

A person wearing a high-visibility yellow and orange vest, a black long-sleeved shirt, and blue gloves is leaning over a riverbank. They are using a long-handled tool to clear debris from the water. The riverbank is covered in tall, dry grasses and green vegetation. The background shows a dense line of trees under a clear sky.

Compliance Monitoring Report

2020 – 21



environment
SOUTHLAND
REGIONAL COUNCIL
Te Taiao Tonga



**Environmental Compliance
Monitoring Report**

2020/21

**Report by –
Environment Southland
Compliance Team**

**Environment Southland Publication No 2021/09
ISBN No 978-0-909042-81-0**

Foreword

Compliance, monitoring and enforcement (CME) activities are a critical component of Councils functions to ensure that they effectively implement their responsibilities of the Resource Management Act 1991 (RMA). The 2020/21 Compliance Monitoring Report provides an overview of Southland's regional CME activities, carried out by the compliance team over the last year.

This year the dairy inspection programme was significantly impacted by a number of influences including the COVID-19 restrictions. As a result, fewer on-site inspections were able to be conducted, however the use of aerial inspections enabled council to cover the dairy operations in Southland.

This year there was a slight drop in the number of incidents reported to the compliance division than had been reported in the previous year. In the 2020/21 year there were 888 incidents (766 public, 122 staff) compared to 2019/20 year which had 964 incidents reported in total (747 public, 217 staff).

For the purpose of this report, CME means:

- **compliance** - adherence to the RMA, including the rules established under regional plans (operative and proposed), National Environmental Standards and meeting resource consent conditions;
- **monitoring** - the activities carried out by Environment Southland to assess compliance with the RMA, and responding to complaints from the public about potential breaches;
- **enforcement** - actions taken by Environment Southland to respond to non-compliance with the RMA.

This report provides a summary of Southland industry's performance against their primary consents. It covers mainly dairy farming, local authorities and industrial operations, but also includes smaller consent holders such as coastal structures and whitebait stands.

CME are essential tools to achieve the purpose of the RMA - the promotion of sustainable management of natural and physical resources. Investment in good plan, policy-making and resource consenting processes can be undermined if CME are done poorly. Therefore, it is important to ensure that the implementation is planned and structured to achieve good, consistent and legally sound results.

With the changes signalled by the Government and new regulations coming into play, there will be increasing pressure on CME requirements during the next year. This requires a constant review of how these functions are carried out in order to achieve the most efficient and effective results and will present some challenges for the compliance team.



N G Horrell
Chairman
Environment Southland



NMG Cook
Chairman
Regulatory Committee

Contents

- FOREWORD..... II**
- INTRODUCTION..... VI**
- 1.0 INCIDENTS..... 2**
- 2.0 AGRICULTURAL AUDITS 6**
 - 2.1 DAIRY INSPECTION OVERVIEW 6
 - 2.1.1 Discharge consent inspections 7
 - 2.1.2 Wintering pad inspections 8
 - 2.1.3 Aerial inspections..... 8
 - 2.2 GROUNDWATER QUALITY SAMPLING FOR DAIRY 9
 - 2.3 WATER CONSENTS 11
- 3.0 INDUSTRIAL AUDITS – MAJOR INDUSTRIES..... 13**
 - 3.1 MEAT INDUSTRY 13
 - 3.1.1 Alliance Group Limited 13
 - 3.1.2 Blue Sky Meats (NZ) Limited 16
 - 3.1.3 South Pacific Meats Limited 17
 - 3.1.4 Prime Range Meats Limited 18
 - 3.2 DAIRY INDUSTRY 19
 - 3.2.1 Fonterra Co-operative Group Limited 19
 - 3.2.2 Open Country Dairy (NZ) Limited..... 21
 - 3.2.3 Maitava Valley Milk Limited 22
 - 3.3 ENERGY INDUSTRY..... 23
 - 3.3.1 Pioneer Energy Limited..... 23
 - 3.3.2 Meridian Energy Limited..... 25
 - 3.4 MANUFACTURING INDUSTRY..... 27
 - 3.4.1 New Zealand Aluminium Smelters Limited..... 27
 - 3.4.2 Daiken Southland Limited 29
 - 3.5 FERTILISER INDUSTRY 31
 - 3.5.1 Ballance Agri-Nutrients Limited 31
 - 3.5.2 Ravensdown Fertiliser Co-operative Limited..... 32
 - 3.5.3 Fernhill Limeworks Limited 33
 - 3.6 MINING INDUSTRY 34
 - 3.6.1 Greenbriar Limited..... 34
 - 3.6.2 Bathurst Resources Limited 36
 - 3.7 SAWMILL INDUSTRY..... 38
 - 3.7.1 Craigpine Timber Limited..... 38
 - 3.7.2 Findlater Sawmilling..... 39
 - 3.7.3 Lindsay & Dixon Limited 40
- 4.0 SEWAGE TREATMENT AND STORMWATER SYSTEMS 41**
 - 4.1 INVERCARGILL CITY COUNCIL..... 41
 - 4.1.1 Sewage treatment systems..... 41
 - 4.1.2 Stormwater systems 43
 - 4.2 SOUTHLAND DISTRICT COUNCIL..... 45
 - 4.2.1 Sewage treatment systems..... 45
 - 4.2.2 Stormwater systems 50

4.3	GORE DISTRICT COUNCIL.....	52
4.3.1	Sewage treatment systems.....	52
4.3.2	Stormwater systems.....	53
5.0	QUARRYING	55
5.1	GRAVEL EXTRACTION	55
6.0	LANDFILLS	56
6.1	S J TIMPANY CONTRACTING – CLEANFILL	56
6.2	AB LIME LIMITED.....	58
7.0	COASTAL MARINE AREA	60
7.1	SOUTH PORT AND NEW ZEALAND ALUMINIUM SMELTER LIMITED’S COASTAL PLAN AGREEMENTS	60
7.2	WHITEBAIT STANDS.....	61
8.0	TOURISM	62
8.1	DEPARTMENT OF CONSERVATION	62
8.2	MILFORD SOUND TOURISM	65
8.3	ULTIMATE HIKES.....	67
8.3	COASTAL SURFACE WATER ACTIVITIES IN FIORDLAND.....	68
9.0	SMALL INDUSTRIES.....	69
9.1	CLEANFILL SITE INSPECTIONS	69
9.2	TRUCK WASH INSPECTION.....	70
10.0	FORESTRY OPERATIONS IN SOUTHLAND	71
11.0	ENFORCEMENT.....	74
11.1	LETTERS OF DIRECTION AND WARNINGS	74
11.2	ABATEMENT NOTICES	74
11.3	ENFORCEMENT ORDERS	75
11.4	INFRINGEMENT NOTICES.....	75
11.5	ALTERNATIVE ENFORCEMENT ACTION	76
11.6	PROSECUTIONS.....	76
GLOSSARY.....		78

Figures

Figure 1:	Reported incidents per month compared over three years.....	2
Figure 2:	Priority response category compared to previous years.....	3
Figure 3:	Comparison of discharge consent inspection outcomes over three years	7
Figure 4:	Comparison of discharge consent re-inspections over three years	8
Figure 5:	Dairy groundwater monitoring nitrate results for November 2020 and April 2021 (Concentrations of Nitrate measured as g/m ³).	10
Figure 6:	Low rate (less than 5L/s) Compliance 2020/21	11
Figure 7:	Upstream sampling site, Alliance Group Mataura Plant	13
Figure 8:	Fonterra, Edendale	19
Figure 9:	Monowai Power Station	23
Figure 10:	Turbine Hall - Manapouri Power Station	25
Figure 11:	Aerial view of NZAS site. (Image by NZAS)	27
Figure 12:	Aerial view of Daiken Southland site (Image by Daiken Southland Limited).....	29
Figure 13:	Mining operations, New Vale Mine, Waimumu	35
Figure 14:	Active mine pit, Bathurst Resources, Nightcaps.....	36
Figure 15:	Gravel extraction on the Aparima River	55
Figure 16:	S J Timpany tip face October 2019	57
Figure 17:	View of active filling in area 15 with area 14 behind, AB Lime.....	59
Figure 18:	Tiwai Peninsula	60
Figure 19:	Whitebait Compliance Gradings	61
Figure 20:	Mackinnon Pass Shelter, Milford Track	64
Figure 21:	Milford Sound wastewater treatment plant	66
Figure 22:	An example of green waste which is not allowed to be discharged to a cleanfill.....	69
Figure 23:	An example of a truck wash facility	70
Figure 24:	Summary of forestry activities during the 2020/21 year.....	72

Introduction

Environment Southland’s Compliance Monitoring Report has been designed to provide an overview of compliance activities from across Southland during the 2020/21 year. It does not cover all of the activities of the area in detail.

Activities with similar parameters, particularly enforcement, incidents, dairy discharge consents and whitebait stands, have been combined to give a broad overview, rather than reporting on individual conditions or circumstances.

In this report, the dairy industry is reported as a collective as the consent conditions for each farm are similar and compliance with these can be easily compared. Dairy inspections result in each farm receiving a grade which ranges from 1: Full compliance through to 10: Significant non-compliance.

Other industries reported here are either the only one of their type in Southland, or significant differences exist between them that would make comparison of their consent conditions of little value.

Major industrial consents, or those of special interest to Southland, have been identified and are included in the report. Industrial consents are often very complex. This is largely due to the nature of the activity and volume of contaminants that an industry uses or discharges. The industries reported here often have their own environmental assessment teams, or use third party contractors to complete the requirements of their consent.

For each of the major industry reports, a table has been included to assess how well the company has kept Environment Southland informed of monitoring results and how they respond to issues. A second table provides an overall assessment of performance against their consent conditions.

Both tables provide a rating in the form of a traffic light system and a comparison between the 2018/19, 2019/20 and 20/21 years (see below).

Key

Site or consent holders name			
Description of noteworthy event	18/19	19/20	20/21
	Background denotes overall results for year shown in box		

Year

Grading

	Compliance Grade
	FULL COMPLIANCE – Compliance with all relevant consent conditions, plan rules, regulations and national environmental standards.
	LOW RISK NON-COMPLIANCE - Compliance with most of the relevant consent conditions, plan rules, regulations and national environmental standards. Non-compliance carries a low risk of adverse environmental effects or is technical in nature (e.g. failure to submit a monitoring report).
	MODERATE NON-COMPLIANCE - Non-compliance with some of the relevant consent conditions, plan rules, regulations and national environmental standards. The non-compliance was deemed to have had some environmental consequences and/or there is a moderate risk of adverse environmental effects or there was a frequent recurrence of low risk or technical non-compliance.
	SIGNIFICANT NON-COMPLIANCE - Non-compliance with many of the relevant consent conditions, plan rules, regulations and national environmental standards where there were significant environmental consequences and/or a high risk of adverse environmental effects.

Also considered in the gradings are the completeness and quality of the results, evidence of contingency planning, prompt notification of events, completion of full and thorough investigations, maintenance of good communications with Environment Southland, proactive in addressing or highlighting potential issues and evidence of environmental ethics.

After consultation with consent holders and stakeholders we decided for this report to add a fourth compliance grade (yellow) to better reflect consent performance.

This report is separated into three main parts - Inspection and Audit Activities, Incident Response and Enforcement.

Since the first Compliance Monitoring Report in 1998, the format and detail of the report has changed. If there is an area you would like to see more detail on or something you would like added to the report next year, please let us know.

Part A

Incident Response

1.0 Incidents

Compliance officers respond to incidents either found by officers or reports of pollution from members of the public. We have a pollution response available 24/7 (0800 76 88 45).

This year there was a slight drop in the number of incidents reported to the compliance division as in the previous year. In the 2020/21 year there were 888 incidents (766 public, 122 staff) compared to 2019/20 year which had 964 incidents reported in total (747 public, 217 staff).

Where possible, for confirmed breaches of rules or legislation, the costs involved in attending and investigating an incident are charged to an offending party. Unfortunately for many of the incidents staff attend, such as the removal of litter, rubbish and dead stock from waterways, it is not possible to identify the offending party and the costs need to be met by ratepayers.

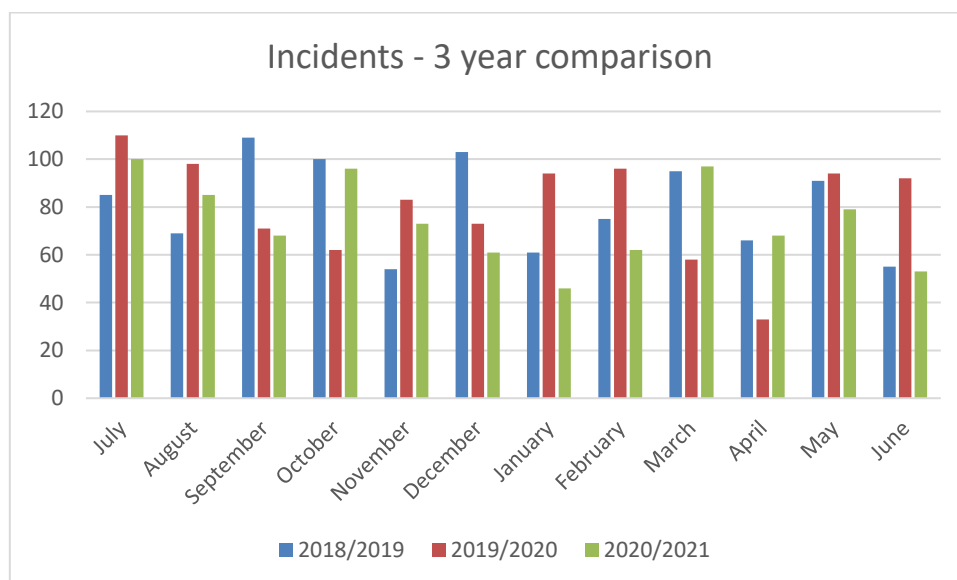


Figure 1: Reported incidents per month compared over three years

The variety of incidents reported to the compliance division can be extremely wide and covers all manner of environmental incidents. A lot of incidents are reasonably simple and can be completed in a short time frame. However, some incidents require a more significant investigation, that takes months to arrive at a resolution.

Priority of incidents

Not all Incidents are created equal. When reported, the initial incident is assigned a priority from High (1 hour to 24 hours), Medium (2 days to 4 weeks) Low (1 month to 6 months). The priority is determined initially based on the impacts to the environment and/or the community. Priorities can also be determined taking into account several factors including the need for rapid evidence collection, the receiving environment and time of day.

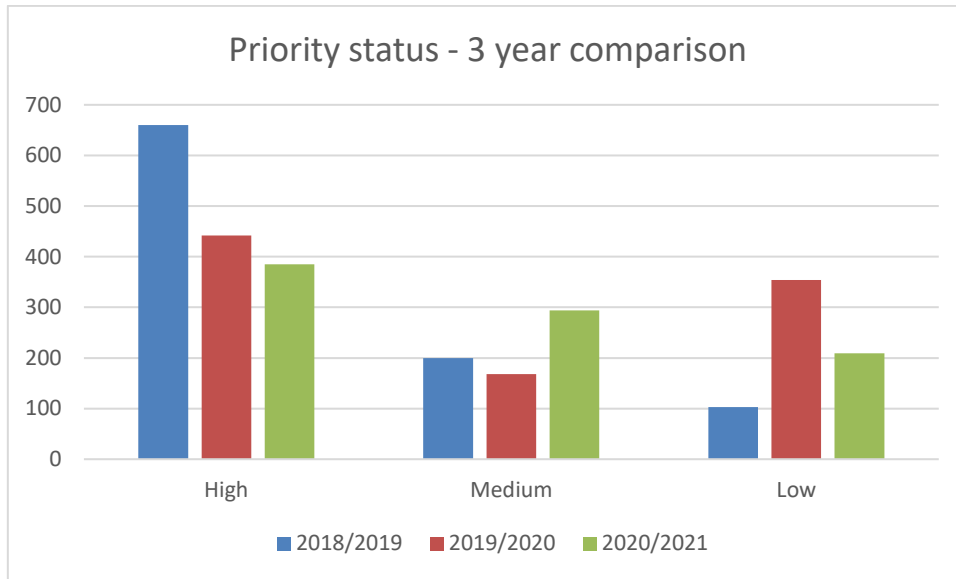


Figure 2: Priority response category compared to previous years

There was a decrease in the number of high priority incidents and a noticeable increase in the number of medium priority incidents this year.

Part B

Inspection and audit activities

2.0 Agricultural audits

The Mycoplasma Bovis bacteria remains a concern on a small number of farms. Ministry of Primary Industries (MPI) are continuing to work to eradicate M. Bovis from New Zealand but its presence continues to impact on the dairy inspection programme.

This year we experienced significant disruption to the inspection programme, and therefore inspection numbers, due to the COVID-19 restrictions.

This year, 13 inspections were rated as being significantly non-compliant of 960 inspections conducted. This equates to approximately 1.3% significant non-compliant inspections.

2.1 Dairy inspection overview

The compliance team undertakes inspections of dairy farms to ensure that there is compliance with the conditions of discharge consents. Discharge consents allow farms to irrigate dairy shed effluent to land.

Dairy shed effluent is created from the milking shed and platform during clean down and is a combination of water and effluent. As such it is an excellent natural liquid fertiliser. It contains nitrogen, phosphorus, potassium, magnesium, sulphur and trace elements essential for grass growth. Normally a farm would have to pay for these nutrients to be applied to pasture.

However, pasture can only use so much effluent at a time. It's important for the person in charge of the system to match the irrigation depth to the capability of the pasture to utilise the nutrients. Over-application of effluent can result in:

- *killing pasture* – especially where effluent has 'ponded' on top of the soil;
- *pollution of groundwater* – by seeping through the soil profile into the groundwater aquifers or an underground source of water;
- *pollution of nearby streams and rivers* – where it runs off paddocks into waterways;
- *ineffective use of nutrients* - by the seeping of the nutrients past the root zone, before the plant can utilise them.

There are four outcomes following an inspection that determine a dairy farm's performance against the conditions of their consent.

	Compliance grade
1	FULL COMPLIANCE. Compliance with all relevant consent conditions, plan rules, regulations and national environmental standards.
2	LOW RISK NON-COMPLIANCE. Compliance with most of the relevant consent conditions, plan rules, regulations and national environmental standards. Non-compliance carries a low risk of adverse environmental effects or is technical in nature (e.g. failure to submit a monitoring report).
5	MODERATE NON-COMPLIANCE. Non-compliance with some of the relevant consent conditions, plan rules, regulations and national environmental standards, where there are some environmental consequences and/or there is a moderate risk of adverse environmental effects.
10	SIGNIFICANT NON-COMPLIANCE. Non-compliance with many of the relevant consent conditions, plan rules, regulations and national environmental standards, where there are significant environmental consequences and/or a high risk of adverse environmental effects.

2.1.1 Discharge consent inspections

External influences continue to impact on the Environment Southland’s ability to complete the dairy monitoring programme. During the 2020/21 season staff monitoring was again hampered by the impact of the COVID-19 restrictions.

Consequently, 960 on-site and aerial dairy shed effluent discharge consent inspections were completed during the 2020/21 season. Of these, 747 were fully compliant, 200 were graded low risk or moderate non-compliance, and 13 were graded significant non-compliance.

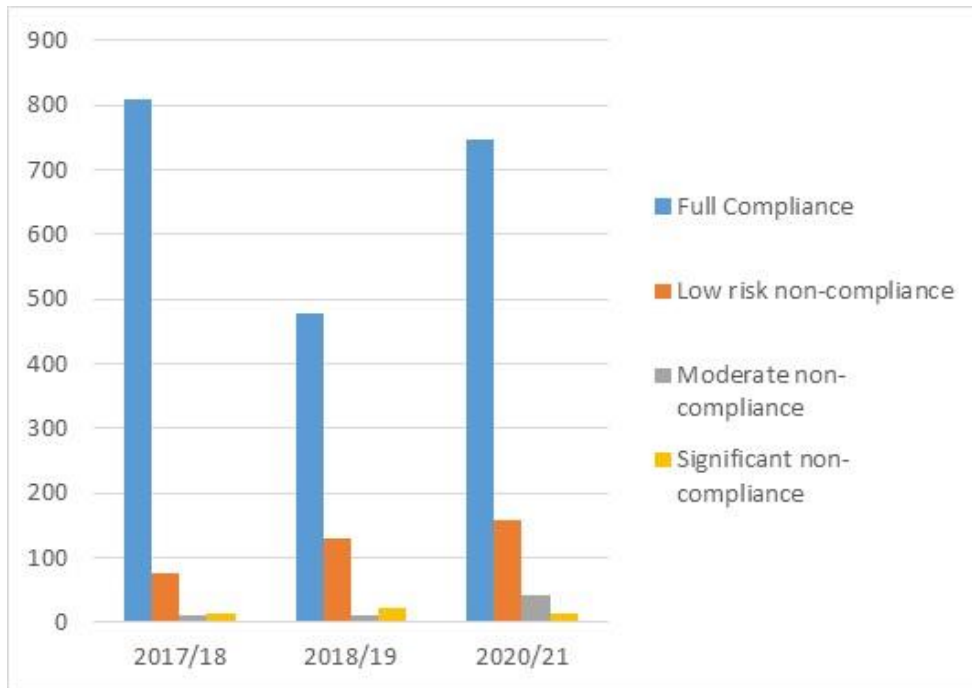


Figure 3: Comparison of discharge consent inspection outcomes over three years

If an inspection results in a grade of 10 (significant non-compliant), a re-inspection is conducted. Some of the re-inspections were not completed due to the external influences noted earlier, however these were re-inspected early in the new season. 20 re-inspections were completed for the year 2020/21.

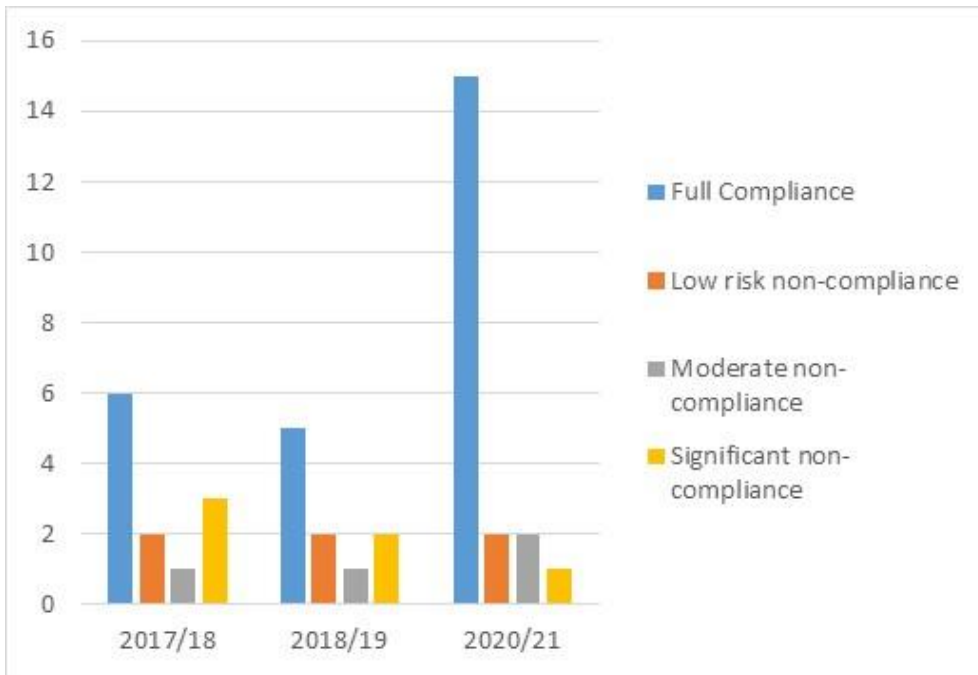


Figure 4: Comparison of discharge consent re-inspections over three years

2.1.2 Wintering pad inspections

Compliance staff undertook inspections of the purpose built sites used to feed and house cows over the winter period commonly known as wintering pads, wintering barns, calving pads, feed pads and loafing pads.

Compliance officers completed 133 inspections and re-inspections in the 2020/21 financial year of the various types of consented wintering pads. There were 93 rated as fully compliant, 32 rated as low risk or moderate non-compliance and 8 significant non-compliant.

2.1.3 Aerial inspections

Compliance staff undertook 557 aerial inspections of dairy discharge permits in the 2020/21 financial year. There were 439 rated as fully compliant, 110 rated as low risk non-compliance and 8 moderate non-compliance.

2.2 Groundwater quality sampling for dairy

Groundwater is water that has made its way down through the soil to underground areas called 'aquifers'. Aquifers are subsurface geological formations consisting of sand, gravel or rock which 'hold' water. Aquifers in Southland tend to be shallow. In many places the water level is only 1.5 to 5.0 metres below the ground.

Groundwater provides an important source of drinking water for people and livestock in Southland. It's also used for irrigation and dairy shed wash down, and it can be the primary source of water in streams over summer (baseflow).

However, what we do on top of the land (land use) can affect the quality of the groundwater sitting below. Nitrate contamination of groundwater is common in Southland due to excess nitrogen in soil from fertiliser and effluent. This is a key issue as it affects the health of people and livestock that use groundwater, and when nitrate contaminated groundwater enters streams in summer it can cause problem algal and plant growth.

Groundwater quality sampling is a tool used to monitor compliance with dairy effluent discharge consents. The purpose of this programme is to monitor measureable changes over time in groundwater quality in the areas where effluent has been applied.

Water samples are collected from shallow bores near the effluent disposal field and are then analysed for a number of parameters including nitrate and *E. coli* levels. The results generated from a period of between five to ten years can give a reasonable indication of the effects effluent application is having on groundwater. If deterioration is noted, further investigation will be required to determine what land based activity may be contributing to the change.

The number of consents requiring groundwater monitoring varies each year as discharge consents get updated. In November 2020, 185 sites were monitored to measure the effects of dairy effluent discharge on groundwater. In April 2021, 195 sites were monitored to measure the effects of dairy effluent discharge.

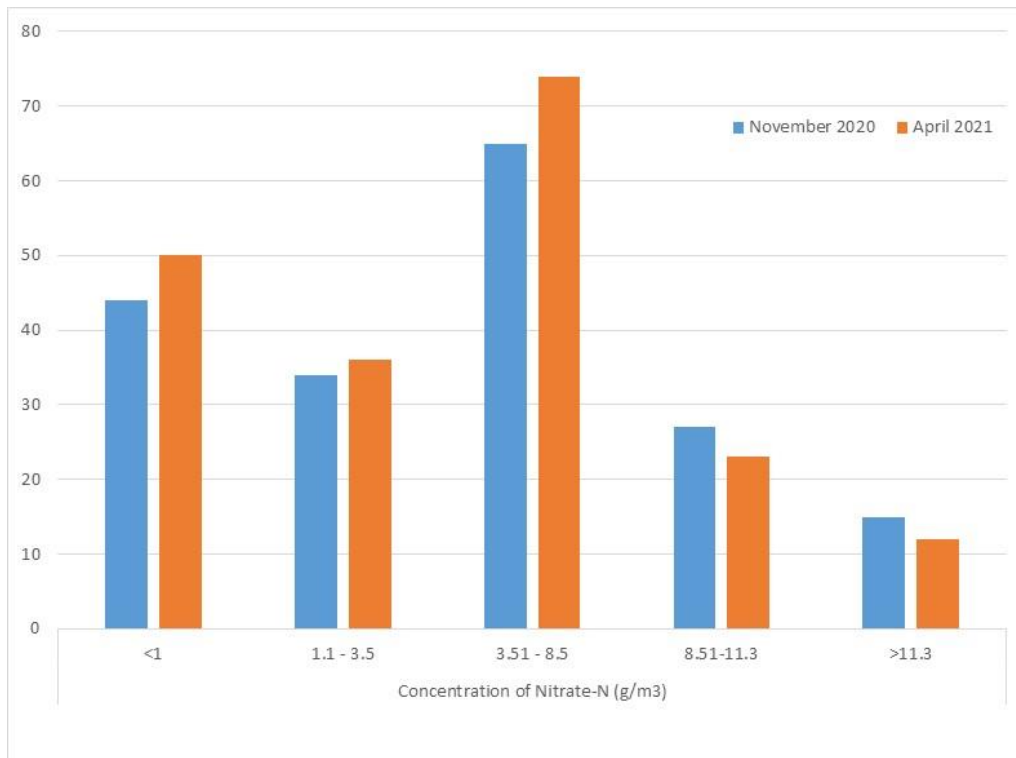


Figure 5: Dairy groundwater monitoring nitrate results for November 2020 and April 2021 (Concentrations of Nitrate measured as g/m³).

2.3 Water consents

Water take permits have been separated into two groups:

- low rate water take consents
- high rate water take consents.

Low rate water take consents allow water to be abstracted at a rate of less than 5 litres per second, while high rate water take consents allow water to be abstracted at a rate of 5 litres per second or greater.

Low rate water take consents

There are a wide range of industries with low rate water consents from gravel wash to car wash operations, with the dairy industry having the greatest number of low rate water take consents, with a total of 95% of all water take consents abstracting less than 5 litre per second.

While Southland receives regular rainfall, the demand on the water resource is increasing. This year the level of compliance was 91% of consent holders being fully compliant with consent conditions.

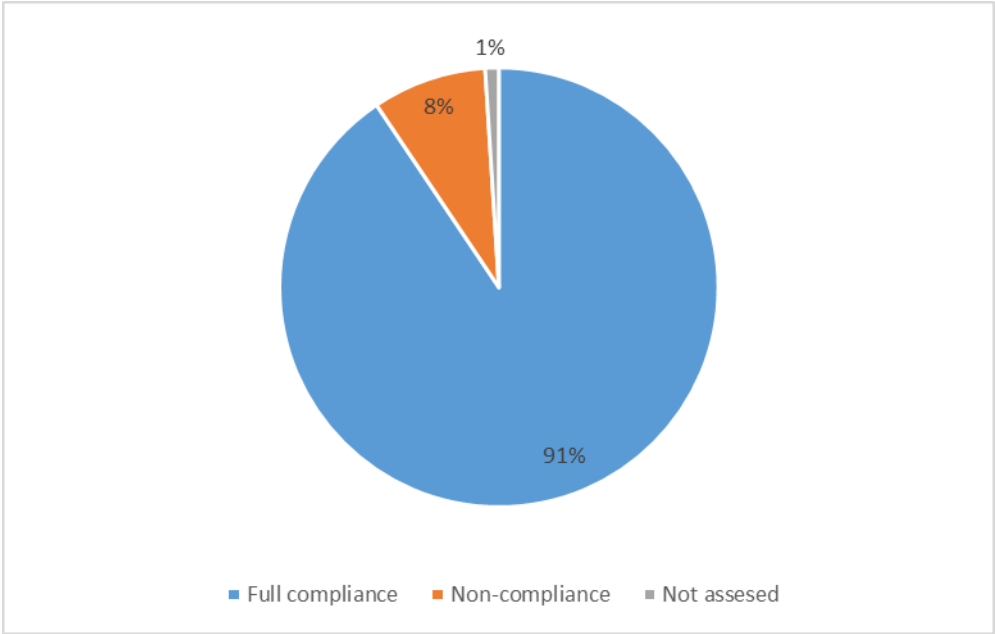


Figure 6: Low rate (less than 5L/s) Compliance 2020/21

Environment Southland have adopted the Regional Sector Strategic Compliance framework when dealing with monitoring. This involves education, engagement, enablement and enforcement. Any one or all of these tools can be used at any time to achieve compliance. Last year Environment Southland adopted an educative approach. This approach has resulted in a continued improvement in compliance from 78% in 2019/20 to 91% in 2020/21.

Irrigation water consents (High rate water take consents)

During the 2020/21 irrigation season 274 water take consents were defined as high rate water takes (i.e. Where the rate of water taken from the source was 5 litres per second). Of those, 225 were for abstraction from groundwater, and 53 were for abstraction from surface water. (note: 4 consents take water from both groundwater and surface water)

3.0 Industrial audits – major industries

3.1 Meat industry

3.1.1 Alliance Group Limited

Alliance Group Limited operates two meat processing plants in Southland, one at Lorneville, and one at Mataura. The Makarewa plant operated by Alliance Group ceased operations in late 2018.

What do we look at?

Environment Southland investigates complaints and self-reported incidents and assesses compliance against the conditions listed in the primary resource consents.



Figure 7: Upstream sampling site, Alliance Group Mataura Plant

Lorneville

Consents
<p>Alliance Group Limited holds 13 resource consents for the Lorneville plant. The primary consents include:</p> <ul style="list-style-type: none"> • the discharge of treated wastewater to the Makarewa River; • the discharge of treated wastewater to land; • the discharge of wastewater and stockyard solids to land; • the discharge of contaminants to air; • the discharge of stormwater into an open drain; • to take surface water from the Makarewa and Oreti Rivers.

Complaints and self-reported Incidents	2018/19	2019/20	2020/21
No confirmed complaints or self-notifications were received during the 2020/21 period.			

Consent performance summary	2018/19	2019/20	2020/21
<p>Alliance exceeded the waste water discharge limit for total suspended solids on two occasions in June 2021. All monitoring was undertaken as required by the consent.</p> <p>All other consents were fully compliant with the monitoring conditions and discharge limits for the period.</p>			

Mataura

Consents
<p>During the 2020-2021 period Alliance Group Limited completed the consent renewal process for a number of major consents including the discharge of wastewater to the Mataura River, discharge of contaminants to air and water take consents. Alliance Group Limited holds ten resource consents for the Mataura plant. The consents are:</p> <ul style="list-style-type: none"> • the discharge of contaminants, including odour, to air; • the discharge of treated meat works wastewater to the Mataura River; • the discharge of stormwater to the Mataura River; • the discharge of cooling water to the Mataura River; • the discharge of wastewater treatment solids to land; • to take water from a water race fed by the Mataura River for meat processing; • to take water for cooling from the Mataura River; • to use a weir on the Mataura River; • to take and discharge water for hydroelectric generation; • to take surface water for pelt and hide processing.

Complaints and self-reported incidents	2018/19	2019/20	2020/21
No complaints or self-reported incidents were received during the 2020/21 period.			

Air discharge consent performance	2018/19	2019/20	2020/21
Alliance Mataura was compliant with all monitored consent conditions for the air discharge during the 2020/21 period.			

Consent performance summary	2018/19	2019/20	2020/21
Alliance Mataura undertook all the monitoring required by their consents and all limits were complied with.			

3.1.2 Blue Sky Meats (NZ) Limited

Blue Sky Meats Limited operates a meat processing plant at Morton Mains, near Woodlands.

What do we look at?

Environment Southland investigates complaints and self-reported incidents and assesses compliance against the conditions listed in the primary resource consents.

Consents
<p>Blue Sky Meats (NZ) Limited holds eight resource consents for the purpose of meat processing at its Morton Mains plant. The primary consents are:</p> <ul style="list-style-type: none"> • to take groundwater for a meat processing operation; • the discharge of contaminants to the ground through the operation of offal pits; • the discharge of wastewater to land via a spray irrigator; • the discharge of contaminants to air from a rendering and blood drying plant, boiler plant, and wastewater treatment and irrigation.

Complaints and self-reported Incidents	2018/19	2019/20	2020/21
No confirmed complaints or self-notifications were received during the 2020/21 period.			

Consent performance summary	2018/19	2019/20	2020/21
Blue Sky Meats was graded non-compliant in relation to the discharge of wastewater to land. The non-compliance related to missing temperature data, the conductivity sensor not being calibrated and an exceedance of the downstream <i>E. coli</i> limit on one occasion. The remaining consent complied with the monitoring and reporting requirements for the 2020/21 period.			

3.1.3 South Pacific Meats Limited

South Pacific Meats Limited operates a meat processing plant at Awarua, approximately 10 km south of Invercargill.

What do we look at?

Environment Southland investigates complaints and self-reported incidents and assesses compliance against the conditions listed in the primary resource consents.

Consents
<p>South Pacific Meats Limited holds six resource consents for the purpose of meat processing at its Awarua plant. The primary consents include:</p> <ul style="list-style-type: none"> • the discharge of stormwater containing contaminants into the New River Estuary; • the discharge of contaminants to air from a rendering plant, wastewater treatment plant, boiler and associated processes; • the discharge of meat works effluent sludge to land.

Complaints and self-reported Incidents	2018/19	2019/20	2020/21
No confirmed complaints or self-notifications were received during the 2020/21 period.			

Consent performance summary	2018/19	2019/20	2020/21
There were three breaches of the consent conditions during the 2020/21 period that were minor in nature. Two related to the discharge of meatworks effluent sludge to land and the third was late reporting of stormwater results. There were no adverse effects as a result of the non-compliances.			

3.1.4 Prime Range Meats Limited

Prime Range Meats Limited operates a meat processing plant on the banks of the Waikiwi Stream in Invercargill. In addition to this, Prime Range Meats operates a small meat processing operation and wholesale outlet on the outskirts of Invercargill.

What do we look at?

Environment Southland investigates complaints and self-reported incidents and assesses compliance against the conditions listed in the primary resource consents.

Consents
<p>Prime Range Meats Limited holds three resource consents for the purpose of meat processing. The primary consents are:</p> <ul style="list-style-type: none"> the discharge of contaminants, including odour, to air from a meat works and rendering plant, and from a wastewater treatment system; the discharge of treated wastewater to land from a meat processing operation.

Complaints and self-reported Incidents	2018/19	2019/20	2020/21
One odour complaint was received during the 2020/21 period. The odour was confirmed but not assessed as objectionable or offensive and the source of the odour was determined and fixed.			

Consent performance summary	2018/19	2019/20	2020/21
There was one breach of the air discharge permit when positive pressure was not maintained in the rendering building resulting in odour escaping the building. There were three exceedances of the discharge flow limit from the meat processing operation. All other monitoring conditions were fully compliant with the consent conditions for the 2020/21 period.			

3.2 Dairy industry

3.2.1 Fonterra Co-operative Group Limited

Fonterra Co-operative Group Limited operates a milk processing facility at Edendale.



Figure 8: Fonterra, Edendale

What do we look at?

Environment Southland investigate complaints and self-reported incidents and assesses compliance against the conditions listed in the primary resource consents.

Consents

Fonterra Co-operative Group Limited holds nine resource consents related to dairy processing at its Edendale plant. The primary consents include:

- to take groundwater for a dairy operation, and for the purpose of milk processing;
- the discharge of process wastewater to land, and associated odours;
- the discharge of treated wastewater, process water, and stormwater to water;
- the discharge of contaminants and odour to air from the manufacturing of dairy products, boiler operation, and wastewater treatment system;
- the discharge of waste sludge and liquids to land;
- the discharge of whey by-product to land.

Complaints and self-reported incidents	2018/19	2019/20	2020/21
One self-notification received in the 2020/21 period. The notification related to a spill in the processing area that entered the stormwater. The stormwater discharge to the river was stopped and the contaminated stormwater removed.			

Consent performance summary	2018/19	2019/20	2020/21
<p>The groundwater take consent abstraction rate was breached on multiple occasions during August–November 2020. The abstraction rate had not been adjusted for the new consent limit which lead to the exceedances.</p> <p>There was one breach of the air discharge consent. The breach related to particulates in boilers 1-3 not being continuously monitored, due to equipment failure.</p> <p>There were four breaches of the conditions of the two consents that relate to the discharge of wastewater to land. The monthly irrigation parameters were not analysed in January 2021 due to an administration error. The amount of wastewater irrigation to the paddocks exceeded the limit on two occasions and the return period between wastewater applications was 8 days instead of 10 on one occasion.</p> <p>There were two minor breaches of the consent conditions in relation to the discharges of sludges to land. The return period for between applications on one occasion was 281 days instead of the required 300 days. A test was also missed on one of the samples.</p> <p>There was one minor breach of the consent conditions in relation to the discharge of whey to land. The fat monitoring of the whey was not undertaken as required from October 2020–April 2021.</p> <p>The consent for the klip tank that stores whey and discharge had a technical non-compliance due to the late supply of a report.</p>			

3.2.2 Open Country Dairy (NZ) Limited

Open Country Dairy (NZ) Limited operates a milk processing plant at Awarua, to the south of Invercargill.

What do we look at?

Environment Southland investigates complaints and self-reported incidents and assesses compliance against the conditions listed in the primary resource consents.

Consents
<p>Open Country Dairy holds five resource consents relating to its dairy processing plant. The primary consents include:</p> <ul style="list-style-type: none"> • the discharge of condensate and stormwater to a farm drain; • the discharge of contaminants to the air from a milk processing plant and boiler.

Complaints and self-reported incidents	2018/19	2019/20	2020/21
No confirmed complaints or self-notifications were received during the 2020/21 period.			

Consent performance summary	2018/19	2019/20	2020/21
<p>Open Country Dairy completed all of the monitoring requirements of their consents for the 2020/21 period.</p> <p>However, there was a significant breach with the air discharge consent, where there was an exceedance of the emission limits for the boilers. There was also a minor exceedance of the particulate concentration for one of the dryers.</p>			

3.2.3 Maitara Valley Milk Limited

Maitara Valley Milk Limited operates a milk processing plant at McNab, to the north east of Gore.

What do we look at?

Environment Southland investigates complaints and self-reported incidents and assesses compliance against the conditions listed in the primary resource consents.

Consents
<p>Maitara Valley Milk Limited holds nine resource consents related to its dairy processing plant. The primary consents include:</p> <ul style="list-style-type: none"> • to discharge sludge to land; • to discharge odour and contaminants to air from a milk processing plant and associated facilities; • to discharge stormwater to water; • to discharge treated wastewater to land; • to take and use groundwater.

Complaints and self-reported incidents	2018/19	2019/20	2020/21
No confirmed complaints or self-reported environmental incidents were received by Environment Southland relating to Maitara Valley Milk Ltd during the 2020/21 reporting period.			

Consent performance summary	2018/19	2019/20	2020/21
The consent conditions were fully complied with for the 2020/21 period.			

3.3 Energy industry

3.3.1 Pioneer Energy Limited

The hydroelectric power station at Monowai is owned by Pioneer Energy. The company operates 13 power stations across Southland and Central Otago.

What do we look at?

Environment Southland investigates complaints and self-reported incidents and assesses compliance against the conditions listed in the primary resource consents.



Figure 9: Monowai Power Station

Consents

Pioneer Energy holds 18 resource consents related to the operation of its Monowai Power Scheme. They include:

- to take surface water;
- to use, maintain and alter an existing earth dam;
- to discharge water to water;
- to discharge contaminants to land;
- to dam and divert the waters of the Monowai River.

Complaints and self-reported incidents	2018/19	2019/20	2020/21
No confirmed complaints or self-notifications were received during the 2020/21 period.			

Consent performance summary	2018/19	2019/20	2020/21
Pioneer Energy was fully compliant with the consent monitoring and reporting requirements for the 2020/21 period.			

3.3.2 Meridian Energy Limited

Meridian Energy Limited operates the largest hydroelectric power station in New Zealand at West Arm, Lake Manapouri within the Fiordland National Park. Electricity is generated using water stored in Lakes Te Anau and Manapouri. The stored water from the lakes is controlled using structures at the outlet of Lake Te Anau and the Lower Waiau River. The water used to generate electricity is discharged through two tunnels to Deep Cove in Doubtful Sound. Compliance performance was assessed against the current resource consents.

What do we look at?

Environment Southland investigates complaints and self-reported incidents and assesses compliance against the conditions listed in the primary resource consents.



Figure 10: Turbine Hall - Manapouri Power Station

Consents

Meridian Energy Ltd holds 29 resource consents related to the operation of the Manapouri Power Scheme. The primary consents are:

- to dam and divert the waters for hydro- electric power generation;
- to take and use water for hydro-electric production, and for domestic supplies;
- to discharge treated sewage to land;
- the discharge of stormwater to land;
- to carry out bed disturbance;
- the discharge of contaminants to air;
- the discharge of water and contaminants to the coastal marine area;
- to occupy Lake Manapouri and coastal marine area with wharves.

Complaints and self-reported incidents	2018/19	2019/20	2020/21
A complaint was received in relation to the management of the lake levels. An investigation was undertaken and it was concluded that Meridian had taken all reasonable measures to operate according to the requirements of the guidelines.			

Consent performance summary	2018/19	2019/20	2020/21
Meridian Energy was compliant with all monitoring and reporting requirements for the period. Water volumes abstracted and discharged met the limits of the consents, Lake Te Anau and Lake Manapouri were maintained at consented levels and minimum flows in the Waiau River were maintained.			

3.4 Manufacturing industry

3.4.1 New Zealand Aluminium Smelters Limited

New Zealand Aluminium Smelters Limited (NZAS) is located on the Tiwai Peninsula at Awarua, and produces some of the purest aluminium in the world.

What do we look at?

Environment Southland investigates complaints and self-reported incidents and assesses compliance against the conditions listed in the resource consents.



Figure 11: Aerial view of NZAS site. (Image by NZAS)

Consents

New Zealand Aluminium Smelters Limited (NZAS) holds six discharge and water take consents that require inspecting. The consents are:

- the discharge of contaminants to land where they may enter coastal water;
- the discharge of treated sewage to land;
- the discharge of treated effluent to the Coastal Marine Area (CMA);
- the discharge of water including contaminants to the CMA;
- the discharge of contaminants to air from the aluminium smelter and related activities;
- to take and use groundwater for industrial supply.

Complaints and self-reported incidents	2018/19	2019/20	2020/21
No confirmed complaints or self-notifications were received during the 2020/21 period.	Yellow	Red	Green

Consent performance summary	2018/19	2019/20	2020/21
All monitoring required by the consents was undertaken and all discharge limits were met for 2020/21. NZAS was compliant with all conditions assessed during Environment Southland's on site audits.	Green	Yellow	Green

3.4.2 Daiken Southland Limited

Daiken Southland Limited operates a mixed density fibreboard (MDF) manufacturing plant, located south of the Matura.

What do we look at?

Environment Southland investigates complaints and self-reported incidents and assesses compliance against the conditions listed in the primary resource consents.



Figure 12: Aerial view of Daiken Southland site (Image by Daiken Southland Limited)

Consents
<p>Daiken Southland Limited holds 12 resource consents. The primary consents include:</p> <ul style="list-style-type: none"> • the discharge of contaminants to air from fibreboard processing, including the treatment of wastewater; • the discharge of effluent and treatment pond seepage to land; • the discharge of untreated stormwater and treated wastewater to water; • the discharge of stormwater to land; • the discharge from a tile drain to a watercourse; • the discharge of ash to land.

Complaints and self-reported incidents	2018/19	2019/20	2020/21
No confirmed complaints or self-notifications were received during the 2020/21 period.			

Consent performance summary	2018/19	2019/20	2020/21
<p>Monitoring of the air discharge requires at least 40 weeks of environmental monitoring. Only 37 weeks were able to be completed due to breakdowns, maintenance and power supply issues. Consent requires 40 weeks.</p> <p>All other monitoring of discharges and water takes was completed in accordance with the conditions of the consents. All limits on stormwater, all discharge to air limits and limits on discharge of ash to land were met.</p>			

3.5 Fertiliser industry

3.5.1 Ballance Agri-Nutrients Limited

Ballance Agri-Nutrients Limited operates a fertiliser manufacturing facility at Awarua, to the south of Invercargill.

What do we look at?

Environment Southland investigates complaints and self-reported incidents and assesses compliance against the conditions listed in the primary resource consents.

Consents
Ballance Agri-Nutrients Limited holds four resource consents for its fertiliser manufacturing plant at Awarua. The primary consents are: <ul style="list-style-type: none">• the discharge of stormwater from a fertiliser manufacturing facility to water;• to take groundwater for fertiliser processing;• the discharge of contaminants to air from the manufacture of fertiliser and associated activities.

Complaints and self-reported incidents	2018/19	2019/20	2020/21
No confirmed complaints or self-notifications were received during the 2020/21 period.			

Consent performance summary	2018/19	2019/20	2020/21
Ballance Agri-Nutrients was compliant with all monitored consent conditions for the 2020/21 period.			

3.5.2 Ravensdown Fertiliser Co-operative Limited

Ravensdown Fertiliser Co-operative Limited operates two sites in Southland; a limestone quarry at Dipton and a wholesale outlet at Balfour.

What do we look at?

Environment Southland investigates complaints and self-reported incidents and assesses compliance against the conditions listed in the primary resource consents.

Consents
<p>Ravensdown Fertiliser Co-operative Limited holds two resource consents for the purpose of operating a limestone quarry at its Dipton site. The consents are:</p> <ul style="list-style-type: none"> the discharge of treated stormwater to water; the discharge of contaminants to air from limestone crushing, drying and handling. <p>The company holds one resource consent for its Balfour site. This consent is for:</p> <ul style="list-style-type: none"> the discharge of stormwater from a limestone quarry.

Complaints and self-reported incidents	2018/19	2019/20	2020/21
No confirmed complaints or self-notifications were received during the 2020/21 period.			

Consent performance summary	2018/19	2019/20	2020/21
The Dipton and Balfour sites were fully compliant with the consent monitoring requirements for the 2020/21 period.			

3.5.3 Fernhill Limeworks Limited

Fernhill Limeworks Limited operates a limestone quarry at Kauana, north of Winton.

What do we look at?

Environment Southland investigates complaints and self-reported incidents and assesses compliance against the conditions listed in the primary resource consents.

Consents
<p>Fernhill Limeworks Limited holds two resource consents for the purpose of operating a limestone quarry. The consents are:</p> <ul style="list-style-type: none"> • the discharge of treated stormwater to water; • the discharge of contaminants to air from limestone crushing, drying and handling.

Complaints and self-reported incidents	2019/20	2020/21
No confirmed complaints or self-notifications were received during the 2020/21 period.		

Consent Performance Summary	2019/20	2020/21
The discharge sample was not collected on one monitoring occasion. The remaining monitored consent conditions were fully compliant for the 2020/21 period.		

3.6 Mining industry

3.6.1 Greenbriar Limited

Greenbriar Ltd operate coal mines at Ohai and Waimumu (Goodwin and Newvale mine sites).

What do we look at?

Environment Southland investigates complaints and self-reported incidents and assesses compliance against the conditions listed in the primary resource consents.

Ohai Mine site

Consents
<p>Eleven resource consents are held relating to mining activities at the Ohai mine site. The primary consents include:</p> <ul style="list-style-type: none"> • to discharge contaminants to air from mining, screening and stockpiling of coal; • to discharge treated wastewater to water; • to discharge surface and groundwater; • to discharge solid waste to land; • to take surface water for a mining operation.

Complaints and self-reported incidents	2018/19	2019/20	2020/21
No confirmed complaints or self-notifications were received during the 2020/21 period.			

Consent performance summary	2018/19	2019/20	2020/21
<p>Greenbriar undertook all monitoring required by their consent. Discharges of stormwater and treated process water resulted in exceedances of the receiving water turbidity limits in the consents on three occasions.</p> <p>All of these exceedances were small in scale. The abstraction limit stormwater and groundwater collected in the pit bottom was exceeded for two prolonged instances of 22 days and 30 days' duration during the year. Both instances followed prolonged periods of high rainfall.</p>			

Goodwin and New Vale Mine sites

Consents
<p>Seven consents are held relating to mining activities at the Goodwin and New Vale mine sites, as follows:</p> <ul style="list-style-type: none"> • to discharge treated water to the Hedgehope Stream (Goodwin); • to discharge treated water to the Hedgehope Stream (New Vale); • to take groundwater and surface water for mining (New Vale); • to discharge contaminants to air; • to discharge ash to land; • to discharge pelt processing solids to land; • to discharge dust suppressant to land.

Complaints and self-reported incidents	2018/19	2019/20	2020/21
No confirmed complaints or self-notifications were received during the 2020/21 period.			

Consent performance summary	2018/19	2019/20	2020/21
All monitoring was undertaken as per the requirements of the consents and all discharge limits were met.			



Figure 13: Mining operations, New Vale Mine, Waimumu

3.6.2 Bathurst Resources Limited

Bathurst Resources Limited operates an opencast coal mine in Nightcaps, Western Southland.

What do we look at?

Environment Southland investigates complaints and self-reported incidents and assesses compliance against the conditions listed in the primary resource consents.



Figure 14: Active mine pit, Bathurst Resources, Nightcaps

Consents

Bathurst Resources Limited holds 13 consents related to its mining operation. The primary consents include:

- to take groundwater and surface water for dewatering;
- the discharge of stormwater to water;
- the discharge of treated site water to water;
- the discharge of ash from industrial operations, mixed with overburden, to land;
- the discharge of contaminants to air;
- to disturb the bed and divert the flow of a tributary.

Complaints and self-reported incidents	2018/19	2019/20	2020/21
<p>One self-reported incident and two complaints from the public were received during the 2020/21 period. One public complaint related to coal dust, which was unconfirmed. The second public complaint and the self-notification related to separate discharges of sediment to the waterways.</p> <p>An infringement notice was issued for the sediment discharge that was confirmed by Environment Southland officers.</p>			

Consent performance summary	2018/19	2019/20	2020/21
<p>There were two significant breaches of the discharge permits where the turbidity in the Wairio breached the consented limits. The exceedances corresponded to the complaint and the self-reported incident.</p>			

3.7 Sawmill industry

3.7.1 Craigpine Timber Limited/R Richardson Limited

Craigpine Timber Limited operates a sawmilling and timber processing plant at Winton. The consents were transferred from Craigpine Timber Limited to R Richardson Limited on 21 December 2020.

What do we look at?

Environment Southland investigates complaints and self-reported incidents and assesses compliance against the conditions listed in the primary resource consents.

Consents
Craigpine Timber Limited/R Richardson Limited holds two consents related to its sawmilling operation. The consents are: <ul style="list-style-type: none">• to discharge contaminants to the air from timber processing activities;• to discharge timber yard stormwater and condensate to water.

Complaints and self-reported incidents	2018/19	2019/20	2020/21
No complaints or self-reported incidents were received during the 2020/21 period.			

Consent performance summary	2018/19	2019/20	2020/21
The consents were fully compliant with all monitored consent conditions for the 2020/21 period.			

3.7.2 Findlater Sawmilling

Findlater Sawmilling Limited operates a sawmilling plant at Tussock Creek.

What do we look at?

Environment Southland investigates complaints and self-reported incidents and assesses compliance against the conditions listed in the primary resource consents.

Consents
Findlater Sawmilling holds two consents related to its sawmilling operation. They are: <ul style="list-style-type: none">• to take groundwater for a sawmilling operation;• to discharge stormwater to a wetland from a sawmilling operation.

Complaints and self-reported incidents	2018/19	2019/20	2020/21
No confirmed complaints or self-notifications were received during the 2020/21 period.			

Consent performance summary	2018/19	2019/20	2020/21
Findlater Sawmilling Limited was compliant with all monitored consent conditions for the 2020/21 period.			

3.7.3 Lindsay & Dixon Limited

Lindsay & Dixon Limited operates a sawmilling plant at Tuatapere.

What do we look at?

Environment Southland investigates complaints and self-reported incidents and assesses compliance against the conditions listed in the primary resource consents.

Consents
Lindsay & Dixon Limited holds one discharge consent related to its sawmilling operation. This is: <ul style="list-style-type: none">to discharge stormwater, boiler blow-down water and sludge to land and to water.

Complaints and self-reported incidents	2018/19	2019/20	2020/21
No confirmed complaints or self-notifications were received during the 2020/21 period.			

Consent performance summary	2018/19	2019/20	2020/21
Lindsay & Dixon was compliant with all monitored consent conditions for the 2020/21 period.			

4.0 Sewage treatment and stormwater systems

4.1 Invercargill City Council

4.1.1 Sewage treatment systems

The Invercargill City Council (ICC) holds resource consents for the purpose of treating and discharging wastewater at three locations within the Invercargill region.

What do we look at?

Environment Southland investigates complaints and self-reported incidents and assesses compliance against the conditions listed in the primary resource consents.

Consents
<p>ICC holds seven resource consents relating to its sewage treatment plants. These include consents to:</p> <ul style="list-style-type: none"> • discharge treated wastewater to an estuary; • discharge treated wastewater to coastal water; • discharge contaminants to land; • discharge biosolids to land; • discharge contaminants to air.

Complaints and self-reported incidents	2018/19	2019/20	2020/21
No confirmed complaints or self-notifications relating the ICC's sewage treatment plants were received during the 2020/21 period.			

Wastewater

Bluff wastewater	2018/19	2019/20	2020/21
ICC was compliant with all of the monitoring requirements of the consent for the 2020/21 period.			

Invercargill wastewater	2018/19	2019/20	2020/21
ICC was compliant with all monitored consent conditions for the 2020/21 period.			

Omaui wastewater	2018/19	2019/20	2020/21
ICC was compliant with all monitored consent conditions for the 2020/21 period.			

Biosolids to land, Station Road	2018/19	2019/20	2020/21
ICC was compliant with all monitored consent conditions for the 2020/21 period.			

Biosolids to land, Christies Track	2018/19	2019/20	2020/21
ICC was compliant with all monitored consent conditions for the 2020/21 period.			

Water abstraction

ICC operates the water treatment plant at Branxholme, where water from the Oreti River is treated for supply to Invercargill and Bluff. The City Council holds two resource consents relating to the operation of the plant. The consents permit the taking of water, and the discharge of filter backwash water to land and water.

Complaints and self-reported incidents	2018/19	2019/20	2020/21
No confirmed complaints or self-notifications were received during the 2020/21 period.			

Consent performance summary	2018/19	2019/20	2020/21
ICC was compliant with all of the monitoring requirements of the consent for the 2020/21 period. However, technical non-compliance was given due to the late submission of a number of monitoring reports.			

4.1.2 Stormwater systems

The Invercargill City Council (ICC) holds a resource consent for the purpose of discharging stormwater at multiple locations within the Invercargill area.

What do we look at?

Environment Southland investigates complaints and self-reported incidents and assesses compliance against the conditions listed in the primary resource consents.

Consents
ICC holds one resource consent relating to stormwater discharges from its reticulated stormwater network. This is to: <ul style="list-style-type: none">• discharge stormwater, water, and contaminants to water.

Complaints and self-reported incidents

In total 21 incidents or complaints were reported during the 2020/21 period. Of these 21, eleven were related to sewage entering the stormwater network. Six of these were the result of blockages in ICC's foul sewer network while three were due to extreme weather events/heavy rain that resulted in stormwater infiltrating the foul sewer network and causing overflows. The remaining two sewage spills were the result of a structural failure of the foul sewer network. One further complaint was received that related to a sewage spill from a cracked pipe, however investigations determined that this spill did not reach the stormwater network.

The nine incidents that were not sewage related were caused due to a number of reasons. These included:

- contamination resulting from oil, diesel, and petrol spills;
- contamination from paint, spilt on the road and washed off freshly painted walls by rain;
- contamination from sediment potentially related to roadworks;
- discharge of greenwaste leachate;
- discharge of coal dust.

On all occasions staff from ICC investigated and took appropriate action to mitigate the issues associated with the discharges.

Complaints and self-reported incidents	2018/19	2019/20	2020/21
Eleven incidents occurred which related to the discharge of sewage to the stormwater network. Six of these were as a result of blockages in the Invercargill City Council's foul sewer network.			

Consent performance summary	2018/19	2019/20	2020/21
ICC was in breach of the discharge conditions of its consent due to the confirmed discharge of sewage, and other hazardous substances, to the stormwater network.			
ICC was compliant with all of the monitoring requirements of the consent during the 2020/21 period.			

4.2 Southland District Council

4.2.1 Sewage treatment systems

The Southland District Council (SDC) holds resource consents for the purpose of treating and discharging wastewater at 22 locations within the Southland district. The compliance performance during 2020/21 was assessed against current resource consents.

What do we look at?

Environment Southland investigates complaints and self-reported incidents and assesses compliance against the conditions listed in the primary resource consents.

Consents
<p>SDC holds 25 discharge consents relating to sewage treatment, including consents to:</p> <ul style="list-style-type: none"> • discharge processed wastewater to land; • discharge processed wastewater to water; • discharge contaminants to air from wastewater treatment.

Complaints and self-reported incidents	2018/19	2019/20	2020/21
No confirmed complaints or self-notifications related to sewage were received during the 2020/21 period.			

Consent performance summary

Balfour	2018/19	2019/20	2020/21
SDC Balfour treatment system was fully compliant with effluent monitoring consent conditions for the 2020/21 period. The daily discharge flow exceeded the consent limit on 55 occasions. There was no risk of any adverse environmental impacts from these exceedances.			

Browns	2018/19	2019/20	2020/21
SDC Browns treatment system was fully compliant with all effluent monitoring consent conditions for the 2020/21 period. The daily discharge flow exceeded the consent limit on 50 occasions during heavy rain. There was no risk of any adverse environmental impacts from these exceedances.			

Curio Bay	2018/19	2019/20	2020/21
SDC Curio Bay treatment system was fully compliant with all monitored consent conditions for the 2020/21 period.			

Edendale/Wyndham	2018/19	2019/20	2020/21
SDC Edendale/Wyndham treatment system was fully compliant with all effluent monitoring consent conditions for the 2020/21 period. The annual average daily discharge flow exceeded the consent limit, and the maximum daily discharge flow limit was exceeded on only 27 occasions during heavy rain. There was no risk of any adverse environmental impacts from these exceedances.			

Gorge Road	2018/19	2019/20	2020/21
SDC Gorge Road treatment system was fully compliant with all monitored consent conditions for the 2020/21 period.			

Lumsden	2018/19	2019/20	2020/21
SDC Lumsden treatment system was fully compliant with all monitoring consent conditions for the 2020/21 period.			

Manapouri	2018/19	2019/20	2020/21
SDC Manapouri treatment system was fully compliant with all monitoring consent conditions for the 2020/21 period.			

Monowai	2018/19	2019/20	2020/21
SDC Monowai treatment system was fully compliant with all monitored consent conditions for the 2020/21 period.			

Nightcaps	2018/19	2019/20	2020/21
SDC Nightcaps treatment system was fully compliant with all monitored consent conditions for the 2020/21 period.			

Ohai	2018/19	2019/20	2020/21
On two occasions, clarity testing was missed on receiving water samples and total suspended solids was missed once from the discharge. The dissolved oxygen concentration also decreased below the consented limit downstream of the tributary confluence on one occasion. The daily discharge flow exceeded the consent limit on 97 occasions.			

Otautau	2018/19	2019/20	2020/21
SDC Otautau treatment system was fully compliant with all monitored consent conditions for the 2020/21 period.			

Riversdale	2018/19	2019/20	2020/21
SDC Riversdale treatment system was fully compliant with all monitored consent conditions for the 2020/21 period.			

Riverton Rocks	2018/19	2019/20	2020/21
SDC Riverton Rocks treatment system was fully compliant with all effluent monitoring consent conditions for the 2020/21 period. The daily discharge flow exceeded the consent limit on 4 consecutive occasions. There was no risk of any adverse environmental impacts from these exceedances.			

Riverton township	2018/19	2019/20	2020/21
<p>SDC Riverton township treatment system was fully compliant with all effluent monitoring consent conditions for the 2020/21 period.</p> <p>The daily discharge flow exceeded the consent limit on 9 occasions. There was no risk of any adverse environmental impacts from these exceedances.</p>			

Stewart Island	2018/19	2019/20	2020/21
<p>Four breaches of consent conditions were recorded at the SDC Stewart Island treatment system during the 2020/21 period.</p> <p>On all four occasions the dissolved inorganic nitrogen limit was exceeded.</p>			

Te Anau – discharge to land & water	2018/19	2019/20	2020/21
<p>SDC Te Anau discharge to land and water was fully compliant with all effluent monitoring consent conditions for the 2020/21 period.</p> <p>The average monthly discharge flow limit was breached on one occasion. There was no risk of any adverse environmental impacts from this exceedance.</p> <p>The annual average daily flow rate for the new consent which commenced March 2021 complied with the consent limit.</p>			

Te Anau – discharge to air	2018/19	2019/20	2020/21
<p>SDC Te Anau consent to discharge to air was fully compliant with all monitored consent conditions for the 2020/21 period.</p>			

Tokonui	2018/19	2019/20	2020/21
<p>SDC Tokonui treatment system was fully compliant with all monitored consent conditions for the 2020/21 period.</p>			

Tuatapere	2018/19	2019/20	2020/21
SDC Tuatapere treatment system was fully compliant with all monitored consent conditions for the 2020/21 period.			

Winton	2018/19	2019/20	2020/21
Two breaches of consent conditions were recorded at the SDC Winton treatment system during the 2020/21 period. There were two consecutive breaches of the receiving water ammoniacal nitrogen limit. A Formal Warning was issued for the exceedances.			

Note: The quantity of water discharged is referred to as “discharge flows”. Discharge flows are the amount of sewage and wastewater either entering or leaving the sewage treatment system. All exceedances of discharge flows typically correspond to periods of high rainfall. This indicates that there is stormwater entering the sewerage systems. Therefore, although the discharge flows have increased the discharge is likely to be more dilute than normal due to mixing with rainwater.

Water abstraction

The Southland District Council holds 24 resource consents to abstract groundwater and surface water for community and rural water supply. This includes emergency water takes to supplement urban supply.

Complaints and self-reported Incidents

There were no complaints or self-reported incidents relating to the SDC water take consents for the 2020/21 period.

Consent performance summary

SDC abstracted water from 22 locations for the townships and rural communities in Southland during the 2020/21 period. These were:

- 20 water takes were fully compliant with the abstraction limit;
- two consented takes did over abstract water for their townships or respective rural communities:
 - Ohai, Nightcaps and Wairio exceeded their consented limit on 11 occasions;
 - Eastern Bush/Otahu Flat exceeded their consented limit on 94 occasions.

4.2.2 Stormwater systems

The Southland District Council (SDC) holds resource consents for the purpose of discharging stormwater from 18 townships within the Southland region. The compliance performance during 2020/21 was assessed against current resource consents.

What do we look at?

Environment Southland investigate complaints and self-reported incidents and assess compliance against the conditions listed in the primary resource consents.

Consents
SDC holds five discharge consents. The primary consents are: <ul style="list-style-type: none"> discharge stormwater and land drainage water to surface water bodies and soakpits.

Complaints and self-reported incidents	2018/19	2019/20	2020/21
There was only one self-reported incident, which related to the discharge of discoloured groundwater from dewatering entering lake Te Anau. The discharge was stopped.			

Consent performance summary

Balfour, Browns, Lumsden, Mossburn, Riversdale, Tokonui and Waikaka	2018/19	2019/20	2020/21
The non-compliance related to an annual report that was not received. The remaining conditions were compliant for the 2020/21 period.			

Dipton, Edendale, Manapouri, Nightcaps, Ohai, Otautau, Tuatapere and Wallacetown	2018/19	2019/20	2020/21
The first round of dry weather monitoring was undertaken for all sites. The results for three sites were non-compliant with consent limits. Investigations determined the source of the contamination was ruminant. Follow up site visits within six months for sites that were previously dry was not undertaken for four sites which was a breach of consent. Wet weather monitoring was only undertaken at five of the eight towns (16 of 22 sites) which was a breach of consent. The wet weather results were fully compliant with the consent limits. The annual report for 2020/21 was not received.			

Winton	2018/19	2019/20	2020/21
Results from the dry and wet weather samples that were collected complied with the consent limits. The annual report for 2020/21 was not received. Inspections of all trade and industrial sites were not completed by 30 June 2021.			

Te Anau	2018/19	2019/20	2020/21
Results from the dry and wet weather samples that were collected complied with the consent limits. The annual report for 2020/21 was not received. Inspections of all trade and industrial sites were not completed by 31 December 2021.			

4.3 Gore District Council

4.3.1 Sewage treatment systems

The Gore District Council (GDC) holds resource consents for the purpose of treating and discharging wastewater at three locations within the Gore district. The compliance performance during 2020/21 was assessed against the current resource consents.

Applications for renewal of the discharge consents at the Mataura and Gore wastewater treatment plants have been lodged with Environment Southland. The application process is in progress.

What do we look at?

Environment Southland investigates complaints and self-reported incidents and assesses compliance against the conditions listed in the primary resource consents.

Consents
<p>GDC holds five sewage treatment related resource consents. These consents are:</p> <ul style="list-style-type: none"> • discharge of treated wastewater from the Mataura township; • discharge of treated wastewater from the Gore township; • discharge of treated wastewater at Waikaka; • discharge of contaminants to air from the Gore wastewater treatment system; • discharge of waste activated sludge to land from industrial or trade processes.

Complaints and self-reported incidents	2018/19	2019/20	2020/21
No confirmed complaints or self-notifications were received during the 2020/21 period relating the GDC sewage discharge permits.			

Consent performance summary

Gore	2018/19	2019/20	2020/21
All monitoring was completed as required by the consent. In the past GDC has struggled to maintain the wastewater discharge quality to within the consented quality limits during low flow. Following a number of improvements to optimise the discharge quality through its plant discharge sample results have consistently been within the consented limits.			

Mataura	2018/19	2019/20	2020/21
All monitoring required by the consent was undertaken and all water sample results were compliant with the consent for the 2020/21 period.			

Waikaka	2018/19	2019/20	2020/21
The flow meter measuring the discharge volume was damaged and recording incorrectly between July 2020 and January 2021 resulting in a technical non-compliance. Other monitoring required by the consent was undertaken and all water sample results were compliant with the consent for the 2020/21 period.			

Water abstraction

GDC holds nine resource consents to abstract groundwater and surface water for industrial and community water supply. This includes emergency takes to supplement urban supply.

Complaints and self-reported incidents

There were no complaints or self-reported incidents relating to the GDC water take consents for the 2020/21 period.

Consent performance summary

A minor over-abstraction occurred for the Mataura community water supply due to a mechanical failure. This was quickly addressed and rectified. All other water abstraction limits were adhered to during the 2020/21 period.

4.3.2 Stormwater systems

Stormwater networks

The Gore District Council (GDC) holds resource consents for the purpose of discharging stormwater at three locations within the Gore region.

Consents
GDC holds three stormwater resource consents. They are: <ul style="list-style-type: none"> • the discharge of stormwater to water for Gore township; • the discharge of stormwater to water for Mataura township; • the discharge of stormwater to water for Pukerau and Waikaka townships.

Complaints and self-reported incidents	2018/19	2019/20	2020/21
In the 2019/20 period, the receiving water standards were exceeded on three occasions. The investigation into these exceedances was finalised in 2020/21 and resulted in an abatement notice. No new confirmed complaints were recorded in 2020/21.			

Consent performance summary

Gore	2018/19	2019/20	2020/21
GDC undertook all monitoring required by the consent in 2020/21 including routine sampling on four occasions. GDC were highly proactive in investigating potential private wastewater cross-connections or wastewater infiltration to the stormwater network. The GDC is working towards understanding the causes of non-compliances as a result of inspections in 2019/20.			

Mataura	2018/19	2019/20	2020/21
GDC undertook all monitoring required by the consent in 2020/21 including routine sampling on four occasions. GDC were highly proactive in investigating potential private wastewater cross-connections.			

Pukerau and Waikaka	2018/19	2019/20	2020/21
GDC completed all required monitoring in Pukerau and Waikaka. GDC were highly proactive in investigating high <i>E. coli</i> values in sample results.			

5.0 Quarrying

5.1 Gravel extraction

The Resource Management Act 1991 and/or a rule in a Council plan require that a resource consent is required to disturb the bed of a river.

Environment Southland has 96 current land use consents to extract gravel from Southland rivers.

Environment Southland catchment staff regularly inspect the land use consents to ensure that the operation of the consent and the volume of gravel taken have been completed in accordance with the consent conditions. Overall compliance in the 2020/21 financial year has been good.



Figure 15: Gravel extraction on the Aparima River

6.0 Landfills

6.1 S J Timpany Contracting – Cleanfill

S J Timpany Contracting operates a cleanfill and a limited-scope landfill at Otatara, accepting solid waste from the demolition of housing and commercial buildings, asbestos and some contaminated soils. The site also has a holding pad which allows for sample testing of contaminated soils and the encapsulation of contaminants prior to discharge.

What do we look at?

Environment Southland investigates complaints and self-reported incidents and assesses compliance against the conditions listed in the primary resource consents.

Consents
S J Timpany Contracting holds a consent to discharge cleanfill and solid waste to land.

Complaints and self-reported incidents	2018/19	2019/20	2020/21
No incidents or self-reported incidents were received during the 2020/21 reporting period.			

Consent performance summary	2018/19	2019/20	2020/21
<p>S J Timpany cleanfill and limited-scope landfill was fully compliant with all monitored consent conditions during the 2020/21 period.</p> <p>No issues were identified by Environment Southland during the assessment of consent monitoring reports, site inspections, groundwater sampling or surface water sampling.</p>			



Figure 16: S J Timpany tip face October 2019

6.2 AB Lime Limited

AB Lime Limited operates an agricultural fertiliser and lime business, a dairy farm and a Class A landfill business approximately 4 km east of the Winton township. This section focuses predominantly on the landfill.

A B Lime applied for new consents during 2020 to allow the landfill to increase the volume of waste received at the site. These commenced on 16 July 2021, outside the period considered in this report.

What do we look at?

Environment Southland investigates complaints and self-reported incidents and assesses compliance against the conditions listed in the primary resource consents.

Consents
<p>AB Lime Limited holds six resource consents relating to the landfill. The consents are:</p> <ul style="list-style-type: none"> • the discharge of solid waste onto or into land; • the discharge of contaminants to air from a landfill; • the discharge of stormwater to a tributary of the Lochiel Stream; • to take 40 cubic metres of groundwater; • to take 500 cubic metres of surface water; • to dam and divert surface water.

Complaints and self-reported incidents	2018/19	2019/20	2020/21
No confirmed complaints or self-reported incidents were received during the 2020/21 period.			

Air discharge consent performance	2018/19	2019/20	2020/21
AB Lime landfill was compliant with all monitored consent conditions for the 2020/21 period. There have been no confirmed odour issues for the 2020/21 period.			

Other consent performance	2018/19	2019/20	2020/21
<p>AB Lime Limited showed a high level of compliance with all monitored consent conditions for the 2020/21 period.</p> <p>Area 15 construction was completed and approved by an independent reviewer. The reviewer commented that the landfill was operating in accordance with good practice.</p>			



Figure 17: View of active filling in area 15 with area 14 behind, AB Lime

7.0 Coastal Marine Area

7.1 South Port and New Zealand Aluminium Smelter Limited's coastal plan agreements



Figure 18: Tiwai Peninsula

The two main port facilities in Southland operate out of Bluff.

South Port services and manages Southland's import and export industries including aluminium, timber, fisheries, dairy, meat, wood chips, stock food, cement, alumina, fertiliser and petroleum products.

New Zealand Aluminium Smelter (NZAS), based on the Tiwai Peninsula, services and manages the import and export operations of aluminium and aluminium based product.

Activities on these sites are managed by means of individual agreements. The agreements describe a series of systems which each party has agreed to, ensuring the management of port activities are compliant with the Resource Management Act 1991.

Incidents reported

South Port	2018/19	2019/20	2020/21
No incidents were received in the 2020/21 period.			

NZAS Wharf	2018/19	2019/20	2020/21
No incidents were received in the 2020/21 period.			

7.2 Whitebait stands

Environment Southland is responsible for whitebait stands under the Regional Coastal Plan, and undertakes an annual inspection of these each year. Huts associated with the stands are controlled by the Southland District Council, while the Department of Conservation control the fishing of whitebait.

The Coastal Plan has set a maximum number of whitebait stands allowed in Southland at those that were occupied at 15 February 1997. Any new whitebait stands are prohibited.

There are currently 645 resource consents for whitebait stands in Southland. During 2020/21, 627 inspections were completed, with 485 graded as fully compliant and 142 graded as non-compliant.

During the annual inspections, any illegal stands which are located are left with an illegal stand notice attached to the stand for the owners to contact Environment Southland.

Whitebait stands were inspected for compliance, with common conditions such as each stand displaying a unique stand number, displaying the consent holder's name, being at the consented length and in a state of good repair.

Inspections are completed early to mid-season, which allows owners additional time for repairs. As in previous years, there was a high level of compliance with these consents.

Although most of the whitebait stands in Southland are permanent structures, stands in Fiordland have to be removed each season. The Fiordland stands are inspected, typically at the end of the season to ensure that the removal conditions are met.

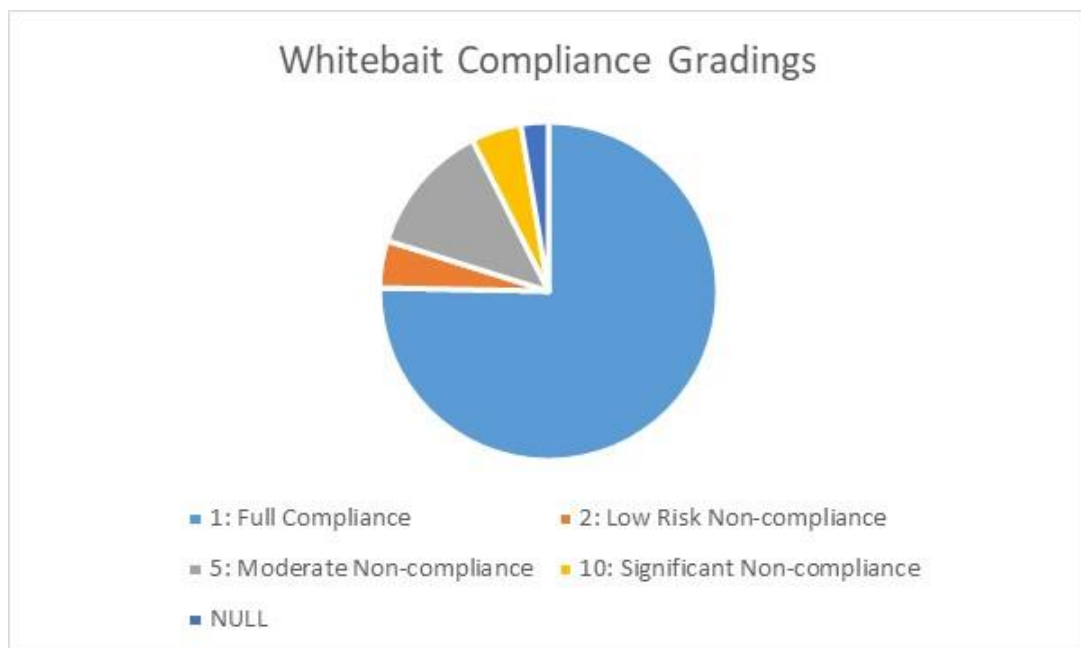


Figure 19: Whitebait Compliance Gradings

8.0 Tourism

8.1 Department of Conservation

The Department of Conservation (DOC) holds resource consents throughout the Southland region for a number of different purposes.

What do we look at?

Environment Southland investigates complaints and self-reported incidents and assesses compliance against the conditions listed in the primary resource consents.

Consents
DOC holds resource consents for the following purposes:
<ul style="list-style-type: none"> • Coastal: 12 • Discharge: 18 • Land Use: 6 • Water: 11

Complaints and self-reported incidents	2018/19	2019/20	2020/21
No confirmed complaints or self-notifications were received during the 2020/21 period.			

Consent performance summary	2018/19	2019/20	2020/21
Clinton Hut - DOC at the Clinton Hut did not meet all monitoring requirements for the 2020/21 period.			
Mintaro Hut - DOC at the Mintaro Hut did not meet all monitoring requirements for the 2020/21 period.			
Dumpling Hut - DOC at the Dumpling Hut did not meet all monitoring requirements for the 2020/21 period.			
Sandfly Point Hut - DOC at the Sandfly Point Hut was compliant with all monitored consent conditions for the 2020/21 period.			
Luxmore Hut - DOC at the Luxmore Hut did not meet all monitoring requirements for the 2020/21 period.			
Iris Burn Hut - DOC at the Iris Burn Hut did not meet all monitoring requirements for the 2020/21 period.			

Consent performance summary	2018/19	2019/20	2020/21
Moturau Hut - DOC at the Moturau Hut was compliant with all monitored consent conditions for the 2020/21 period.			
Lake McKenzie Hut - DOC at the Lake McKenzie Hut did not meet all monitoring requirements for the 2020/21 period.			
Howden Hut - Howden Hut has been closed since it sustained damage during flooding in February 2020.			
Martins Bay Hut - DOC at the Martins Bay Hut was compliant with all monitored consent conditions for the 2020/21 period.			
Anchor Island - DOC at the Anchor Island Hut was compliant with all monitored consent conditions for the 2020/21 period.			
Mavora Lakes - DOC at Mavora Lakes was compliant with all monitored consent conditions for the 2020/21 period.	No data Available		

Environment Southland inspections

Environment Southland inspects the Routeburn, Milford and Kepler Tracks approximately every three years. This includes an inspection of the sewage disposal systems at the huts, water takes for the huts, and several toilets and shelters along the tracks. The most recent inspections were completed in 2017/18 as follows.

Consent Inspections	2017/18
Routeburn Track (December 2017) Full compliance was recorded for all facilities on this track. Note: Only facilities in the Southland region were inspected.	
Milford Track (February 2018) Full compliance was recorded for all facilities on this track. Some recommendations were made to ensure all systems were operating as efficiently as possible.	
Kepler Track (March 2018) Full compliance was recorded for all facilities on this track, with the exception of the Luxmore Hut. Evidence of overland flow, discolouration of vegetation and odour was observed in the Luxmore disposal field.	



Figure 20: Mackinnon Pass Shelter, Milford Track

8.2 Milford Sound Tourism

Milford Sound Tourism (MST) is the primary infrastructure provider in Milford Sound. MST own and operate the harbour, wharves and visitors' terminal. They also operate the wastewater treatment facilities at Milford Sound and at Knobs Flat.

What do we look at?

Environment Southland investigates complaints and self-reported incidents and assesses compliance against the conditions listed in the primary resource consents.

Consents
<p>Milford Sound Tourism holds 11 resource consents. The primary consents include:</p> <ul style="list-style-type: none"> • discharge treated wastewater to groundwater at Knobs Flat; • discharge treated wastewater to water at Deepwater Basin; • discharge water to water from a hydro-electric power scheme; • carry out maintenance dredging in Freshwater Basin.

Complaints and self-reported incidents	2018/19	2019/20	2020/21
No confirmed complaints or self-notifications were received during the 2020/21 period.			

Consent Performance	2018/19	2019/20	2020/21
<p>Following the COVID-19 pandemic and lockdowns in March 2020 visitor numbers to the Milford area have been reduced. The facilities at Knobs Flat have been closed since that time. Consents were compliant with all limits and operational restrictions assessed.</p> <p>A number of reports were supplied late or not supplied at the time of writing.</p>			



Figure 21: Milford Sound wastewater treatment plant

8.3 Ultimate Hikes

Ultimate Hikes holds eight current resource consents throughout the Southland region for a number of different purposes.

What do we look at?

Environment Southland investigates complaints and self-reported incidents and assesses compliance against the conditions listed in the primary resource consents.

Consents
Ultimate Hikes holds resource consents for the following purposes:
<ul style="list-style-type: none"> • Coastal: 1 • Discharge: 5 • Water: 4

Complaints and self-reported incidents	2019/20	2020/21
No confirmed complaints or self-notifications were received during the 2020/21 period.		

Consent performance summary	2019/20	2020/21
Glade House - Ultimate Hikes at Glade House did not supply all monitoring data required by the consent holders during 2020/21.		
Pompolona Lodge - Ultimate Hikes at the Pompolona Lodge did not supply all monitoring data required by the consent holders during 2020/21.		
Quinton Lodge - Ultimate Hikes at Quinton Lodge did not supply all monitoring data required by the consent holders during 2020/21.		
Mackenzie Lodge - Ultimate Hikes at Mackenzie Lodge was compliant with all monitored consent conditions for the 2020/21 period.		

Environment Southland Inspections

Environment Southland inspects the Routeburn, Milford Tracks every three years. This includes an inspection of the sewage disposal systems at the huts, water takes for the huts, and several toilets and shelters along the tracks.

8.3 Coastal surface water activities in Fiordland

Coastal permits are required for undertaking commercial surface water activities in Fiordland. Environment Southland is responsible for ensuring compliance with coastal permits issued under the Regional Coastal Plan for Southland and the Resource Management Act 1991.

Compliance of commercial surface water activities is assessed by monitoring surface water activity logs provided as a condition of consents. During the 2020/21 period, compliance with the requirement to supply activity logs was 95%. No on-water checks or inspections of the vessels were completed in 2020/21.

9.0 Small Industries

9.1 Cleanfill site inspections

Cleanfill sites are spread throughout Southland. There are 22 consented sites in total, with six not currently in use.

Cleanfills are “fill sites” that only accept materials that, when buried, have no adverse effects on people or the environment. Cleanfill materials include virgin natural materials such as clay, soil, rock, and other inert materials such as bricks.

It is important that cleanfills are free from combustible, degradable, hazardous or liquid wastes because they are not designed to protect the environment from contact with them in the same way as landfills. Appropriate use of cleanfills helps divert a large portion of the waste stream from landfills.

During 2020/21, 15 inspections were completed. 13 were graded as fully compliant, 1 was graded as moderate non-compliance and 1 was graded as significantly non-compliant.



Figure 22: An example of green waste which is not allowed to be discharged to a cleanfill

9.2 Truck wash inspection

Truck washes are usually inspected annually, unless otherwise stated in the resource consent. There are 26 consented truck washes in Southland.

During the 2020/21 year, 10 were inspected and of these eight were found to be fully compliant, one was graded low risk non-compliance and one was graded as moderate non-compliance.



Figure 23: An example of a truck wash facility

10.0 Forestry operations in Southland

National Environmental Standard – Plantation Forestry

The National Environmental Standard for plantation forestry (NES-PF) came into effect on 1 May 2018. The NES-PF are regulations under the Resource Management Act 1991 (RMA) and apply to any forest of at least one hectare that has been planted specifically for commercial purposes and will be harvested.

The NES-PF regulations aim to:

- maintain or improve the environmental outcomes associated with managing plantation forestry activities;
- provide efficiencies and greater certainty in the management of these activities;
- provide consistent rules across the country by setting planning requirements for certain specified activities.

The regulations cover eight core plantation forestry activities that have potential environmental effects:

1. afforestation (planting new forest);
2. pruning and thinning-to-waste (selective felling of trees where the felled trees remain on-site);
3. earthworks;
4. river crossings;
5. forestry quarrying (extraction of rock, sand, or gravel within a plantation forest or for operation of a forest on adjacent land);
6. harvesting;
7. mechanical land preparation;
8. replanting.

Plantation forestry operators are required to submit written notices and plans for afforestation, earthworks, river crossings, forest quarrying, harvesting, replanting wilding species and slash traps.

During the 2020/21 period the following notifications were received:

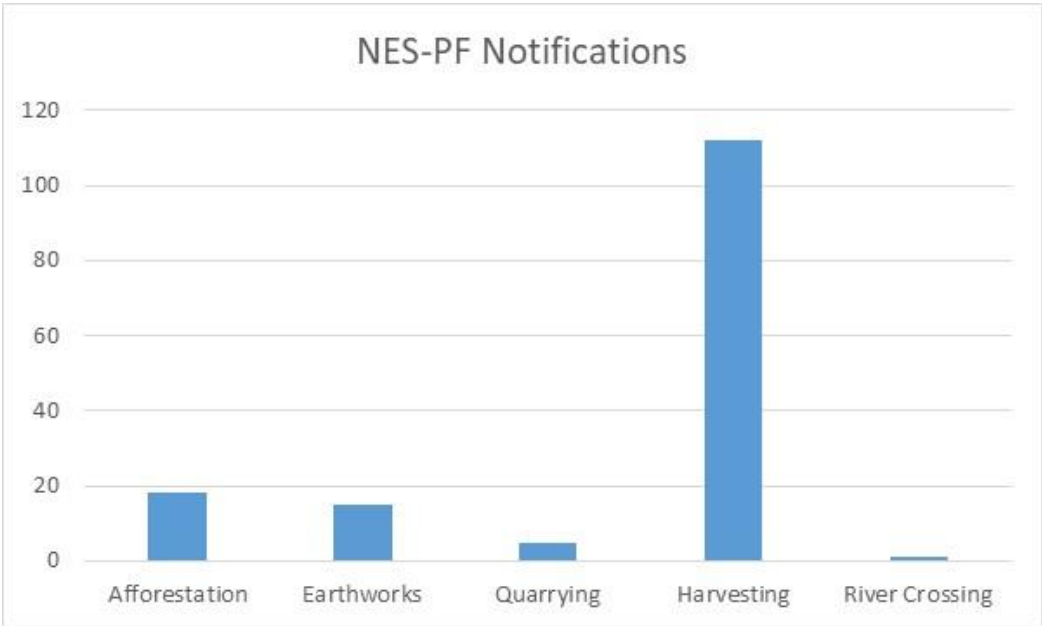


Figure 24: Summary of forestry activities during the 2020/21 year

Part C

Enforcement

11.0 Enforcement

Environment Southland has developed an Enforcement Policy that is available on our website.

<https://www.es.govt.nz/Document%20Library/Plans,%20policies%20and%20strategies/Council%20policies/ES%20Compliance%20Policies.pdf>

This policy highlights the method that Environment Southland will use when considering and completing enforcement action against a person or a company.

11.1 Letters of Direction and Warnings

When enforcement action is believed to be necessary the compliance division use the most appropriate tool for the given situation. Enforcement action can be a directive action. Letters of direction, warnings, abatement notices and enforcement orders are all considered to be directive forms of enforcement.

A letter of direction is used in a minor to moderate situation with a cooperative, motivated party. It is designed to prevent further breaches, or to remedy or mitigate the effects of non-compliance. Normally the letter will give timelines and what action should be taken or ceased.

A formal warning is a written warning to a person or company that has committed an offence. No further action will be taken in respect of the breach, but it will form part of the history of non-compliance. Normally a formal warning will be given in a minor to moderate incident.

During the 2020/21 year, the compliance division issued 29 letters of direction and issued 57 formal warnings.

11.2 Abatement notices

An abatement notice requires an offender to comply with the notice within a specified timeframe. Non-compliance with an abatement notice is an offence under the Resource Management Act 1991 and can receive infringement fines or prosecution.

This means that when an activity has been identified as being, or likely to be harmful to the environment, direction will be issued requiring the person avoid, remedy or mitigate the adverse effect.

Abatement notices are issued to people or organisations that breach a rule in the Act, any regulation, or a condition of the resource consent. Unlike enforcement orders they are issued by compliance officers and do not require an application to be made to the Environment Court.

During the 2020/21 year, the compliance division issued 29 abatement notices.

11.3 Enforcement orders

An enforcement order is another way of getting someone to comply with the Resource Management Act. It is similar in some respects to an abatement notice, in that it is used to get someone to start or stop doing something.

However, it differs from an abatement notice in that anybody (not just the council) can apply for an enforcement order against somebody else. These are issued by the Environment Court rather than the council.

Enforcement orders offer more options than an abatement notice, including the ability to recover clean-up costs in avoiding, remedying or mitigating any adverse effect on the environment.

The court may also order restoration of a natural or physical resource. If the order is not complied with, council may go ahead and comply on the respondent's behalf (and recover the cost of doing so).

Enforcement orders can be issued at sentencing or can be issued prior to enforcement action being taken or alternatively as a sole form of enforcement action.

If a problem or the options to resolve it are complex, enforcement proceedings provide a court-supervised procedure for bringing about a conclusion, and if problems are encountered during the implementation of the solution, direction can be sought from the court.

No enforcement orders were applied for and granted during the 2020/21 year.

11.4 Infringement notices

An infringement notice can be issued to an individual or company that has committed a Resource Management Act offence. The infringement fine is \$300, \$500, \$750 or \$1,000, and if not paid in certain timeframes, will be sent to the Ministry of Justice for fine collection (where further fees are likely to be added).

Infringements can be appealed, information on how to make an appeal is found on the back of each infringement notice, and can be explained by staff.

There were 47 infringement notices issued for the 2020/21 year.

11.5 Alternative enforcement action

Environment Southland has developed a diversion policy to ensure that there is an alternative course of action other than prosecution in special circumstances.

Diversion has three primary purposes, being rehabilitation, reparation and restoration, and ensuring that the Council's statutory objectives are better met.

In assessing eligibility for diversion, the chief executive will consider:

- offender-based criteria; and
- offence-based criteria.

The weight given to particular criteria will be a matter for the chief executive's discretion. Ultimately the chief executive will determine whether the public interest is best served by the continuation of a prosecution or by an offer of diversion.

In the 2020/21 year there were no cases considered for alternative enforcement action

11.6 Prosecutions

Environment Southland follows their enforcement policy. Prior to proceeding with prosecution the matter is put before the Enforcement Decision Group (EDG). The EDG assesses each case against the principles of the Solicitor General's Prosecution Guidelines.

Once the EDG process is completed the case can cease, recommend a different outcome, ask for more information or recommend an independent legal review.

A legal review is returned and final sign-off is completed by the chief executive for prosecution action to proceed.

This means:

- The evidence which can be presented in court is sufficient to provide a reasonable prospect of conviction – the Evidential Test; and
- Prosecution is required in the public interest – the Public Interest Test.

The matters that were prosecuted and completed in the 2020/21 year were:

Defendant	Offence Date	Charge	Charge description	Plea	Sentencing Date	Outcome	Fine
ACM Zeestraten & Southern Centre Dairies Ltd	18/02/2019	Section 15(1)(b)	Discharge to land in circumstances which may result in contaminant entering water	Guilty Plea	6/06/2020 & 14/08/2020	Convicted and fined	\$30,000
Fernlea Farm Ltd & WA Carpenter	1/05/2019	Section 15(1)(b)	Discharge to land in circumstances which may result in contaminant entering water	Guilty plea	3/06/2020	Convicted and fined	\$103,150
A Crystal & Kauana Ltd Partnership	10/10/2019	Section 15(1)(b)	Discharge to land in circumstances which may result in contaminant entering water	Guilty Plea	14/08/2020	Convicted and fined	\$87,500
Whakahi Dairies Ltd	06/08/2019	Section 15(1)(b) & 15(2A)	Discharge of sediment to land in circumstances which may result in contaminant entering water	Guilty Plea	14/08/2020	Convicted and fined	\$31,500
Scott Farming 2012 Ltd & Waiiau Terraces Ltd	09/08/2019	Section 15(1)(b)	Discharge to land in circumstances which may result in contaminant entering water	Guilty Plea	8/12/2020	Convicted and fined	\$19,500

Glossary

Ammoniacal Nitrogen (NH₄N)	Ammoniacal nitrogen is rarely found at high levels in natural waters. Its presence is an excellent means of detecting pollution. It is a major component in urine excreted by mammals. High levels of ammoniacal nitrogen are potentially toxic to aquatic life.
<i>E. coli</i>	Escherichia coli - <i>E. coli</i> is a bacterium that is commonly found in the lower intestine of warm-blooded organisms. They are a subset of the Faecal Coliform group and are regarded as an indicator of faecal contamination and therefore the presence of pathogenic (harmful) bacteria.
EC	Electrical Conductivity – The ability of water to conduct electricity. This gives a conservative measure of the mineral content of water. Generally, the greater the conductivity of the water, the greater the mineral content.
ES	Environment Southland
g/m³	Grams of material in 1 cubic metre of water – A measure of concentration in a liquid or gas.
Loading	The quantity of contaminants discharged over a set period of time.
Sewage	Domestic human wastewater and excrement.
Sewerage system	A pipe network use to transport sewage.
Stormwater system	A system of pipes and drains that carry rain and snowmelt from street surfaces, roofs and other paved areas. The stormwater system leads directly to waterways.
Turbidity	Turbidity is a laboratory measurement to determine the clarity of the water. The higher the result, the cloudier the water.
Wastewater	Water that has been used in the home, in a business or as a part of an industrial process.