

Legal compliance update

Meeting: Audit, Risk and Finance Committee
Date of meeting: 12 March 2020
Reporting officer: Sue Davidson, GM Sustainable Growth & Investment

Purpose/Ngā whāinga

This report summarises our legal compliance with council's statutory obligations. It provides oversight to the approach to risk and complying with regulatory and statutory requirements.

Executive summary/Whakarāpopototanga

This report details instances of non-compliance and progress with addressing the instances of actual or potential non-compliance.

Recommendation/Ngā tūtohunga

That the Audit, Risk and Finance Committee:

- a) Notes the 'Legal Compliance Update'

Context/Horopaki

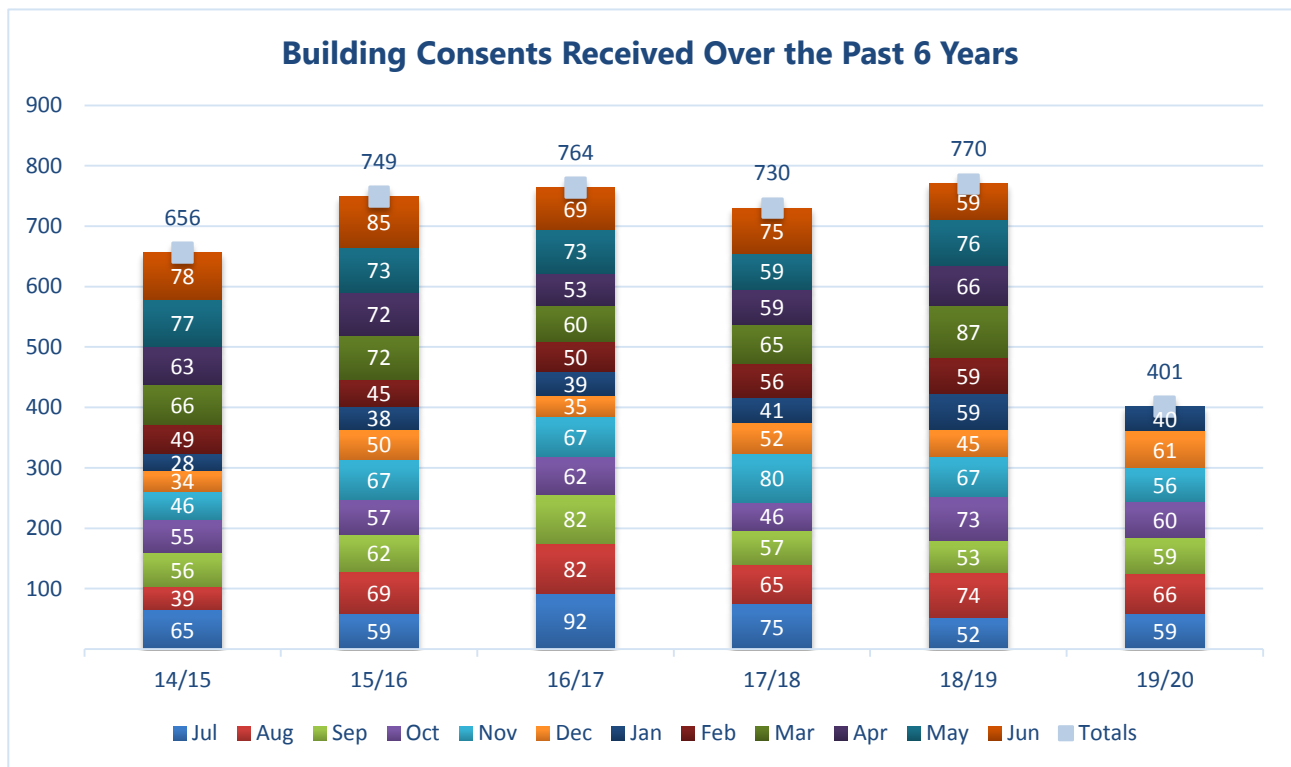
The Audit, Risk and Finance Committee (the Committee) is responsible for identifying and monitoring risks associated with legislative compliance. This report provides details where council is not complying and how this is looking to be remedied.

Discussion/Ngā kōrerorero

This report details instances of non-compliance and progress with addressing the instances of actual or potential non-compliance. Council has provided the following information:

Building consents

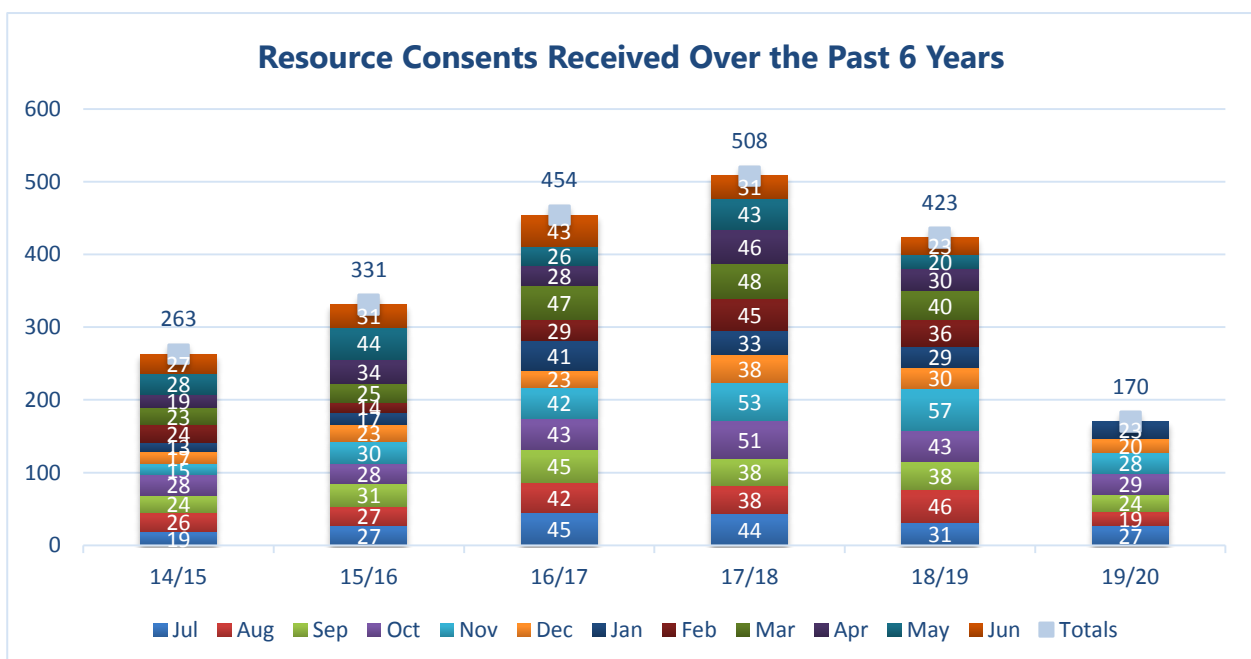
The aim is to have 100% of building consents processed within the statutory timeframe.



Percentage of building consents processed within statutory timeframes					
2014/2015	2015/2016	2016/2017	2017/2018	2018/2019	YTD
99%	99%	98%	97%	93%	98%

Resource consents

The aim is to have all non-notified land use and subdivision consents processed within the statutory timeframe. See attachment 1, Improving Resource Consent Compliance.



Percentage of resource consents processed within statutory timeframes					
2014/2015	2015/2016	2016/2017	2017/2018	2018/2019	YTD
100%	99%	99%	87%	71%	66%

Environmental Health

The legal documents have been finalised for nine properties in Kaihu to take up the loan for a water tank on their property. Currently they are on a raw water supply. Staff are still waiting for quotes for some of the properties. At the last Audit, Risk and Finance Committee meeting, the Committee asked that a report come back discussing the history and the fact that Council would not be able to put a statutory land change on the remaining properties.

Most of the properties have been identified on Maori land. A report went to the February briefing and February Council meetings.

Council has a wastewater bylaw and is proactively monitoring a percentage of the district housing with onsite domestic wastewater systems. The monitoring being undertaken has resulted in several areas being identified where there could be an issue. Further facts are being collected and a briefing/workshop has been held with council.

Infrastructure

Waters:

The discharges of treated effluent from the Kaiwaka and Te Kopuru wastewater treatment plants (WWTPs) have been consistently outside of the discharge limits set by Northland Regional Council (NRC).

Investigations have been undertaken to identify what is causing these issues and what we can do to rectify them.

- **Kaiwaka**

The Kaiwaka Wastewater treatment plant has been constructed and awaits electrical connection before commissioning. This will improve the treated water quality from Kaiwaka to the standard that meets the Resource Consent conditions.

- **Te Kopuru**

The recommendation from experts for Te Kopuru is to increase aeration and we are searching for an affordable suitably sized aerator for the wastewater ponds.

- **Dargaville Wastewater & Maungaturoto Water**

We have built two backwash discharge diversion system to wastewater for Dargaville and Maungaturoto Water Treatment Plants as the backwash occasionally comes high on aluminium.

Solid Waste:

- **Kaiwaka closed landfill** – high copper concentration 69mg/kg consent allows for 65 mg/kg (this will be tested again by NRC mid this year) they have not requested any action to be taken.
- **Ruawai closed landfill** – high copper concentration – no action requested by NRC and will be tested again this year.
- **Pahi closed landfill** – high Zinc concentration – no action requested by NRC and will be tested again this year.
- **Glinks Gully Closed Landfill** – In the past there has been issues with high concentration of lead and copper at this site, consent levels are set lower than usual due to the close proximity of the Glinks Gully secondary water supply, however this supply has been decommissioned for several years now and a variation could be applied for to lift the consent levels in line with other closed landfills, in saying that the last report done by NRC did not highlight this as an issue.

Significance and engagement/Hirahira me ngā whakapāpā

The decisions or matters of this report do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via agenda on the website.

Next steps

Continue to monitor and work towards compliance.

Attachments/Ngā tapiritanga

Number	Title
1	Improving Resource Consent Compliance