

ARF007 Compliance – NRC Abatements

Risk Status Progress Report June 2022

Prepared: 27/05/2022

Description of risk and impact

The community expects that FNDC will manage infrastructure in a way that protects the health of people and environments. Council has KPIs requiring compliance with resource consents. One of the KPI measures is the number of abatement notices received. An abatement notice can be issued pursuant to s.322 of the Resource Management Act 1991 (RMA) if the regulator believes an activity has caused or is likely to cause a breach of the RMA. Abatement notices can lead to further enforcement action and not meeting community expectations.

Non-compliances that lead to abatement notices may be bio-physical or administrative. An example of a bio-physical non-compliance is discharge water quality. Administrative non-compliances relate to providing information or reports. Every abatement notice is unique and requires a site-specific resolution. Resolving abatement notices can take a considerable time if significant activity and expenditure is required e.g., treatment plant upgrades. However, some general principles can be applied to reducing abatement notice risk.

Existing Treatments

- Maintaining an accessible register of current abatement notices
- Monthly monitoring and reporting on water and wastewater treatment to achieve early warning of compliance risks included in the IAM business report each month
- Monthly meetings with Northland Regional Council (NRC) and Far North Waters (FNW) to discuss monitoring results and compliance risks
- Triaging the significant and minor non-compliances recorded in CSVue and IRIS software to address compliance risks before they require abatement
- Implementing projects that improve compliance and reduce risks

High level treatment plan and progress up-date:

High level treatment plan:	Progress update:
Resolve non-compliance with resource consent conditions and Regional Plan rules to clear abatement notices:	<p>The abatement notice register records that four abatement notices have been received so far this financial year. Two have been resolved. The remaining two relate to the Awanui riverbank stabilisation and odour at Mill Bay Pumpstation.</p> <p>The Awanui Riverbank stabilisation works have commenced and are expected to be complete in June. Once works are completed, we will apply to NRC to lift the abatement. Early discussion with NRC indicates the planned work will achieve this.</p> <p>The odour device at Mill Bay has been inspected and maintained. No further work is expected, and we have applied to NRC to lift the abatement.</p> <p>There are four legacy abatement notices. They are Kaitaia reticulation, Opononi <i>E.coli</i>, Russell <i>E.coli</i> and Ahipara faecal coliform treatment. There is budget in the LTP for improvements to reticulation and treatment to resolve these. Action to date is as follows:</p> <p>Kaitaia Wastewater Reticulation – Upgrading of some gravity lines to pressure lines and pumpstation upgrades has been carried out. CCTV and zonal monitoring is being completed. This will inform the design of further reticulation upgrades needed.</p>

High level treatment plan:	Progress update:
	<p>Opononi E.coli – Resource consent renewal is progressing with NRC. Plant upgrades are in the planning stages with a concept available. The assumptions and outcomes of this concept are being tested as the business case is being prepared for completion in June.</p> <p>Russell WWTP - the replacement of the pondliner has commenced. Hope Ave Pumpstation, UV upgrade, and media replacement are with Project Delivery.</p> <p>Ahipara Faecal Coliforms – A UV disinfection unit is planned for FY2022/2023. IAM also intend to liaise with Te Rarawa about holistic catchment monitoring design. Additional catchment monitoring will enable a shared understanding of the issues and results will inform future activities. Constructed wetland maintenance due to commence May/June. This will improve retention time and effectiveness of the CWL for removing coliforms.</p>
Monitoring and Reporting	<p>We are implementing WaterOutlook software across all Water Treatment Plants. WaterOutlook is a digital data platform that will provide a single source of truth for flow data, telemetry and water quality data. WaterOutlook will enable Council to quickly compile, analyse and share compliance data. Implementation is phased across the plants and is intended to be complete in July 2022.</p>
Relationship building with Far North Water	<p>This continues with various forums in place. These include:</p> <ul style="list-style-type: none"> • Monthly meetings with a focus on compliance outcomes only • Asset Managers and Operations engineers forum where issues can be raised before they become an ongoing issue or escalation point • Collaboration on preparation of project briefs for works to be undertaken
Relationship building with NRC	<p>FNDC and NRC are actively collaborating:</p> <ul style="list-style-type: none"> • Monthly activity level compliance meetings and reporting in place. • Ad-hoc liaison and information sharing e.g., via IRIS software, summer bathing programme.
Triaging significant and minor non-compliances	<p>FNDC uses CSVue software to track compliance with consent conditions. FNDC holds 195 resource consents and tracks 2677 consent conditions. There are currently 6 significant non-compliant conditions (3 of which have abatement notices noted above) and 61 minor non-compliant conditions. These are being reviewed and monitored for action to reduce non-compliance and the chance for abatement.</p> <p>The 6 significant non-compliance are; Kaitaia water treatment plant intake, Ahipara WWTP faecal coliforms, Opononi WWTP <i>E.coli</i>, Russell WWTP <i>E.coli</i>, Paihia WWTP NH4N. Projects are in progress to address each of these non-compliances.</p> <p>Ahipara WWTP – see comments for abatement notice above.</p> <p>Opononi WWTP – see comments for abatement notice above. Also – CWL maintenance was completed in October 2021. Some improvement in <i>E.coli</i> resulted.</p> <p>Russell WWTP – See comments for abatement notice above.</p> <p>Paihia WWTP – NH4N compliance has improved significantly since the installation of pods. Continued compliance requires Operators to manage the plant within design parameters for aeration and pH correction. Refinement of these procedures is being considered. Pond desludging is scheduled for FY2022/23. This will increase the capacity of the ponds thereby further improving treatment time and effectiveness.</p>
Infrastructure Compliance Programme	<p>The Water Safety Plan project and Engineers plant review has created a prioritised improvement plan for drinking water schemes. A similar process is being followed to create an improvement plan for wastewater schemes.</p>

High level treatment plan:	Progress update:
	This information will be an input into the Long-term Plan workshops commencing in June.

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

The risk trend may increase due to the legislative and regulatory change currently being faced. t. Future exposure to this risk is difficult to assess due to the unknown impact of proposed Three Waters reforms, implementation of the Proposed Regional Plan and NRC increasing the use of abatement notices as a key part of their compliance strategy.

Far North Waters Alliance (FNW) is responsible for operational compliance with water and wastewater resource consents. FNW take ownership of this area through 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. FNW have been actively contributing technical assessments that promote addressing compliance issues. The IAM Compliance Lead has been working with FNW to identify compliance risks and potential improvement projects, as well as adopting practices that increase the visibility of all known non-compliances, however minor, to minimise the chance these become the subject of an abatement notice.

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