

**Title:** Internal Consent Compliance Review Progress Report  
**Section:** Water  
**Prepared by:** Wolfgang Kanz (Stormwater/Wastewater Team Leader)  
**Meeting Date:** 18 October 2018

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Legal     Financial     Significance = low

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## Report to WASTEWATER MANAGEMENT Committee for information

### SUMMARY

The purpose of this report is to update the Wastewater Management Committee (WMC) on progress regarding Council's internal consent compliance review of the wastewater resource consent (CD-1208-02 ex CP-1208-01).

The Council staff compliance audit has to date focused on operational consent matters, and generally excludes consent matters being considered by the Independent Review Panel (IRP). Both the Council staff and IRP reports are still in draft, with some work required in order to finalise the review. The draft reports are provided to the WMC.

An initial summary of compliance is provided only on matters reviewed to date by Council. The draft IRP report was not available in time for analysis by the Wastewater Management Options project team, and therefore these findings have not been summarised for the WMC.

A final compliance report will be produced after the 18 October 2018 meeting for the WMC to consider at their first WMC meeting in 2019.

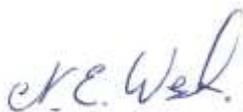
The decisions or matters in this report are considered to be of **low** significance in accordance with the Council's Significance and Engagement Policy.

### RECOMMENDATIONS

**That the Wastewater Management Committee:**

- 1. Notes the contents of this report.**

Authorised by:



Neville West  
**Infrastructure Manager**



David Wilson  
**Director Lifelines**

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**Keywords:** Wastewater Consent, Compliance

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## BACKGROUND

1. Council is required to remain compliant with the conditions of the wastewater resource consent (CD-1208-02 ex CP-1208-01). Council staff are carrying out a comprehensive stocktake/audit of consent compliance.
2. Council staff have to date focused on consent conditions that are not being specifically considered by the IRP. Consent compliance matters relating to Clause 22 have therefore not yet been assessed by Council. The draft Council review is provided in Appendix 1, whilst the draft IRP report is provided in an appendix to WMC Report 18-424.
3. Once the IRP has finished their review, Council will review and include these compliance matters in an overall compliance report that addresses the entire consent.

## DISCUSSION and OPTIONS

4. In terms of consent matters reviewed by Council at this stage, the Council is compliant with the exception of the below:

### **Clause 4A(c)(iii)**

*The WTAG shall report at least annually and at such other times as may be necessary to the Wastewater Management Committee (WMC) and consent authority, and present such reporting to any public forum that the WMC considers appropriate. The report shall review progress on the BTF Plant Monitoring and Investigation Study, permit conditions 36, 37, 42, 43 and 44, and advice provided on the AUD Programme.*

The WTAG did not provide annual reports except for the Third Annual Reports.

### **Clause 16**

*The functions of the WMC shall include ... Providing an annual report on the exercise of its activities and functions. This report shall be provided to the Chief Executive of the Gisborne District Council during the month of June of each year for the duration of this permit.*

The WMC has not provided annual reports every year.

### **Clause 21**

*The permit holder shall appoint an IRP to undertake reviews as set out in condition 22 ... Six yearly reviews, co-ordinated with the timing of the Long Term Council Community Plan (LTCCP) reviews, starting in 2012 or as otherwise necessary to suit LTCCP timeframes.*

The appointment of an IRP in 2012 was not done.

### **Clause 38**

*... all industrial wastewater discharged at Location 3, shall meet the following standards:*

<i>Parameter</i>	<i>Sample Type</i>	<i>Concentration Limit</i>
<i>Suspended Solids</i>	<i>Composite</i>	<i>600 g/m<sup>3</sup></i>
<i>Total Oil and Grease</i>	<i>Composite</i>	<i>60 g/m<sup>3</sup></i>

This sampling was required until December 2012.

In 2011 and 2012 we were non-compliant with this level, having over 3 samples over the limit in 26 consecutive samples.

We have continued the monitoring to better inform the consent process for the future.

Since 2012, we were above the limit in 2013 and 2014, and then again in 2018 when we were also just above this limit.

#### **Clause 56**

##### *Whole Effluent Toxicity*

2015 and 2017 had compliant results.

2016 had the laboratory change the methodology and found that we were just above the limit.

2018 was just above the limit. Further work will be undertaken in 2019 testing to find whether the reaction is to Domestic, Industrial or Mixed wastewater.

5. The final IRP report to be received after the 18 October 2018 WMC meeting will be assessed by the project team, for integration into the overall document. A final compliance report will then be produced for the WMC to consider at their first WMC meeting in 2019.

### **ASSESSMENT of SIGNIFICANCE**

<b>Criteria</b>	<b>This Report</b>	<b>The Process Overall</b>
The effects on all or a large part of the Gisborne district	<b>Low</b>	<b>Low</b>
The effects on individuals or specific communities	<b>Low</b>	<b>Low</b>
The level or history of public interest in the matter or issue	<b>Low</b>	<b>Medium</b>
Inconsistency with Council's current strategy and policy	<b>Low</b>	<b>Low</b>
Impacts on Council's delivery of its Financial Strategy and Long Term Plan.	<b>Low</b>	<b>Low</b>

6. The decisions or matters in this report are considered to be of **low** significance in accordance with Council's Significance and Engagement Policy.

### **COMMUNITY ENGAGEMENT**

7. In terms of wastewater management, the community has been actively engaged in the past, and more recently through a thorough LTP pre-consultation and formal LTP consultation process (ending June 2018).
8. The community in general is not actively engaged in compliance monitoring, although compliance matters are reported through reports to the WMC.

### **CONSIDERATIONS**

#### **Financial/Budget**

9. No financial implications as a result of this report.

#### **Legal**

10. The consent holder (Council) must remain compliant with resource consent requirements.

## **POLICY and PLANNING IMPLICATIONS**

11. Wastewater management was included in the 2015–2025 Long Term Plan, is included in the 2018–2028 Long Term Plan, and is consistent with strategic policies and plans.

## **RISKS**

12. A risk exists that the consent holder has not adequately complied with or undertaken work in terms of the conditions in the consent.

## **NEXT STEPS**

<b>Date</b>	<b>Action/Milestone</b>	<b>Comments</b>
First quarter 2019	WMC meeting	Compliance report presented

## **APPENDICES**

- Appendix 1 - Preliminary Council consent review.