

ARF007 Compliance – NRC Abatements

Risk Status Progress Report December 2020

Prepared: 04/11/20

Description of risk and impact

FNDC has nine abatement notices due to non-compliance with resource consent conditions for district infrastructure issued by Northland Regional Council.

Many of these notices are over two years old, and six involve expensive wastewater assets. NRC lodged an Enforcement Order application with the Environment Court for ongoing non-compliance at the Paihia Wastewater Treatment Plant (ammonia levels), and FNDC are now under suspended orders requiring delivery of solid remedial action to avoid further litigation.

Existing Treatments

High level treatment plan completed:

- Established new permanent role solely focused on compliance (Infrastructure Compliance Lead)

High level treatment plan and progress up-date:

High level treatment plan:	Progress update:
Resolve non-compliance with resource consent conditions to clear the nine abatement notices:	Four abatement notices have been withdrawn or closed off. While NRC will not rule out future enforcement action, NRC are satisfied with the actions being undertaken and are confident that we will clear our abatement notices by June 2021.
Relationship building with NRC – monthly activity level compliance meetings are held between FNDC / NRC as well as six monthly group level compliance meetings to provide an update on the Infrastructure Compliance Strategy.	FNDC and NRC are actively collaborating. Monthly meetings and reporting are in place. Six monthly meetings will be re-instated within the next three months.
Creation of an Infrastructure Compliance Strategy – two-year strategy with goals and deliverables to actively increase the level of compliance. This strategy directly informs the work programme of the Infrastructure Compliance Planner.	Infrastructure Compliance Strategy completed and implemented in June 2020. The Infrastructure Compliance Lead will project manage the action points with timeline and deliverables to ensure ongoing compliance.

Progress update with regards to abatement notices

Abatement Notice	Progress
1. Kaitia Water Supply – Condition 4 – Contravention of Water Shortage Direction.	Closed.
2. Kawakawa WWTP – Conditions 3 & 12 – Bunded sludge disposal areas non-compliant.	Withdrawn.
3. Russell WWTP – E.Coli levels at compliance point.	Withdrawn.
4. Paihia WWTP – ammonia levels at compliance point.	Withdrawn.
5. Kerikeri WWTP – Condition 8 – Discharge of non-compliant wastewater.	On target to meeting the 30 November deadline of handover and completion which will allow us to apply for a withdrawal.
6. Ahipara WWTP – Condition 2 – leachate levels.	There is an Action Plan created to address the leachate levels.
7. Kerikeri Sports Complex – Exceeded discharge limits on multiple occasions.	There is an Action Plan created to investigate possible solution to management of wastewater.
8. Opononi WWTP – Condition 19 – E.Coli levels at compliance point.	An 'issues and options' plan has been commissioned with regards to addressing the non-compliance.
9. Kaitia WWTP – untreated discharges.	An Action Plan has been created to prioritise the creation of a Leak Detection Plan.

Where are the gaps? / what more could we be doing?

Far North Waters Alliance is responsible for operational compliance with water and wastewater resource consents and FNDC must rely on Far North Waters to take ownership of this area. This includes having sound processes, systems and quality management in place, as well as having the technical capability to provide informed, cost effective and viable recommendations on improvements / upgrades needed to our water and wastewater assets to become and remain compliant.

Example of an identification of gaps	What more could we be doing?
Social procurement	One of our key issues was the vegetation surrounding the monitoring bores at the Russell WWTP. Far North Waters have contracted a local company, who are a father and son team dedicated to sustainable earthworks and vegetation clearing. The machines used are designed not only to perform robust vegetation clearance but can also be programmed to avoid indigenous plants and trees and can be used safely on archaeological sites because they do not disturb the cultural layer. This model is part of the Far North Waters Sustainable procurement strategy which not only positively impacts local economy, but ensures the work is being done by professionals who are deeply invested in the community. NRC have been updated of this clearance and have provided positive feedback.

Inherent Risk:	Trend	Residual Risk:	Accountable:	CEO	Date raised:	29/11/18	Report frequency:
	↓		Responsible:	GM IAMs	Date accepted:	30/05/19	Six monthly