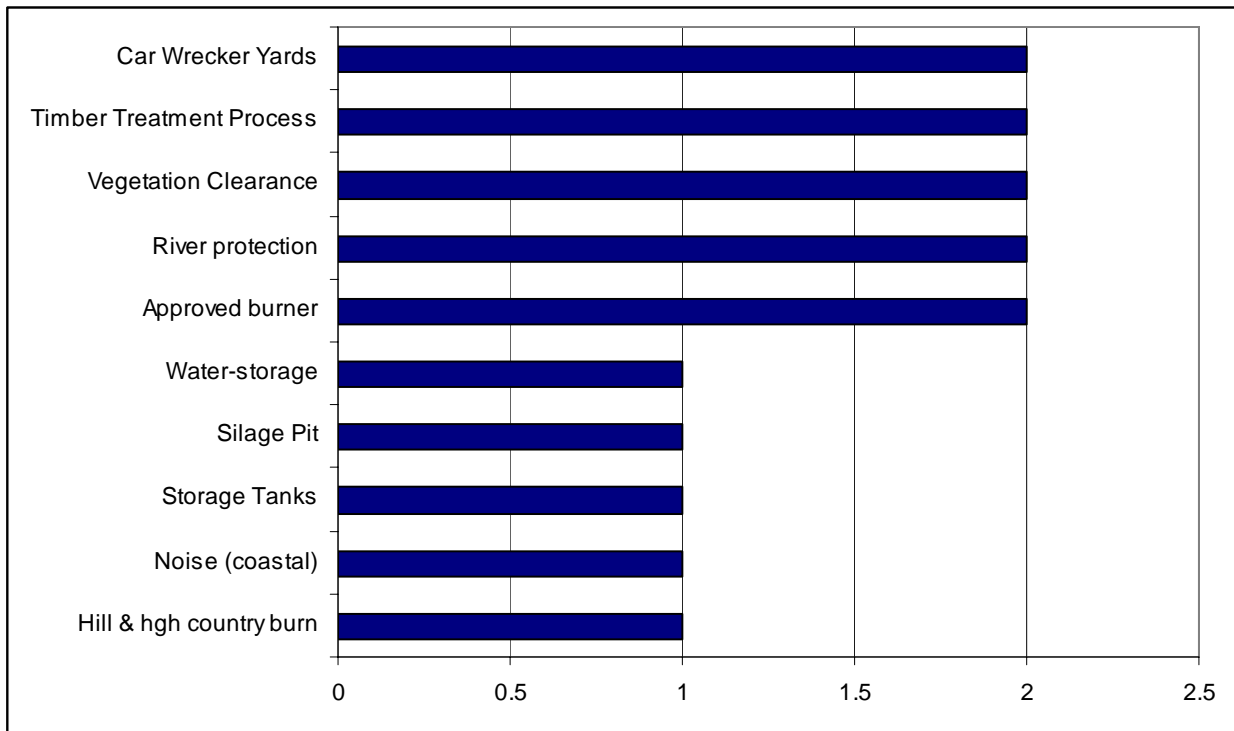


Figure 4.9. The least common environmental incidents registered with the Pollution Hotline from 1 July 2009 – 30 June 2010. Scale = number of incidents.

The major population centres of Christchurch and Timaru generated most incidents (Figure 4.10 and 4.11). In these centres, as well as the Ashburton district, numbers of complaints have continued to rise. This could be due to the community’s increasing awareness of the rules in plans and the Pollution Hotline.

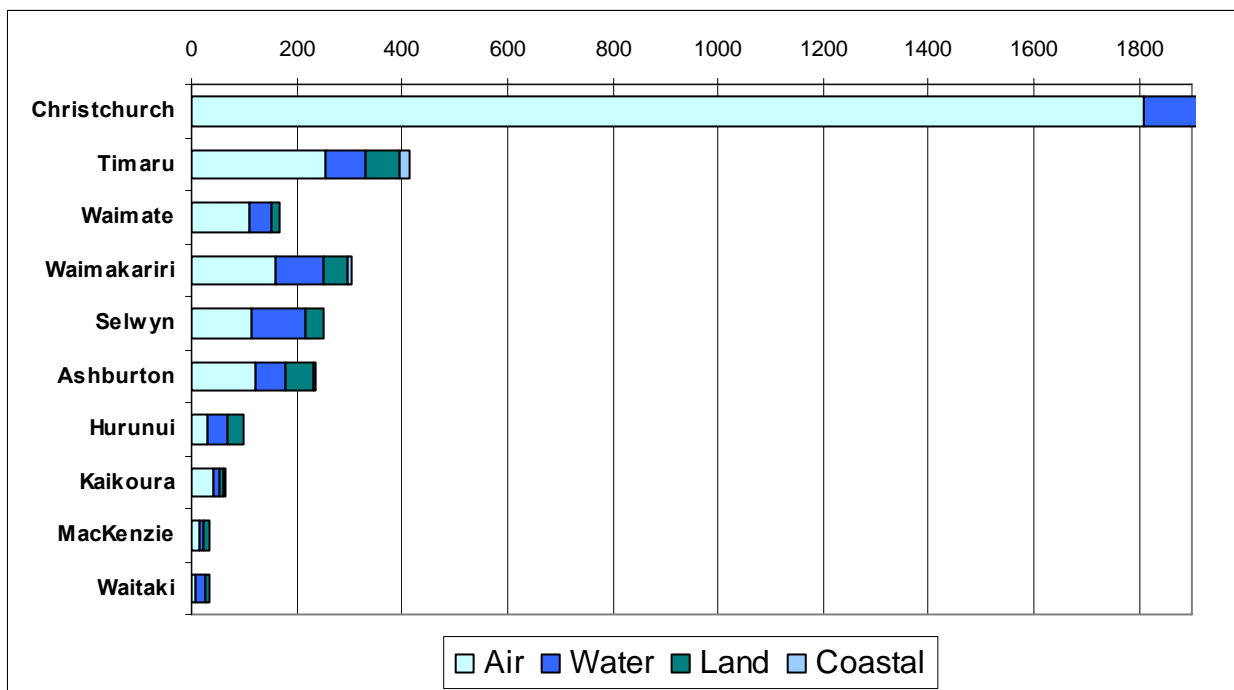


Figure 4.10. Environmental incidents registered with the Pollution Hotline from 1 July 2009 – 30 June 2010, categorised by district and receiving environment.

Other regions (Hurunui, Kaikoura and Waimate) have shown a significant decrease in the number of complaints compared with previous years. The decline in the Waimate District can be attributed to the

work Environment Canterbury has done to engage with a local processing plant to improve modifications to its treatment facility. This has seen a reduction in the amount of complaints of offensive or objectionable odour.

District	Air	Water	Land	Coastal	TOTAL	%
Christchurch	1809	366	134	43	2352	59%
Timaru	253	77	66	17	413	10%
Waimate	109	44	15	1	169	4%
Waimakariri	160	90	48	6	304	8%
Selwyn	113	103	35	1	252	6%
Ashburton	123	56	54	1	234	6%
Hurunui	32	37	28	3	100	3%
Kaikoura	43	10	9	2	64	2%
MacKenzie	16	8	12	0	36	1%
Waitaki	6	19	10	0	35	1%
Total incidents	2664	810	411	74	3959	100%
Percentage	67%	20%	10%	2%	100%	

Figure 4.11. Environmental incidents registered with the Pollution Hotline from 1 July 2009 – 30 June 2010, categorised by district and receiving environment.

4.4. Building Consent Authority

Environment Canterbury has functions and powers with respect to dams under the Building Act 2004. The Act confers a dual responsibility; first as a regional authority and second as a building consent authority.

As a regional authority, Environment Canterbury must -

- Issue Project Information Memoranda;
- Provide copies of relevant building consent applications to the NZ Historic Places trust;
- Maintain an up to date register of dams in the region;
- Ensure that dam safety legislation is administered and that Dam Safety Assurance Programmes are received for each dam in the region that is classified as a medium or high potential impact;
- Develop a Dangerous Dams Policy, and review it periodically;
- Implement the Dangerous Dams Policy, including issuing notices to fix, and coordinating work to fix if not done so by the dam owner, and recouping costs.

As a Building Consent Authority (BCA); Environment Canterbury must -

- Apply for, and gain building consent authority accreditation, apply to be registered as a building consent authority, and maintain building consent authority accreditation and registration at all times;
- Process building consents for dams;
- Coordinate compliance monitoring for building consents for dams;
- Issue code compliance certificates.

Building Consents and Certificates of Acceptance

A Building Consent is required if a structure meets the definition of a large dam (and its appurtenant structures). Section 7 of the Building Act defines a large dam as, "a dam that retains 3 or more metres depth, and holds 20,000 or more cubic metres volume of water or other fluid". An appurtenant structure,

in relation to a dam, means a structure that is integral to the proper functioning of the dam. A Certificate of Acceptance (COA) is required for unauthorised building work (similar to retrospective consent under the RMA 1991).

The Building Act requires that all building authorisations be processed within 20 working days from the receipt of the application. Of the eight building consents & certificate of acceptances that the BCA has or is currently processing, the average processing time to date is 16 working days. Three of the eight are currently "suspended" awaiting further information.

During 1 July 2009 - 30 June 2010, the following Building Consents and Certificate of Acceptance (COA) were processed, or are being processed.

Table 4.4.1: List of building consents.

Building consent number	Holder	Height	Storage capacity	Date received	Date of Grant/Issued (after paying levies or fees)	Timeframe (working days)	Details
BCA100146	Des Conlan Trust	14m high dam	250,000 m3	2/07/09	8/09/10 / 30/09/09	16	
BCA101215	Rangitata Water Ltd	7 x 8m high ponds	Combined capacity 16.5 million m3	21/10/09	1/03/10 / 9/07/10	18	Irrigation, Rangitata South Irrigation Scheme
BCA102055	RP Gibson	4m high earth filled dam	32,000 m3	13/01/10	Suspended awaiting further information		Irrigation – remedial works under NTF090008
BCA102206	Fernwood Dairies	4.5m high earth filled dam	319,492 m3	2/02/10	Suspended awaiting further information		Irrigation
BCA102775	GD & SC Bain	4m high earth filled dam	200,000 m3	12/04/10	27/05/2010 / 26/07/10	11	Remedial works on existing dam. Also NTF090007

Table 4.4.2: List of certificates of acceptance.

Certificate of Acceptance	Holder	Height	Storage capacity	Date received	Date of Grant/Issued (after paying levies or fees)	Timeframe (working days)	Details
BCA101860	RP Gibson	4m high earth dam	32,000 m3	13/01/10	Suspend awaiting further information		Unauthorised Dam
BCA102774	GD & SC Bain	4m high earth dam	200,000 m3	12/04/10	27/05/10 / 26/07/10	11	Unauthorised Dam
BCA101381	Mural Farming Co Ltd	spillway & pump chamber structures		2809/09	10/12/09 / 28/02/10	19	Not in accordance with TDC consent, two variants identified.

Notices to fix

Notices to fix are issued for instances of non-compliance with the building consent or certificate of acceptance and for unauthorised structures. The following notices to fix were issued during 1 July 2009 – 30 June 2010:

Environment Canterbury was made aware that a landowner on Thongcaster Road, Oxford, had built a large dam without the appropriate building consents (or RMA consents) and issued a notice to fix which

requested they apply for a Certificate of Acceptance (COA) to authorise the structure. Upon receipt of the notice, the landowner employed Tonkin & Taylor engineers to prepare the reports and drawings required for the COA. Subsequent notices were issued as extensions due to construction issues found during investigations at the dam site. The land owner was given until 12/04/2010 to prepare reports, drawings and obtain the required RMA consents. The details of the certificate of acceptance are set out in the table above (BCA102774).

After receiving a complaint from a neighbour that a landowner on Leader Road, Parnassus, had built a large dam on his property, a monitoring officer, enforcement officer & civil engineer visited the landowner having obtained a search warrant (the landowner originally would not allow access for the monitoring officer to investigate). During the investigation it was confirmed that the structure was a large dam and building consent would have been required. A notice to fix was issued to the landowner which requested he apply for a Certificate of Acceptance (COA). The landowner employed consultants to prepare appropriate reports & drawings required for the certificate of acceptance. Subsequent notices were issued as extensions (similar to the above notice), and to deal with several serious issues with the dam construction that required investigation. Resource Management Act 1991 consents were also identified as being required. The details of the certificate of acceptance are above (BCA101860).

Regulation 17 (Quality Assurance)

The Building Regulations (Accreditation of Building Consent Authorities) became operative in 2006. All BCAs were expected to comply with 16 of the 19 regulations by 31 March 2009, with the remaining regulations being staggered over the following 3-4 years. The regulations required that the Building Consent Authority must have:

- Appropriate policies, systems and procedures in writing to record how it ensures that it implements effective policies, procedures and systems;
- It must record the key decisions it makes, the reasons for them, and the outcomes and actions of those decisions;
- Quality systems (Regulation 17) in place by November 2010.

In April 2010 Environment Canterbury's BCA received a 3 day onsite audit with IANZ (International Accreditation New Zealand), as part of this audit they were also assessed on Regulation 17. The audit was very successful and the BCA was commended on its comprehensive policies, procedures and quality assurance systems.

5.0

Air quality

The maintenance of air quality is vital all of us. Discharges from factories, smoke from domestic chimneys, exhaust from vehicles, field burns and other activities all combine to reduce air quality. By performing its duties, the RMA Compliance and Enforcement section helps to maintain an acceptable level of air quality. This work helps us breathe a little easier, enables us to participate in outdoor activities, minimises the tarnish and corrosion to our buildings and damage to vegetation.

Air quality incidents most commonly relate to industrial processes, smoke from outside rural or residential fires and domestic chimneys. Dust from construction sites or quarries, particulates from abrasive blasting, and odour complaints from factories, piggeries, poultry farms and other farm practices make up a smaller portion of air quality incidents. As discussed in the previous section, the Pollution Hotline received 2664 complaints during 2009/10 about air quality. Air quality complaints accounted for 67% of all environmental incidences reported to the Pollution Hotline in the year beginning 1 July 2009, roughly the same proportion as in the previous year (64%). Of these, 68% occurred within the Christchurch City district, compared with 52% in the previous year.

5.1. Particulate emissions & SO₂

Home heating

This was the first financial year to include the Christchurch City winter fire ban on open fires and older solid fuel burners, which began on 1 April 2010. Environment Canterbury appointed specialised officers to investigate, educate, and enforce the requirements of the Regional Plan.

There have been more calls to the pollution hotline complaining about domestic home heating devices (non compliant log burners and similar devices), up from 356 complaints in 2008/09 to 661 at the end of this reporting period. The majority of these complaints (69%) were received between April and June 2010. This increase in the number of calls was expected due to the public promotion of Clean Heat and the banning of the use of open fires and log burners older than 15 years.

Every property receiving a complaint has received a follow-up visit by the domestic home heating enforcement officers. This is the preferred course of action because it allows specific situations and circumstances of owner/occupiers to be assessed and can be very useful should there be repeat complaints. Common problems leading to a complaint are the use of inappropriate/wet wood and the sub-optimal operation of wood burners. Information to address both of these problems is provided during visits.

The RMA Compliance and Enforcement section was proactive in referring home owners (with a wood burner older than 15 years) to the Clean Heat programme for upgrade assessments. This was very successful with a conversion rate of 62% being achieved either through Clean Heat or privately. The 2009/10 year was a transitional period with respect to pursuing enforcement action for breaching the domestic home heating rules in the Regional Plan. The sheer volume of domestic home heating appliances that required upgrading caused delays of several months in installation of new Clean Air-approved appliances, making it unreasonable to enforce the strict interpretation of the rules where non-compliance was, in some respects, beyond the control of the homeowner. The 2009 amendment to the Resource Management Act 1991 also changed the numbering of Section 15 and the infringement regulations. The amendments failed to make consequential changes to the infringement regulations, resulting in a consequential inability to issue fines for offending. Therefore, no infringement notices for breach of the air plan rules were issued, and the Ministry for the Environment is looking to resolve this matter.

Domestic home heating enforcement will be in a position to issue infringement notices for section 15(2A) offences for the commencement of next year's clean air season when less tolerance will be shown, especially if property owners have previously been contacted.

The number of high pollution nights has continued to decline this year, which is very encouraging. This decrease can be at least partly attributed to the proactive work that the domestic home heating officers undertake, the diligence of the monitoring and enforcement officers at following-up breaches of consent conditions and the Resource Management Act 1991 and in particular the Clean Heat incentive to encourage residents to convert to cleaner, more efficient measures of home heating.

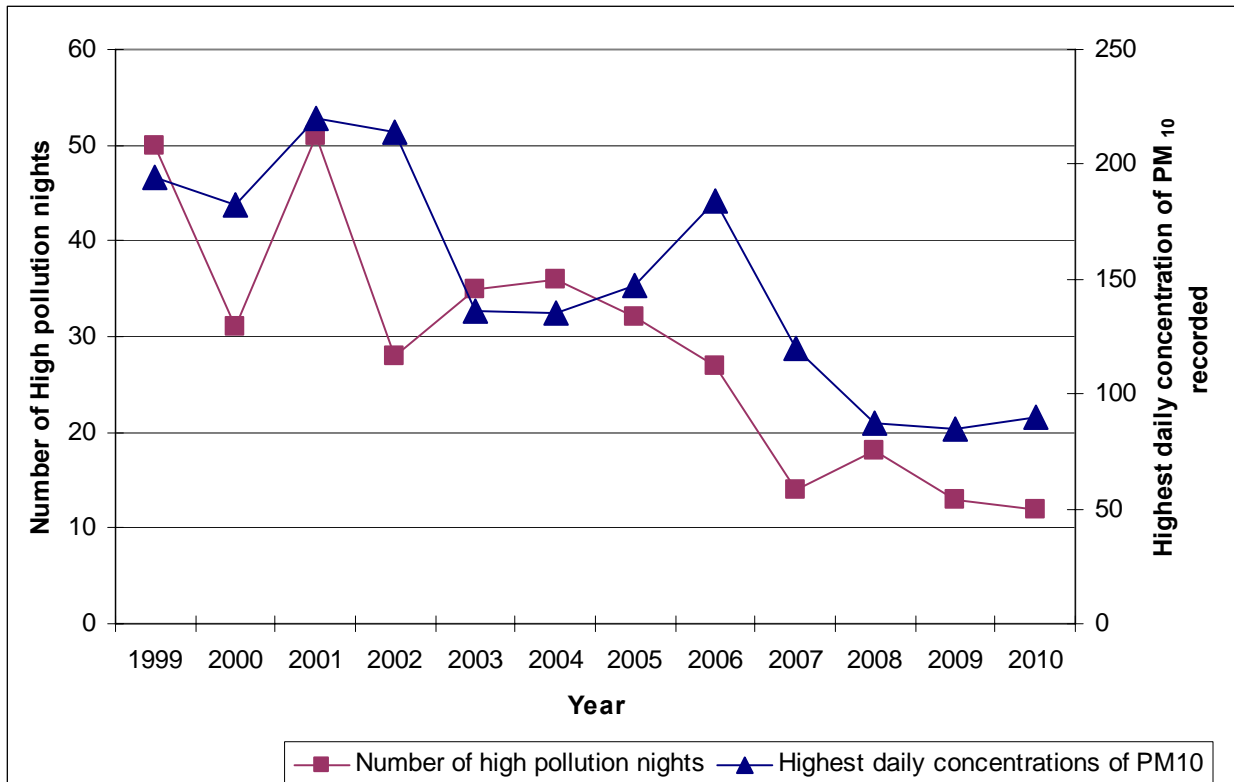


Figure 5.1. Numbers of high pollution nights and highest daily concentration of PM₁₀ recorded in Christchurch in each year from 1999 to 2010.

Outdoor burning

Outdoor burning is prohibited in residential areas and offenders are asked to extinguish the fire immediately. Enforcement action depends on the nature of the incident, for example what is being burnt, the effects of the burning, the cooperativeness of the offender and whether or not the offence has occurred before. As the ban on outside fires in residential areas has been publicised for a number of years now, it is becoming less acceptable to burn on the grounds of ignorance. In this regard, people who light outdoor fires in residential areas in most cases incur an infringement notice.

Sulphur dioxide (SO₂)

Exposure to SO₂ at high concentrations for moderate periods or moderate concentrations for longer periods can cause adverse effects on people's respiratory systems and it is important that these situations are prevented. In the past year there were 12 breaches of the national air quality environmental standard for sulphur dioxide (SO₂). The standard requires that there are no more than nine breaches in any 12-month period for an airshed. Air quality scientists reported that SO₂ breaches were occurring during relatively still atmospheric conditions and were not associated with combustion. This ruled out home heating or industrial boilers as sources.

Investigations found that the company responsible for the breaches was a gelatine producer in Woolston. They investigated the potential sources at the factory with company staff and found that there were several problems. Those were discharges from the sulphur burner and the acid production process, general uncontrolled discharges leaking through old buildings, and operator error.

The company was requested to instigate a program of improvement to reduce the potential for discharges resulting from operator error and to contain fugitive discharges. In addition, Environment Canterbury offered the company equipment to help monitor ambient levels of SO₂ around the site. As of the end of the reporting period, the company had not taken up the offer. Monitoring officers are continuing to work with the company and it is hoped that they will instigate effective monitoring on-site next winter.

5.2 Industrial discharges

Dust

During the financial year there were a number of incidents where particulate matter from the unloading of ships carrying bulk materials were discharged beyond the port boundary, resulting in offensive deposition and non-compliance with the conditions of the resource consent authorising the unloading. This was because they have received more shipments of palm kernel than in previous years. Palm kernel is very fine and hard to handle while avoiding discharges. Monitoring officers found that the existing dust management plan did not propose suitable management methods to control the dust during handling. The matter was discussed with the Lyttelton Port Company and it was agreed that additional measures would be developed and that the management plan would be updated to prevent offensive discharges.

The repeated non-compliance with resource consent conditions resulted in an infringement fine being issued against the stevedoring company responsible for handling the material and causing the offensive deposition of material beyond the port boundary.

Monitoring officers were also alerted to a number of incidents where dust from log handling at the port resulted in offensive particulate discharges beyond the port boundary. Officers requested an effective response, which resulted in significant action to move log handling away from sensitive neighbouring properties and installation of effective sprinkler systems to help contain dust.

Coal dust discharging from the Te Awaparahi Bay handling area also continues to be a seasonal problem, resulting in coal dust being deposited on residential properties in Lyttelton. The problem was at its worst from spring until early May when easterly wind conditions were predominant. Monitoring officers have worked with the Lyttelton Port Company and are planning on taking stronger action to require better control of particulate within the facility, if there are incidents of offensive deposition of coal dust in the residential area of Lyttelton.

The Christchurch City Council runs a composting operation in Metroplace, Bromley, which continues to be non-compliant with the conditions of its resource consent. Environment Canterbury was at the stage where an enforcement order would be sought from the Environment Court unless the contractor could prevent dust discharges resulting in offensive deposition on neighbouring properties.

Discussions were held with the contractor and the consent holder to find a way forward and resolve the problems. It was agreed that a trial of a new composting system would be undertaken to ensure better control of dust particulate. By the end of the financial year the trial had commenced.

5.3 Odour

Monitoring officers responded to a large number of complaints about styrene (fibre glassing) odours in the Philipstown area during the financial year. The complaints received alleged that the offensive odours were being discharged from a local bench-top manufacturer; however, this could not be substantiated. Despite the fact that complaints were not substantiated, the factory manager increased the heights of the factory's discharge stacks to further reduce potential for offensive odours beyond the site boundary. The monitoring officers repeatedly checked factory operations and found that they were complying fully with the company's resource consent.

Environment Canterbury continued to receive complaints about offensive odours from a gelatine manufacturer in Woolston. Monitoring officers identified that the company is failing to comply at times with the requirements of its resource consent. Through discussions it has been agreed that a process of improvement be undertaken to address the odour problem. This process will take some time to remove odour totally beyond the site boundary; the company has committed considerable expenditure and continues to make significant progress to improve the site.

A number of complaints were received about offensive odours from the protein recovery (rendering) operations at a chicken processing plant in Hornby. The complaints were substantiated and were most likely caused by the periodic release of rendering odour from cooking vessels during the cooking process. The company was requested to investigate further the source of the offensive odour and look at possible ways of controlling or mitigating the odour. The company was still in the process of doing this investigation at the end of the financial year.

Environment Canterbury received numerous complaints about very strong offensive odours discharged from the composting operation at Bromley. The non-compliances became persistent and the consent holder was warned that without comprehensive action to prevent offensive odours discharging from the site, Environment Canterbury would seek an enforcement order in the Environment Court. The site owner and contractor responded promptly to Environment Canterbury's concerns and changed the entire composting process, which included removing the parts of the process that produced the most odours from the site. By the end of the financial year the problem had been resolved, compliance was being achieved and the monitoring officers were satisfied that no further enforcement action was needed.

6.0

Land use

Land use consents cover a broad range of activities, ranging from works undertaken in the bed of a river or lake, through to a variety of land-based activities such as specific types of earthworks, gravel and mineral extraction, high-country vegetation burns and the installation of bores. There are a number of adverse environmental effects from land use activities that the rules in the regional plans and conditions of resource consents are there to mitigate. These include the sustainable management of natural resources (gravel and mineral extraction), erosion of topsoil from burning off vegetation, sedimentation from working in the bed of a stream or lake, and maintaining flood protection works.

The RMA Compliance and Enforcement section monitors land use consents to ensure resources are being used in a sustainable manner, and that there is no adverse effect to people, property or amenity and cultural values.

The Pollution Hotline received 411 complaints relating to land use incidents between July 2009 and June 2010, which accounted for approximately 10% of all complaints. This number was slightly less than the previous year. These complaints were a combination of unauthorised activities and breaches of resource consent conditions.

Gravel extractions

Canterbury's braided rivers provide invaluable resources to the region, and therefore must be managed and protected appropriately. As a consequence, activities concerning the use of rivers are now more closely monitored than in the past, with the aim of ensuring that any adverse effects on ecology, flood protection capacity, tangata whenua values and intrinsic qualities are minimised. Often, values of braided river beds are seasonally sensitive and there are rules in the plan and conditions of consents that protect fish during times of spawning, protect birds during the breeding season, and minimise flood risk during times of high flow. Gravel resource consents are monitored at a frequency depending on the volume of gravel being extracted, the sensitivity of the river and the duration of the activity.

The RMA Compliance and Enforcement section works closely with other sections of Environment Canterbury (Investigating Officers, Scientists and River Engineers) to ensure that we understand what the conditions of resource consents are there to mitigate, and to gain knowledge on best practice procedures. River Engineers often undertake site visits with monitoring officers. This ensures a greater knowledge base on-site and allows a more holistic approach. An inspection on the state of the river, at that location, can be undertaken while monitoring of specific resource consent conditions is completed.

The main issue that monitoring officers encountered this reporting period was in relation to consent holders refuelling in the bed of river. The majority of resource consents have a standard condition that does not allow for refuelling in the bed of a river. Site visits by monitoring officers identified a number of operators refuelling in riverbeds, despite this contravening their resource consent. A lot of machinery (screeners, crushers etc) is stationary and difficult to move every time it needs refuelling. The monitoring officers worked with Pollution Prevention Officers, River Engineering and the gravel industry to come up with ways for gravel operators who screen and crush gravel to safely refuel their machinery in the bed of a river. The standard consent condition was reviewed and a new one has been drafted.

Another focus for monitoring officers was over the requirements of consent holders to complete a bird survey if they intended to work during the breeding season, which is September to February. Letters were sent in early August to remind consent holders about this requirement, which proved very successful. In addition to the increased compliance with this consent condition, consent holders, particularly in the Waimakariri River, were proactively working to identify bird nesting sites to ensure that their activities are a safe distance from them.

Flood protection and remediation works

The RMA Compliance and Enforcement section continues to be pragmatic in relation to remedial works in the beds of rivers due to flood damage. The current operative rules require resource consent for most activities in the beds of rivers. In close liaison with river engineers and various parties, the RMA Compliance and Enforcement section approach has been to allow debris clearance and maintenance activities to occur, and to only require consent for long-term flood control or bank protection works.

This approach has been well appreciated by all external and internal parties in quickly addressing damaged land/roads and bridges adjacent to rivers.

Works in waterways

Site visits to monitor works in the bed or bank of a waterway (installing a culvert or bridge, realigning a drain or naturalisation of a watercourse) are usually undertaken as a minimum at the start, during and the completion of the activity. This is due to the nature of these activities as they can often result in different potential adverse environmental effects throughout the different stages of construction/ development.

The Christchurch City Council has a global works in waterways consent that allows them to undertake works in the bed and banks of a river, install structures, remove vegetation and introduce vegetation on any river within Christchurch City boundary. Compliance monitoring officers have been monitoring a large number of sites associated with this resource consent where works have been occurring. Officers have been encouraging contractors to go beyond the environmental bottom lines (*environmental bottom lines are the resource consent conditions and requirements of regional plans*) and initiate best practice (*best practice is undertaking works in a manner which will result in the best outcome for the environment*). This has been very effective on a number of projects where contractors have come up with novel ways to minimise erosion and sedimentation of waterways. The collaborative approach, working with the consent holder and contractors, resulted in a reduced number of non-compliances in the city region.

7.0

Water quality

Water quality is a key issue for the Canterbury community. Much of the region's surface water and groundwater resources are of high quality and many water bodies are still largely in their natural state. However, human activities have greatly increased the concentrations and types of contaminants entering the region's water bodies, especially in our lowland streams. This has implications for ecosystems, for business and primary industry, for sources of drinking water, and for health and recreation.

This year, environmental impacts from dairy effluent discharges, earthworks, dewatering, storm water/land drainage discharges, and stock in waterways were the main issues monitored by Environment Canterbury relating to water quality. Discharges of industrial contaminants, fish kills and wetland use made up a smaller proportion of water quality incidents.

7.1. Dairy discharges

There were 905 consents for the discharge of dairy effluent operating during the 2009/10 season. This was a 6% increase on the previous year and reflects the continued growth of dairying in Canterbury. Dairy effluent can impact negatively on groundwater and surface water through direct discharge to waterways or soakholes, ponding of effluent on the land surface, and through stock in waterways.

Ponding of dairy effluent has the potential to contaminate groundwater as the soil profile can become super-saturated and under such conditions most of the nutrients are likely to be washed out of the soil profile. Ponded effluent may also flow over land to enter surface water. The effects of stock in waterways are two-fold, being the discharge of effluent directly into the water and the disturbance of the bed and margins of waterways from stock movement. These factors may result in increases in nitrates in groundwater, higher nutrient levels in streams and rivers, eutrophication of lakes, and damage to fisheries and native fish species.

Monitoring of dairy discharges is a high priority for Environment Canterbury. Environment Canterbury officers endeavour to monitor every authorisation at least once a season. Out of the 905 authorisations, 861 were visited during 2009/10. The others were not monitored either because they only became operative part way through the season or a small number were missed due to a change in the way the database assigns consents to officer areas.

The majority (58.7%) of all dairy farms were found to be either fully compliant with their consent conditions or demonstrating minor non-compliance (32.9%). A small proportion was graded as significant/repeated or major/persistently non-compliant (8.4%). This is a pleasing improvement on the previous year where 43.2% were fully compliant and 19.3% were graded as significant/repeated or major/persistently non-compliant. This result is partly due to a drier season making ponding of effluent less likely but may also reflect a strong joint initiative between Environment Canterbury and the dairy industry that seeks to promote effective, and compliant, use of dairy shed effluent. This initiative continues this season and dairy farmers have now been sent promotional material outlining the importance of managing effluent.

Of the non-compliance identified during visits, ponding continues to be a significant contributor, with 56 farms assessed as having significant or major ponding at the first inspection of the season. Other issues include a lack of training of all farm staff involved in managing dairy effluent, inadequate storage facilities, and poor maintenance of disposal systems. The joint initiative with industry will target these areas.

Discharge of effluent which results in, or is likely to result in, run-off into a waterway or seepage through to groundwater, is generally considered serious non-compliance. This type of non-compliance is likely to result in increased frequency of monitoring to ensure that poor management does not continue, and may result in enforcement action. During the 2009/10 season dairy discharge non-compliances resulted in 28 infringement notices being issued, charges were laid as a result of 3 incidents and 21 abatement notices

were issued. In most cases the abatement notices required action by farmers to prevent ponding of effluent.

For a detailed summary of dairy industry compliance please refer to the Canterbury region dairy report (Report no. R10/116).

7.2. Human wastewater discharges

Wastewater is water-borne wastes from a community or municipality, and comprises about 99.9% water with the remainder being both organic and inorganic material. It is this material that gives wastewater its objectionable and offensive characteristics.

Domestic wastewater is wastewater from normal household activities such as toilet wastes, bath water, and water from clothes washing and food preparation. Domestic wastewater is potentially dangerous in that it may contain organisms that cause such diseases as typhoid, dysentery and infectious hepatitis.

Municipal wastewater includes domestic wastewater and may contain some industrial wastewater. Industrial wastewater comes from water-using industries (e.g. dairy industry, meat processing, electroplating). Industrial wastewater may be objectionable and dangerous, but in addition it may also contain substances capable of causing structural damage to sewers, pumps or the treatment plant.

The main reason that wastewater is treated to a high standard is to protect public health and prevent the outbreak of disease. It is also treated so that it can be discharged to natural and coastal waters and to land whilst still preserving the receiving environment at a standard high enough to enable it to serve other uses.

Domestic on-site wastewater

Where no sewer is available, homeowners, schools and small businesses must install systems to treat their wastewater on site and discharge into land in a manner that is safe and has minimal environmental effects.

If a homeowner, school or small business applies to install an on-site wastewater system, the application is assessed against the rules in our regional plan. If the application is determined to comply with all of the conditions of the regional rules it can be authorised as a permitted activity. If the application is unable to meet one or more of the conditions, the discharge is required to be authorised via the resource consenting process.

Domestic wastewater applications for permitted activities have leveled off from the peak in 2008 to a steady rate of on average 35 applications per month (Figure 7.2). During the period 1 July 2009 to 30 June 2010, 428 permitted activities were processed. Of these, 322 were assessed as meeting the regional rules, 26 were assessed as lawful 'existing activities', and the remaining 80 were required to seek resource consent to authorise the discharge. Applications were always processed within 20 working days of receipt, and in most cases within 2 weeks.

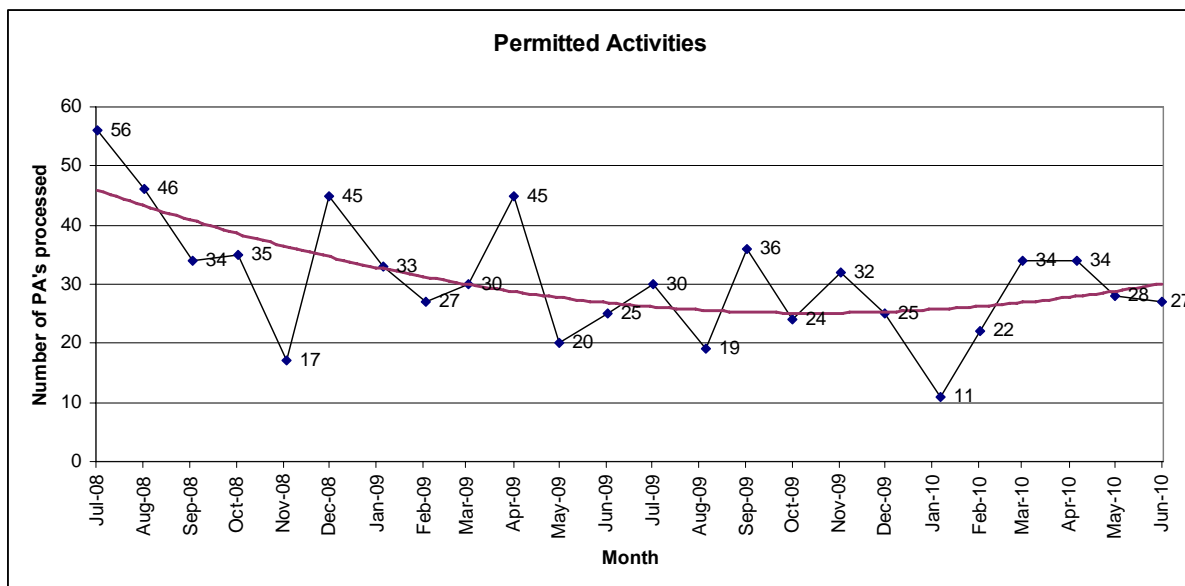


Figure 7.2. Number of permitted activities for on-site wastewater discharges assessed as meeting the regional rules by month from 1 July 2008 to 30 June 2010.

Domestic wastewater applications for consented activities continue to increase. There are currently over 4,400 on-site wastewater resource consents in the Canterbury region. Most of these consents are for duration of 35 years and require a certificate of installation to be forwarded to Environment Canterbury within one month of being installed, plus maintenance records upon request.

The large number of on-site wastewater consents, the volume of the discharge and the low risk to the receiving environment makes this activity a low priority for monitoring. Monitoring is limited to desk top and site visits to inspect compliance are generally not conducted unless a complaint is received from a member of the public.

Desktop monitoring involves requesting the certificate of installation and/or maintenance records. This information is essential for Environment Canterbury to ensure that the system has been installed in accordance with the resource consent conditions. Maintenance help provide Environment Canterbury with an assurance that the system is continuing to treat the wastewater to the consented standard.

Domestic wastewater maintenance booklets are now sent to all new authorisations for permitted activity status and to those who have been granted resource consents for these discharges. These booklets contain information on the owner's ongoing obligations with respect to the installation and operation of the system, and the discharge. It is anticipated that this will result in the system owner having a greater understanding of their system, will generate increased compliance with their conditions to discharge, and will encourage an increase in on-site maintenance.

Municipal wastewater treatment plants

Municipal wastewater treatment plants can vary in size and operation depending on the size of the population, the nature of the wastewater, and the receiving environment. The receiving environment can be the ocean, estuary, river or land. Municipal wastewater treatment plants are generally owned and operated by the territorial local authority (TLA). Monitoring of municipal wastewater treatment plants is considered medium to very high priority; it involves building relationships with the local authorities to enable them to become audited self managed. Audit site visits are usually undertaken quarterly and these often involve the collection of water samples to compare against those collected by the consent holder/TLA.

The wastewater for Christchurch City has historically been discharged into the Avon-Heathcote Estuary. In 2007, the Christchurch City Council (CCC) started construction on a new pipeline that would discharge the treated wastewater three kilometres out to sea into Pegasus Bay. Monitoring officers have been

monitoring this project regularly since construction started. The original schedule of works estimated that the project would be completed in December 2008; however, delays due to bad sea conditions and fatalities of two crewmen held up construction. In May 2009, Environment Canterbury was told the pipeline construction would not be finished before the resource consent to discharge wastewater into the estuary expiry date of September 2009. This meant that the CCC would need to discharge into the estuary without any authorisation. Environment Canterbury entered into conversations with the CCC and community representatives to negotiate the best possible outcome. The parties agreed that the best outcome was to allow the continued discharge into the estuary while the CCC finished construction. An abatement notice was issued to ensure compliance with the extended deadline date. The construction of the ocean outfall pipeline was completed and the pipeline became operational on 4 March 2010. A formal opening ceremony was held at the pump station on 24 March 2010.

Other wastewater treatment plant issues:

Cheviot's wastewater treatment plant in the Hurunui District became significantly non-compliant with resource consent conditions due to a lack of sampling and neglecting to submit a report on effects to the Jed River. Meetings were held with the Hurunui District Council to outline steps to become fully compliant. Environment Canterbury then issued two abatement notices after Hurunui District Council's continued non-compliance. The notices required the Hurunui District Council to undertake sampling of the discharge entering the waterway, and to provide a report on the effects of the discharge on the receiving environment, the Jed River. The monitoring officer substantiated two breaches of the abatement notice resulting in an escalation in enforcement action and two infringement notices being issued. The Hurunui District Council did obtain full compliance and the abatement notices were withdrawn. They have also obtained new resource consent to discharge wastewater and are on track to remaining fully compliant in the future.

The Hurunui District Council constructed three new oxidation ponds at the Hanmer wastewater treatment plant without resource consent. The monitoring officer was also concerned that the ponds were built into groundwater with little or no pond lining. The Hurunui District Council was asked by Environment Canterbury to apply for resource consent to gain authorisation for the works. The Council agreed to apply for retrospective resource consents. These consents were publicly notified and a hearing was held in early 2010.

Also in the Hurunui District, neighbours were concerned that a new oxidation pond at the Amberley wastewater treatment plant was constructed too close to the property boundary and the Mimimoto lagoon. A monitoring officer investigated and substantiated the neighbour's complaint. It was also found that the volume of wastewater stored in the oxidation pond was more than was authorised. The Hurunui District Council was asked to address these non-compliances by applying for a new consent. This application has now been granted by Environment Canterbury and work is now continuing on constructing the pond. In addition, the Hurunui District Council has been granted new resource consent to extend the disposal area by an additional 12 hectares.

The Leeston Wastewater treatment plant in the Selwyn District has had continued non-compliances due to the level of nitrogen loading in the disposal field. A new management plan has been submitted. The plan outlines the pasture management and steps being taken to reduce nitrogen loading in the discharge area. A new consent has also been granted for spray irrigation over the wider area as well.

The wastewater treatment system at South Pacific Meats, also in the Selwyn District, was non-compliant due to ponding of wastewater in the disposal field. They applied for a new consent for an upgraded system and this was granted. The system has now been installed.

The Ashburton wastewater treatment plant has been experiencing some problems with effluent ponding on the irrigation area. Ashburton District Council has commissioned an investigation into this problem; however, the irrigation system continued to fail and the ponded effluent discharged to surface water. Abatement notices were issued to cease the discharge.

Tekapo wastewater treatment plant in the MacKenzie District has had been experiencing inflow into the sewer system during high rainfall events. The oxidation ponds were nearing capacity and threatening to overflow. The Mackenzie District Council (MCD) advised Environment Canterbury that they may require an emergency discharge. No emergency discharge was needed; however, effluent was found ponding on

the discharge field. The monitoring officer met with the MCD to discuss and they decided to extend the irrigation lines. The ponding issues appear to have been resolved.

The Kurow and Otematata wastewater treatment plants in the Waitaki District have continued to have issues with effluent quality, with the limits of their consents being exceeded. The Waitaki District Council have applied for new resource consents and are hesitant to address the issues until those consents have been granted. The consent at Kurow wastewater treatment plant has now been granted and the monitoring officer has met with the council to set up monitoring.

In the Waimate District at the wastewater treatment plant one of the two down-gradient monitoring bores required by the consent has been filled in by the landowner. Waimate District Council will now need to arrange for a new monitoring bore to be drilled in order to comply with their consent conditions.

In addition territorial local authorities are responsible for the reticulation networks and pump-stations to get the wastewater from properties to the treatment plants.

Sewage reticulation

The sewerage network within the Christchurch City area is over 100 years old. Infiltration of rainwater and groundwater into the sewer pipelines can cause the pump stations that pump the wastewater to the treatment plant to overload and overflow. Many of these pump stations are situated near the Avon and Heathcote rivers. The Christchurch City Council holds a resource consent that authorises discharge of untreated wastewater into the rivers in the event of wet weather. The conditions of the resource consent require that the CCC undertakes a schedule of works to increase the capacity of the pipelines and pump stations to reduce the frequency with which they discharge into the rivers. However, the CCC fell behind with this schedule of works due to the increasing costs of construction and was unable to comply with the consent conditions. Monitoring officers considered the non-compliance as significant. The CCC applied for a new resource consent in December 2008 that incorporated an additional 11 overflow points and a new timeframe for the schedule of works. The consent was publicly notified and decided in early 2010.

Septage

Septage is liquid or solid material pumped from a septic tank or other primary treatment process. It is highly variable and organic, with significant amounts of grease, grit, hair and debris. It therefore needs to be disposed of appropriately. In the Selwyn District there are discharge pits in which the septage is placed until the level of contaminants has reduced to a level that does not pose any potential risk to human health and the environment. The septage can then be mixed with other soil and placed on the land. Monitoring officers have been routinely monitoring these pits at Ardlui and Bleakhouse. Officers identified that environmental monitoring and reporting results were not being carried out as required, and an additional pit was constructed that was not authorised. Environment Canterbury held discussions with the Selwyn District Council and the unauthorised pit was filled in. Testing is being undertaken to determine the concentration of contaminants in the disposal pit. The SDC is also preparing mixing plans with calculations of how the treated septage will be mixed with clean imported topsoil to reach allowable limits for discharge onto the paddock areas.

7.3. Stormwater and sediment discharges

The construction of a new subdivision, and the run-off of rain water from hardstand in a residential, commercial or industrial area, are just some sources of stormwater. Depending on its origin, stormwater can contain a variety of contaminants, including suspended solids, heavy metals and petroleum hydrocarbons. Stormwater is often discharged into the nearest waterway or the coastal area and the contaminants can have significant effects on the ecology of a waterbody as well as effects on cultural and amenity values.

7.3.1 Industrial stormwater

Monitoring officers undertake regular site inspections to industrial sites around the Canterbury region to ensure that the potential contamination of stormwater by waste materials, petroleum fuels, raw materials and organic material is being minimised and/or adequately treated to within the expectations of resource

consents. These checks are important because industrial stormwater runoff, if managed poorly, can have significant effects on waterway health or the quality of drinking water in the ground.

At each site, inspection monitoring officers carry out a 'house-keeping' check of sealed areas. If problems are found, a programme of improvement is worked out with the company. However, if the problem is significant and/or no agreement can be reached, enforcement action may be taken straight away to ensure that environmental problems are addressed.

One of the major incidents in the 2009/10 year involved a complaint about poor water quality in the Todds Road Drain near Rangiora. Enforcement officers found that run-off from contaminated sediment from a local timber merchant and roading run-off was contributing to the poor water quality. Todds Road Drain eventually flows into the Cust Main Drain and the Kaiapoi River and these waterways are used by local iwi for *mahinga kai*, therefore it is vital that the effects are minimised.

Monitoring officers followed up this incident and conducted site visits to determine where the source of sediment was originating from on the timber treatment site. They identified that sediment was coming from several unpaved areas where vehicles were working and repeatedly generating sediment runoff during rain. Additionally, soil had been contaminated by timber treatment chemicals (TTC) which could have been tracked by vehicles from a drip pad where drying treated timber sits post-treatment. There was a lack of stormwater treatment on site which meant that contaminated runoff discharged into the waterway in an uncontrolled manner.

This was considered to be a significant incident and as a matter of urgency the monitoring officers requested that the site take action to comply fully with the existing resource consent. This included re-grassing a treatment swale, replanting filter strips, responding to incidents in accordance with the company's management plan, and investigating and rectifying any breaches of stormwater contaminants' trigger levels.

In addition, due to the seriousness and extent of the problems other actions were required such as installing erosion & sediment control measures, filling in low points that could allow untreated sediment to flow into the waterway instead of into treatment systems, and investigating all areas that were contributing to sediment runoff. Monitoring officers are working with the company to get continual improvement to their practices on site.

The Waimakariri District Council also installed new roadside swales to prevent sediment from the road entering the waterway. This measure was successful in treating runoff from the road and protecting the quality of in stream water.

7.3.2 Residential stormwater

Construction phase monitoring of residential stormwater is of high priority for monitoring officers as this is the time when there is the greatest risk of sediment discharges. This is because there is often a large area of soil exposed for creating the shape of roads and sections. Uncontrolled discharges from sites could discharge into the nearest waterway. Often development can also include works in and around waterways, with potentially significant risks of direct damage to the bed, banks or water quality downstream.

In this reporting period monitoring officers have taken a different approach to try to achieve better rates of compliance by contractors and to minimise the effects on the environment. Monitoring officers have taken a proactive and enabling approach by meeting developers and their contractors on site at the beginning of works to identify potential problems and suggest solutions based on experience. Then at regular site meetings during construction, the monitoring officers have continued to check with the contractors to ensure that erosion and sediment control measures are dealing with the risks of the staged development. Also, monitoring officers provided very fast formal feedback so that contractors knew quickly whether they need to improve their efforts or were operating in accordance with the Erosion & Sediment Control Guidelines. Generally feedback from industry about this approach is very positive.

Routine checks of established sites is important also to ensure that built systems are functioning as expected and that maintenance is being undertaken.

Some of the notable events during the reporting period are provided below.

At the Black Rock subdivision development in Diamond Harbour there were considerable quantities of sediment being discharged into the coastal marine area during the high rainfall events in late 2009. Monitoring officers investigated the issues and took enforcement action to require improved management of sediment control systems. Increased communication from the monitoring officers about potential compliance problems combined with candid responses from the contractor really saw the relationship substantially improve and with it levels of compliance.

Lincoln Land Development commenced construction on a significant extension to the area of Lincoln town. The monitoring officers have reported that the development was an excellent example of best practice being used in design and construction. The development uses swales and treatment wetlands to achieve excellent water quality in stormwater discharges. The site is an example of excellent practices with reduced environmental effects to other developers and contractors.

At a development in Takamatua monitoring officers were required to step in repeatedly to ensure that works in a steep waterway would not cause continuing bank instability and lack of flow capacity. The initial works would almost certainly have caused erosion and sedimentation, during several re-inspections the monitoring officers found that remedial work had not improved the situation. Eventually the contractor re-laid the bed of the stream in a satisfactory way.

Major stormwater basins were developed in the southwest area of Christchurch City area to provide treatment for stormwater and to reduce peak flood flows in the headwaters of the Heathcote River/Opawaho. These basins will help to improve water quality at the top end of the river and reduce some of potential for flooding downstream.

The Christchurch City Council now has global resource consent authorising the discharge of stormwater into the Avon/Otakaro & Heathcote River/Opawaho and coastal waters from the city (excluding Banks Peninsula). This consent has given the CCC clear responsibility for ensuring that what goes into the storm water network is stormwater. Builders are now increasingly aware that they must protect water quality by reducing sediment runoff from their sites.

During this reporting period there were a number of individual property owners in the Catherine Fields development who were not installing stormwater swales for their driveways, which is required by the resource consent. Monitoring officers and the consent holder attempted to gain compliance, but it was soon realised that the most pragmatic approach was to direct the stormwater to an existing community system and the consent holder to apply to vary the consent conditions.

Other storm water events were:

- The beginning of developments at the old Wigram Aerodrome;
- The completion of the majority of Pegasus Town, including the majority of the commercial district;
- Major developments starting around Ashburton district;
- The massive downturn in the economy resulting in a number of resource consents for developments being surrendered as they were no longer to go ahead.

7.4 Industrial discharges to water

Discharges from industrial processes require treatment before discharging into surface water. Silver Fern Farms is a meat processing factory in Christchurch that has historically discharged its wastewater into the Waimakariri River. In this financial year, the consent held by Silver Fern Farms was due to expire so they applied for new resource consent to allow them to continue discharging waste water under Section 124 of the Resource Management Act 1991 while the new consent was processed. However, there were discussions that the discharge could instead be directed into the Christchurch City Council sewer network and to the wastewater treatment plant at Bromley for further treatment before disposal through the ocean outfall. Towards the end of the year negotiations between Silver Fern Farms and the CCC were continuing and the outcome had not been decided. In general compliance with the resource consent was excellent during the year.

7.5. Landfills

Landfills by definition are a disposal facility where municipal waste is placed in or on the land and buried by layers of earth. Most modern landfills are highly engineered facilities that are sited, designed and constructed like a vault to prevent the release of contaminants into the surrounding environment. Landfills require a suite of consents to operate legitimately, including the requirement for a discharge permit (the discharge of waste into land, discharge of stormwater and leachate); a water permit (to divert water around the site and to take groundwater under the liner) and a land-use permit (the storage of waste on or in the ground). The Kate Valley Landfill is the Canterbury region's main landfill, and is the first fully 'modern' landfill in the region.

The Kate Valley landfill has been compliant with its resource consent conditions over the reporting period. A one in 500 rainfall event occurred in August 2009 which tested the erosion and sediment control measures on site. All of the measures held up, but there was a lot of slumping in cut-off faces along the access roads which had to be cleared. Also, an alarm was raised at the sedimentation dam monitoring point when conductivity spiked, although further sampling confirmed that it was not due to leachate contaminating the stormwater system.

The Kate Valley Landfill has also been placed under scrutiny by the public and media after a report was released by Green Gate Drilling Limited. Green Gate had consents to drill a vertical exploration well within the landfill footprint in search of commercial hydrocarbons and had to produce an end of well report. The document was made public and although the report concluded that there were no commercial hydrocarbon zones, there were suggestions made that there was evidence of faulting under the Kate Valley Landfill. Canterbury Waste Services commissioned an independent review of the data in the report. Environment Canterbury's Hazards Analyst agreed that Dr Mark Yetton (the report author) was fully qualified and suitable to undertake the review. The report concluded that there is no evidence of faulting or structural disturbance and that the previously designed landfill ground acceleration remains appropriate for the future operation of the landfill.

Other landfills in the region are not as 'modernised' and there have been a number of issues of non-compliance during the 2009/10 year. Most issues were resolved by the compliance monitoring officers working with the district councils. The issues included:

- The unauthorised dumping of material by a contractor at the closed Burwood Landfill which resulted in Environment Canterbury issuing an abatement notice on the CCC. The abatement notice required the CCC to stop disposing of material that is not authorised by the consent. This led the CCC to install a security fence around the site to prevent unauthorised contractors disposing of material there. However, the gates were left unlocked and the swipe card access system has not been activated. Environment Canterbury monitoring officers have been visiting the site on a weekly/fortnightly basis to confirm compliance with the abatement notice until such time that the swipe card access system is in place and the abatement notice can be cancelled;
- A new cell was constructed at the Redruth landfill in Timaru and work has commenced to extend litter fences and intermediate capping to minimise the instances of windblown litter from the property boundary. The site operators also commenced a regular programme of undertaking checks in the surrounding areas to check for litter, and to clean it up if required.
- The consent covering the discharge of contaminants from the Bexley Mound (which is a former metal scrapyards situated close to the Avon-Heathcote Estuary) has been non-compliant due to measured levels of contaminants in groundwater being above the consented limits. The Christchurch City Council has undertaken further testing in an attempt to ascertain if the mound is the contributing factor or if levels are similar in the surrounding area. This testing has shown that the surrounding area is also contaminated. CCC is considering an appropriate way forward to address this issue;
- Storm water soakage holes at the Ashburton closed landfill have not been well maintained and the landfill capping does not meet the required specifications. Compliance officers worked with the solid waste manager at the Ashburton District Council to address the issues and they have agreed to remedy.

7.6. Quarries / hardfills / mines

Quarrying and mining involve the extraction and/or processing of resources taken from the land. The activity has numerous environmental effects ranging from the sustainability of the material being taken, excavation into groundwater (and potential contamination), the discharge of dust to air and the exposure of land that can result in erosion and sedimentation of waterways.

There have been some ongoing compliance issues with regards to the erosion and sediment control measures in place at a bentonite mine near Coalgate. Once excavation began it became apparent that the measures prescribed in the original application would not be feasible. Other sediment and erosion control measures were put in place that were more than sufficient for treating and disposing the water from the quarry site. However, because they were not in accordance with original plan they were considered technically non-compliant. Meetings and a site visit with the consent holder resulted in the agreement that they would vary the consent conditions to authorise the current erosion and sediment control measures.

Quarry consents often have resource consents for the deposition of clean-fill or hard-fill associated with them. Cleanfill and hardfill are defined as material that when buried will have no adverse effect on people or the environment. Cleanfill material includes virgin natural materials such as clay, soil and rock, and other inert materials such as concrete or brick that are free of:

- combustible, putrescible, degradable or leachable components
- hazardous substances
- products or materials derived from hazardous waste treatment, hazardous waste stabilisation or hazardous waste disposal practices
- materials that may present a risk to human or animal health such as medical and veterinary waste, asbestos or radioactive substances
- liquid waste.

Consents for cleanfills or hardfills limit the material that can be placed into the hole/pit/exposed earth created by a quarry. The main reason is that the quarries are often excavated to a depth within 1 metre above groundwater. If waste material that is not inert is placed into these pits, this could contaminate groundwater. Most resource consents require groundwater bores up-gradient and down-gradient of the quarry/hardfill to monitor groundwater quality on a regular basis.

The requirement for monitoring bores is particularly important in the Christchurch region because most hardfills are in the groundwater protection zone. This is the area where the drinking water supply for Christchurch is closest to the ground surface.

At Owaka Road Eco Recycling Park there was a large waste fire in January 2010. Although the fire occurred outside the pit, there was still the potential for run-off of contaminants from the water used to put out the fire into the pit flowing into the groundwater. Groundwater monitoring bores were closely monitored in the months following this fire and there does not appear to have been any effect.

Also at Owaka Road, the Awatea Residents Association applied for an enforcement order through the Environment Court to stop the filling of the pit with cleanfill. Mediation occurred in the middle of July 2010 to try and reach a resolution. The enforcement order may be lifted to allow the site to be filled, as this site is an integral part of the Southern Motorway Project.

At Blackstone Quarry, also in the groundwater recharge zone, there have been numerous complaints from neighbouring properties about the dust. Site visits were undertaken to investigate the complaints, which were found to be unsubstantiated. However, a number of other non-compliances were identified: the soil screener was located too close to the boundary, there was a gap in the boundary vegetation and stockpiles of soil were placed too close to the boundary fence. Monitoring officers have been working with the quarry manager to resolve these issues.

Road Metals Quarry is going through the process of applying for resource consent to excavate/quarry neighbouring land on the south-east side of the site. They had excavated this area prior to seeking consent and as such an abatement notice was issued requiring them to cease excavation in the area

while the consent application is processed. If the consent is granted, the abatement notice will be withdrawn as the boundary of excavation rights will change.

8.0

Water quantity

Water plays a critical part in Canterbury's environment and economy. Many of Canterbury's rivers are internationally renowned for their scenic, fishing and recreational values. Hydroelectric schemes provide power for New Zealand, irrigation water enhances agricultural and horticultural productivity and Canterbury's groundwater provides some of the highest quality, untreated drinking water in the world. Additionally, sufficient river flows are required to maintain a healthy and diverse community of aquatic life. The taking, use, diversion or damming of water is authorised by a variety of water permits and the rules in the regional plan.

It is a high priority for the RMA Compliance and Enforcement section to monitor water permits to ensure that resource users only take the amount they are allocated.

The RMA Compliance and Enforcement section seeks to monitor resource consent conditions and enforce the rules in the Regional Plan, with the goal to reduce the amount of unauthorised water takes in the region. Unauthorised abstraction of water may adversely impact the environment, for example flows in lowland streams, community water supplied, and other, legitimate, users of the resource.

During the 2009/10 reporting year, the Pollution Hotline received 81 complaints about water takes (consented and unauthorised); this figure is very similar to the previous year. Of those 81 complaints, 44 were for groundwater abstraction and 37 were for surface water abstraction.

A large amount of information about water use is gathered through the downloading of data loggers throughout the winter period. Downloaded data are analysed to determine where abstraction during the season was within consented limits. In addition, monitoring officers undertake site visits during the irrigation season to monitor instantaneous abstraction flow rates, check irrigation areas and the efficiency of water use. Officers also carry out gauging of rivers and streams throughout the irrigation season. This is to monitor flows, place waterways on restriction when required to safeguard environmental flows, and to monitor for abstractions in breach of restrictions. Where officers found that abstractions were in excess of volume or rate limits, appropriate enforcement action was taken (see section 10 for details). Fish screens are also monitored to ensure they provide the required protection for fish in the waterways.

Monitoring officers work to ensure that consent holders have flow meters and recording devices installed on their water takes when required by resource consent conditions. They have been involved in liaising with resource consent holders and flow meter/data logger installers to clarify Environment Canterbury's requirements and the requirement under the new National Environmental Standard for Water Metering. The NES will require most water takes to be metered and the data logged, with the requirements being imposed in a stepped fashion depending on the size of the take. Flow meters and data loggers provide beneficial information to the consent holder about their water usage. Farmers are beginning to realise the benefits of having meters and loggers installed on their water takes and are using these as tools in managing their business.

Enforcement action in the form of Abatement Notices was taken against some of those who did not have a water meter or data loggers installed, or if the equipment was installed incorrectly (see Chapter 10 for details). This was to ensure that the meters/loggers were installed as per consent conditions before the start of the irrigation season. Assistance was provided to these consent holders by monitoring officers, who worked closely with industry to facilitate the installations.

9.0

Coastal use

Management of resources in and around the coastal marine area ensures potential risk to people's property, their health and wellbeing, and the health of coastal ecosystems is minimised.

There are a number of potential adverse environmental effects from activities in the coastal marine area. They include, but are not limited to, oil and other contaminant spills, erosion, gravel and sand extractions, the placement of structures, vegetation removal and marine farms.

Hazard Zones

Natural hazards along the Canterbury coast have primarily been caused by coastal erosion and seawater inundation, damaging property and threatening life. Excluding Banks Peninsula, 75% of the coastline of Canterbury is in a long-term erosional state.

Environment Canterbury has defined Hazard Zones along the region's coast. These zones are set inland from the Coastal Marine Area and contain the current active beach system and land that is at risk from coastal erosion within 50 years for Hazard Zone 1, and 100 years for Hazard Zone 2. The zones have been established to aid in the consideration of planning response to natural hazards along the coast, with the anticipated result being the minimisation of the net cost of damage as a result of natural hazards.

To avoid or mitigate the actual and potential costs of these hazards to the community, the extraction of gravel in volumes greater than 5 cubic metres within the coastal hazard zones requires resource consent from Environment Canterbury.

Other activities in the coastal hazard zone may also require resource consents. The construction of the Christchurch City Council ocean outfall (discussed in section 7.2) has consent to excavate land in the coastal hazard zone. The contractors used microtunneling technology, instead of the traditional trench and lay, to place the pipeline under the bed of the Avon-Heathcote Estuary, New Brighton Park, Jellicoe Street and out into the coastal marine area. This method was very successful and there was only one occasion when drilling fluid (bentonite slurry) was found on the bed of the Estuary. This was quickly cleaned up by the contractors and promptly reported to the monitoring officer.

Groynes

A groyne is a rigid structure that interrupts water flow and limits movement of sediment. Groynes are generally perpendicular to the shore and extend from the upper foreshore or beach into the water. Groynes create beaches, or prevent the beach from eroding away by longshore drift. The Wairewa Runanga has resource consents until the end of 2012 to construct a groyne out of locally sourced boulders along the beach at Birdlings Flat, to enable Lake Forsyth to be permanently open to the sea. The works to construct the groyne were non-compliant as access around the cliff was not maintained and construction was ongoing, but this was resolved through a consent variation in 2009. The consent is now fully compliant and the groyne has created easy access for machinery to excavate the channel which effectively lowers the lake level.

The CCC has an authorisation to open Lake Forsyth which will lower the lake levels during flood events. Since the construction of the temporary groyne by the Wairewa Runanga the CCC has been opening through this channel, which is more efficient than their normal place further up the beach. In an attempt to enable the Wairewa Runanga and the CCC to apply for a joint excavation and discharge consent; the CCC has been given an extension by Environment Canterbury until the end of 2012 to take their application off hold and progress it or apply for a new application with the Wairewa Runanga. At present the Wairewa Runanga and the CCC are working together to put together a joint application.

Flood works

The May 2010 floods affected the area south of the Ashburton River. Four river and stream mouths had to be mechanically opened to allow flood water to exit to the sea. Several more river mouths needed strategic channel works to support the integrity of the openings to avoid blocking on the tide and subsequent inland flooding.

Structures on waterways

A challenge for the organisation and boating/coastal communities was identified with changes to the Regional Environmental Coastal Plan becoming operative in July 2009. Specifically, swing moorings within designated swing mooring areas became permitted activities (to be managed by the Regional Harbourmaster) and all existing lawfully established structures such as boatsheds/slipways, bridges, jetties and seawalls etc became permitted activities subject to conditions. This rule requires that a structure is in use and in good repair, public access is maintained along the Coastal Marine Area (CMA), and Environment Canterbury is provided with a plan to show the location of the structure and the area of the CMA it occupies. All owners of structures within the CMA must register that structure with Environment Canterbury, in accordance with this rule. If such notification is not given, the activity becomes discretionary and consent is required to authorise the continuing occupation of the CMA. The RMA Compliance and Enforcement section is currently working with the larger asset holders in the first instance, such as the territorial authorities, as a first step in implementing this new rule. In the future the rule will be comprehensively publicised to inform all structure owners of their obligations to supply Environment Canterbury with the required information to ensure that their structure maintains its permitted activity status.

Marine farms

In the 2009/10 year many marine farm operations made significant progress towards achieving compliance with resource consent conditions. This has been due to a much greater focus by the RMA Compliance and Enforcement section on identifying problems and working with consent holders to find best practicable solutions.

The RMA Compliance and Enforcement section completed a survey of the locations of marine farms and found that many were not located in the exact locations specified by their resource consents. Other problems identified included a lack of regular inspections and safety reports. Most problems have either been resolved or are still being worked on.

10.0

Investigations and enforcement

The function of Environment Canterbury's RMA Compliance and Enforcement section is to apply a range of response and enforcement procedures to environmental incidents to remediate any adverse effects, educate those responsible, and deter offenders and others through prosecution and other formal legal action so that similar incidences are not repeated.

Enforcement can be defined as "compelling the fulfilment of legal obligations". Environmental enforcement is required when there has been an incident or non-compliance that has caused a significant adverse effect on the environment or has resulted from recidivist offending requiring deterrent. Where incidents have occurred due to unauthorised and illegal activities, enforcement action can be an effective tool.

Through enforcement action we can educate those responsible and deter others so that similar incidents are not repeated. In this way, it is a mechanism to contribute towards the broader purpose of the Resource Management Act 1991 (RMA), promoting the sustainable management of our natural and physical resources. It is the role of the RMA Compliance and Enforcement section to fulfil these dual roles.

If a complaint or consent non-compliance involves a potentially serious environmental incident or offence, an enforcement officer will make a site visit. The first priority is to minimise any adverse effects and then to investigate the incident. The RMA Compliance and Enforcement section can also call upon expertise from Environment Canterbury technical staff (scientists, engineers, and Resource Care), city and district council staff, private enforcement investigators and external consultants, as the situation demands.

Breaching the rules in the Resource Management Act 1991 can amount to serious criminal offending. Following Resource Management Act 1991 amendments, a conviction can now attract imprisonment for up to 2 years and fines of up to \$300,000 for an individual, or \$600,000 for a company. In keeping with the seriousness of the penalties, the RMA Compliance and Enforcement section has adopted appropriate investigative practices carried out to Police standards, such as: collecting evidence, record keeping, file management, chain of custody for samples and evidence, and cautioning subjects before interviews. Before a final decision on formal enforcement action is made, any recommendation is reviewed for consistency, reasonableness and fairness, and an Environment Canterbury lawyer will review the available evidence and advise whether or not there is a *prima facie* case.

The RMA Compliance and Enforcement section has a range of options available to it:

- Verbal warning;
- Notice of alleged offence;
- Letter of formal warning and cost recovery;
- Requesting application for a retrospective resource consent;
- Issuing an abatement notice;
- Issuing an infringement notice;
- Applying to the Environment Court for an enforcement order;
- Alternative Environmental Resolution;
- Out of Court settlement and/or;
- Prosecution.

Formal enforcement decisions are made after assessing the facts of each case under three criteria: the culpability of the alleged offender, the degree of the adverse effect on the environment, and the significance of the incident to the community (public interest). Figure 10.1 illustrates the type and number of enforcement actions taken by Environment Canterbury between July 2009 and June 2010.

10.1. Warnings

More lenient enforcement tools (verbal or written warnings, notice of alleged offence and retrospective consents) are useful when the offence is minor, and the individual or company is a first-time offender. These tools often prove sufficient information about the consequences of breaching the Resource Management Act 1991 to deter any repeat offending and therefore negate the need for more formal enforcement actions to be introduced.

A large proportion of incidents and non-compliances were resolved using these enforcement tools (see Figure 10.1). Retrospective resource consents are sometimes required by Environment Canterbury if an individual or company is found to have been operating in a circumstance whereby they were obliged to have sought resource consent for the activity. They can be issued together with other, more formal enforcement action.

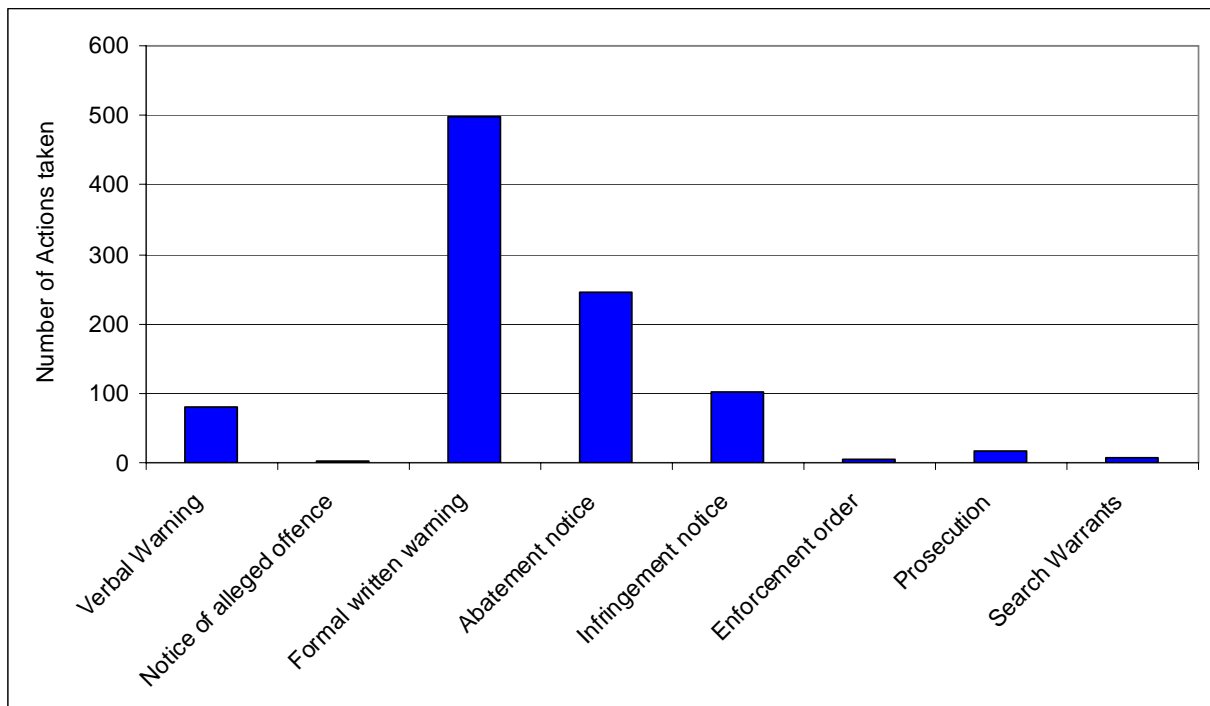


Figure 10.1. Enforcement actions taken by Environment Canterbury between 1 July 2009 and 30 June 2010. The number of prosecutions relates to court decisions.

10.2. Abatement notices

An abatement notice is a written direction served on a person or company requiring certain action to be taken or ceased. Abatement notices may be issued where an enforcement officer believes there are adverse effects on the environment or where a contravention of the Resource Management Act 1991 has occurred, and specific action should be taken to avoid or mitigate those effects. Failure to comply with an abatement notice is an offence in itself and can result in the issue of an infringement notice or prosecution.

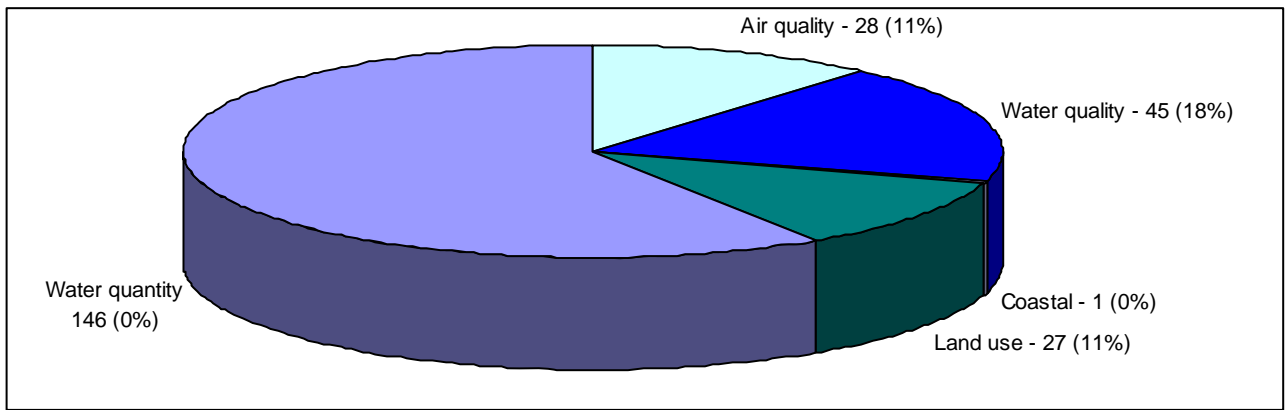


Figure 10.2 Abatement notices issued by Environment Canterbury between 1 July 2009 and 30 June 2010, categorised by receiving environment.

In the year ended 30 June 2010, 246 abatement notices were issued by Environment Canterbury compared with 95 issued in the previous financial year. This significant increase is due to the number of abatement notices that were issued in relation to water quantity. Enforcement action was due to unauthorised abstraction of water for irrigation and not having a water flow measuring and recording device installed. One hundred and thirty abatement notices were issued for measuring and recording devices not being installed in the year ended 30 June 2010, whereas in the same period the previous year, no notices were issued. This reflected an escalation in the enforcement stance towards failure to install the required flow meters and data loggers and was also due to the increased number of resource consents with conditions requiring the installation of a meter and data logger. Officers issued abatement notices requiring the installation of a functional meter/logger before water could be abstracted, although consent holders were given reasonable timeframes to comply with these and officers worked proactively with irrigators and industry to facilitate the installations prior to the start of the next irrigation season.

There has been a notable reduction in the percentage of abatement notices issued in respect of water quality incidents (18% compared with 74% the previous year), which is due to the large percentage related to water quantity. However, there has still been a slight reduction from 45 abatement notices this year compared with 60 in the previous reporting period. There could be a number of reasons for this decline, such as better working relationships with contractors undertaking works in waterways or developing subdivisions, and contractors having a better understanding of erosion and sediment control procedures.

A complete list of the abatement notices is provided in Appendix 3.

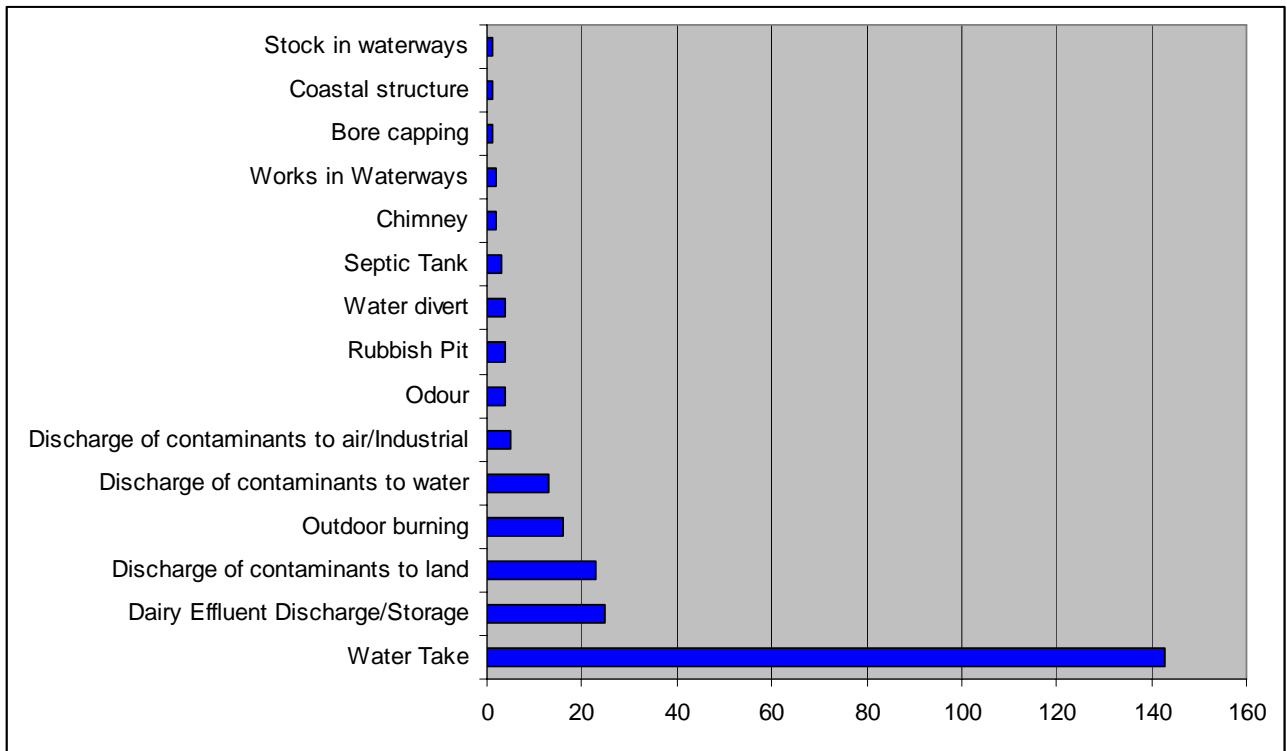


Figure 10.3. Abatement notices issued by Environment Canterbury between 1 July 2009 and 30 June 2010, categorised by type of incident.

10.3. Infringement notices

An infringement notice is a written notice of an offence that includes the issue of an instant fine (similar to a traffic offence) suitable for responding quickly to relatively minor offences that do not warrant prosecution. The offence is classified as an infringement, requiring the payment of a fine but without the record of a conviction. The fines, set by national regulations, range from \$300 to \$1000.

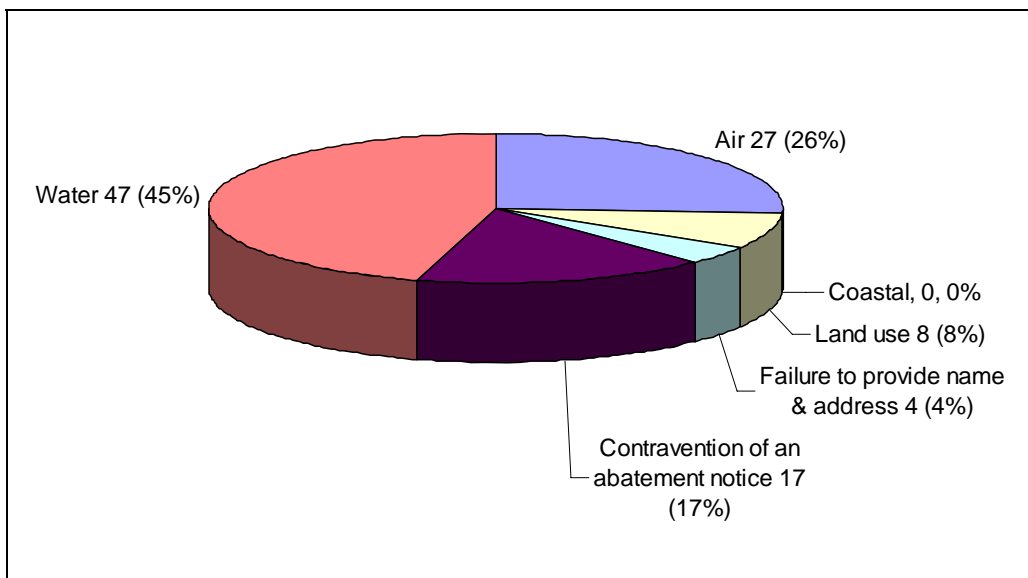


Figure 10.4. Infringement notices issued by Environment Canterbury between 1 July 2009 and 30 June 2010, categorised by receiving environment.

In the year ended 30 June 2010, 103 infringement notices were issued by Environment Canterbury in relation to breaches of the RMA, with fines totalling \$63,150. There were 124 infringement notices issued

for the previous year ending 30 June 2009. Decline in number can in part be attributed to the fact that Environment Canterbury was unable to issue infringement notices from October 2009 against Section 15(2A) RMA discharges to air, due to an anomaly in the regulations prescribing infringement offences. Parliament passed the legislation necessary for Environment Canterbury to issue infringements for breaches of Section 15(2A) discharges on 30 August 2010, which appeared in the Law Gazette at the end of September 2010. The necessary legislative amendments to the Infringement Schedule were however outside of the period covering discharges from non-compliant home heating systems (domestic log burners and similar devices) of 1 April to 30 September 2010. This restricted Environment Canterbury's ability to issue infringement notices for this type of offending.

During the reporting period, 22% of infringement notices related to outdoor burning. Outdoor burning has the potential to cause significant adverse effects and there are alternative options for waste management. Burning has a nuisance and health effect on people and their social and amenity values, and has adverse effects on natural and physical resources.

There are regional rules in relation to outdoor burning. The burning of material in residential areas requires resource consent. Environment Canterbury issues infringement notices for breaches of these rules and for burning of material which is offensive or objectionable beyond the property boundary. Infringement notices are also issued for the burning of prohibited specified waste.

The RMA Compliance and Enforcement section issued 20 infringement notices in relation to unauthorised discharges of dairy effluent, compared with 36 in the previous year. As discussed in the previous section, this result is partly due to a drier season making ponding of effluent less likely but may also reflect a strong joint initiative between Environment Canterbury and the dairy industry that seeks to promote effective, and compliant, use of dairy shed effluent. This initiative continues this season and dairy farmers have now been sent promotional material outlining the importance of managing effluent.

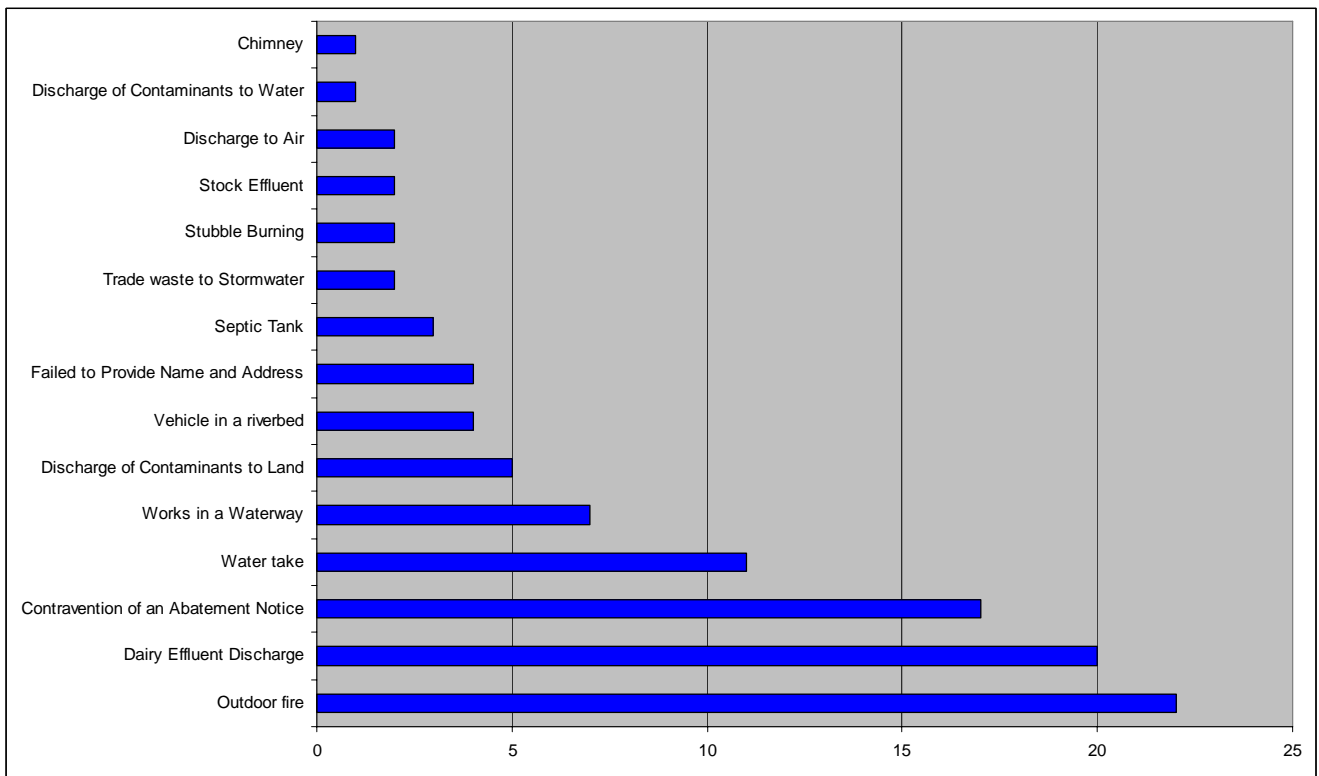


Figure 10.5. Infringement notices issued by Environment Canterbury between 1 July 2009 and 30 June 2010, categorised by type of incident and receiving environment.

10.4. *Enforcement orders*

An enforcement order is made by the Environment Court and requires action to be taken or ceased and potentially for reimbursement to be provided. Environment Canterbury is able to apply to the Environment Court for an enforcement order to enforce conditions of a resource consent or rules in a plan, or to require action to be taken to prevent significant adverse effects.

In the year 1 July 2009 to 30 June 2010 there were four enforcement orders issued. The details of these enforcement orders are below:

Canterbury Regional Council v Flying Photographers Ltd/Lindsay Rex Savin/Beatrice Savin

The property situated in Whitecliffs, Canterbury, was investigated and asbestos was excavated that had been buried in a river running through the property. Environment Canterbury subsequently sought an enforcement order, which was granted in the Environment Court. The order sought that the property owner to cease excavation and disposal of contaminants located above and below ground, remediate the property, and lawfully dispose of the buried asbestos.

Canterbury Regional Council v Andrew John Pattullo

Environment Canterbury applied for an Enforcement Order against Mr Andrew John Pattullo and Mrs Barbara Ann Knopp, following an investigation and subsequent conviction for the burial of demolition waste on their Christchurch property. The enforcement order was granted in the Environment Court and sought that remediation work to be carried out at the property, which included soil testing and removal and lawful disposal of buried material. The property is located in the Christchurch Groundwater Protection Zone.

Canterbury Regional Council v B J Dakin & Company Ltd

Following an investigation in to Dakins & Company Ltd, a waste treatment site, Environment Canterbury sought two enforcement orders on the property. These were granted in the Environment Court. These concerned the appropriate disposal of the waste material which had been excavated at the property following a search warrant; and bunding the area where contaminants are contained or stored to ensure they are unable to escape.

10.5. *Search warrants*

Where Environment Canterbury has knowledge of a serious offence against the Resource Management Act 1991 and intends to gather evidence with the potential for punitive action, legislation requires that a search warrant must be obtained. A search warrant can be applied for to a registrar of the court where it is believed, on reasonable grounds, that there is some item, at a certain address or in a vehicle or any place, which:

- In respect of which an offence punishable by imprisonment has been or is suspected of having been committed; and/or
- Will be evidence of an offence punishable by imprisonment; and/or
- Is intended to be used for the purposes of committing an offence punishable by imprisonment.

During the financial year seven search warrants were executed. The details of the warrants are below:

- September 2009, Parnasus, North Canterbury - to measure the structural integrity of a large dam.
- September 2009, Whitecliffs, North Canterbury - to excavate a property for buried asbestos material and other contaminants.
- December 2009, Yaldhurst, Christchurch - two search warrants to enter a property and search for demolition material and disposed medical waste.

- October 2009, Bromley, Christchurch - to excavate at a property for industrial waste and sample for contaminated soil.
- June 2010, Woolston, Christchurch - to excavate at two properties for industrial waste and sample for contaminated soil.

10.6. Prosecutions

Environment Canterbury undertakes prosecutions where there has been a significant contravention of the RMA. The fundamental objectives of a prosecution are to punish those involved, to act as a deterrent to other resource users, to protect the community, and to provide justice to the victims of the offending.

There are four essential conditions to be met before starting a prosecution action:

1. That there is sufficient evidence to establish a *prime facie* case;
2. That it is judged to be in the public interest;
3. That the environmental effect of the breach warrants court action;
4. The culpability of the offender.

In the year 1 July 2009 to 30 June 2010, there were 16 environmental incidents (18 Resource Management Act 1991 offences) that met the criteria outlined above and were taken to Court. Table 10.1 outlines the details of those prosecutions.

Table 10.1 Concluded prosecutions for environmental incidents between 1 July 2009 and 30 June 2010.

Incident	Defendant/plaintiff	Alleged offence	Outcome
1	Canterbury Regional Council v BFC Group Limited (judgement 14 August 2009)	Outdoor burning of vegetation from sub-division clearance. Two charges, discharge to air and discharge of specified waste.	Guilty plea, fine \$3,000 for discharge to air, \$1,000 for the specified waste discharge. Court costs on both charges plus investigative costs of \$414, solicitor's fee of \$150.
2	Canterbury Regional Council v Rangitata Cattle Ltd (judgement 27 July 2009)	Dairy effluent being discharged outside consented area and into surface water body.	Fine of \$18,000 plus court costs and \$113 solicitor's fee. No costs for the Environment Canterbury's investigation were given as they were considered in the total outcome.
3	Canterbury Regional Council v Stephen Graham Knight (judgement 18 March 2009)	Contamination of land from hydrogen peroxide, chemical involved in the electroplating process.	Fine \$6000 plus \$15,925.38 investigation costs, \$130 court costs and solicitor's costs of \$113.
4	Canterbury Regional Council v George Francis Earl (judgement 10 July 2009)	Obstructing a warranted enforcement officer and preventing Environment Canterbury staff from entering a property to conduct a routine monitoring visit.	Guilty plea, fine Mr Earl \$500. The fine will be paid to the Government Consolidated Fund rather than to Environment Canterbury. This is because it is a criminal matter rather than Environment Court matter.
5	Canterbury Regional Council v Anthony John Ackroyd (judgement 27 July 2009)	Irrigating from the Taumatahau stream beyond the area he is authorised to irrigate.	Fine \$7,000. Court costs of \$130, solicitor's fee \$113.00. There was no separate order for costs of the investigation as they were included in the ultimate penalty.

6	Canterbury Regional Council v March Construction Ltd (judgement 13 August 2009)	Discharge of dewatering from a construction site.	Fine \$4,000 plus court and solicitors fees.
7	Canterbury Regional Council v Andrew John Pattullo (judgement 23 September 2009)	Demolition material being buried, treated timbers, concrete, metals, asbestos etc.	150 hrs community work, \$11,000 towards investigation costs, solicitor's costs \$113 on each charge, court costs \$130 on each charge. Remediation subject to an enforcement order to be sought by Environment Canterbury.
8	Canterbury Regional Council v Scott Tony Gill (judgement 14 August 2009)	Outdoor fire burning of contaminants - tyres, wheelbarrow etc.	100 hours of community work.
9	Canterbury Regional Council v William John Pile (judgement 23 September 2009)	Surface water take without a consent.	Fine \$9,000 (inclusive of Environment Canterbury's investigation costs) plus court costs of \$113 and solicitor's costs of \$130.
10	Canterbury Regional Council v Simon Roy (judgement 08 February 2010)	Ground water take without a consent.	Fine \$7,500, court costs \$130.
11	Canterbury Regional Council v Richard Spicer (judgement 01 February 2010)	1. Ponding of dairy effluent and 2. Breach of an abatement notice	\$8,000 for breach of the abatement notice and \$4,000 for breach of Resource Management Act 1991.
12	Canterbury Regional Council v Dumelow Contracting (judgement 18 March 2010)	Discharge of sediment/silt into farm drain.	Fine \$800.
	Canterbury Regional Council v Barrs Ltd (judgement 24 May 2010)	Discharge of sediment/silt into farm drain.	Fine \$4,000 plus court costs \$130, solicitor's costs \$113.
13	Canterbury Regional Council v Resource Recycling (judgement 24 May 2010)	Dumping of waste products on an industrial site.	Guilty Plea, fine \$3,500, court costs \$130, solicitor's costs \$113.
14	Canterbury Regional Council v J Mould Demolition Ltd (judgement 22 June 2010)	Burying of waste, two charges.	Fine \$6,000 plus investigation costs of \$2,000.
15	Canterbury Regional Council v Dakins	Bunding.	Fine \$7,000.

Canterbury Regional Council v BFC Group Limited, April 2008 – discharge of contaminants to air following a large construction fire

A construction company, Barry Foster Contracting Group (BFC), was involved in the development of subdivision land at Oxford Road, Rangiora.

On 29 April 2008 the Fire Service was called to the site to control a fire being fuelled by vegetation and demolition waste materials. The fuel of the fire consisted of three windrows, two of which consisted of orchard trees uprooted and cleared for the site development, and the third of various demolition waste material - metal, corrugated iron and other contaminants associated with the site clearance and development work.

Smoke from the contaminants being burnt had caused a public nuisance to adjacent residential properties and traffic on a nearby main road, which required police control cordons due to reduced visibility.

Judge Doherty presided over the case. BFC Group Ltd had earlier pleaded guilty to two charges – discharge to air and discharge of specified waste.

They were convicted and fined \$3,000 for the discharge to air and \$1,000 for the specified waste discharge.

There were court costs on both charges plus investigative costs of \$414 awarded and a solicitor's fee of \$150.00. Ninety percent of the fine is to be paid to Environment Canterbury.



Canterbury Regional Council v Rangitata Cattle Ltd, October 2008 - discharge of dairy effluent

Rangitata Cattle Ltd is a company employed to manage a property located at Clayton Road, Fairlie. The property is a dairy farm and milks a herd of 500 cows. The day to day management of the farm including the share milking and irrigation are the responsibility of the company.

Following a dairy compliance inspection on 10 August 2008, the defendant was found irrigating effluent in an area of land some 40-50 metres outside the authorised area. The discharge of effluent entered surface waterways, namely springs rising in the area.

On 27 July 2009 her Honour Judge Borthwick presided in the Timaru District Court. She considered this to be a serious case and she accepted that while it was a one-off unintentional discharge it was serious as it was a direct discharge of effluent to land. She started at \$25,000 and her final conclusion was a fine of \$18,000 plus court costs and a \$113 solicitor's fee. No costs for the Environment Canterbury investigation were given as they were considered in the total outcome.

Canterbury Regional Council v Stephen Graham Knight, September 2008 – chemical waste disposal

On September 11, 2008, Environment Canterbury was informed that a chemical spill had occurred on a property near Parnassus, North Canterbury. Environment Canterbury officers were told that 200 litre drums of washed down copper sulphate and hydrogen peroxide had been filled with water and then emptied. The officers found an area of dead or dying pine trees and dead surface vegetation. The inspection also found yellow and white substances on the land surface and trees bleeding blue coloured sap. Numerous samples were taken from the affected areas for examination.

Stephen Graham Knight, director of Tabard Farms Ltd and Falcon Electroplating Ltd, pleaded guilty to discharging contaminants from electroplating on to land and discharging contaminants which may enter water. The property is above an aquifer and is approximately 30 metres from the Waiau River. The chemical wash water had been emptied out in areas of the property that were not accessed by stock.

Judge Jackson noted that the defendant's actions were deliberate as he had gone to some effort to dispose of the chemicals by transporting them from his electroplating company in Christchurch to the farm in Waiau for disposal at hidden locations on the property which had not been disclosed to the new owner. The Judge also said there was the potential for the contaminants to affect groundwater from the Waiau River catchment and any surface water that it intercepts. He also said that water can reach the lower portions of the affected area during a flood.

The Judge accepted Mr Knight's early guilty plea and his attendance at a restorative justice conference. The Judge also ordered Mr Knight to remediate the contamination remaining on the site. The estimated cost of the remediation work is \$116,000 and is expected to take 6 months to complete. The Judge declined to make an order for reparation of \$278,000, which, the victim had claimed was the estimated loss in land value, even after the remediation works were carried out.

Mr Knight was fined a total of \$6,000 on both charges and ordered to pay \$16,000 towards Environment Canterbury's investigation costs. Mr Knight was also ordered to pay court costs of \$130 and solicitor's costs of \$113 on each charge.

Canterbury Regional Council v Gregory Francis Earl, September 2008 – wilful obstruction of an enforcement officer

Greg Earl owns and operates a farm in Banks Road, Rotherham. On 23 September 2008 compliance monitoring officers attended the farm in order to conduct a routine monitoring inspection for compliance with resource consent conditions on the farm. Mr Earl refused entry on to the property. Police assistance was required in order to conduct the monitoring inspection.

Judge Borthwick presided over the case. Mr Earl changed his plea from not guilty to guilty and applied for a discharge without conviction. Her Honour declined the application and convicted and fined Mr Earl \$500. The fine is one-third of the maximum fine achievable for this type of offending because it is a criminal matter rather than an Environment Court matter.

Canterbury Regional Council v Anthony John Ackroyd, November 2008 – illegal abstraction of water

Tony John Ackroyd owns farm land at Springfield Road, Temuka. The Taumatakahu Stream flows down the west side of his property. Mr Ackroyd has consent to take water from a well on the property, but not from surface water. On 18 November 2008 a complaint was received to the pollution hotline that Mr Ackroyd was irrigating his land by taking water from the Taumatakahu Stream, without the required resource consent. A pump was abstracting water from the stream at a flow rate of 14.6 litres per second and had been operating for 18 hours.

On 27 July 2009 Judge Borthwick presided over this case in the Timaru District Court. Mr Ackroyd was fined \$7,000 as a deterrent and ordered to pay costs of \$130 to the Court and a solicitor's fee to us of \$113. There was no separate order for costs of the investigation as they were included in the ultimate penalty.

Canterbury Regional Council v March Construction Ltd, October 2008 – discharge of contaminant to the Avon River

March Construction Limited is a construction company involved in the installation of underground works, including dewatering. The company was contracted to St George's Hospital, Christchurch to undertake sheet piling excavation work and backfilling on an extension to the hospital. The work involved site drainage following dewatering of the excavated site.

There were two dewatering pumps operating on the site draining water from an excavation and discharging into a large settling tank that in turn discharged in to a stormwater sump and then in to the Avon River. Officers responded to complaints to the pollution hotline of discoloured water flowing in the Avon River and traced the source back to the site. Analysis samples at the point of discharge were found to be six times higher than authorised.

On 13 August 2009 Judge Doherty presided over the case in the Christchurch District Court. March Construction Limited was fined \$4,000. Although the company has a previous conviction for a similar offence the Judge did not accept that this was an aggravating factor in determining a sentence, given that at the time of this offence a conviction had not been entered for the earlier offence as the hearing was still pending.

Canterbury Regional Council v Andrew John Pattullo, October 2008 – burial of waste

Andrew John Pattullo pleaded guilty to four charges of illegally dumping and burning waste on his 25 ha property at 81-83 Conservators Road, Yaldhurst, Christchurch. The offences occurred on 31 October 2008 and 7 July 2009 and contravened sections 15(1) (b) and 15(2) (a) of the Resource Management Act 1991.

Samples collected by Environment Canterbury officers upon investigation of the property showed that waste material buried contained treated and painted timber, doors, windows, gib-board, MDF board, electrical appliances, metal, plastic containers, car batteries and concrete. There was also evidence that asbestos was present.

Judge Borthwick noted that Mr Pattullo's offending put the health of his family at risk of contaminants from the burning of hazardous materials and potential contamination of their drinking water well located on the property.

The Judge stated that Mr Pattullo's actions were a clear breach of the Resource Management Act 1991, and was highly deliberate offending given that he had received prior warnings from Environment Canterbury enforcement officers. Mr Pattullo had continued to burn and bury waste at the property while on remand and was found committing further offences three days before he was due to appear in court.

The Judge said that it was difficult to find an exact comparison between this case and others and set the starting point for the totality of the offences at \$37,000. However the Judge was concerned that the defendant was unable to pay the fine, therefore a sentence of 150 hours community work was imposed instead. Mr Pattullo was given a 30 percent credit for an immediate guilty plea on two charges and a 20 percent credit for a deferred guilt plea on the other two charges.

He was ordered to pay \$11,000 towards Environment Canterbury's investigation costs and solicitor's costs of \$113 on each charge, together with court costs of \$130 on each charge.



Canterbury Regional Council v Scott Tony Gill, December 2008 – burning tyres

Scott Gill pleaded guilty to a charge resulting from a bonfire of 20 tyres near Christchurch airport in December 2008. The fire was put out by the local fire service and was then reignited 10 minutes later, requiring the fire service to return.

Burning tyres is prohibited under the National Environmental Standard for Air Quality and the Canterbury Regional Air Plan.

Judge Colin Doherty noted that a significant amount of smoke and contaminants escaped into the air and were highly toxic. Burning tyres at his birthday party led to those present being exposed to levels of benzene 120 times the health safety level, Judge Doherty said.

Scott Gill's sentence for community service was reduced from 150 hours to 100 hours as recognition of his immediate guilty plea. The Judge noted his inability to pay a fine.

Canterbury Regional Council v William John Pile, January 2009 – illegal abstraction of water

Raymond John Pile used a mobile pump and diesel generator to extract water from the Waitaki River for irrigating pasture without resource consent from part of the river flowing through the Canterbury Region.

Mr Pile holds four resource consents to take water from the Otago Regional Council from Welcome Stream in the Lower Waitaki Catchment. However, on 16 January 2009, he abstracted 277 cubic metres of water over a 4 hour period from a location within the Canterbury Region not authorised by resource consent from Environment Canterbury. This action breached section 338(1)(a) and section 14(1)(a) of the Resource Management Act 1991.

Judge Borthwick said that if the region's waters are to be sustainably managed, then unlawful taking of water cannot be allowed and abstractions must be authorised and subject to consent conditions. She said that the sentence imposed was a punishment for Mr Pile as well as a deterrent to others conducting the same or similar offence.

The Judge gave a 30 percent credit for an early guilty plea but noted that although Mr Pile was authorised to take water from Welcome Stream, his actions were to do with taking short cuts because he did not want to lay out the pipes from the stream to the paddock which was being irrigated. She also noted that this was not a one-off offence and had occurred on four occasions.

The case was heard in the Oamaru District Court on September 23, 2009. Judge Borthwick imposed a fine of \$9,000 and ordered the defendant to pay court costs of \$113 and solicitors' costs of \$130. Ninety percent of the fine was paid to Environment Canterbury.

Canterbury Regional Council v Simon Roy, January 2009 – illegal abstraction of water

On February 4, 2009, Environment Canterbury officers inspected a Mayfield farm owned by Mr Simon Roy. It was discovered that a centre pivot irrigator was discharging water. The officers measured the flow of water from the bore and calculated that abstraction was occurring at approximately 40 litres per second and that the irrigator had operated for just over 300 hours.

Mr Roy accepted responsibility for the operation of the irrigator and that it was operating in a fully allocated red zone. Mr Roy admitted that the irrigation test had run continuously for 7 days and that he had not notified Environment Canterbury of his actions or obtained resource consent.

Judge Doherty noted that the defendant had participated in a Restorative Justice Conference in September 2009. The outcome was that he paid the council's investigation costs along with an advertising campaign discouraging people from irrigating without resource consent. The advertisements titled "Only fools break the water rules" commenced in October 2009.

Mr Roy's action breached section 14(1)(a) and 14(3)(a) of the Resource Management Act 1991.

Judge Doherty noted that this was a serious type of offence because the illegal taking of water prevented any assessment of potential environmental impact.

Mr Roy acknowledged his offending was deliberate and he was aware of the need to gain consent and was operating in a red zone. The Judge gave credit for the early guilty plea and Mr Roy's attendance at a restorative justice conference.

Judge Doherty imposed a fine of \$500 and also ordered Mr Roy to pay court costs of \$113 and solicitors' costs of \$130. Ninety percent of the fine was paid to Environment Canterbury.

Canterbury Regional Council v Richard Spicer, March 2009 – discharge of dairy effluent

An Ashburton share-milker, Richard Neil Spicer, was fined a total of \$12,000 after pleading guilty to two charges, discharging effluent from an irrigator onto land causing ponding (which may have resulted in contaminants entering groundwater) and contravening an abatement notice. The case was heard in the Christchurch District Court on February 2, 2010.

Environment Canterbury officers inspected the farm located at Flemington, near Ashburton, on October 10, 2008, and found that effluent from a travelling irrigator had created severe effluent ponding and run-off onto surrounding land. An infringement notice was served on Mr Spicer informing him that he was in breach of resource consent conditions. On October 15, he was issued with an abatement notice.

Upon re-inspection of the farm on December 16, 2008, Environment Canterbury officers identified problems with the irrigator that would lead to further effluent ponding. Mr Spicer was informed that continued non-compliance would likely result in enforcement action being taken. A large pond of effluent was subsequently discovered on the farm on March 5, 2009.

The defendant said that the incident on March 5 was not deliberate. He claimed that the effluent ponding had occurred because the irrigator had become stationary after getting stuck in a hole in the ground and a bearing had collapsed. Mr Spicer claimed that he was not present on the property that day and a farm worker had set up the irrigator, but he did take full responsibility for the incident.

Mr Spicer's actions breached sections 338(1)(c) and 340(1)(a) of the Resource Management Act 1991 with regard to the contravening of the abatement notice and section 15(1)(b) and s338(1)(a) in regard to the employee discharging effluent.

The Judge imposed a fine of \$8000 and \$4000 for each offence respectively. Ninety per cent of the fine was paid to Environment Canterbury.

Canterbury Regional Council v Barrs Ltd, March 2009

Canterbury Regional Council v Dumelow Contracting, March 2009 – discharge of sediment to Styx River

A Christchurch company, Barrs Limited, was fined \$4,000 after its contractor discharged contaminants onto land that may have entered water. The company was sentenced in the Christchurch District Court on May 24, 2010.

In March 2009, Barrs Limited was contracted to develop a building platform on a site located at Prestons Road, Christchurch. The company subcontracted excavation work to Dumelow Contracting Limited, who encountered a spring in the area designated to be filled with soil from the platform. Barrs provided Dumelow with a pump to de-water the site, and as a result, water containing sediment was discharged into the nearby Styx River.

Dumelow Contracting Limited was prosecuted and fined for its role in this offence in a separate case on March 18, 2010. The company was sentenced on 18 March 2009 and fined \$800. In regard to Barrs Limited, Judge Borthwick said that under Section 340 of the Resource Management Act 1991, the defendant company is liable for the activities of its employees or agents as though it had personally committed the offence.

The Judge dismissed the notion that Barrs was one step removed from Dumelow and that neither company understood the rules that applied to such an activity and nor had they made any inquiries as to whether resource consent was required before the excavation commenced.

The Judge took into consideration that Barrs Limited had no previous convictions and had not profited from its actions, however she did note that the company had not entered an early guilty plea as was the case with Dumelow Contracting.

Barrs Limited was fined \$4,000 and ordered to pay court costs of \$130 and solicitors costs of \$113. Ninety percent of the fines are awarded to Environment Canterbury.

Canterbury Regional Council v Resource Recycling, June 2009 – discharge of hydrocarbons

A Christchurch company, Resource Recycling Technologies (NZ) Limited, was fined \$3,500 after pleading guilty to discharging contaminants onto land, namely hydrocarbons, without resource consent. The company was sentenced in the Christchurch District Court in May 2010.

Environment Canterbury officers inspected the company's premises in Chapman's Road, Woolston, in June 2009. The inspection revealed machinery stored on unsealed ground with oil ponding present on the surface. Soil samples collected from the area and tests confirmed significant levels of hydrocarbon contamination. Pools of oily water were also found by a truck wash and oily water had also run off into an interceptor causing it to become clogged with sediment. Soil samples from the truck wash also confirmed the presence of hydrocarbons, which were also found near stored containers and in the area of a fuel container.

Environment Canterbury issued the company with an abatement notice on August 24, 2009. Judge Borthwick said that the company had complied with its terms and had taken remedial steps, including removing all the contaminated soil, increasing the size of the bunded concrete pad, drafting an environmental plan and increasing the level of staff awareness in regard to a spills procedure and undertaking ongoing reporting to Environment Canterbury.

The Judge dismissed the company's claim that the discharges were accidental and pointed out that they had occurred over a period of time. However, there was no evidence of further discharges escaping from the site or that the area remains contaminated.

The Judge took into consideration that the company had incurred around \$40,000 in costs to remediate the site, had no previous convictions and had entered an early guilty plea. The company was fined \$3,500

and ordered to pay court costs of \$130 and solicitors costs of \$133. Ninety percent of the fines are paid to Environment Canterbury.



Canterbury Regional Council v J Mould Demolition Ltd, June 2009 – illegal waste disposal

A Christchurch demolition company was fined \$6,000 and ordered to pay costs to Environment Canterbury after being found guilty of dumping demolition waste into a pit at a farm in Yaldhurst. The farm was located above an unconfined aquifer, and there was no resource consent allowing the dumping of the demolition waste at that location.

J Mould Demolition pleaded guilty to a charge of illegally dumping waste material on the property of Andrew John Pattullo at 81-83 Conservators Road, Yaldhurst, Christchurch. The offences occurred on July 7, 2009 and contravened sections 15(1)(d) and 338 of the Resource Management Act 1991.

On July 7, 2009, Environment Canterbury officers investigated a report that trucks containing waste had entered Mr Pattullo's property and intercepted a truck belonging to J Mould Demolition. The driver admitted that he had deposited three truckloads of demolition material earlier that day. Upon inspecting the property, officers observed that the pit where it had been dumped contained treated timber and other waste material which Mr Pattullo admitted had been deposited on his land by the demolition company. Mr Pattullo was prosecuted and fined for unauthorised discharges to air and land in late 2009 in a separate case.



The sentencing judgement was delivered in the Christchurch District Court on June 17, 2010. Judge Jackson said that the area is sensitive due to its proximity to groundwater and the significance to drinking water supply. He also said that the dumping was deliberate and the fact that Mr Pattullo had prepared the dump site showed that the offence was planned, possibly to avoid landfill disposal fees. The Judge said that as the dumping of the concrete, timber and treated timber had the potential to affect the water supply, he could not regard the offence as minor.

The Judge accepted that under the Resource Management Act, where an offence is committed by an employee, the company is liable in the same manner. He said that Mr Jonathon Mould, as managing director, had negotiated with Mr Pattullo to accept the materials onto his land and supplied a digger so Mr Pattullo could bury it. The Judge also said that the company's management was inadequate because the systems in place failed to control the risk of employees performing tasks incorrectly.

The Judge noted that the company had no previous convictions and had co-operated with Environment Canterbury's investigation. The company was fined \$7,000 and ordered to pay just over \$2,000 in investigation costs, court costs of \$130 and solicitors' costs of \$133. Ninety percent of the fines were paid to Environment Canterbury.

In this particular case, the information provided came from the public and we appreciate this level of community support. Environment Canterbury encourages residents to report any illegal dumping activity to the Pollution Hotline so we can prevent incidents such as this becoming a trend.

Canterbury Regional Council v Dakins L td, October 2009 – discharge of chemicals

A Christchurch company was fined \$7,000 for its failure to maintain the integrity of a storage bund on its property at 100 Ruru Road, Bromley, as required by the conditions of its resource consent.

BJ Dakin and Company Limited's consent from Environment Canterbury permits the storage of petroleum compounds, chlorinated hydrocarbons, solvents and timber treatment products in a purposely built bunded area on its site. The purpose of the bund was to prevent contaminants escaping from the site.

In October 2009, Environment Canterbury officers inspected the property and discovered that stormwater contained in the bund was discharging from a number of points along its western and southern sections. The failure to maintain the structure meant that the company was in breach of its resource consent which constituted an offence against sections 9(2) and 338(1) of the Resource Management Act 1991. The company is defending a charge in relation to the stormwater spill.

Judge Jackson said that the company had reported the incident to Environment Canterbury and had taken subsequent steps to seal the bund. He said that the breach was an operational failure and the company had put a management plan in place which involves regular maintenance checks from an outside contractor. As the offence relates only to the condition of the bund, the Judge noted that no

environmental damage had resulted from this particular offence. He gave credit for an early guilty plea noting that the company had no previous convictions under the Resource Management Act 1991.

Judge Jackson said that due to the enactment of the Resource Management Simplifying and Streamlining Amendment Act 2009, he was raising the initial starting point in regard to a fine to \$30,000. However, because this offence occurred shortly after the amendment came into effect, he adopted a starting point of \$20,000. Apart from the credit for an early guilty plea, Judge Jackson took current economic conditions into consideration and fined the company \$7,000 as well as ordering the payment of \$130 in court costs and \$113 in solicitor's costs. Ninety percent of the fine was paid to Environment Canterbury.



10.7. *Internal Issue Resolution*

Internal Issue Resolution is the term we use for out-of-court negotiations and agreements that occur from time to time, at the request of the defendant. Increasingly, requests to discuss the options available to address the effects and provide remediation or compensation to the affected environment and community to attempt avoid a prosecution are being received from a defendant upon receipt of a summons to attend Court. These negotiations and agreements take place between the defendant and the Director Regulation or Chief Executive with the support of legal counsel. In the year ended 30 June 2010, three incidents proceeded along the path of Internal Issue Resolution.

Canterbury Regional Council v Neville Raymond Chalmers and v Downer EDI Works Ltd - Gravel dug from the cliff face above Waterton Beach on 26 June 2008

Neville Raymond Chalmers a land owner at Waterton permitted the abstraction of gravel by Downer EDI Works from land in contravention of the Regional Coastal Environmental Plan 2005 and without the required resource consent.

Both parties engaged Environment Canterbury following the commencement of a prosecution. Environment Canterbury and both parties had a range of discussions relating to the manner in which the proceedings should be determined. As a result of discussions the parties agreed to the following outcomes:

- Admission of culpability
- Payment towards Environment Canterbury's investigation costs
- A donation of \$1,500 being paid to a local charity relating to environmental issues

- The erection of signage at the property quarry to deter casual or commercial extraction
- Allowing continued access to a monitoring site previously established on the property
- Consenting to a press release by Environment Canterbury detailing the case.

As a result of this documented agreement between both parties, Environment Canterbury agreed to withdraw from criminal proceedings

Canterbury Regional Council v Brook Farms/Mosbro Farms Ltd – Discharge of dairy effluent causing ponding and run off into a soak hole

Brook Farms Ltd & Mosbro Farms Ltd on or about 17 September 2008 at Acton Road, Rakaia, permitted the discharge of dairy shed effluent to land in circumstances where it may have entered groundwater.

Both parties engaged Environment Canterbury following the commencement of a prosecution. Environment Canterbury and both parties had a range of discussions relating to the manner in which the proceedings should be determined. As a result of discussions the parties agreed to the following outcomes

- Admission of culpability
- Payment towards Environment Canterbury's investigation costs
- A donation of \$3,500 to a local charity relating to environmental issues
- Completion of an on-farm effluent disposal enhancement system
- To hold exhibition field days at the farm property
- Consenting to a press release by Environment Canterbury detailing the case.

As a result of this documented agreement between both parties, Environment Canterbury agreed to withdraw from criminal proceedings

Canterbury Regional Council v Michael Lewis Wilks - Surface water take without consent on 16 January 2009

On 04 December 2008 Mr Wilks, a landowner in Kaikoura, permitted the abstraction of water from his property without the required resource consents.

Mr Wilks engaged Environment Canterbury following the commencement of a prosecution. Environment Canterbury and Mr Wilks had a range of discussions relating to the manner in which the proceedings should be determined. As a result of discussions about the scale of the offence the parties agreed to the following outcomes

- Admission of culpability
- Payment towards Environment Canterbury's investigation costs
- a donation to the Huttons Shearwater Trust community project
- an agreement not to reoffend in the same or similar circumstances.

As a result of this documented agreement between both parties, Environment Canterbury agreed to withdraw from criminal proceedings

Canterbury Regional Council v Richard Geoffrey Spark & Robert Carlisle Spark, and v Hight Farms Ltd – Dairy discharge of effluent into the Cam River on 21 May 2009

On 21 May 2009 a dairy farm owned and operated by Richard and Robert Spark discharged dairy effluent onto land in a manner that it entered drains which lead to the Cam River, Rangiora.

Messrs Sparks engaged Environment Canterbury following the commencement of a prosecution. Environment Canterbury and Messrs Sparks had a range of discussions relating to the manner in which the proceedings should be determined. As a result of discussions Environment Canterbury took into consideration the following circumstances surrounding the offending; the minor adverse environmental impact, the previous good character, the age of the offenders and the outcomes the parties agreed to the follow. Messrs Sparks have agreed to:

- participation in a Restorative Justice Conference, including representatives from Fish and Game
- admissions of culpability
- payment towards Environment Canterbury's investigation costs
- a donation of \$3000 towards the Cam River Working Party.

As a result of a documented agreement between both parties and conclusion of the Restorative Justice programme, Environment Canterbury agreed to withdraw from criminal proceedings.

10.9. Prosecution cases in progress

There are five incidents that had information laid in the Environment Court but for which a hearing decision had yet to be reached within the reporting period. Names of some offenders have been omitted until a decision has been made in Court.

Table 10.2. Prosecution cases in progress during the year ended 30 June 2010.

	Date of incident	Offender	Alleged offence
1	27/07/09	<i>Undisclosed</i>	Outdoor burning - two incidents
1	27/10/09	<i>Undisclosed</i>	Toxic contamination of land
2	27/10/09	<i>Undisclosed</i>	Exceedance of water take (irrigation)
3	08/12/09	<i>Undisclosed</i>	Abstraction of water while on restriction (irrigation)
4	04/02/10	<i>Undisclosed</i>	Abstraction of water (irrigation)
5	16/04/10	<i>Undisclosed</i>	Discharge to air (burning waste)

Glossary

Abatement notice	A written warning to the recipient that he/she is contravening a provision of the RMA either requiring the cessation of an activity, or that a particular activity be carried out, to ensure compliance. Section 322 RMA.
Compliance Monitoring	The monitoring of the exercise of resource consents issued under the RMA and activities permitted by a regional plan, to assess compliance with conditions.
Contaminant	Includes any substance that either by itself or in combination with other substances, changes the physical, chemical, or biological condition of the receiving environment when the substance is discharged.
Enforcement Officer	A person authorised as an Enforcement Officer under section 38 of the RMA.
Enforcement order	An order made by the Environment Court that may require cessation of an activity which contravenes a provision of the RMA or which has adverse effects on the environment.
Notice of alleged offence	A notice written at the site of an incident advising someone that they are being investigated for an alleged offence and that some immediate action is required.
Infringement notice	A notice issued under the Summary Proceedings Act 1957 for some of the offences specified in the RMA. Infringement notices require payment of a fine.
Permitted activity	An activity that is allowed by a plan without resource consent if the activity complies in all respects with any conditions specified in the plan.
Prosecution	The act of taking court proceedings in the criminal jurisdiction for the commission of an offence created by statute.
PM₁₀	Particles suspended in air and smaller than 10 microns in diameter.
Resource Consent	Consent for an activity that would otherwise contravene the Resource Management Act 1991, including land use consent, coastal permit, water permit and discharge permit.
RMA	Resource Management Act 1991.
RMA Compliance and Enforcement section	Resource Management Act Compliance and Enforcement Section (of Environment Canterbury).
Suspended solids	Particles of solid matter in water.
TRP	(Transitional Regional Plan). A document that includes rules, bylaws and notices that were in effect prior to the enactment of the RMA in 1991. These now have status as a regional plan under section 368 of the RMA.

Appendix 1

Location (by district) and receiving environment of environmental incidents registered with the Pollution Hotline between 1 July 2009 and 30 June 2010.

District	Air	Water	Land	Coastal	TOTAL
Christchurch (incl Banks Peninsula)	1809	366	134	43	2352
Timaru	253	77	66	17	413
Waimate	109	44	15	1	169
Waimakariri	160	90	48	6	304
Selwyn	113	103	35	1	252
Ashburton	123	56	54	1	234
Hurunui	32	37	28	3	100
Kaikoura	43	10	9	2	64
MacKenzie	16	8	12	0	36
Waitaki	6	19	10	0	35
Total incidents	2664	810	411	74	3959
Percentage	67%	20%	10%	2%	100%

Appendix 2 Infringement notices

Infringement notices issued for incidents between 1 July 2009 and 30 June 2010.

Name of recipient	Date issued	Infringement	Location	Fine
Richard Garrett Paver	7/07/2009	Dairy effluent onto land may result in contaminates entering water	Te Awa	\$750
Muritai Company Farm Ltd	7/07/2009	Dairy effluent onto land may result in contaminates entering water	Te Awa	\$750
Joseph Storey Burdis	8/07/2009	Outdoor burning - rural - smoke	Rolleston	\$300
Stephen Hawes	8/07/2009	Works within a watercourse	Greendale	\$500
South Pacific Meats Ltd	8/07/2009	Discharge of human effluent onto land	Burnham	\$1,000
Paul Kelly (should be Mark)	8/07/2009	Discharge of human effluent onto land	Burnham	\$1,000
Justin Thyne	8/07/2009	Discharge of paint from water blasting operation onto land	Christchurch	\$750
Luke Tippet	8/07/2009	Outdoor burning - residential	Christchurch	\$300
Michael Benny Leroy	24/07/2009	Outdoor burning - rural - burning of plastic, metals	Prebbleton	\$1,000
Michael Benny Leroy	24/07/2009	Contravention of an abatement notice	Prebbleton	\$750
Graeme Peter Foote	27/07/2009	Works within a watercourse	Opihi River	\$500
Peter Allan Bell	28/07/2009	Works within a watercourse	Opihi River	\$500
Hurunui District Council	6/08/2009	Discharge of waste water onto land	Cheviot	\$750
John Shanks	6/08/2009	Discharge of human effluent onto land	Templeton	\$1,000
Daniel Berti	18/08/2009	Works within a watercourse	Opihi River	\$500
Peter Fenton	18/08/2009	Works within a watercourse	Opihi River	\$500
Peninsula Quarries Ltd	24/08/2009	Outdoor burning - industrial - burning of hydrocarbon products	Teddington	\$1,000
Shane Michael Tawhara	2/09/2009	Failed to provide name and address	Christchurch	\$300
Shane Michael Tawhara	2/09/2009	Outdoor burning - industrial - contaminants	Christchurch	\$1,000
Christopher Dean Easter	2/09/2009	Inside Chimney - burning of contaminants	Christchurch	\$1,000
Christopher Dean Easter	2/09/2009	Failed to provide name and address	Christchurch	\$300
Craig Stuart Luhrs	2/09/2009	Outdoor burning - industrial - contaminants	Christchurch	\$1,000
Albert St John Amohia Tepi	2/09/2009	Outdoor burning - residential	Christchurch	\$300
Mathew David Priddle	3/09/2009	Vehicle onto the Opihi Riverbed	Temuka	\$500
Christopher John Johnston	3/09/2009	Vehicle onto the Opihi Riverbed	Temuka	\$500
Corey Doughty	3/09/2009	Vehicle onto the Opihi Riverbed	Temuka	\$500
Hamish Richard Kenton	3/09/2009	Vehicle onto the Opihi Riverbed	Temuka	\$500
Clemence Drilling Contractors Ltd	4/09/2009	Drilled a bore within 50 m of a river	Waipara	\$300
Michael Adrian Peters	4/09/2009	Drilled a bore within 50 m of a river	Waipara	\$300
Skibbereen Farm Ltd	9/09/2009	Took groundwater when no recording device was installed	Coldstream	\$500
Charles Samuel Anderson	10/09/2009	Undertook works within a watercourse, removal of flood protection vegetation	Fairlie	\$500
Skibbereen Farm Ltd	15/09/2009	Contravention of an abatement notice	Coldstream	\$750
Atkinsons Ltd	18/09/2009	Contravention of an abatement notice	Hinds	\$500
Atkinsons Ltd	18/09/2009	Took groundwater when no recording device was installed	Hinds	\$750
Steven John Foster	28/09/2009	Undertook works within a watercourse,	Waimakariri	\$500

		cutting down and removal of flood protection vegetation	Regional Park	
Ron Johnston	28/09/2009	Discharge of car wash onto land	Christchurch	\$750
Mainland Drums	28/09/2009	Outdoor burning - industrial - contaminants	Christchurch	\$1,000
Hurunui District Council	13/10/2009	Contravention of an abatement notice	Cheviot	\$750
Barnswood Farm Ltd	14/10/2009	Exceeded annual volume of groundwater take	Mayfield	\$500
Melvyn George Dean Butler	20/10/2009	Discharge of diesel/petrol to land at service station	Christchurch	\$300
Tumblar Products Ltd	23/10/2009	Discharge of trade waste onto land	Christchurch	\$1,000
Combine Country Ltd	23/10/2009	Outdoor fire industrial - contaminants	Ashburton	\$1,000
Alison Rowe	28/10/2009	Contravention of an abatement notice - to remove effluent solids	Cust	\$750
Alison Rowe	28/10/2009	Contravention of an abatement notice - discharged dairy effluent solids	Cust	\$750
Andrew Robert Turnbull	29/10/2009	Failed to provide information to an enforcement officer	Christchurch	\$100
Waratah Trust Ltd	30/10/2009	Contravention of an abatement notice - truck wash	Christchurch	\$750
Bartlett Concrete Placing Ltd	30/10/2009	Contravention of an abatement notice - truck wash	Christchurch	\$750
Paul Brendon Thistoll	9/11/2009	In that you have discharged a contaminate to air in the form of smoke particulate, when you burnt specified waste, namely, but not limited to, plastics, rubber and metals, when that discharge was not permitted by a rule in a regional plan or proposed plan	Burnham	\$300
Barry Dean Bennett	9/11/2009	Section of RMA 1991 contravened: Section 338(2)(a) Contravention or permitting a contravention of section 22 (failure to provide certain information to an enforcement officer)	Christchurch	\$300
Stephen Matthew Brown	9/11/2009	You have discharged a contaminant into the air, namely smoke from an outside fire, in a manner contrary to Rule AQL35 in the Proposed Canterbury natural Resources Regional Plan	Christchurch	\$300
Calder Stewart Industries Ltd	18/11/2009	You have discharged contaminants, namely particulate in the form of smoke, from the burning of specified waste, namely, but not limited to treated timber and metal, into air from an industrial/trade premises, when that discharge was not expressly allowed	Christchurch	\$1,000
Richard Addis	18/11/2009	In that you discharged a contaminant into the air, namely particulate in the form of smoke, when you burnt specified waste, namely, but not limited to, foam, when the discharge was not expressly allowed in a regional plan or proposed regional plan or r	Kaikoura	\$300
Mark Eathorne	18/11/2009	In that you discharged a contaminate into the air, namely particulate in the form of smoke, when you burnt specified waste, namely, but not limited to, paint and metal, when the discharge contravened a regional rule, namely rule AQL36	Christchurch	\$300
Stephen Matthew	19/11/2009	In that you discharged a contaminant into	Christchurch	\$300

Brown		the air, namely particulate in the form of smoke, when you burnt specified waste, namely, but not limited to, paint and treated wood, when the discharge contravened a rule in a regional plan and a proposed plan		
Paul Nicholas Gearney	16/12/2009	You have contravened an abatement notice (other than a notice under section 322 (1) (c)) issued by Environment Canterbury on 26 June 2007	Timaru	\$750
Paul Nicholas Gearney	16/12/2009	In that you took groundwater, from bore J40/0899, when no recording device was installed and as such this contravened a rule in a regional plan and any relevant proposed regional plan or resource consent	Timaru	\$500
David Alfred Geddes	17/02/2010	Dairy effluent onto land may result in contaminates entering water	Ashburton	\$750
Craig Stewart Thompson	17/02/2010	Dairy effluent onto land may result in contaminates entering water	Ashburton	\$750
Keith Andrew Dickson	1/03/2010	Stock effluent from a transport truck onto land which may result in that contaminant entering ground water	Orari	\$750
Upper Clutha Transport Co Ltd	1/03/2010	Stock effluent from a transport truck onto land which may result in that contaminant entering ground water	Orari	\$750
Kelly Johansson	4/03/2010	Discharged contaminants, namely vehicle wash detergent into water, which may result in that contaminant entering water, namely the Waimakariri River.	Kaianga	\$750
Timothy James Saywell	12/03/2010	Discharge contaminants, namely dairy effluent onto land n circumstance which may result in that contaminant entering ground water, when that discharge was not expressly allowed by a national environmental standard or other regulations, rule in a regional	Ashburton	\$750
Parklands Southland Limited	12/03/2010	Discharge of contaminants, namely suspended particulate (dust) into air from an industrial/trade premises which was objectionable and offensive beyond the property boundary, when that discharge was not expressly allowed by a national environmental standard	Christchurch	\$1,000
Parklands Southland Limited	12/03/2010	Discharge of contaminants, namely suspended particulate (dust) into air from an industrial/trade premises which was objectionable and offensive beyond the property boundary, when that discharge was not expressly allowed by a national environmental standard	Christchurch	\$1,000
Thomas Peter Ward	17/03/2010	Dairy effluent onto land may result in contaminates entering water	Ashburton	\$750
Lindsay Winston Bagrie	17/03/2010	Dairy effluent onto land may result in contaminates entering water	Ashburton	\$750
Thomas Peter Ward	17/03/2010	Contravention of an abatement notice	Ashburton	\$750
Lindsay Winston Bagrie	17/03/2010	Contravention of an abatement notice	Ashburton	\$750
Danny Burchea	18/03/2010	Dairy effluent onto land via soak hole	Rakaia	\$750
Matthew Holmes	18/03/2010	Dairy effluent onto land via soak hole	Rakaia	\$750
Danny Burchea	18/03/2010	Dairy effluent overflowing from a sump	Rakaia	\$750

Matthew Holmes	18/03/2010	Dairy effluent overflowing from a sump	Rakaia	\$750
Delhaven Farms	18/03/2010	Dairy effluent onto land may result in contaminates entering water	Leeston	\$750
Christchurch Bus Services Ltd	24/03/2010	Outdoor burning - industrial - contaminants	Christchurch	\$1,000
Concrete Sealing NZ Ltd	26/03/2010	Discharge of concrete waste to storm water	Christchurch	\$750
Jatra Corporation	26/03/2010	Discharge of food processing waste to storm water	Christchurch	\$750
Mercer-Reid Farms	31/03/2010	Dairy effluent onto land may result in contaminates entering water	Winchester	\$750
David William Maw	14/04/2010	Stubble burning	Rakaia	\$300
Clearview Dairies Ltd	14/04/2010	Contravention of an abatement notice	Rakaia	\$750
Garry Charles Johnston	5/05/2010	Stubble burning	St Andrews	\$300
Jeremy Mattson	6/05/2010	Ponding of dairy effluent	Rangitata	\$750
Christchurch Ready Mix	11/05/2010	Outdoor burning - industrial	Christchurch	\$1,000
Patricia Mary Cameron	12/05/2010	Contravention of an abatement notice - to remove	Leeston	\$750
Patricia Mary Cameron	12/05/2010	Contravention of an abatement notice - do not discharge	Leeston	\$750
Propad Investments Ltd	27/05/2010	Contravention of an abatement notice - ponding of effluent	Hinds	\$750
Propad Investments Ltd	27/05/2010	Dairy effluent onto land may result in contaminant entering water	Hinds	\$750
Dietmar Kopetschny	27/05/2010	Dairy effluent onto land may result in contaminant entering water	Hinds	\$750
Kim Elliot Jensen	3/06/2010	Dairy effluent onto land may result in contaminates entering water	Glenavy	\$750
Kim Elliot Jensen	3/06/2010	Contravention of an abatement notice - ponding of effluent	Glenavy	\$750
Papamoa Enterprises Ltd	3/06/2010	Dairy effluent onto land may result in contaminates entering water	Glenavy	\$750
Papamoa Enterprises Ltd	3/06/2010	Contravention of an abatement notice - ponding of effluent	Glenavy	\$750
Tomic Farming Co Ltd	14/06/2010	Dairy effluent, resulting in ponding onto land may result in contaminants entering ground water	Timaru	\$750
Tomic Farming Co Ltd	14/06/2010	Contravention of an abatement notice - ponding of effluent	Timaru	\$750
Peter Turner Contracting Ltd	16/06/2010	Outdoor burning - industrial - contaminants	Christchurch	\$1,000

Appendix 3 Abatement notices

Abatement notices issued from 1 July 2009 to 30 June 2010.

Alleged offender	Date issued	Requirement	Location
Evan Keith Chisnall	5/07/2009	Do not take water from bore until water flow measuring and recording device installed	Hinds
A Rowe	8/07/2009	Remove the effluent solids that have been dumped on your property	Cust
A Rowe	8/07/2009	Do not discharge effluent solids to land that may enter water	Cust
Andrew John Pattullo & Barbara Ann Knopp	9/07/2009	Do not discharge contaminates to air from outdoor burning of specified waste	Christchurch
Andrew John Pattullo & Barbara Ann Knopp	9/07/2009	Remove all contaminants from pit	Christchurch
Andrew John Pattullo & Barbara Ann Knopp	9/07/2009	Do not discharge contaminates to air from outdoor burning of specified waste	Christchurch
Yaldhurst Trailers and Equipment Ltd	9/07/2009	Do not discharge contaminates to air from outdoor burning of specified waste	Christchurch
Yaldhurst Trailers and Equipment Ltd	9/07/2009	Do not discharge contaminates into or onto land	Christchurch
Yaldhurst Trailers and Equipment Ltd	9/07/2009	Remove all contaminants from pit	Christchurch
Allan John Ackroyd & Tony John Ackroyd	10/07/2009	Do not take water from galleries until water flow measuring and recording device installed	Temuka
Allan John Ackroyd & Tony John Ackroyd	10/07/2009	Do not take water from bore until water flow measuring and recording device installed	Temuka
J Mould Demolition	10/07/2009	Do not discharge contaminates to air from outdoor burning of specified waste	Christchurch
J Mould Demolition	10/07/2009	Do not discharge contaminates into or onto land	Christchurch
Allan David Begg	13/07/2009	Do not take water from bore until a tamper-proof electronic recording device installed	Elgin

Baylyn Farm Ltd	13/07/2009	Do not take water from bore until a tamper-proof electronic recording device installed	Ikawai
Caithness Farm Ltd	13/07/2009	Do not take water from bore until a tamper-proof electronic recording device installed	Makikihi
Drumblade Farm	14/07/2009	Do not take water from bore until a tamper-proof electronic recording device installed	Hinds
Tumblar Products Ltd	14/07/2009	Do not discharge process effluent from the manufacturing of hygiene products to land	Christchurch
Mark Raymond Starink	16/07/2009	Do not discharge waste water from a toilet to ground water	Rangiora
Hurunui District Council	21/07/2009	Comply with condition 4 of RC undertake sampling	Cheviot
Hurunui District Council	21/07/2009	Comply with condition 12 of RC provide sampling results	Cheviot
Bailey Trustee Services Ltd	22/07/2009	Instruct and advise occupier of house to cease the discharge of smoke, fumes odour from domestic solid fuel burning device	Christchurch
Charles Samuel Anderson	22/07/2009	Do not excavate, drill, tunnel or disturb, or disturb, remove, damage or destroy and plant in the creek	Fairlie
Cresslands Farms Ltd	22/07/2009	Do not discharge dairy effluent to land that may enter water	Rangiora
Sea Products Ltd	22/07/2009	Do not discharge process effluent from the processing of mussels onto or into land (Section 15 (d))	Christchurch
Sea Products Ltd	22/07/2009	Do not discharge process effluent from the processing of mussels onto or into land (Section 15 (b))	Christchurch
The Occupier/82 Cutts Road	22/07/2009	Do not discharge smoke, fumes and odour from a domestic solid fuel burning device	Christchurch
Smith Crane and Construction	24/07/2009	Do not discharge paint, solvents and hydrocarbons including lubricants onto or into land.	Christchurch
G J & G C Carr Group Investments Ltd	28/07/2009	Do not take water from bore until a tamper-proof electronic recording device installed	Mayfield
Grant Pastoral Ltd	28/07/2009	Do not take water from bore until a flow measuring and recording device installed.	Rangitata
McFarlane Agriculture Ltd	28/07/2009	Do not take water from bore until a tamper-proof electronic recording device installed	Temuka
McFarlane Agriculture Ltd	28/07/2009	Do not take water from bore until a tamper-proof electronic recording device installed	Temuka

Turley Farms Ltd	28/07/2009	Do not take water from bore until a flow measuring and recording device installed.	Orton
Turley Farms Ltd	28/07/2009	Do not take water from bore until a flow measuring and recording device installed.	Rangitata
B J Johns	29/07/2009	Do not take water from drain until a flow measuring and recording device installed	Culverden
Geoffrey Martin Stoddart	29/07/2009	Do not take water from bore until a flow measuring and recording device installed.	Rangitata
J D & C M McKenzie	29/07/2009	Do not take water from bore until a flow measuring and recording device installed.	Ashburton
S G Holland Ltd	29/07/2009	Do not take water from bore until a flow measuring and recording device installed.	Cheviot
Waybrooke Dairy Farm Ltd	29/07/2009	Do not take water from bore until a flow measuring and recording device installed.	Rangitata
Hunter Stream Grazing Ltd	30/07/2009	Do not take water from bore until a flow measuring and recording device installed.	Springbank
A M & A L Schmack	31/07/2009	Do not take water from bore until a recording device is operational	Ashburton
A T Deans	31/07/2009	Do not take water from bore until a flow measuring and recording device installed.	Amberley
Austin Farming Ltd	31/07/2009	Do not take water from bore until a flow measuring and recording device installed.	Ashburton
Austin Farming Ltd	31/07/2009	Do not take water from bore until a flow measuring and recording device installed.	Ashburton
Christopher Ian Bolderston & Diane Margaret Bolderston	31/07/2009	Do not take water from bore until a flow measuring and recording device installed.	Coldstream
G E Evans	31/07/2009	Do not take water from bore until a flow measuring and recording device installed.	Oxford
M W Gilbert	31/07/2009	Do not take water from bore until a recording device is operational	Ashburton
Moonshine Farms Ltd	2/08/2009	Do not take water from bore until a flow measuring and recording device installed.	Tinwald
Moonshine Farms Ltd	2/08/2009	Do not take water from bore until a flow measuring and recording device installed.	Tinwald
A G Redmond	4/08/2009	Do not take water from bore until a recording device is installed	Kirwee
Wexford Farming Co Ltd	4/08/2009	Do not take water from bore until a recording device is installed	Rakaia

C J Halliday	5/08/2009	Do not take water from bore until a flow measuring and recording device installed.	Ashburton
G D & J A Evans	5/08/2009	Do not take water from bores until a flow meters and recording devices are installed	Oxford
Breens Constructing (2009) Ltd	11/08/2009	Do not deposit any material that does not comply condition 5.1	Christchurch
Breens Contracting (2009) Ltd	11/08/2009	Remove all fill deposited that does not comply with resource consent	Christchurch
Christchurch City Council	11/08/2009	Do not deposit any material that does not comply condition 5.1	Christchurch
Resource Recycling Technologies	11/08/2009	Do not discharge contaminants to air from metal melting, including foundries and smelters	Christchurch
Resource Recycling Technologies	11/08/2009	Do not discharge solvents and hydrocarbons onto or into land	Christchurch
Resource Recycling Technologies	11/08/2009	Do not discharge to air contaminants rubber, plastics, bitumised hessian from outdoor burning	Christchurch
Alexander David MacKenzie	12/08/2009	Do not take water from bore until a tamper-proof electronic recording device installed	Geraldine
C J Bell	12/08/2009	Do not take water from bores until a water flow measuring and recording device installed	Dromore
Creation Farm Ltd	12/08/2009	Do not take water from bore until a tamper-proof electronic recording device installed	Lyndhurst
D J Butterick	12/08/2009	Do not take water from bore until a tamper-proof electronic recording device installed	Lauriston
Mitcham Dairies Ltd	12/08/2009	Do not take water from bore until a tamper-proof electronic recording device installed	Lauriston
Mitcham Dairies Ltd	12/08/2009	Do not take water from bore until a water flow measuring and recording device installed	Rakaia
Kintyre Investments Ltd	13/08/2009	Do not take water from bore until a tamper-proof electronic recording device installed	Willowby
M J & D M Brown	13/08/2009	Do not take water from bore until a water flow measuring and recording device installed	Eyreton
R B & R W M Johnson	13/08/2009	Do not take water from bore until a water flow measuring and recording device installed	Springfield
R W L Johnson	13/08/2009	Do not take water from bores until a water flow measuring and recording device installed	Westerfield

Denis James Stoddart & Malcolm John Stoddart	14/08/2009	Do not take water from bore until a water flow measuring and recording device installed	Hinds
Ealing Dairies Ltd	14/08/2009	Do not take water from bore until recording device is operational	Hinds
Eiffelton community Irrigation Scheme Inc	14/08/2009	Do not take water from bore until a water flow measuring and recording device installed	Eiffelton
Eiffelton community Irrigation Scheme Inc	14/08/2009	Do not take water from bore until a water flow measuring and recording device installed	Willowby
Estate H R Bell	14/08/2009	Do not take water from bore until recording device is operational	Rakaia
Grantham Farming Ltd	14/08/2009	Do not take water from bore until a water flow measuring and recording device installed	Eiffelton
Ian Robert Moore & Rosalyn Dorothy Moore	14/08/2009	Do not take water from bore until a water flow measuring and recording device installed	Hinds
M N & S H McKenzie	14/08/2009	Do not take water from bore until recording device is operational	Amberley
Roderick Ian Charles Mackenzie	14/08/2009	Do not take water from bore until a water flow measuring and recording device installed	Eiffelton
C E & M E Ross	18/08/2009	Do not take water from bores until a fully functional recording device is operational	Ashburton
C E & M E Ross	18/08/2009	Do not take water from bore until recording device is operational	Ashburton
O A Gould	18/08/2009	Do not take water from bore until a water flow measuring and recording device installed	Ashburton
Orton holdings Ltd	18/08/2009	Do not take water from bores until a fully functional recording device is operational	Rakaia
Orton holdings Ltd	18/08/2009	Do not take water from bores until a fully functional recording device is operational	Rakaia
Kakano Ltd	20/08/2009	Do not take water from bore until a tamper-proof electronic recording device installed	Geraldine
Motukaika Dairy Ltd	20/08/2009	Do not take water from bore until a tamper-proof electronic recording device installed	Cave
J M Blair	21/08/2009	Do not take water from bores until recording devices are fully functional.	Ashburton
R & I Jones Farms Ltd	21/08/2009	Do not take water from bore until a water flow measuring and recording device installed	Rakaia

Waioto Farm Ltd	21/08/2009	Do not take water from bore until a recording device is installed	Ashburton
Fairleigh Farm Ltd	24/08/2009	Do not take water from bore until a water flow measuring and recording device installed	Sheffield
Fairleigh Farm Ltd	24/08/2009	Do not take water from bores until a water flow measuring and recording device installed	Sheffield
Fernwood Dairies Ltd	24/08/2009	Do not take water from bore until a tamper-proof electronic recording device installed	Pareora
Moffitt Partnership Ltd	24/08/2009	Must not undertake the following: Take water from bore K38/1366, as described in resource consent CRC040397.1, until such time as a tamper proof electronic measuring and recording device such as a flowmeter and datalogger is installed in accordance with condition 9 of CRC040397.1	Temuka
Oakwood (Canterbury) Properties Ltd	24/08/2009	Do not take water from bores until recording devices are fully functional.	Ashburton
P R & LL M Latimer	24/08/2009	Do not take water from bore until a water flow measuring and recording device installed	Rangiora
Kaikoura District Council	25/08/2009	Comply with condition 24 of Resource Consent CRC073373, namely undertake a design review of the capacity and adequacy of the Sullivans Gully stormwater system	Kaikoura
A J Galletly	26/08/2009	Do not take water from bores until recording devices are fully functional.	Waiau
Afresco Ltd	26/08/2009	Do not take water from bores until a water flow measuring and recording device installed	Orton
D J Teece	26/08/2009	Do not take water from bore until recording device is installed	Spotswood
Mackle Farming Co Ltd	26/08/2009	Do not take water from bores until a water flow measuring and recording device installed	Clandeboye
Mackle Farming Co Ltd	26/08/2009	Do not take water from bores until a water flow measuring and recording device installed	Temuka
R & P McIntosh Ltd	26/08/2009	Do not take water from bores until a water flow measuring and recording device installed	Culverden
Resource Recycling Technologies	26/08/2009	Do not discharge solvents and hydrocarbons onto or into land	Christchurch

Ryal Bush Transport Ashburton Ltd	26/08/2009	Construct and install storm water treatment system in accordance with submitted plans	Tinwald
South Branch Farm Ltd	26/08/2009	Do not take water from bores until a water flow measuring and recording device installed	Christchurch
Southbranch Farm Ltd	26/08/2009	Take and use water from the Otukaikino creek, as described in resource consent CRC072654, until such time as water flow measuring and recording devices are installed in accordance with conditions 7 of CRC072654	Belfast
Mainland Drums (2003) Ltd	28/08/2009	Do not discharge contaminants to air from the burning of painted wood, metals etc	Christchurch
Alan Neil Foote	31/08/2009	Do not discharge carrot wash water with a suspended concentration in the surface water increased by more than 10%	Temuka
Bellwin Farms Ltd	31/08/2009	Do not take water from bore until a tamper-proof electronic recording device installed	Ashburton
D G & C J Dennis	31/08/2009	Do not take water from bore until recording device is installed	Hanmer Springs
Midway Farm Ltd	31/08/2009	Do not take water from bore until a tamper-proof electronic recording device installed	Hinds
AMC Construction Ltd	1/09/2009	Do not discharge contaminants into water, comply with consent conditions	Christchurch
David Bruce Lundie	1/09/2009	Do not take water from bores until a water flow measuring and recording device installed	Pleasant Point
I Hood	2/09/2009	Do not take water from bore until recording device is installed	Westerfield
Monty Fields Ltd	2/09/2009	Do not take water from bore until water flow measuring and recording device installed	Ashburton
M J & S M McGuire	3/09/2009	Do not take water from bore until a recording device is installed	Dorie
J S Rutherford	4/09/2009	Do not take water from bore until water flow measuring and recording device installed	Waiau
Centrewood Farm Ltd	7/09/2009	Do not take surface water until a functioning recording devices are installed	Waimate
R G Young & Hubbard Churcher Trust Management Ltd	7/09/2009	Do not take water from bore until a tamper-proof electronic recording device installed	Hinds

E G Ludemann Ltd	8/09/2009	Do not take water from bore until a tamper-proof electronic recording device installed	Willowby
Jonathan Charles Kirk	8/09/2009	Do not take surface water until a functioning recording devices are installed	Waimate
M B & M J Ridgen Trustees Ltd & M B Ridgen	8/09/2009	Do not take water from bore until a recording device is installed	Greendale
N D Oliver	8/09/2009	Do not take water from bore until water flow measuring and recording device installed	Hororata
Robert Alan Bennett	8/09/2009	Do not take water from bore until a tamper-proof electronic recording device installed	Ashburton
Steve Robert Fenwick	8/09/2009	Do not take surface water until a functioning recording devices are installed	Duntroon
Bartlett Concrete Placing Ltd	9/09/2009	Do not discharge truck washings on site	Christchurch
Christopher Gavin Ryder	9/09/2009	Do not discharge grey water or effluent onto land	Kaiapoi
Ddot Holdings Ltd	9/09/2009	Do not take water from bore until a recording device is installed	Dunsandel
J J McDougall & L L McDougall	9/09/2009	Do not discharge truck washings on site	Christchurch
John & Alison Gray Family Trust	9/09/2009	Do not take water from bore until a water measuring and recording device is installed	Greendale
S J Worsfold	9/09/2009	Do not take water from bore until a recording device is installed	Greendale
Silverstream Dairy Farm Ltd	9/09/2009	Do not take water from bore until a recording device is installed	Bankside
David Lockhart Easton	11/09/2009	Do not excavate, drill, tunnel or disturb, or disturb, remove, damage or destroy and plant in the creek	Waitaki
Bonar Farms Ltd	14/09/2009	Do not take water from bore until a water flow measuring and recording device installed	Dromore
Canterbury Land Co Ltd	14/09/2009	Do not take water from bore until a water flow measuring and recording device installed	Ashburton
Murphy Pack Potatoes 2004 Ltd	14/09/2009	Do not take water from bore until water flow measuring and recording device installed	Leeston
Shepherds Brook Farm Ltd	14/09/2009	Do not take water from bore until a water flow measuring and recording device installed	Ashburton

Singletree Dairies Ltd	14/09/2009	Do not take water from bore until a water flow measuring and recording device installed	Pendarves
Vernon Neil Thomas	14/09/2009	Do not take water from bore until a water flow measuring and recording device installed	Fairton
Waikimihia Farm Ltd	14/09/2009	Do not take water from bore until water flow measuring and recording device installed	Dunsandel
Waynham Farm Ltd	14/09/2009	Do not take water from bore until a data logger is installed	Waimate
B R H & A M Fechny	15/09/2009	Do not take water from bore until a water measuring and recording device is installed	Aylesbury
B S Hunt	15/09/2009	Do not take water from bore until a recording device is installed	Hororata
Brian George Stratford	15/09/2009	Do not take surface water until a functioning recording device is installed	Timaru
F P Milsom	15/09/2009	Do not take water from bores until a water measuring and recording device is installed	Greendale
Michael & K J Oakley	15/09/2009	Do not take water from bore for irrigation until a water flow measuring and recording device is installed	Darfield
George James Steven	16/09/2009	Do not take surface water until a functioning recording device is installed	Otipua
Lindsay Bruce Trounce	17/09/2009	Do not take surface water until a functioning recording device is installed	Timaru
Lindsay Bruce Trounce	17/09/2009	Do not take surface water until a functioning recording device is installed	Timaru
Gary Owen Berg & Kathleen Theresa Berg	21/09/2009	Instruct and advise the occupier('s) to cease the discharge of contaminants to air from outdoor burning	Kaiapoi
Occupier	21/09/2009	Do not discharge or permit to air from the outdoor burning of any material within a residential area	Kaiapoi
Robert Reginald McIlraith	23/09/2009	Do not divert floodwater from your property onto neighbouring land	St Andrews
Ross Edward Rathgen	23/09/2009	Do not divert floodwater from your property onto neighbouring land	St Andrews
Christopher Ian Bolderston & Diane Margaret Bolderston	25/09/2009	Do not take water until a water flow measuring and recording device is installed	Coldstream
Kaikoura District Council	29/09/2009	Comply with condition 24 of Resource Consent CRC073373	Kaikoura

AMC Construction Ltd	30/09/2009	Do not discharge contaminants into water, comply with consent conditions	Christchurch
Christchurch City Council	1/10/2009	Continue to monitor and comply with conditions 1 to 30 of expired resource consent CRC012011.2	Christchurch
Christchurch City Council	1/10/2009	Do not: discharge treated wastewater into the Avon Heathcote Estuary	Christchurch
Fallgate Farm Ltd	5/10/2009	Do not take water until a water flow measuring and recording device installed	Coldstream
Fallgate Farm Ltd	5/10/2009	Do not take water until a water flow measuring and recording device installed	Coldstream
Kingloch Holdings Ltd	7/10/2009	Do not take water until a functioning recording device is installed	Wakanui
Calder Stewart Industries Ltd	8/10/2009	Do not discharge to air contaminates from outdoor burning	Christchurch
John Aitken France	16/10/2009	Do not take water from a tributary of Cricklewood Creek for irrigation purposes	Albury
N G & M C Campbell	20/10/2009	Do not discharge dairy shed effluent onto land that causes ponding	Geraldine
Rangitata Dairies Ltd	27/10/2009	Do not discharge contaminants to land	Ashburton
Paul Brendon Thistoll	2/11/2009	Do not discharge contaminants to air from the burning of contaminants	Burnham
Reith Farm Ltd	5/11/2009	Do not take water from bore until a flow measuring and recording device is installed	Ealing
Bruce Malcolm McDonald	9/11/2009	Do not discharge contaminates into air from the burning of contaminating materials including (but not limited to) plastic, rubber, metal, or waste oil	Christchurch
Stephen Matthew Brown	9/11/2009	Do not discharge contaminates to air from the outdoor combustion of demolition materials including but not limited to: painted/treated wood, plastics, rubber metals and synthetic materials.	Christchurch
Accord Dairies Ltd	11/11/2009	Do not take water from bore J38/0119 at or about map reference NZMS 260 J38:6975-7070	Geraldine

Stornaway Farm Ltd	11/11/2009	Do not discharge dairy shed effluent onto land in a manner that causes effluent to pond on the land surface where it may enter groundwater	Geraldine
Malcolm Henry Cone & marina Clemence Cone	16/11/2009	Do not take water from Cone Creek at or about map reference NZMS 260 J38:621-596 at a rate greater than prescribed by condition 5 while restrictions are in place for the unmodified flow of the Opihi River at SH1 bridge as estimated by CRC	Temuka
P J & Y Collins Ltd	17/11/2009	Do not take water from bore J39/0669 at or about map reference NZMS 260 J39:65779-34848 with a volume not exceeding 6048 cubic metres in any period of seven consecutive days	Pareora
Francis John Fisher Van Der Veen	18/11/2009	Do not discharge odour from any activity within the property, in a manner which is offensive or objectionable beyond the boundary of that property	Christchurch
Peter John Saywell	18/11/2009	Do not take water from an unnamed tributary of Barkers Creek at or about map reference NZMS 260 J37:6655-8184 during restrictions in a manner that is contrary to condition 4 of resource consent CRC991974 which either restricts or prevents the taking of water depending on the flows in the he Temuka River measured at the Manse Bridge recorder site.	Geraldine
Riverdale Dairy Ltd	18/11/2009	Do not take water from an unnamed creek, at or about map reference NZMS 260 J38:6870-7000, during restrictions in a manner that is contrary to condition 4 of resource consent CRC991988.1 which either restricts or prevents the taking of water depending on the flows in the Temuka River measured at the Manse Bridge recorder site	Winchester
Gregory Bates	19/11/2009	Remove that part of the concrete steps that you erected, in, on, under and over the foreshore or seabed	Christchurch

B J Dakin & Co Ltd	25/11/2009	Contain and seal all contaminants unearthed from an area to the south of Gate 3 of the premises on 20 October 2009 at Lot 3 DP 57450, located at 100 Ruru Rd, Bromley, Christchurch	Christchurch
M R Skilling	2/12/2009	Do not take water from bores, M36/7426 at or about map reference NZMS 260 M36:5665-1355 and M36/1372 at or about map reference NZMS 260 M36:5661-1322 at a rate greater than 25 litres per second	Leeston
M R Skilling	2/12/2009	Do not take water from bores, M36/7426 at or about map reference NZMS 260 M36:5665-1355 and M36/1372 at or about map reference NZMS 260 M36:5661-1322 at a volume greater than 23436 cubic metres in any period of 14 consecutive days and 150660 cubic metres in any period 1 July to the following 30 June.	Leeston
Adrianus Josefus Petrus Maria Hendricks	3/12/2009	The taking of water from bores K38/0481. K38/0482 and K38/0734 at or about map references NZMS 260 K38:7080-7820, K38:7136-7872, K38;7244-7792.in exceedance of the maximum flow rate, seven-consecutive day volume and, while restrictions are in place for the Temuka River at the Manse Bridge recorder site.	Geraldine
Andrew Philip Turner	3/12/2009	The taking of water from bores K38/0481. K38/0482 and K38/0734 at or about map references NZMS 260 K38:7080-7820, K38:7136-7872, K38;7244-7792.in exceedance of the maximum flow rate, seven-consecutive day volume and, while restrictions are in place for the Temuka River at the Manse Bridge recorder site.	Geraldine

Annieta Josefina Maria Hendriks	3/12/2009	The taking of water from bores K38/0481. K38/0482 and K38/0734 at or about map references NZMS 260 K38:7080-7820, K38:7136-7872, K38;7244-7792.in exceedance of the maximum flow rate, seven-consecutive day volume and, while restrictions are in place for the Temuka River at the Manse Bridge recorder site.	Geraldine
Company No: 842874/Delhaven Farms Ltd	3/12/2009	Do not discharge and/or storing dairy effluent in a manner that results in any contravention of condition 5 of your resource consent CRC054834	Southbridge
Johan Henricus Geerts	3/12/2009	The taking of water from bores K38/0481. K38/0482 and K38/0734 at or about map references NZMS 260 K38:7080-7820, K38:7136-7872, K38;7244-7792.in exceedance of the maximum flow rate, seven-consecutive day volume and, while restrictions are in place for the Temuka River at the Manse Bridge recorder site.	Geraldine
Paul Robert Turney	3/12/2009	The taking of water from bores K38/0481. K38/0482 and K38/0734 at or about map references NZMS 260 K38:7080-7820, K38:7136-7872, K38;7244-7792.in exceedance of the maximum flow rate, seven-consecutive day volume and, while restrictions are in place for the Temuka River at the Manse Bridge recorder site.	Geraldine
Stephen James Lindsay	3/12/2009	The taking of water from bores K38/0481. K38/0482 and K38/0734 at or about map references NZMS 260 K38:7080-7820, K38:7136-7872, K38;7244-7792.in exceedance of the maximum flow rate, seven-consecutive day volume and, while restrictions are in place for the Temuka River at the Manse Bridge recorder site.	Geraldine

Dormer Construction	4/12/2009	The discharge of water from any de-watering operation where the water has not either been pumped over 50 metres of grasses area or been treated via a sediment retention pond as per condition 13 of the resource consent CRC093119.	Christchurch
K B Contracting & Quarries Ltd	4/12/2009	The discharge of water from any de-watering operation where the water has not either been pumped over 50 metres of grasses area or been treated via a sediment retention pond as per condition 13 of the resource consent CRC093119.	Christchurch
Alpine Ice Sports Ltd	7/12/2009	Discharge of contaminants or water into water, or contaminant onto or into land in circumstances which may result in that contaminant (or any other contaminant emanating as a result of a natural process from that contaminate) entering water. In particular but not limited to, discharges from the storm water system located on your property into the Heathcote River via Jacksons Creek, Christchurch	Christchurch
Lignotech Developments Ltd	8/12/2009	Discharge contaminants (including but not limited to hydrocarbons, organic by-product material, and waste water) onto or into land	Ashburton
Alexander Wilson Kelman	10/12/2009	The taking of water from bores K38/0386, K38/0387, and K38/0420 at or about map references NZMS 260 K38:7084-7045, K38:7088-7050, K38:7065-7115 in exceedance of the maximum daily volume while restrictions are in place for the Temuka River at the Manse Bridge recorder site.	Temuka
Mr David Geddes	17/12/2009	Do not discharge dairy effluent onto land in a manner where ponding on the land surface occurs and do not discharge dairy effluent onto land in a manner where runoff occurs	Ashburton
Michael O'Connor	18/12/2009	Discharging and/or storing dairy effluent in a manner that results in any contravention of condition 6 of your resource consent, CRC981714.3	Rakaia

South River Dairy Ltd	18/12/2009	Discharging and/or storing dairy effluent in a manner that results in any contravention of condition 6 of your resource consent CRC9817141.3	Rakaia
Totara Farming Co Ltd	23/12/2009	The damming and/or diversion of water from Scrubby Creek into a water race. Irrigation from the water race fed from Scrubby Creek. Discharging water to camp Creek from the irrigation diversion race.	Twizel
TIJ Delany	18/01/2010	Discharge of a contaminant namely dairy shed effluent and wash down water to land such that the discharge results in ponding on the land surface	Culverden
David Pender	21/01/2010	The discharge of offensive and objectionable odour beyond the property boundary of 215 Whincops Road	Halswell
David Pender	21/01/2010	Discharge of contaminants into air from outdoor burning of any specified waste materials including (but not limited to) plastics, metal, painted or treated wood and synthetic material	Halswell
Vincent & Colleen Pender	21/01/2010	The discharge of offensive and objectionable odour beyond the property boundary of 215 Whincops Road	Halswell
Vincent & Colleen Pender	21/01/2010	Discharge of contaminants into air from outdoor burning of any specified waste materials including (but not limited to) plastics, metal, painted or treated wood and synthetic material	Halswell
Clearview Rangitata Ltd	28/01/2010	The taking of water from bore K38/1695 at or about map reference NZMS 260 K38:8753-6897 in exceedance of the maximum flow rate of 30 litres per second and with a volume not exceeding 2,100 cubic metres per day at Orton Rangitata Mound Road, Temuka	Temuka

Mr & Mrs M L & A C Schrader	29/01/2010	The taking of water from bore K38/1841 at or about map reference NZMS 260 K38:9225-7901 in exceedance of the maximum flow rate of 32 litres per second and with a volume not exceeding 19,354 cubic metres in any period of seven consecutive days at Coldstram Road, Lowcliffe.	Lowcliffe
Meridian Energy Ltd	2/02/2010	Store dairy effluent unless the storage capacity complies with condition (3) of resource consent CRC085498	Duntroun
Stephem Robert Fenwick	2/02/2010	Discharge dairy effluent onto land in a manner where ponding occurs	Duntroun
Nicholas William Rowley/Motukaika Land Company LTd	11/02/2010	Satisfactorily seal bores J39/0481 and J39/0482 and keep them sealed in such a manner as to prevent the escape of water at any level.	Pareora
birchbrook court Ltd	12/02/2010	The taking of water from bores M35/5648 and M35/5649, both situated on a property at 10 Ryans Road, Yaldhurst, without resource consent	Yaldhurst
birchbrook holdings ltd	12/02/2010	The taking of water from bores M35/5648 and M35/5649, both situated on a property at 10 Ryans Road, Yaldhurst, without resource consent	Yaldhurst
birchbrook ltd	12/02/2010	The taking of water from bores M35/5648 and M35/5649, both situated on a property at 10 Ryans Road, Yaldhurst, without resource consent	Yaldhurst
Ivan Royce Court	12/02/2010	The taking of water from bores M35/5648 and M35/5649, both situated on a property at 10 Ryans Road, Yaldhurst, without resource consent	Yaldhurst
Taralea Farms Ltd	12/02/2010	Discharge dairy shed effluent onto land in a manner that cause effluent to pond on the land surface where it may enter groundwater.	Wichmore
Canterbury Strip Co Ltd/Angus MacKenzie	17/02/2010	Discharge contaminants to air from the outdoor operation of an industrial or trade process, namely abrasive blasting	Christchurch

Canterbury Strip Co Ltd/Angus MacKenzie	17/02/2010	Discharge contaminants to air from any industrial or trade premises resulting from the outdoor operation of abrasive blasting equipment.	Christchurch
Mercer-Reid Farms Ltd	18/02/2010	Discharge of dairy effluent onto land in a manner that causes effluent to pond on the land surface where it may enter ground water. And: Discharge of dairy shed effluent onto land in a manner where runoff occurs where it may enter groundwater, any surface water body or any artificial watercourse.	Winchester
Riverdale Dairy Ltd	18/02/2010	Discharge dairy shed effluent onto land in a manner that causes effluent to pond on the land surface where it may enter groundwater	Winchester
Parklands Southland Ltd	2/03/2010	Discharge suspended particulate material which is offensive or objectionable beyond the boundary of the property named in this notice.	Christchurch
Mazes Farms Ltd	3/03/2010	The taking of water from bores J38/0029 and J38/0287 at or about map reference NZMS 260 J38:5844-5947 and NZMS 260 J38:5828-5963 with a combined rate not exceeding 11 litres per second.	Pleasant Point
Patricia Mary Cameron	5/03/2010	Discharge of animal carcasses into offal pits within the property, in a manner which contravenes the Natural Resources Regional Plan.	Leeston
Patricia Mary Cameron	5/03/2010	Remove all contaminants being spilt milk and milk based products, soil contaminated with those contaminants from the area around the milk storage area observed on the premises	Leeston
Patricia Mary Cameron	5/03/2010	Discharge of contaminants, namely milk and milk based products to ground in a manner which causes an offensive or objectionable odour from the resulting ponding and decomposition of the contaminants	Leeston
Allan Douglas Trott	10/03/2010	Burning of green waste from 140 Belfast Road, Christchurch.	Christchurch

Allan Douglas Trott	10/03/2010	Odour complaint relating to the storage of greenwaste at 490 Main North Road, Christchurch.	Christchurch
Douglas Robert McIntyre	10/03/2010	Discharge of liquid effluent diluted with wash-down water to land until the conditions of Resource Consent CRC0222030.1 requiring the sampling of effluent, and the sampling of surface water and ground-water and submission of the analyses result to Environment Canterbury have been complied with.	Twizel
Jamie Rogers	10/03/2010	Discharge contaminants to air from the outdoor operation of an industrial or trade process, namely collection and or composting organic materials	Christchurch
Peter Edward Spinner & Christine Mary Rivers	10/03/2010	Permitting or allowing cattle to walk on the bed of the Glentui River	Glentui
Regan John Ross	10/03/2010	Discharge contaminants, being stormwater, onto or into land in circumstances which may result in that contaminant entering water.	Kaikoura
Regan John Ross	10/03/2010	The diversion of flood water	Kaikoura
John Andrew Carter	12/03/2010	Discharge contaminants to air from the outdoor combustion of specified waste materials including but not limited to: plastics, rubber, metals, synthetic materials and painted or treated timber unless it is in accordance with a regional rule or a national environmental standard.	Christchurch
Patricia Mary Cameron	12/03/2010	Remove all contaminants being spilt milk and milk based products, soil contaminated with those contaminants from the area around the milk storage area observed on the premises	Leeston
Camden Fairy Farms Ltd	18/03/2010	Discharging and/or storing dairy effluent in a manner that results in any contravention of conditions 3 and 4 of your resource consent CRC940925.2	Leeston
Timo Christopherson	18/03/2010	Discharging and/or storing dairy effluent in a manner that results in any contravention of conditions 3 and 4 of your resource consent CRC940925.2	Leeston

Alistair John Cameron	22/03/2010	Remove all contaminants being spilt milk and milk based products, soil contaminated with those contaminants from the area around the milk storage area observed on the premises	Leeston
Patricia Mary Cameron	22/03/2010	Remove all contaminants being spilt milk and milk based products, soil contaminated with those contaminants from the area around the milk storage area observed on the premises	Leeston
Aaron Madden	6/04/2010	Discharging and/or storing dairy effluent in a manner that results in any contravention of conditions 5 and 6 of your resource consent CRC011547.1	Leeston
Charles Richard Collett	26/04/2010	Remove all of the contaminants (including but not limited to) the large amount of municipal rubbish from the large trench that has recently been excavated at the back, (west end) of your property. & After the rubbish has been removed the trench must be left empty until it has been inspected by Canterbury Regional staff.	Rakaia
Charles Richard Collett	26/04/2010	Properly dispose of all of the contaminants and rubbish removed from the trench on your property, at an authorised waste disposal centre such as a district council transfer station or an approved recycling business. Provide Environment Canterbury with documentation such as a receipt of acceptance, load manifest or inventory issued by an authorised waste disposal centre, for every load of waste removed from your property.	Rakaia
Kim Elliot Jensen	26/04/2010	Discharge dairy shed effluent onto land in a manner that causes effluent to pond on the land surface where it may enter groundwater	Glenavy
Viewbank Dairy Ltd	26/04/2010	Discharge effluent in a manner that results in ponding on the land surface	Dunsandel
Synlait Farms Ltd	6/05/2010	Discharging effluent in a manner that results in effluent ponding on the land surface.	Te Pirita

Jeremy Kent Mattson	24/05/2010	Discharge dairy shed effluent onto land in a manner that causes effluent to pond on the land contrary to condition 6 of resource consent CRC980863.3	Rangitata
Tata Dairies Ltd	24/05/2010	Discharge dairy shed effluent onto land in a manner that causes effluent to pond on the land contrary to condition 6 of resource consent CRC980863.3	Rangitata
Alford Forest Dairies Ltd	27/05/2010	Discharge dairy shed effluent onto land in a manner that causes effluent to pond on the land surface where it may enter groundwater	Alford Forest
Dietmar Kopetschny	27/05/2010	Discharge dairy shed effluent onto land in a manner that causes effluent to pond on the land contrary to condition 6 of resource consent CRC980966.1	Hinds
Bransby Brial Lill	8/06/2010	The diversion of surface water via a culvert on your property	Rangiora