



# 2018/2019 Regulatory Compliance Report





# Executive summary

This report provides a summary of the Bay of Plenty Regional Council’s compliance monitoring and enforcement function for the 2018/2019 year.

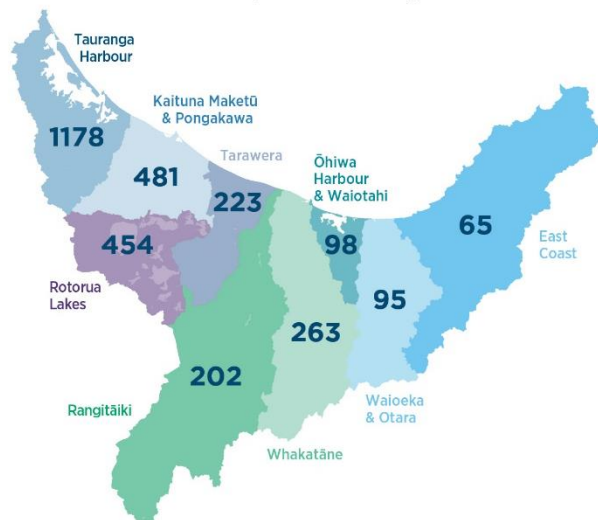
Throughout 2018/19, Regional Council undertook 3059 site inspections on 1656 resource consents, and reviewed 7747 performance monitoring returns from consent holders. Compliance results for site inspections showed that 80.5% of consent holders were complying with their consents, and less than 1% of consent holders were in significant non-compliance.

**3059**  
inspections



- Complying
- Moderate Risk NC
- Low Risk NC
- Significant NC

## Inspections by WMA



## Compliance Activities



**Earthworks**  
(34%)



**Dairy Discharges**  
(13%)



**Structures**  
(12%)



**Industrial Discharges**  
(8%)



**Water Take/Use**  
(12%)



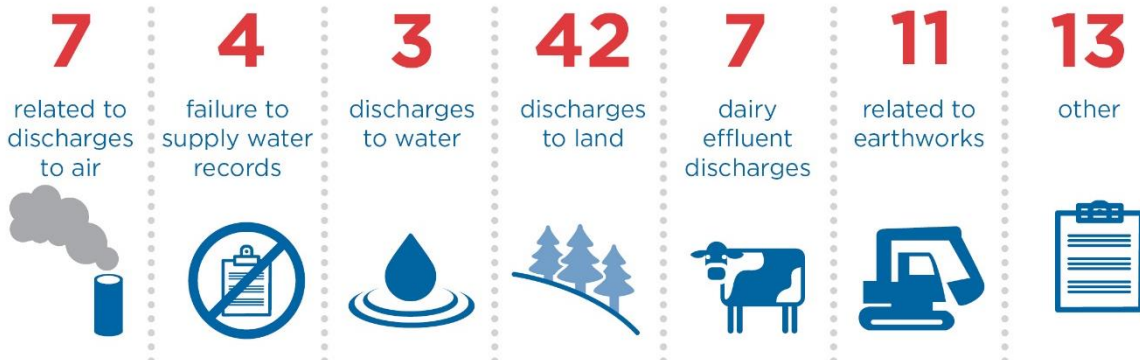
**Other Activities**  
(21%)

We continue to experience year on year increases in the number of calls we receive through our pollution hotline, receiving 3,519 calls throughout this 2018/2019; the most we have ever received for any 12 month period. The majority of calls remain linked to air quality (70%), followed by discharges to water and land (27%).

Regional Council issued 87 abatement notices, and 31 infringement notices in response to non-compliances, totalling \$22,750 in fines. In 2018/2019, we received decisions from the court in relation to 12 prosecutions, resulting in a total of \$529,525 in fines.



**87** abatement notices issued



# Contents

<b>Executive summary</b>	<b>1</b>
<b>Introduction</b>	<b>4</b>
<b>Implications for Tangata Whenua</b>	<b>4</b>
<b>Compliance Results</b>	<b>5</b>
Dairy effluent discharges - Whakaruke te hamuti o te kau .....	7
Earthworks and quarries - Maioro me te pa kohatu .....	9
Industry engagement and education	10
Forestry - Ono Rakau .....	11
Three waters - e Toru nga Wai .....	12
municipal Wastewater	12
Municipal Drinking Water	14
Municipal Stormwater	16
Industrial Discharges – Para Ahumai .....	18
<b>Service requests - Ngā kooamuamu</b>	<b>20</b>
<b>Enforcement</b>	<b>22</b>
<b>Appendix 1: Other compliance results</b>	<b>1</b>

# Introduction

Bay of Plenty Regional Council (BOPRC) works to support the sustainable development of the region through managing the effects of people's use of natural and physical resources. We also have a broader responsibility for the economic, social and cultural well-being of the Bay of Plenty community.

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

A summary of compliance results and service requests (previously known as complaints), investigations and enforcement activities are provided below with analysis of trends over the past 5-years. In addition, a snapshot of the major compliance activities: dairy effluent discharges, earthworks, forestry, municipal three waters and industrial discharges is also provided as these activities make up the majority of compliance inspections.

## Implications for Tangata Whenua

The Māori population in the Bay of Plenty equates to about 28% of the total population. BOPRC has clear statutory obligations to Māori under the Local Government Act 2002 (LGA), and the RMA. In particular, Part 2, Sections 6 and 7 of the RMA recognises and provides for participation in decision-making, having regard to kaitiakitanga, consultation and fostering development.

Tangata whenua, as kaitiaki, seek to protect the natural and physical environment, waahi tapu and other sites of cultural significance to ensure community and cultural sustainability is achieved. This aligns closely with the goals of compliance monitoring and enforcement, and is considered in the day to day implementation of our compliance programme.

In practical terms, this may include ensuring tangata whenua are notified of incidents in their rohe (i.e. a "no surprises" approach), and seeking involvement in projects where appropriate (e.g. marae wastewater).

He waka eke noa – We're all in this together.

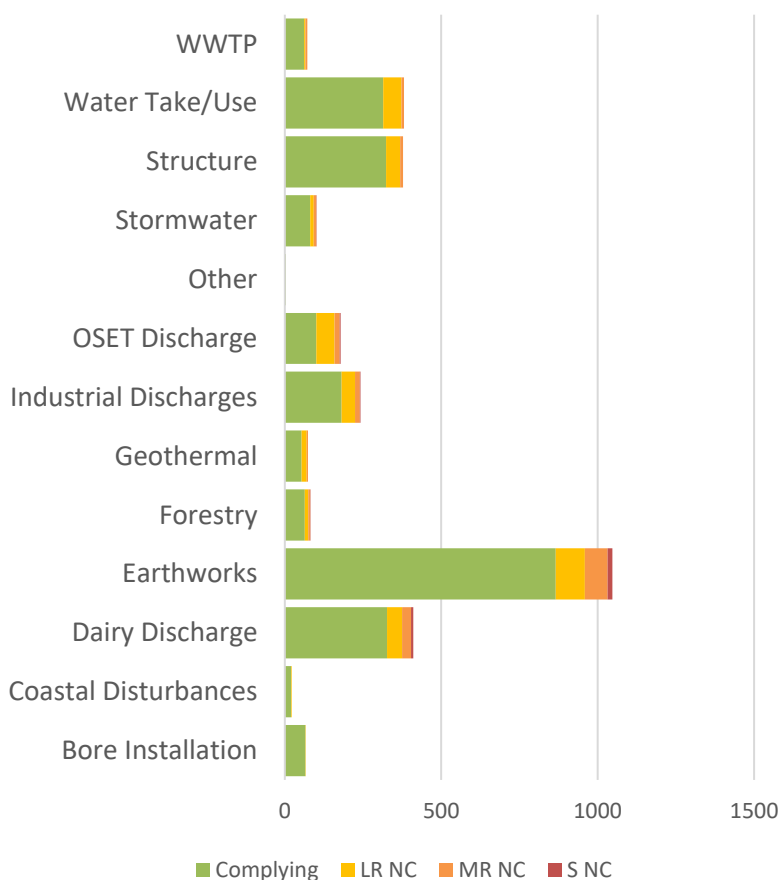
# Compliance Results

Throughout 2018/19, Regional Council undertook 3059 site inspections on 1656 resource consents, and reviewed 7747 performance monitoring returns<sup>1</sup> from consent holders. Compliance results for site inspections showed that 80.5% of consent holders were complying with their consents, and less than 1% of consent holders were in significant non-compliance. This is an improvement on the previous year's results, which had a complying rate of 75% and nearly double the amount of significant non-compliances.

Of the 7747 Performance Monitoring returns assessed, 71% were found to be compliant with the conditions and limits set by the consent. The majority of non-compliance were assessed to be low risk, with only eight (0.9%) significant non-compliances identified. Compliance results were largely consistent across all of the different activities (Figure 1), with the majority demonstrating (>75%) compliance; the exceptions to this were geothermal abstraction (73%) and OSET discharges (57%).

Compared to 2017/2018 the most significant improvements for compliance levels within activities, were geothermal abstraction (+22.4%) and forestry (+12%), while On-site Effluent Discharges (OSET) and stormwater inspections identified lower levels of compliance than previous years, with overall compliance decreasing by 19.5% and 14.5%, respectively.

**Number of Inspections and Compliance Results by Activity - 2018/2019**



The most frequently monitored activities were earthworks, dairy effluent discharges, and water takes. This is consistent with previous years, and reflects both the environmental risks associated with these activities, and the scale of those industries in the Bay of Plenty Region.

An increased focus on wastewater management is reflected by significant increases to the number of inspections for both municipal wastewater treatment plants (72 in 2018/19, compared to 12 in 2017/18) and OSET (178 in 2018/19 compared to 21 in 2017/18).

The number of inspections for forestry sites was also more than double the previous years (89 in 2018/19, compared to 39 in 2017/18), which reflects both an increased focus on the sector, and greater the need to monitor non-consented sites, provided for by the National Environmental Standard for Plantation Forestry.

**Figure 1: Site inspections by activity - 2018/2019**

A number of other activities, such as major infrastructure and

<sup>1</sup> Some consent holders are required to submit to council data i.e. daily water use recordings, to demonstrate compliance with consent condition.

industrial facilities, can also present a significant risk and are inspected regularly; however, these are fewer in number, and often have a more significant reliance on performance monitoring.

Geographically, the majority of site inspections were undertaken in the Western Bay of Plenty, which correlates to the scale of consent activities in the region, particularly for earthworks and horticultural water abstractions (refer to Figure 2)

Overall Regional Council undertook 16% more inspections than the previous year. This increase is a result of working strategically to prioritise resource where the highest priorities lie, as well as responding to internal pressures such as increasing numbers of consents throughout our region.

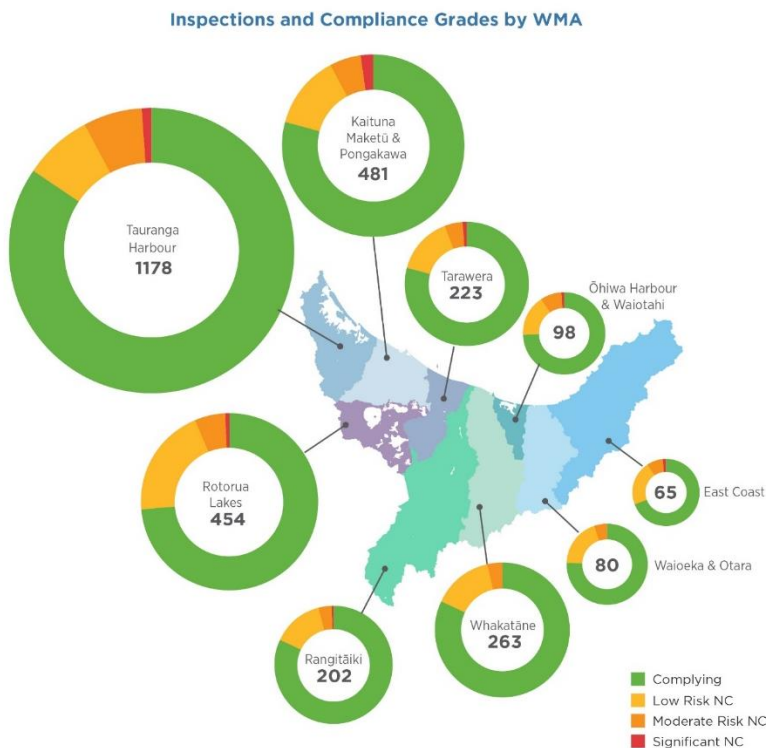


Figure 2: Inspections and Compliance Grades by WMA

The ability to undertake more inspections is largely attributed to changes to the structure and size of the Regulatory Compliance team, working efficiently, and adding resource where it's needed most such as complaint response and enforcement.

The following chapters provide further detail on compliance inspections for key activities. Summary data relating compliance inspections for other activities is also provided in Appendix 1 of this report.

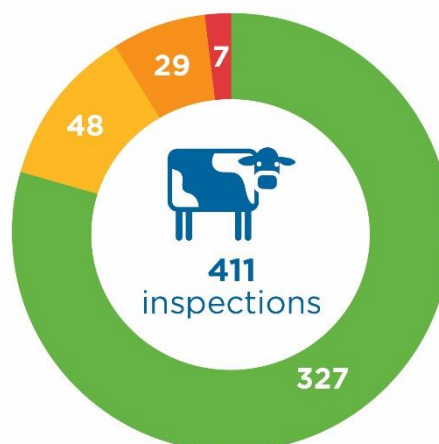


## Dairy effluent discharges - Whakaruke te hamuti o te kau

The team undertook a record number of inspections during the 2018/2019 monitoring period, with compliance officers completing as many as 10 inspections per day during November 2018. Of the total number of inspections 79% percent, were assessed to be complying, which is an improvement from 75% compliance rate in 2017/2018, and more consistent with the higher compliance rate over the preceding four years.

Compliance varied considerably across the region ranging from 92% compliance in the Rangitāiki Catchment compared with 70% compliance rate in the Waioeka and Otara Catchments.

### Dairy Effluent Discharges



Location	Total Inspections	Complying	Low Risk NC	Moderate Risk NC	Significant NC
East Coast	11	8	2	1	0
Kaituna, Maketū and Pongakawa	95	74	15	4	2
Ōhiwa Harbour and Waiotahi	23	17	2	3	1
Rangitāiki	61	56	2	2	1
Rotorua Lakes	46	35	6	5	0
Tarawera	53	43	5	3	2
Tauranga Harbour	37	31	1	4	1
Waioeka and Otara	27	19	5	3	0
Whakatāne and Tauranga	58	44	10	4	0
<b>TOTAL</b>	<b>411</b>	<b>327</b>	<b>48</b>	<b>29</b>	<b>7</b>
<b>%</b>		<b>79.5</b>	<b>11.6</b>	<b>7</b>	<b>1.7</b>

Table 1: Dairy effluent inspection results 2018/2019

A total of 12 abatement notices and eight infringement notices were issued for dairy discharge related offences during this monitoring period. Four prosecutions were commenced as a result of serious breaches. The main reasons for non-compliance were:

- Poor effluent pond management (i.e. full or overflowing ponds);
- Effluent irrigation causing excessive ponding and/or runoff to waterways; and
- Discharge of effluent through stormwater diversion systems.

Of the inspections that were assessed as non-compliant, 11.7 % were rated low-risk, 7.1% moderate-risk and 1.7% serious risk respectively. Over the previous four years, there has been an

increase in non-compliant sites being rated moderate-risk with a correlating decrease in sites being rated low-risk (Figure 3).

The rate of significant non-compliances varies between 1-5%. This trend of increasing risk of non-compliant visits is concerning for the dairy industry and consequently those sites that were assessed moderate or higher risk have been put on a higher site visit frequency.

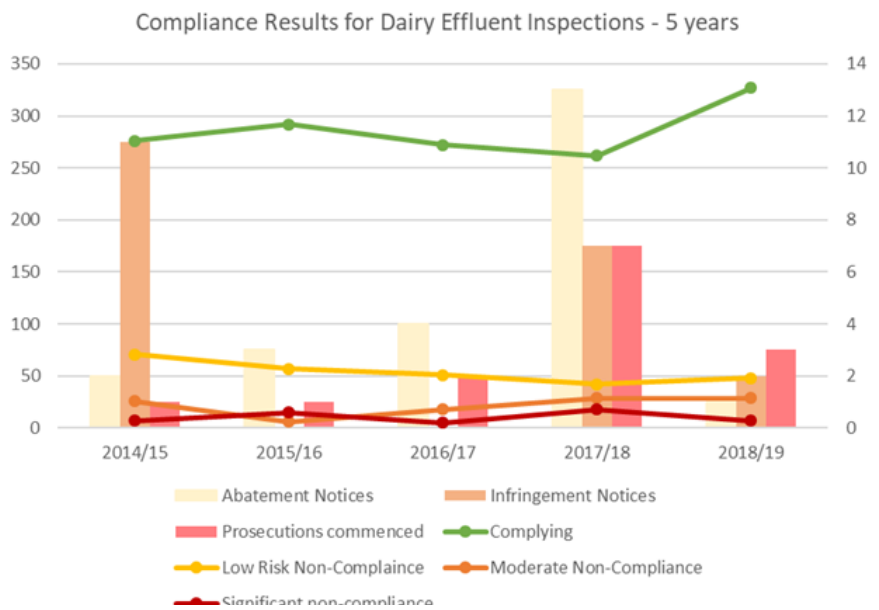


Figure 3: Compliance Results for Dairy Effluent Inspections - 5 years

## Earthworks and quarries - Maioro me te pa kohatu

Earthworks activities have the potential for significant impacts, such as discharges of sediment to waterways and dust nuisance, or disturbance or damage significant ecological sites i.e. wetlands or native bush.

In addition to the general risks, soils in the Bay of Plenty region are often weakly structured and very susceptible to erosion during rain events, particularly from poorly controlled sites. As such, active earthworks sites are monitored intensively throughout the operating season.

During the 2018/2019 period, 1047 inspections were undertaken across 215 consented earthworks sites (see Table 2 Earthworks inspection results 2018/2019). The majority of these sites are within the Tauranga Harbour WMA, as shown in table 2 below, and relate to residential development (Pāpāmoa, the Lakes and Ōmokoroa) or commercial development (e.g. Tauriko Business Estate, and development of the Tauranga CBD).

Of the 215 sites that were visited, 82.7% of the sites were assessed as being compliant, which is an improvement on the downward trend in compliance levels that was seen over the three previous years of report data from a high of 86% in 2014/2015. Of the sites that were rated non-compliant (17.3%) the majority of those were rated low risk or moderate risk, with less than 1.5% of inspections being rated as significantly non-complying.



Location	Total	Complying	Low Risk NC	Moderate Risk NC	Significant NC
East Coast	4	3	0	1	0
Kaituna, Maketū and Pongakawa	188	147	22	11	8
Ōhiwa Harbour and Waiotahi	34	26	5	3	0
Rangitāiki	28	26	2	0	0
Rotorua Lakes	43	19	12	11	1
Tarawera	22	18	4	0	0
Tauranga Harbour	667	573	41	47	6
Waioeka and Otara	10	8	2	0	0
Whakatāne and Tauranga	51	46	5	0	0
<b>Total</b>	<b>1047</b>	<b>866</b>	<b>93</b>	<b>73</b>	<b>15</b>
%		<b>82.7</b>	<b>8.9</b>	<b>7</b>	<b>1.4</b>

Table 2: Earthworks inspection results 2018/2019

## INDUSTRY ENGAGEMENT AND EDUCATION

A continued effort by Compliance staff is required to keep the majority of consent holders on track, and bring the minority of contractors into best practice.

One recent initiative was to trial a workshop for earthworks contractors, providing education around the following:

- Site specific risk assessment
- Understanding the different controls that can be utilised on site
- When to use the different types of controls
- How they work and why they work
- Assessing controls and monitoring their effectiveness
- How to install and construct controls in accordance with BOPRC erosion and sediment control guidelines.



**Figure 4: A hay mulcher spreading mulch to stabilise the earthworks site at the Tauriko Business Estate development**

Five workshops were held through September 2019, all of which were fully subscribed. This shows a great willingness from earthworks contractors to be engaged with Council and work towards best practice, which is a positive step.

## Forestry - Ono Rakau

The Bay of Plenty region has the second highest amount of production (exotic) forestry in New Zealand. Production forestry accounts for approximately 45% of land-use on the productive land in the Bay of Plenty. The majority (84%) is located east of the Waitahanui River catchment (the boundary between Whakatāne District Council and Western Bay of Plenty District Council), particularly in the Rangitāiki River catchment. Approximately 50% is located hill country land, with slopes ranging from 21-35 degrees.

Managing the risks associated with forestry can be challenging in the Bay of Plenty, as typically, forests are developed in erosion prone land either by industry looking for undeveloped land, or through landowners taking advantage of incentives to plant pine to act as a mechanism to reduce erosion risks. The risk posed by forestry debris and sediment has been an area of high public interest since the incidents in the Gisborne region in May 2018. Council continues to work with industry in the Bay of Plenty to ensure foresters take appropriate steps to manage the risks associated with the activity.



During the 2018/2019 reporting period, 23 inspections were undertaken on permitted forestry activities, the majority relating to harvest and earthworks. In addition, 59 inspections were undertaken on consented forestry activities. This is a significant increase on the previous year, 2017/2018, in which Council undertook 39 inspections on consented forestry sites. These results show an improved level of compliance from forestry activities, both permitted and consented, compared to 2017/18 (64%) (See Table 3 Forestry inspection results 2018/2019).

In addition to resource consent compliance monitoring, Council also undertakes monitoring under the National Environmental Standard – Plantation Forestry legislation came into legal effect on 1 May 2018, 107 Permitted Activity records for 148 activities have been registered, with the majority being for harvest (56%) and earthworks (24%). Afforestation and replanting accounts for 9.5% of Permitted Activity Registrations.

Location	Total Inspections	Complying	Low Risk NC	Moderate Risk NC	Significant NC
East Coast	27	19	5	2	1
Kaituna, Maketū and Pongakawa	9	8	1	0	0
Rangitāiki	9	5	2	2	0
Rotorua Lakes	6	6	0	0	0
Tarawera	6	4	0	2	0
Tauranga Harbour	6	6	0	0	0
Waioeka and Otara	2	2	0	0	0
Whakatāne and Tauranga	17	14	3	0	0
<b>TOTAL</b>	<b>82</b>	<b>64</b>	<b>11</b>	<b>6</b>	<b>1</b>
%		<b>78</b>	<b>13.4</b>	<b>7.3</b>	<b>1.2</b>

**Table 3: Forestry inspection results 2018/2019**

# Three waters - e Toru nga Wai

## MUNICIPAL WASTEWATER

There are currently 37 resource consents associated with the 19 municipal Wastewater Treatment Plants (WWTPs) in the Bay of Plenty region operated by City or District Councils.

A number of the region's WWTPs are operating oxidation pond designs that have been modified over the years to allow for growing populations and changing attitudes towards environmental impacts. Advanced technology is used within the newer plants to produce better quality treated effluent within a smaller footprint.

Treated wastewater contains elevated levels of nutrients and bacteria, which have the potential to cause impacts to the environment and human health. Cultural impacts are also critical when considering the disposal of treated wastewater from a municipal plant.

During the 2018/2019 reporting period, 79 inspections were completed across the 19 WWTPs. Of the 79 inspections, a high proportion (85%) were assessed as being complaint which is an improvement on the previous year's inspections. Table 4, below, shows the inspections carried out and the assigned compliance rating.

### Wastewater treatment plant



Territorial Local Authority	Total Inspections	Complying	Low Risk NC	Moderate Risk NC	Significant NC
Kawerau District Council	9	6	0	3	0
Ōpōtiki District Council	2	1	0	1	0
Rotorua District Council	7	6	1	0	0
Tauranga City Council	20	20	0	0	0
WBOP District Council	19	16	1	2	0
Whakatāne District Council	22	18	3	1	0
<b>TOTAL</b>	<b>79</b>	<b>67</b>	<b>5</b>	<b>7</b>	<b>0</b>
<b>%</b>		<b>84.8</b>	<b>6.3</b>	<b>8.9</b>	<b>0</b>

Table 4: Municipal WWTP site inspection results 2018/2019

Alongside site inspections, Regional Council actively monitors data which District councils are required to submit on a range of parameters, in order to monitor the effectiveness of wastewater treatment, and understand the potential impacts on the environment. In the case of activities such as wastewater treatment, this data provides an important tool to monitor compliance with treated wastewater quality limits, and track any potential environmental risks associated with incidences of non-compliance

<b>Territorial Local Authority</b>	<b>Total PMs</b>	<b>Complying</b>	<b>Low Risk NC</b>	<b>Moderate Risk NC</b>	<b>Significant NC</b>
Kawerau District Council	13	2	10	1	0
Ōpōtiki District Council	19	12	7	0	0
Rotorua District Council	21	20	1	0	0
Tauranga City Council	38	38	0	0	0
WBOP District Council	37	24	9	4	0
Whakatāne District Council	63	47	15	1	0
<b>TOTAL</b>	<b>191</b>	<b>143</b>	<b>42</b>	<b>6</b>	<b>0</b>
%		<b>74.9</b>	<b>22</b>	<b>3.1</b>	<b>0</b>

**Table 5: Wastewater treatment plant performance monitoring compliance 2018/2019**

For the period of 2018/2019 one instance of enforcement action was recorded in relation to Wastewater Treatment; on 30 of April 2019 an abatement notice was issued to Kawerau District Council. This abatement notice directed Kawerau District Council to cease contravening conditions of their resource consent for the Kawera Wastewater Treatment Plant. The abatement notice was issued in response to non-compliance with conditions relating to the quality of treated wastewater being discharged to land where it may enter water.

## MUNICIPAL DRINKING WATER

There are currently 54 consents relating to municipal water supply schemes in the Bay of Plenty. The majority of these schemes are run by District Councils.

Like the horticultural and agricultural water take and use consents, consents are also required for the municipal abstraction and use of water that does not meet permitted activity requirements, including all takes above 15 m<sup>3</sup>/day for surface water takes, or 35 m<sup>3</sup>/day for groundwater takes.

These consents allow BOPRC to monitor the amount of demand being placed on the resource, and ensure water resources are not over allocated. Prior to granting consent, BOPRC ensures that minimum water levels will be maintained following the granting of consent to prevent adverse social, cultural and environmental effects.

BOPRC does not control or monitor the quality of water abstracted for municipal supply, as this is administered by the Department of Health. However, in most cases compliance inspections do involve checking bore heads are sealed to prevent groundwater contamination from the surface.

Municipal abstractions are inspected on site once every five years. Ongoing compliance is largely monitored by auditing the water abstraction records submitted by the consent holders.

During the 2018/2019 reporting period, there were 26 inspections on municipal water supply schemes, with 24 deemed to be operating in compliance. The non-compliance identified in relation to Kawerau District Council was due to the formation of a slip above the intake and missing monitoring returns. The non-compliance assigned to Western Bay of Plenty District Council was for bores which are no-longer in use.. Table 6 below shows the inspections carried out and the assigned compliance rating.

Territorial Local Authority	Total Inspections	Complying	Low Risk NC	Moderate Risk NC	Significant NC
Kawerau District Council	2	1	1	0	0
Ōpōtiki District Council	3	3	0	0	0
Rotorua District Council	1	1	0	0	0
Tauranga City Council	15	15	0	0	0
WBOP District Council	1	0	1	0	0
Whakatāne District Council	4	4	0	0	0
<b>TOTAL</b>	<b>26</b>	<b>24</b>	<b>2</b>	<b>0</b>	<b>0</b>
<b>%</b>		<b>92</b>	<b>8</b>	<b>0</b>	<b>0</b>

**Table 6: Municipal drinking water inspections results 2018/2019**

Water users are required to submit water abstraction records. Some resource consents may also require the submission of water level data, pump rates, meter verification and stream flow. The period of submission is different for each consent – some may require annual reports and some may require monthly. Table 7 below shows the compliance rating assigned to each monitoring return as set up in the BOPRC system

## Municipal Drinking Water





<b>Territorial Local Authority</b>	<b>Total PMs</b>	<b>Complying</b>	<b>Low Risk NC</b>	<b>Moderate Risk NC</b>	<b>Significant NC</b>
Kawerau District Council	30	0	30	0	0
Ōpōtiki District Council	21	21	0	0	0
Rotorua District Council	87	60	27	0	0
Tauranga City Council	34	19	15	0	0
WBOP District Council	77	71	6	0	0
Whakatāne District Council	47	36	7	4	0
<b>TOTAL</b>	<b>296</b>	<b>207</b>	<b>85</b>	<b>4</b>	<b>0</b>
<b>%</b>		<b>70</b>	<b>29</b>	<b>1.4</b>	<b>0</b>

**Table 7: Municipal water abstraction performance monitoring compliance 2018/2019**

For the period of 2018/2019 one instance of enforcement action was recorded; on 8 March 2019 an abatement notice was issued to Whakatāne District Council. This abatement notice directed Whakatāne District Council to cease contravening the resource consent for the community water supply at Te Mahoe, following breaches of limits relating to both the rate and daily quantity of abstraction. This abatement notice was cancelled on 29 March 2019, after Whakatāne District Council undertook works to address the cause of the problem and sufficiently demonstrated compliance.

## MUNICIPAL STORMWATER

Stormwater runoff from developed land can contain a number of contaminants; particularly in urban or industrial areas with a large amount of impervious surfaces.

To better manage the stormwater discharge network in urban areas, district councils require resource consent. In some instances, this can be a comprehensive stormwater consent which includes an entire catchment, and may also include managing all third party discharges into the network (generally with stormwater licencing authorised by a bylaw).

Tauranga City Council is the only territorial authority with comprehensive stormwater consents; for Tauranga City, Pāpāmoa, and the Maranui/Mangatawa catchments. The remainder of the district councils are either preparing applications, or have applications lodged. Due to the size of the Tauranga City catchment (approx. 2500 outlets), site inspections are not carried out on a routine basis – only when problems arise

In areas that are yet to be covered by comprehensive consents, the District Council will hold a large number of individual discharge consents. . Significant third party sites will generally hold their own consent to discharge to due to the high risk nature of the activities that occur there (i.e fertiliser manufacturing, liquid waste processing, fuel storage etc). These site will be discussed further in the next section of this report.

Due to the complexity and risks associated with these discharges, stormwater compliance is one of the main focuses under the new regulatory compliance structure.

As a result of the size of the Tauranga City catchment (approx. 2500 outlets), site inspections are not carried out on a routine basis – only when problems arise. For the remainder of the individual stormwater consents around the bay, the inspection regime can be anywhere from 6 monthly to 10 yearly depending on the assessed risk of the discharge.

Of the 70 stormwater inspections 80% were found to be compliant during the 2018/2019 reporting period, which is a reduction in the percentage of complying inspections from the 2017/2018 year.



Territorial Local Authority	Total Inspections	Complying	Low Risk NC	Moderate Risk NC	Significant NC
Rotorua District Council	12	10	1	0	1
Tauranga City Council	5	5	0	0	0
WBOP District Council	27	17	2	8	0
Whakatāne District Council	26	24	2	0	0
<b>TOTAL</b>	<b>70</b>	<b>56</b>	<b>5</b>	<b>8</b>	<b>1</b>
<b>%</b>		<b>80</b>	<b>7.2</b>	<b>11.4</b>	<b>1.42</b>

**Table 8: Stormwater inspections results 2018/2019**

Many of the older discharge consents do not have a water quality monitoring and reporting requirement. In contrast the new comprehensive consents have a stringent sampling regime and also include requirements such as the development of flood modelling and catchment management plans. Due to this disparity it is not appropriate to include an assessment of the monitoring returns compliance in this report.

## Industrial Discharges - Para Ahumai

Industrial discharge consents are split into three categories based on the scale of the activity and the associated risk to the environment and human health.

Major risk industrial sites have a wide range of chemical processes occurring on-site with a higher risk of producing off-site individual and cumulative effects. As well as annual site visits, they require frequent review of performance monitoring records and technical reports throughout the year. These sites have a substantial impact on resources, often involve a substantial range of contaminants, and have the potential to alter habitats and impact on ecosystems.

Medium risk industrial sites are inspected annually but have less frequent requirement to have performance monitoring records reviewed. These sites include the likes of rendering plants, asphalt and bitumen manufacturing plants, and large boiler plants. On-site activities generally include a range of chemical processes and have a moderate risk of producing off-site effects if not managed properly.

### Industrial Discharges



**Figure 5: Looking across a clarifier, which is used to treat wastewater from the paper and pulp production process at the Norske Skog Tasman Ltd plant in Kawerau**

Minor risk sites are inspected at least every three years and are considered to have lessor environmental impacts given the discharge volumes are small, intermittent and at low concentrations. These sites generally consist of sandblasters, spray painters and small incinerator plants. These activities are often also audited by other external agencies, such as WorkSafe NZ and Territorial Authorities.

A total of 242 industrial discharge inspections were completed in 2018/2019, down from 269 inspections last year. The results showed that, 75% of sites were compliant, 18% low risk non-compliant, 7% moderate non-compliance and 1% significant non-compliance. Levels of compliance showed an improvement of 5% over the previous year.

The main reasons for non-compliance were lack of maintenance, human error and/or negligence which resulted in plant failure, failing to maintain access to sampling points, and infrastructure being constructed differently than the designs submitted with the plans.

Location	Total Inspections	Complying	Low Risk NC	Moderate Risk NC	Significant NC
Kaituna, Maketū and Pongakawa	20	16	0	4	0
Ōhiwa Harbour and Waiotahi	2	2	0	0	0
Rangitāiki	32	23	9	0	0
Rotorua Lakes	20	14	5	0	1
Tarawera	46	40	6	0	0
Tauranga Harbour	87	57	17	12	1
Waioeka and Otara	8	7	1	0	0
Whakatāne and Tauranga	27	22	5	0	0
<b>TOTAL</b>	<b>242</b>	<b>181</b>	<b>43</b>	<b>16</b>	<b>2</b>
	<b>%</b>	<b>74.8</b>	<b>17.8</b>	<b>6.6</b>	<b>0.8</b>

Table 9: Industrial discharge inspection results 2018/2019

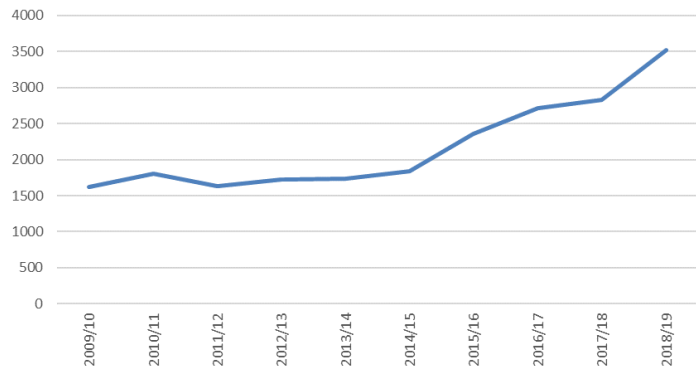
# Service requests - Ngā kooamuamu

Bay of Plenty Regional Council (BOPRC) provides a 24 hour response service known as the pollution hotline. Service requests are made up of environmental complaints (92%), enquiries (6%) and notifications (2%).

We continue to experience year on year increases in the number of calls we receive. Throughout the 2018/2019 reporting period, we received 3,519 service requests, which is the most service requests we have ever received for any 12 month period, and marks a 19% increase on the 2017/2018 reporting period (refer to Figure 6)

On average we received ten service requests a day which was up from an average of eight in the 2017/2018 period.

**Number of Service Requests received per year: 2009/10 - 2018/19**

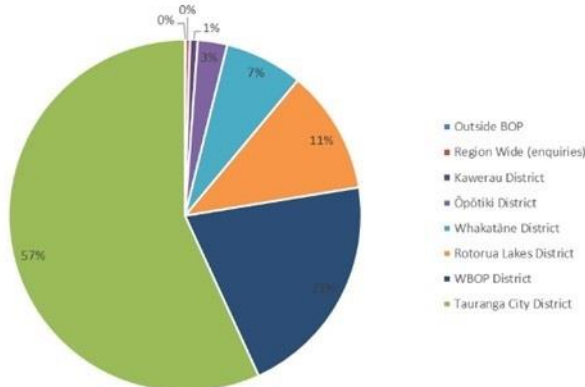


**Figure 6: Number of service requests received per year**

The busiest month for 2018/2019 was January 2019, where we received 413 service requests. This is the highest number of service requests ever received by BOPRC in a single month. The busiest single day over this reporting period was 21 January 2019 with 38 service requests called into the pollution hotline; 24 relating to dust.

The Tauranga City district received the vast majority of complaints (57%), which was distantly followed by Western Bay of Plenty District (21%), Rotorua Lakes District (11%), Whakatāne District (7%), Ōpōtiki District (3%) and Kawerau District (1%); as shown in Figure 7.

**Number of Service Requests by District: 2018/19**



**Figure 7: Number of Service Requests by District**

The majority of service requests remain linked to air quality (70%), over 1200 requests were relating to odour, with pet food rendering plants being responsible for the majority. After air quality the next significant majority is discharges to water and land making up 27% of calls.

A total of 139 urgent service requests were received and all of these were responded to within 12 hours from the time of the initial call. Of the 3,380 non-urgent service requests received, 3,266 (97%) were responded to within three working days of receiving the initial call. We responded to 2,585 calls on the same day of receipt.

To assess customer satisfaction the team completes a phone survey of those customers whose environmental complaints were able to be substantiated. Customers are asked if they were satisfied with the level of service and response provided by the officer on the day they phoned the pollution hotline. We received 94% positive feedback from our customers during the 2018/2019 year, up from 89% the previous year.



**Figure 8: Staff deploy booms in the Tautau Stream to capture debris and hydrocarbons, following traffic incident in March 2019**

# Enforcement

Regional Council issued 87 abatement notices, and 31 infringement notices, totalling \$22,750 in fines. The majority of abatement and infringement notices related to Section 15 offences (discharges of a contaminant), as demonstrated in Figure 9.

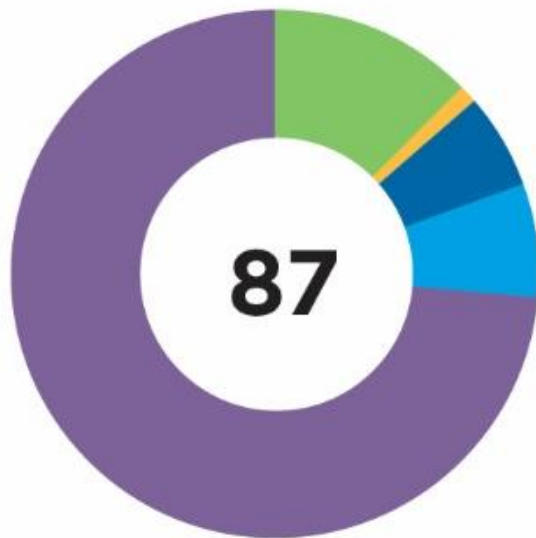
In 2018/2019, we received decisions from the court in relation to 12 matters, resulting in a total of \$529,525 in fines. These decisions are outlined in Table 10, below. As of 1 July 2019, 17 cases remain before the courts.

Offenders	Offence	Penalty
Specialised Container Services (Tauranga) Ltd	Discharge of hydraulic oil to land where it entered Tauranga Harbour	\$40,000
Waiotahi Contractors Limited	Discharge of Sediment from a quarrying operation	\$41,250
Katikati Quarries (2001) Limited	Discharge of sediment from a quarrying operation	\$30,000
Tirohanga Farms Limited	Dairy effluent discharge	\$32,000
Ballance Agri-Nutrients Limited	Discharge to air	\$82,500
Waiotahi Contractors Limited	Discharge of sediment a large scale earthworks site	\$88,200
Hedley Farms Ltd	Dairy effluent discharge	\$45,000
Bruce Carter and Brian Carter	Dairy effluent discharge	\$43,200 (Bruce Carter) and \$18,000 (Brian Carter)
TNN Holdings and Jason Wakefield	Dairy effluent discharge	\$30,375 (TNN Holdings) and 95 hours community service (Jason Wakefield)
G And J Vercoe Contracting Limited	Illegal earthworks	\$22,500
G And J Vercoe Contracting Limited	Illegal earthworks	\$30,000
Amandeep Singh as a Trustee of Takhar Trust	Discharge of sediment from a large scale earthworks site	\$40,000 and 400 hours of community service

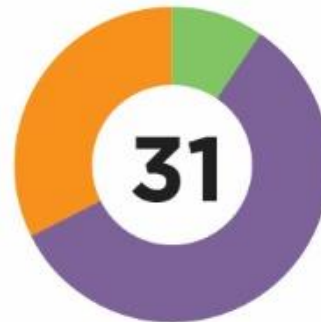
**Table 10: Regional Council Prosecution Decisions received in 2018/2019**



## Abatement Notices



## Infringement Notices

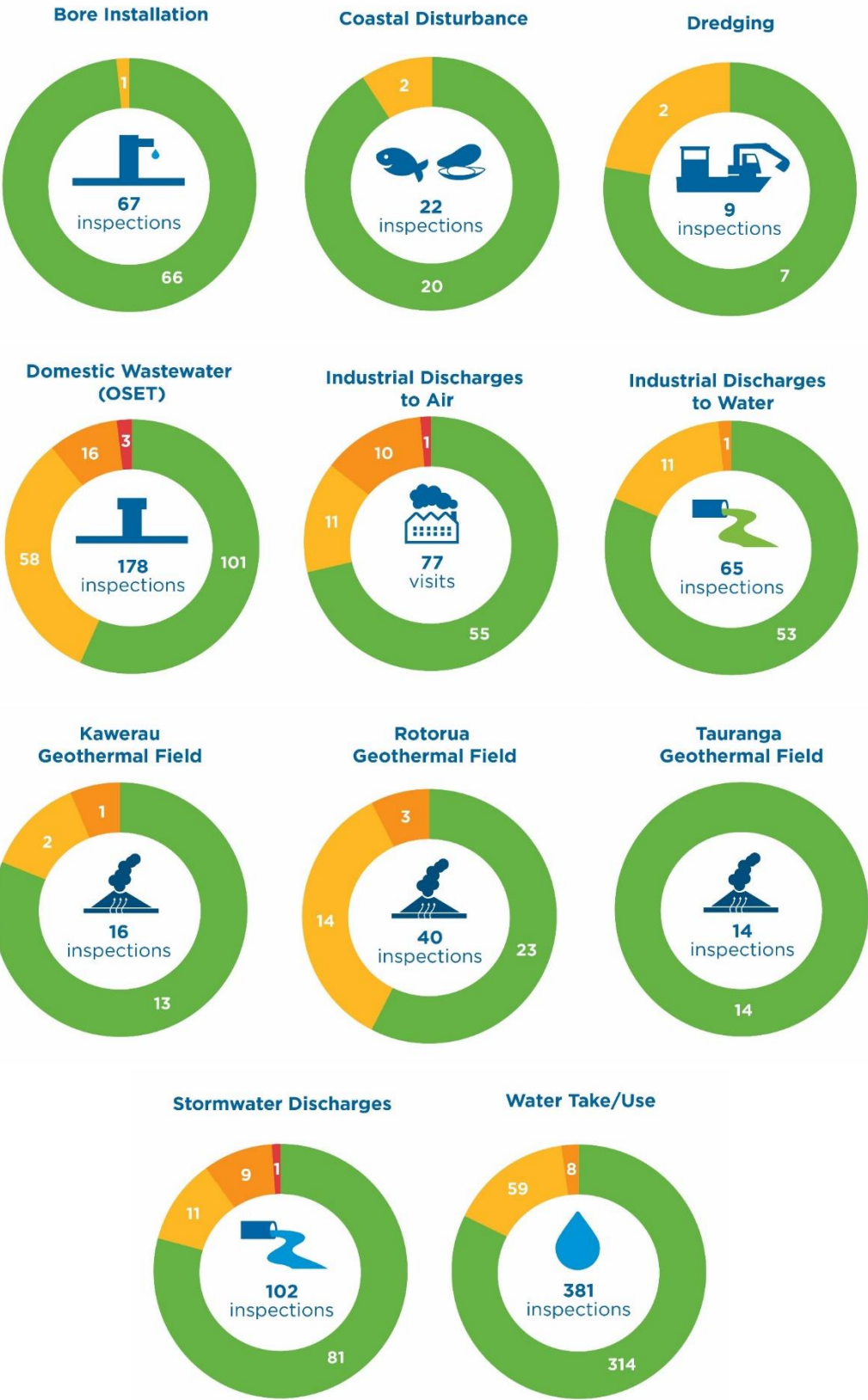


- 
- Section 322 - Breach of Abatement
  - Section 15 - Discharges
  - Section 14 - Water
  - Section 13 - River & Lake Beds
  - Section 12 - Coastal
  - Section 9 - Land Use

Figure 9: Types of breaches resulting in Abatement and Infringement Notices



# Appendix 1: Other compliance results







PO Box 364  
Whakatāne 3158  
New Zealand

**Website:** [www.boprc.govt.nz](http://www.boprc.govt.nz)

**Phone:** 0800 884 880  
**Fax:** 0800 884 882

 [www.facebook.com/boprc](http://www.facebook.com/boprc)

 [www.twitter.com/boprc](http://www.twitter.com/boprc)